Resolution 2026-11

A Resolution of the Board of Directors of the Pajaro Valley Water Management Agency

Finding, Determining, and Declaring that the Public Interest and Necessity Require the Acquisition of Interests in Certain Real Property (Assessor's Parcel Numbers 052-191-59; & 046-201-18, -19, -26; 052-211-22; & 052-551-02) By Eminent Domain

---

The Board of Directors of the Pajaro Valley Water Management Agency ("Agency") does resolve as follows:

WHEREAS, on July 15, 2026, the Board of Directors for the Pajaro Valley Water Management Agency (the "Agency") approved the acquisition of:

(a) The following property interests related to Accessor Parcel Number 052-191-59: (1) a non-exclusive permanent and perpetual easement and right-of-way, including the right to ingress and egress for the purpose of constructing, operating, and maintaining a monitoring well site and related appurtenances in, on, and over a 25 square feet portion of certain real property ("PE-1"): (2) a non-exclusive temporary construction easement ("TCE-1") in, on, and over a 0.046-acre (2,000 square feet) portion of certain real property to provide a ground surface workspace during construction; and (3) a non-exclusive temporary access easement ("TAE-1") in, on, and over a 0.684-acre (29,795 square feet) portion of certain real property for construction access, associated with the rights of vehicular ingress and egress, for the proposed Watsonville Slough System – Managed Aquifer Recharge and Recovery ("WSS-MARR") Project ("Project") (collectively, PE-1, TCE-1, and TAE-1 are defined as the "Subject Property 1 Interests"); and

(b) The following property interests related to Accessor Parcel Number 046-201-18, -19, -26; 052-211-22; & 052-551-02: (1) a non-exclusive permanent and perpetual easement and right-of-way, including the right to ingress and egress for the purpose of constructing, operating, and maintaining a pipeline and related appurtenances in, on, and over a 280 square feet portion of certain real property ("PE-2"); (2) non-exclusive temporary construction easement ("TCE-2") in, on, and over a 561 square feet portion of certain real property to provide a ground surface workspace during construction; and (3) a non-exclusive permanent access easement ("TAE-2") in, on, and over a 0.644-acre (28,053 square feet) portion of certain real property for construction access, associated with operation, maintenance, repair, and replacement, for the WSS-MARR Project (collectively, PE-2, TCE-2, and TAE-2 are defined as the "Subject Property 2 Interests");

(c) Collectively, the Subject Property 1 Interests and Subject Property 2 Interests are described as the "Project Easements".

WHEREAS, the Agency is authorized to acquire by eminent domain the Project Easements for a public use, to wit, the proposed Project, pursuant to, among other provisions of State law, Pajaro Valley Water Management Agency Act (Stats. 1984, ch. 257, § 1 et seq., p. 798

et seq., Deering's Wat. Uncod. Acts (2008) Act 760, p. 681); California Constitution Article I, Section 19; and the California Eminent Domain Law, Part 3, Title 7, of the Code of Civil Procedure, Sections 1230.010 *et seq*.;

WHEREAS, the proposed Project is part of the Agency's greater Basin Management Plan: Groundwater Sustainability Update 2022 ("GSU22"), a water supply project within the Watsonville Slough System, to store surface water runoff in a shallow aquifer for later use as a supplemental water supply in lieu of groundwater. The primary purpose of the Project is to help balance the Pajaro Valley Groundwater Basin, prevent further seawater intrusion, and help meet the water supply needs of Pajaro Valley growers;

WHEREAS, the Project will consist of a diversion inland on Struve Slough, including a Struve Slough water diversion/intake structure, pump station, water conveyance pipeline, and additional recharge and extraction facilities adjacent to the Agency's Harkins Slough Project facilities;

WHEREAS, the Agency seeks to acquire PE-1, TCE-1, and TAE-1 in a portion of certain real property, identified in the records of the Santa Cruz County Assessor as Parcel No. 052-191-59 ("Subject Property 1") in unincorporated Santa Cruz County, California, as more particularly described and depicted in **Exhibit "A"** attached hereto, and incorporated herein by reference for the Project;

WHEREAS, the Agency seeks to acquire PE-2, TCE-2, and TAE-2 in a portion of certain real property, identified in the records of the Santa Cruz County Assessor as Parcel Nos. 046-201-18, -19, -26; 052-211-22; & 052-551-02 ("Subject Property 2") in unincorporated Santa Cruz County, California, as more particularly described and depicted in **Exhibit "B"** attached hereto, and incorporated herein by reference for the Project;

WHEREAS, the Agency evaluated the environmental impacts of the Project. The Agency released an initial study and notice of preparation, held scoping meetings, released a Draft Environmental Impact Report ("EIR"), held public meetings to solicit input on the Draft EIR, responded to comments on the Draft EIR, and later released the Final EIR on the Project;

WHEREAS, on January 20, 2021, the Agency's Board of Directors, at a duly noticed public hearing, considered the Final EIR prepared for the Project, and certified it in Resolution 2021-02 as being compliant with California Environmental Quality Act, including adopting written findings, adopting a Statement of Overriding Considerations, and adopting a Mitigation Monitoring and Reporting Program;

WHEREAS, on January 17, 2025, the Agency sent a written offer letter to the owners of Subject Property 1 to acquire the Subject Property 1 Interests, pursuant to an appraisal prepared by Piini Realty, dated December 2, 2024;

WHEREAS, on November 11, 2024, the Agency sent a written offer letter to the owners of Subject Property 2 to acquire the Subject Property 2 Interests, pursuant to an appraisal prepared by Piini Realty, dated September 3, 2024;

WHEREAS, on July 15, 2026, after at least fifteen (15) days' written notice (via certified mail and personal service) to the property owners of record for Subject Property 1 and Subject

Property 2, the Agency held a hearing for the purpose of allowing the property owners of record thereof a reasonable opportunity to appear and be heard on the following matters:

a. Whether the public interest or necessity requires the project;
b. Whether the project is planned or located in a manner which is most compatible with the greatest public good and least private injury; and
c. Whether the property proposed to be acquired is necessary for the project;

WHEREAS, Agency staff and agents have been diligent in attempting to negotiate acquisition of Subject Property 1 and Subject Property 2 and have tried to conclude the transaction without taking this action; and

WHEREAS, upon adoption by an affirmative vote of at least two-thirds of all members of the Board of Directors required pursuant to Code of Civil Procedure ("CCP") Section 1245.240, this Resolution shall conclusively establish the matters referred to in CCP Section 1240.030 pursuant to CCP Section 1245.250(a), subject to judicial review only upon a showing of gross abuse of discretion pursuant to CCP Section 1245.255.

NOW, THEREFORE, BE IT RESOLVED that the Agency does hereby find, determine and declare as follows:

Section 1. Portions of Subject Property 1 (APN 052-191-59) and Subject Property 2 (APNs 046-201-18, -19, -26; 052-211-22; & 052-551-02), as more particularly described and depicted in Exhibit A and Exhibit B, attached hereto and incorporated herein, are being acquired for a public use, namely, for the Project, consisting of permanent and temporary easements for constructing, operating, accessing, and maintaining monitoring wells and pipeline for the Project.

Section 2. The public interest and necessity require the Project.

Section 3. The Project is planned and located in a manner that will be most compatible with the greatest public good and the least private injury.

Section 4. Subject Property 1 and Subject Property 2 are necessary for the proposed Project.

Section 5. The offer required by Government Code Section 7267.2 has been made to the record owners of Subject Property 1 (APN 052-191-59) and Subject Property 2 (APNs 046-201-18, -19, -26; 052-211-22; & 052-551-02). This finding satisfies the fourth required declaration under Code of Civil Procedure Section 1245.230(c)(4).

Section 6. The California Environmental Quality Act ("CEQA") requirements applicable to the Project have been satisfied. On January 20, 2021, the Board of Directors certified the Final Environmental Impact Report for the Project in Resolution No. 2021-02, at a duly noticed public hearing, including adopting written findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program, in full compliance with CEQA. The Board further finds that no subsequent or supplemental environmental review is required in connection with the acquisition of the Project Easements, as no substantial changes to the Project or its circumstances have occurred and no new information of substantial importance has come to light that was not known or could not have been known at the time the Final EIR was certified.

Section 7. The Agency does hereby declare that it is the intention of the Agency to acquire said properties in its name in accordance with the provisions of the laws of the State of California with reference to condemnation procedures.

Section 8. The Agency has complied with the provisions of Code of Civil Procedure section 1245.235. Not less than 15 days prior to the hearing held on July 15, 2026, written notice of the Board's intent to adopt this Resolution, the right to appear and be heard on the matters referred to in CCP Section 1240.030, and the consequences of failing to file a timely written request to appear, was sent to each person whose property is to be acquired by eminent domain and whose name and address appears on the last equalized county assessment role, in compliance with CCP Section 1245.235(b). At said hearing, all persons who filed a timely written request were afforded a reasonable opportunity to appear and be heard on said matters.

Section 9. The Agency's outside counsel, Atchison Barisone & Condotti, is hereby authorized and directed to prepare, initiate and prosecute in the name of the Agency, such proceedings, in the proper court having jurisdiction thereof, as may be necessary for the acquisition of said properties. The Agency's counsel is also authorized and directed to obtain a necessary order of court granting to the Agency the right of immediate possession and use of said properties.

Section 10. The Agency's General Manager Brian Lockwood is hereby authorized and directed to draw one or more checks in the probable amount of compensation for each parcel, based on the respective appraisals prepared for Subject Property 1 and Subject Property 2 prepared by Piini Realty, made payable to the Treasury of the State of California and delivered to the payee as security for the order of immediate possession and use authorized by the court.

Section 11. The Board Secretary shall certify the adoption of this Resolution.

PASSED AND ADOPTED by the Pajaro Valley Water Management Agency, County of Santa Cruz, State of California, the 15th day of July 2026 by the following vote:

AYES:	Rider, Miller, Culbertson, Newell, Bannister, Hernandez
NOES:	None
ABSENT:	Miller, Broz
DISQUALIFIED:	None

APPROVED: Stephen Rider (Jul 16, 2026 14:44:50 PDT)

Stephen Rider, Chair

Stephen Rider
E-signed 2026-07-16 02:44PM PDT
rider@pvwater.org

ATTEST:

Corin Hammond, Board Secretary

Corin Hammond
E-signed 2026-07-16 10:34AM PDT
chammond@pvwater.org
Pajaro Valley Water Management Agency

Reso.2026-11_RON.650.Howard_Gladstone.Final.rev.

Final Audit Report 2026-07-16

Created:	2026-07-16
By:	Corin Hammond (chammond@pvwater.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAA33VUYchM08aTG5JetOZHpxjMIqYTg5Pn

"Reso.2026-11_RON.650.Howard_Gladstone.Final.rev." History

Document created by Corin Hammond (chammond@pvwater.org)
2026-07-16 - 5:32:35 PM GMT

Document emailed to Stephen Rider (rider@pvwater.org) for signature
2026-07-16 - 5:32:39 PM GMT

Document emailed to Corin Hammond (chammond@pvwater.org) for signature
2026-07-16 - 5:32:39 PM GMT

Email viewed by Corin Hammond (chammond@pvwater.org)
2026-07-16 - 5:33:51 PM GMT

Document e-signed by Corin Hammond (chammond@pvwater.org)
Signature Date: 2026-07-16 - 5:34:01 PM GMT - Time Source: server - Signature Appearance Selected: IMAGE

Email viewed by Stephen Rider (rider@pvwater.org)
2026-07-16 - 9:44:28 PM GMT

Document e-signed by Stephen Rider (rider@pvwater.org)
Signature Date: 2026-07-16 - 9:44:50 PM GMT - Time Source: server - Signature Appearance Selected: MOBILE_DRAW

Agreement completed.
2026-07-16 - 9:44:50 PM GMT