



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: RES 24-193

December 04, 2024

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Matter Type: BoS Resolution

Consider adopting a resolution:

- a. Finding that receiving the Salinas Valley Groundwater Basin Investigation Report (“Investigation Report”) is not a project under California Environmental Quality Act Guidelines section 15378(b)(5);
- b. Acknowledging receipt of an Investigation Report prepared pursuant to Policy PS-3.1 of the 2010 Monterey County General Plan;
- c. Directing staff to coordinate with applicable groundwater sustainability agencies to align groundwater sustainability efforts with land use decisions as a measure that will address the groundwater conditions described in the Investigation Report; and
- d. Directing staff to prepare a General Plan amendment to update Policy PS-3.1 in light of the completed investigation.

RECOMMENDATION:

It is recommended that the Monterey County Board of Supervisors adopt a resolution (Attachment A):

- a. Finding that receiving the Salinas Valley Groundwater Basin Investigation Report (“Investigation Report”) is not a project under CEQA Guidelines section 15378(b)(5);
- b. Acknowledging receipt of the Investigation Report prepared pursuant to Policy PS-3.1 of the 2010 Monterey County General Plan;
- c. Directing staff to coordinate with applicable groundwater sustainability agencies to align groundwater sustainability efforts with land use decisions as a measure that will address the groundwater conditions described in the Investigation Report; and
- d. Directing staff to prepare a General Plan amendment to update Policy PS-3.1 in light of the completed investigation.

SUMMARY/DISCUSSION:

Staff brought the Salinas Valley Groundwater Basin Investigation Report (“Investigation Report”, Attachment B) before the County of Monterey Board of Supervisors on August 27, 2024. Following both written and oral public comments, the Board continued the item for 60 days to allow the public and stakeholders sufficient time to review the Investigation Report. The Investigation Report has been posted on the Housing & Community Development website to make it available for review and staff coordinated with the Agricultural Commissioner’s Office to distribute a flyer announcing a comment period. As of the drafting of this report, six additional comment letters have been received, and key comments are summarized in Attachment D.

Considering these comments, staff acknowledges that the study area described in the Investigation Report is limited geographically to Monterey County Water Resources Agency (“MCWRA”)’s Zone 2C assessment district. As was described in Policy PS-3.1. Zone 2C covers portions of the Salinas

Valley Groundwater Basin (“Basin”) but does not cover the full extent of the Basin that is now subject to the Sustainable Groundwater Management Act (“SGMA”). SGMA was enacted by the California Legislature in 2014 and put the Basin under the additional jurisdiction of groundwater sustainability agencies (“GSAs”) formed pursuant to SGMA. The requirement that led to the Investigation Report was added to General Plan Policy PS-3.1 prior to the enactment of SGMA. SGMA now provides a broad framework for managing groundwater resources for long-term sustainability that did not exist at the time Policy PS-3.1 was adopted.

The conclusions in the Investigation Report, as well as the overall trends in groundwater levels and seawater intrusion, are generally in alignment with findings of the six California Department of Water Resources Agency approved Groundwater Sustainability Plans (“GSPs”) in Monterey County. However, because the Basin’s geographic area is larger than Zone 2C, and because MCWRA and the applicable GSAs have collected more recent data, the data in the Investigation Report does not fully align with the GSPs or GSA annual reports prepared subsequent to the Investigation Report. However, without an expectation of substantively different results, staff does not believe it would be prudent to invest the time and resources to update the modeling and revise the Investigation Report given the ongoing efforts of the GSAs to implement GSPs and to manage groundwater sustainably in collaboration with other entities in Monterey County with water management authority. Therefore, staff recommends the Board consider adopting a resolution to acknowledge the geographic and temporal limitations of the scope of the Investigation Report, and to proceed by coordinating with the GSAs and other entities with water management authority on measures to address the conditions identified in the Investigation Report (as confirmed by more recent data from MCWRA and the GSAs)..

Background:

In October 2010, the County of Monterey (“County”) adopted a comprehensive update to its General Plan known as the 2010 Monterey County General Plan (“General Plan”). Subsequently, numerous plaintiffs filed lawsuits concerning the Board’s action. Three relevant plaintiffs were the Salinas Valley Water Coalition, LandWatch Monterey County, and the Open Monterey Project. The groundwater policy issues raised in the lawsuits were settled through the Board’s consideration of revisions to General Plan Policies PS-3.1 and PS-3.3, some of which were adopted. Revised Policy PS-3.1 required the County prepare or cause to be prepared a study of Zone 2C of the Salinas Valley Groundwater Basin that does all the following:

- 1) Evaluates existing data for seawater intrusion and groundwater levels collected by the Monterey County Water Resources Agency (“MCWRA”) as of the date the study in commenced;
- 2) Evaluates the total water demand for all existing uses and future uses designated in the General Plan Environmental Impact Report (EIR) for the year 2030;
- 3) Assesses and provides conclusions regarding the degree to which the total water demand for all uses designated in the General Plan for the year 2030 are likely to be reached or exceeded;
- 4) Evaluates on an annual basis during the study period groundwater elevations and the seawater intrusion boundary;
- 5) Based on historical data and the data produced by the study, evaluates and provides conclusions regarding future trends and any expected movement of groundwater elevations the sea water intrusion boundary;

- 6) Should the study conclude that: i) total water demand for all uses designated in the General Plan for the year 2030 is likely to be exceeded; or ii) groundwater elevations are likely to decline by the year 2030; and iii) the seawater intrusion boundary is likely to advance inland by the year 2030, the study shall make recommendations on measures the County could take to address any or all of those conditions; and
- 7) Addresses such other matters as the Board of Supervisors determines appropriate.

In June 2023, the County’s consultant completed the Investigation Report (Attachment B). The Investigation Report estimates that 2030 water demands and groundwater conditions, under average climate conditions, will result in groundwater level declines and movement of the seawater intrusion boundary inland within Zone 2C. The Investigation Report identified that agricultural water use is greater than anticipated in the 2010 General Plan EIR.

Policy PS-3.1 states that “if the study reaches the conclusions for Zone 2C identified in subsection 6) i or 6) ii and 6) iii, the Board of Supervisors shall adopt one or more measures identified in the study, or other appropriate measures, to address the identified conditions.” Attachment B to this report includes measures recommended in the Investigation Report to address the declining groundwater levels and advancing seawater intrusion.

Next Steps:

Since Policy PS-3.1 was adopted, groundwater regulations have changed dramatically with the enactment of SGMA. In coordination with MCWRA and Salinas Valley Basin Groundwater Sustainability Agency (“SVBGSA”) staff, it has been determined that many of the recommended measures from the Investigation Report are already being addressed (Attachment C -Recommended Measures Activities). Staff recommends implementing the measure to consider groundwater levels in land use planning through coordination with the GSAs and through consideration of the GSPs. GSAs in Monterey County include SVBGSA (six subbasins - 180-400 Ft. Aquifer, Langley, Eastside Aquifer, Forebay Aquifer, Upper Valley Aquifer, and portion of Monterey), Marina Coast Water District GSA (portion of Monterey Subbasin), Arroyo Seco GSA (portion of Forebay Subbasin) and the County of Monterey GSA (portion of 180/400-Ft. Aquifer Subbasin). Coordinating with the GSAs on land use decisions would ensure that such decisions would not adversely affect the ability for the GSAs to achieve groundwater sustainability criteria, while also ensuring the plans developed by the GSA account for future land uses and growth to align efforts between agencies responsible for land use and groundwater sustainability.

At a minimum, the language of General Plan Policy PS-3.1 should be updated to reflect the completion of the Investigation Report and to provide appropriate language to reflect current groundwater regulations and conditions. If the Board directs staff to process an amendment to the General Plan, such work will include public outreach, environmental review, a Planning Commission recommendation, and Board consideration. County staff have been in discussions with the SVBGSA staff on coordination of land use in groundwater sustainability efforts and vice versa. Other GSA staff will also be consulted.

OTHER AGENCY INVOLVEMENT:

MCWRA performed project management for the Investigation Report. The U.S. Geological Survey is a cooperator in development of the hydrologic models. The Housing and Community Development (HCD) Department administers the contracts with the consultants. SVBGSA was a cooperator on development of the Seawater Intrusion Model. The Office of County Counsel reviewed this report.

ENVIRONMENTAL REVIEW:

Receiving the Investigation Report is not a Project under CEQA Guidelines section 15378(b)(5), as this activity is administrative and will not result in direct or indirect physical changes in the environment. Any potential future amendment to the 2010 General Plan would require further environmental review. The Monterey County 2010 General Plan Environmental Impact Report was certified on October 26, 2010 (SCH#2007121001).

FINANCING:

A total amount of \$2,195,527 has been spent to conduct the SVGB Investigation and prepare the Investigation Report between Fiscal Year (FY) 2014-2015 to FY 2022-2023. The MCWRA and USGS provided a total of \$114,503 in matching funds for the Investigation Report. Staff time between 2018 and 2020 for administration of the Investigation was budgeted under the RMA/HCD Budget and cost \$27,384. Staff time to bring this report forward to the Board is budgeted in adopted Budget FY 2024-2025, Appropriation Unit HCD002, Unit 8543. Updating the General Plan will be added to the Long-Range Work Program and may require staff time or cost to contract a vendor for staff time support. The scope and cost of the vendor support is unknown at this time and will be developed if the Board directs staff to prepare a General Plan amendment.

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Approved by: Craig Spencer, Director HCD

The following attachments are on file with the Clerk of the Board:

Attachment A - Draft resolution

Attachment B - Link to Salinas Valley Groundwater Basin Investigation Report

Attachment C - List of recommended measures from the Report and work already undertaken by SVBGSA and MCWRA

Attachment D - Received comments and summarized responses