SANTA CRUZ COUNTY
ENVIRONMENTAL HEALTH

Well Ordinance Update

TAC Meeting 2

Agenda:

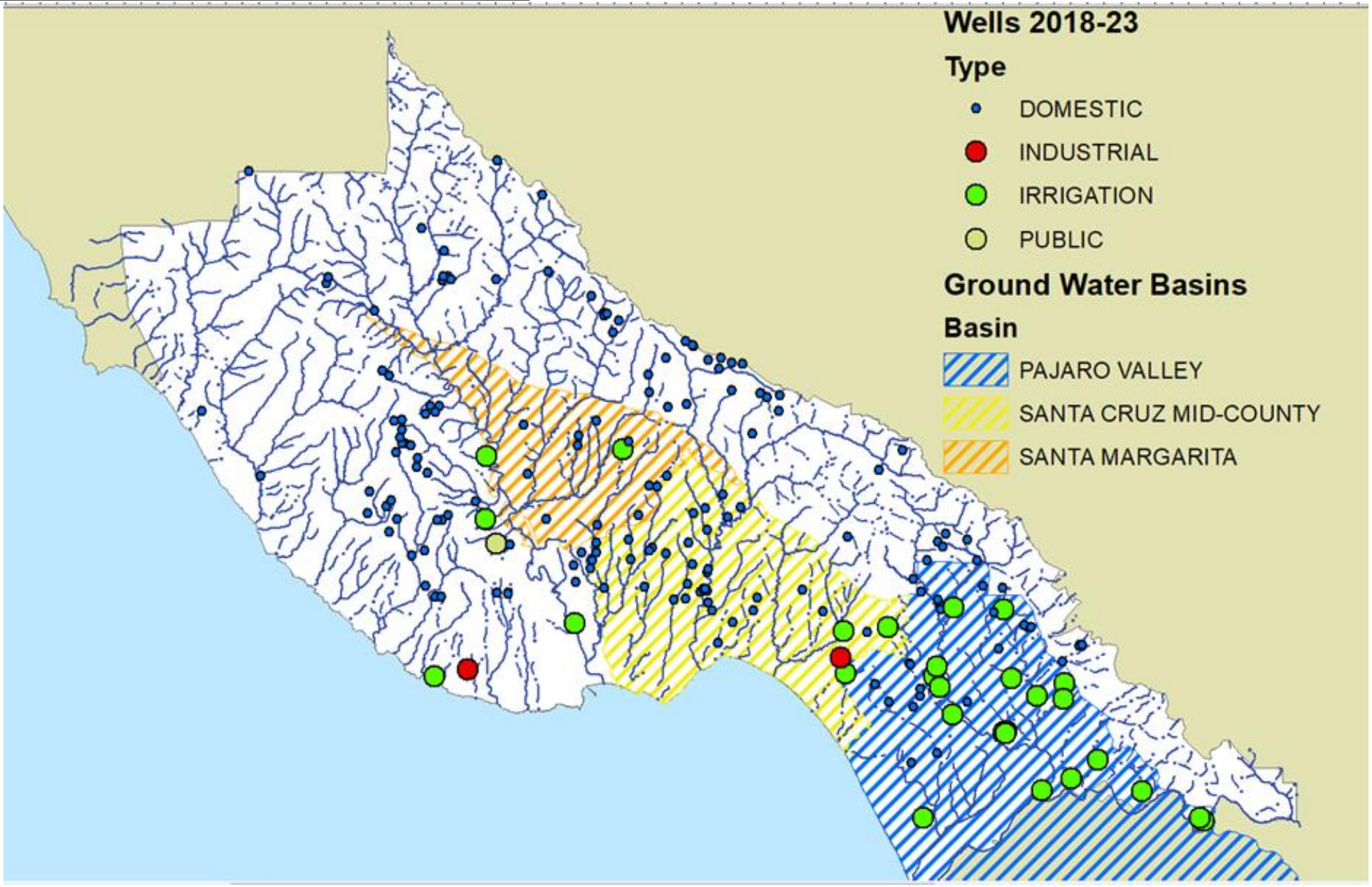
1) Welcome
2) Review TAC Process
3) GSA Review of well permit applications
4) Assessment of Well impacts on Sustainability of Basins
5) Groundwater Emergencies
6) Metering: Current and proposed metering requirements
7) Problem Areas: Yield and water quality testing
8) Protections needed for Karst?
9) Proposed Tiered Approach to evaluation and conditions for CEQA, surface water influence, nearby wells
10) Review of selected proposed code changes
11) Next Steps

Ground rules:

1) Active, full participation.
2) Focused participation.
3) Respectful interaction.
4) Integration and creative thinking.
5) Satisfy mutual Interests.
6) Meeting attendance.
7) Come prepared.
8) Commitment to ground rules.

Meeting Number	Meeting Topics (Subject to Change)
Meeting 1; November 6, 2023	1) Introductions, ground rules, goal, expectations 2) Intro to well ordinance, reasons for update 3) Code update process 4) Topics for future in-depth discussion
Meeting 2; December 8, 2023	Focused meeting on groundwater: 1) Sustainable Groundwater Management Act, GSAs, GSPs 2) Groundwater emergencies 3) Metering of non-de minimus new and replacement wells 5) Areas of declining GW levels/quality and new wells 6) How to include Karst
Meeting 3; Late January 2024	Evaluating surrounding impacts: 1) Discuss where/how wells may impact Public Trust values 2) Review existing protections and what other Counties have done 3) Determine when additional evaluation and/or protections are needed 4) Consider impacts to surrounding wells
Meeting 4; Late Spring 2024	TAC reviews draft language and assessment of impacts to staffing, permit turnaround time, and fees.
Public Workshop	
Meeting 5	Review Final language
Optional Meeting 6	Final review after changes from Planning Commission, Coastal Commission, Board of Sups

Wells and GSAs



GSA Review of well permit applications:

1. Exec order N-7-22 requires written verification from the GSA that the proposed well will not be inconsistent with the GSP and achieving sustainability. Domestic de minimis users (<2 afy) and wells serving public water systems are exempt.
2. Propose option to review all well permits by affected GSA and water district/purveyor
3. GSAs will be given the option to review within 10 days, longer time if additional information is required.
4. General authority to require adequate information for a determination can be provided in the code update, with specifics to be defined as policy outside the code.
5. Authority is proposed to deny any well that would conflict with a GSP project (eg. in exclusion zones).
6. However, what are authorities of County and GSA to deny a well permit that is inconsistent with the GSP?

Assessment of Well Impacts on Basins:

1. No plan to restrict new or existing uses although that might be needed in the future if minimum thresholds are not being met. Based on current land use patterns and assumptions.
2. What if a new large unanticipated use is proposed? What about new State demands for increased housing?
3. Are land use agencies evaluating cumulative impacts on water sources?
4. We suggest that a new well/replacement well consistent with a GSP does not contribute to cumulative adverse impacts under CEQA
5. If a proposed well is found to contribute to adverse cumulative impacts, could that be grounds for denial under CEQA?
6. Cumulative impacts of domestic wells?

Groundwater Emergencies

1. Preserve the County's role in potentially declaring a groundwater emergency and exercising its police powers as needed. This could support the GSAs.

2. Add language to refer to a request from the GSA to declare a groundwater emergency.

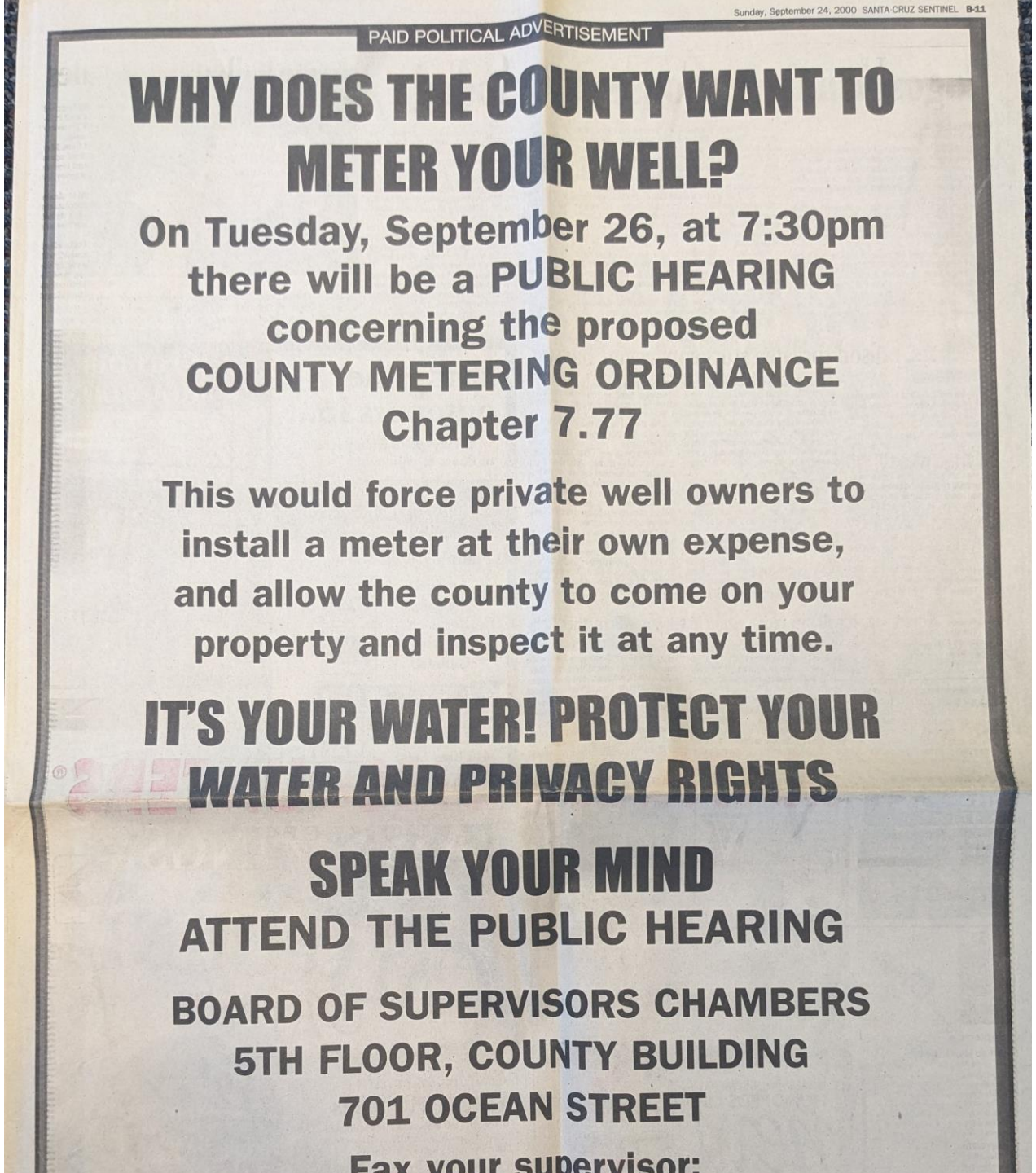
3. Restrictions under a groundwater emergency are a temporary moratorium rather than a permanent denial/taking of water rights.

4. Modify language to explicitly allow a subarea?

5. Is a declaration needed even if adequate measures are already being taken to address the situation?

Metering:

Different this time:



PAID POLITICAL ADVERTISEMENT

WHY DOES THE COUNTY WANT TO METER YOUR WELL?

On Tuesday, September 26, at 7:30pm there will be a PUBLIC HEARING concerning the proposed COUNTY METERING ORDINANCE Chapter 7.77

This would force private well owners to install a meter at their own expense, and allow the county to come on your property and inspect it at any time.

IT'S YOUR WATER! PROTECT YOUR *WATER AND PRIVACY RIGHTS*

SPEAK YOUR MIND

ATTEND THE PUBLIC HEARING

BOARD OF SUPERVISORS CHAMBERS
5TH FLOOR, COUNTY BUILDING
701 OCEAN STREET

Fax your supervisor:

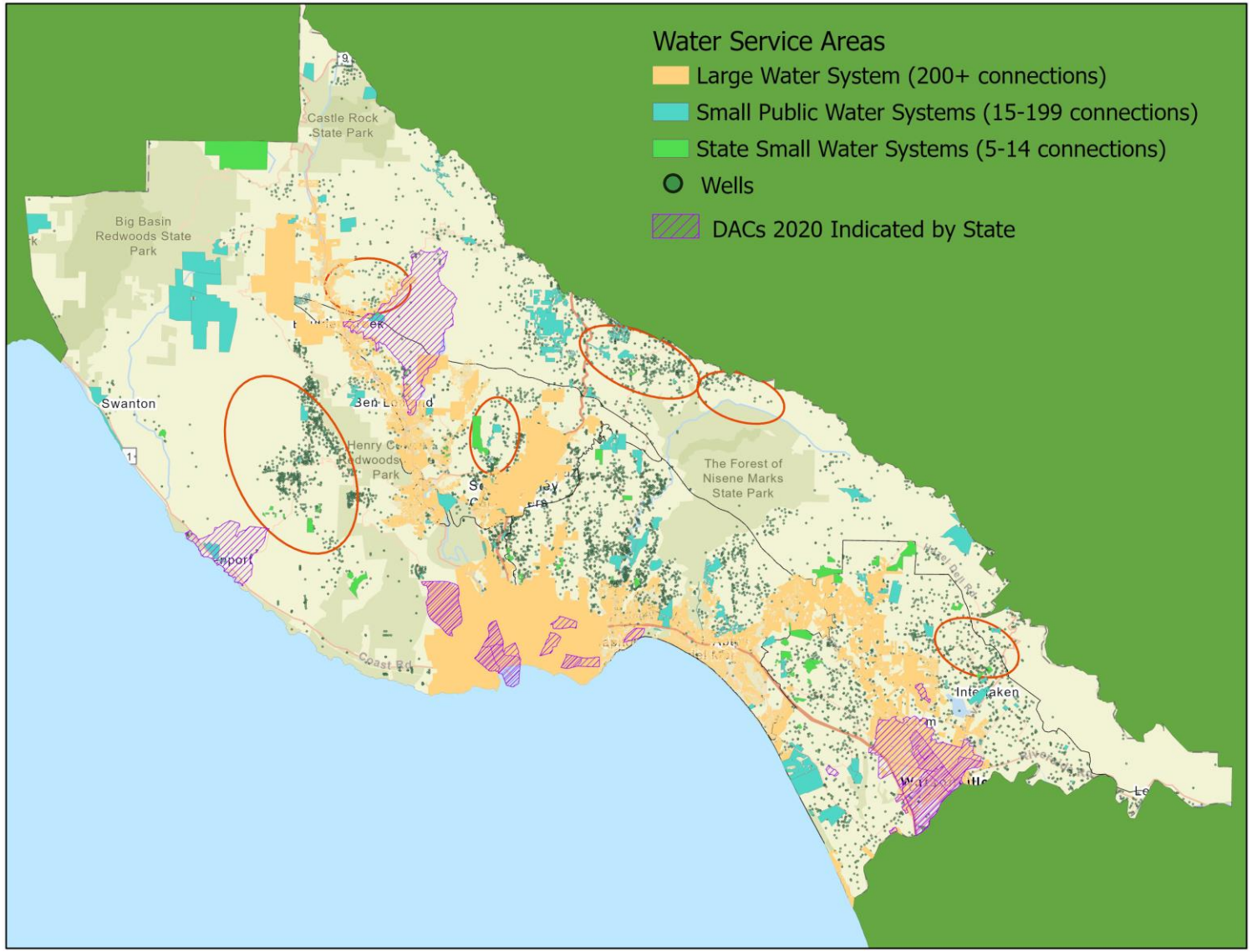
Metering

1. Metering is already required:
   a. Pajaro Basin greater than 10 afy
   b. Small Water Systems
   c. Some Non-de minimis wells
2. In their GSPs, SMGWA and MGA moving toward requiring retrofit of meters on all non-de minimis wells. Meter installation and reporting would likely be the responsibility of the well owners.
3. PV Water has long required metering of all wells producing more than 10 afy. Installation and reporting is the responsibility of PV Water.
4. Proposing metering for all new non-de minimis wells, with installation and reporting the responsibility of the well owner.

Areas of Concern: Quality and Yield

1. Provide better definition/maps of water supply and water quality challenged areas
2. Increase yield requirements in limited supply, hard-rock areas
3. Add additional water quality parameters in 7.73 for parts of the County: Currently require testing for TDS, Chloride, Nitrate, Iron, Magnesium. Add Chromium (Aromas), Arsenic (county-wide).
4. Maintain requirement to require additional testing as needed..
5. Record notices on the deeds if there is a water quality issue for awareness and possible treatment requirement.
6. Prohibit any use of streams for new IWS
7. Evaluate County authority to deny well or IWS permits

Areas of Concern, DROP, SB 552:



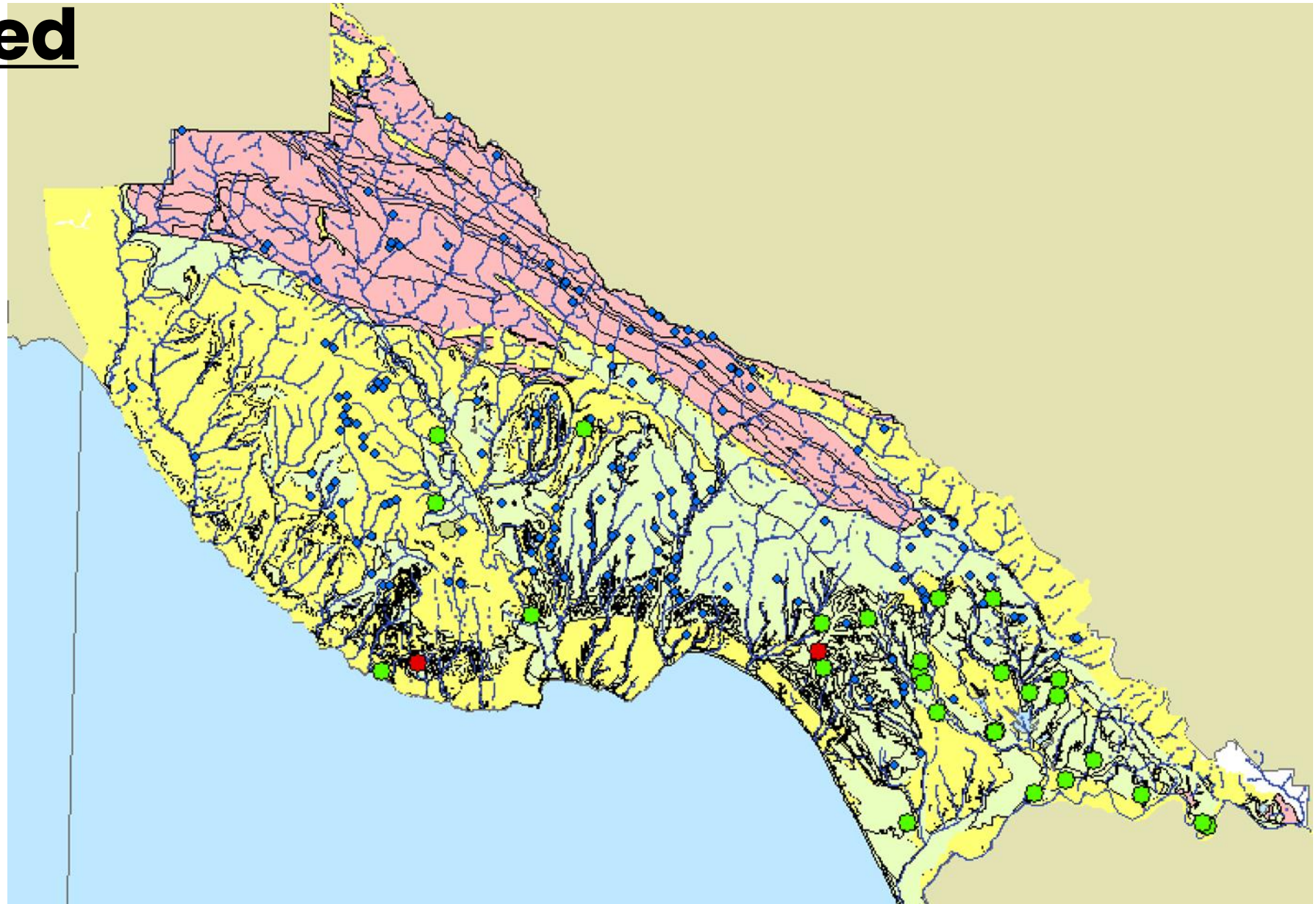
Groundwater Supply Limited Areas

Green-Good Supply
Yellow-Moderate Supply;
Red-Limited Supply;

- Based on surface mapping of geologic units.
- Underlying conditions may differ.
- Limited Supply areas approximate those adopted in General Plan and Rural Density Matrix

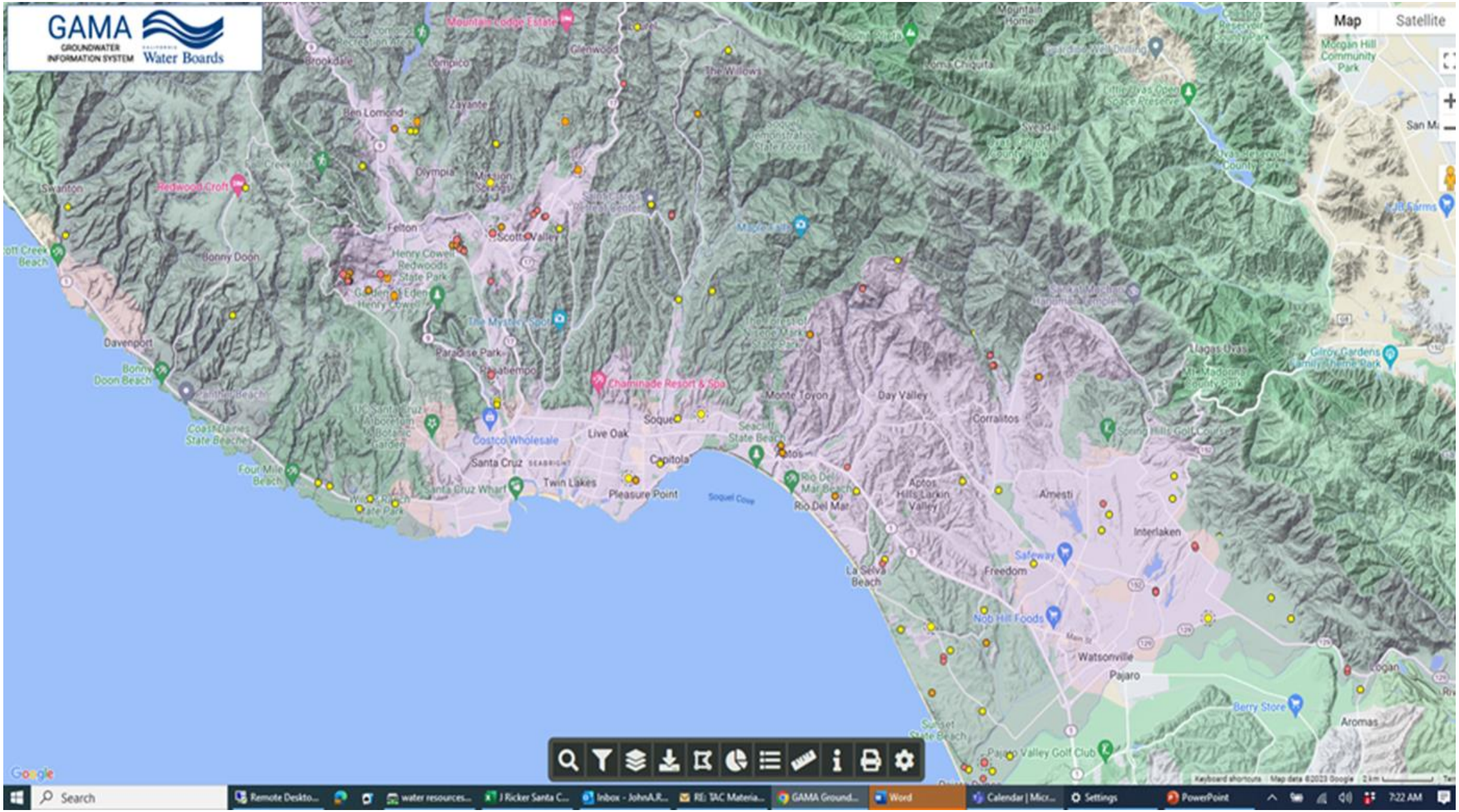
Wells drilled in 2018-23:

- Green-Ag;
- Red-Commercial/Industrial;
- Blue-Domestic



Arsenic-GAMA:

Red: >10mg/L MCL; Yellow: <10 mg/L; Green: Non-detect



Karst

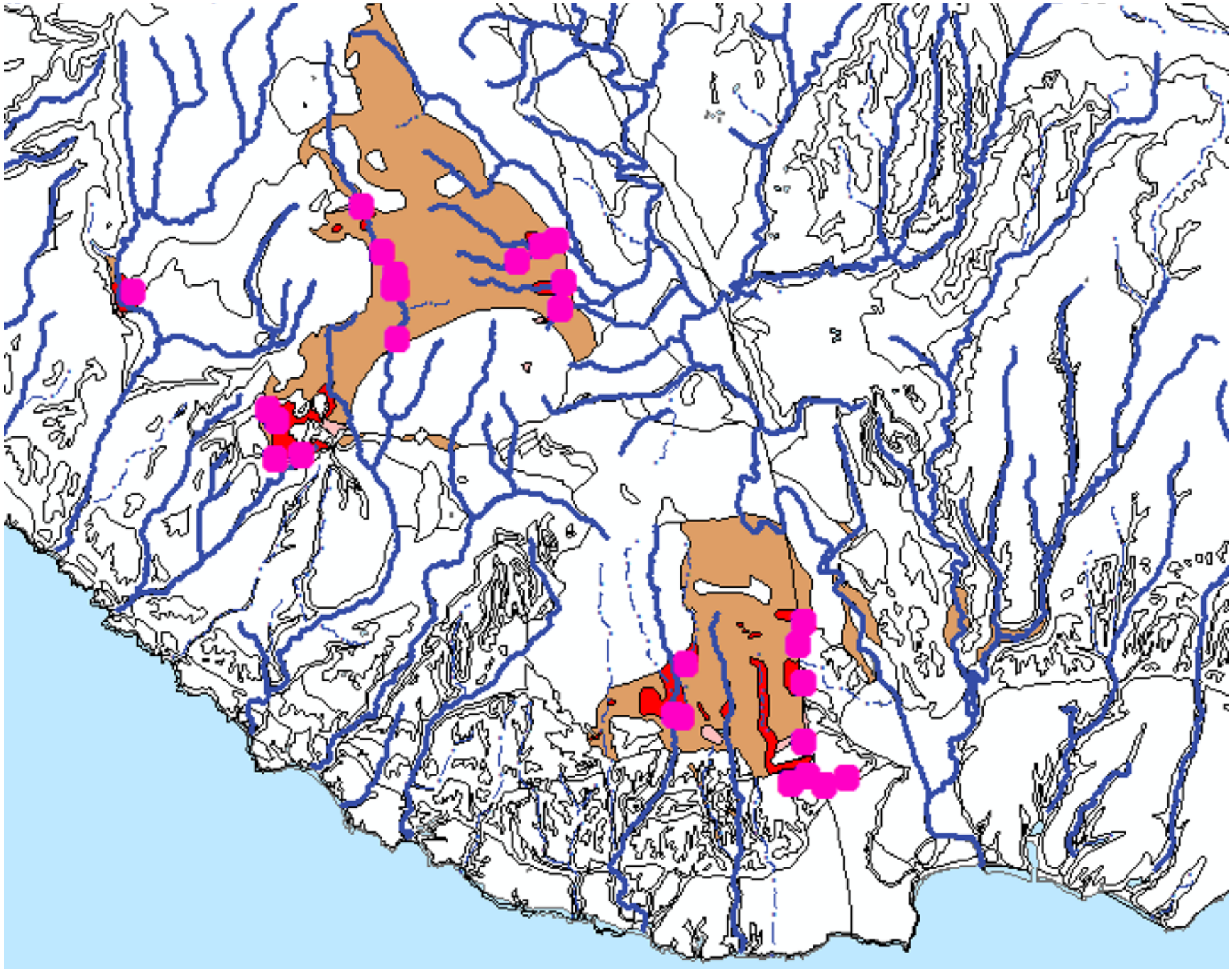
1. Karst protection required in General Plan
2. Drilling challenges in Karst
3. Potential escape/impact of drilling fluid and sealing material
4. Potential for rapid movement of contaminants
5. Drawing from underground channel may be subject to surface water rights process

How to Delineate Karst

Pink:
- Karst Springs

Red:
- Marble Outcrops

Brown:
- Metasedimentary Formations



Tiered Approach to Review and Conditions- DRAFT

1. Extent of review/mitigation based on pumping amount, setback, gradient, aquifer properties, basin status, resource value/vulnerability.
2. Simple minimum setback and seal requirements for Tier 1 and 2 wells (de minimis and supplemental/replacement)
3. More nuanced calculation for Tier 3 based on pumping amount, setback, gradient, aquifer properties, basin status, resource value/vulnerability.
4. CEQA review and project specific evaluation/mitigation for Tier 4.
5. Use tiered approaches similar to Sonoma, Glenn and Monterey counties

DRAFT Tier	DRAFT Criteria	Efficiency Required	CEQA Review	Karst?	Surface Water	Well Interference
Tier 1	De Minimis < 5 connections; <2 AFY	No	Ministerial		Minimum setback	Minimum setback
Tier 2	Non De minimis Replace/Supp.	Yes	Ministerial		Minimum setback	Minimum setback
	Public Water system 5-199 connections	Yes	Ministerial		Minimum setback	Minimum setback
Tier 3	New Non De minmis wells that are consistent with GSPs and meet setbacks	Yes	Ministerial		Calculated setback	Calculated setback
	Wells that do not meet Tier 1 or 2 minimum, but do meet calculated setbacks	All but de minimis	Ministerial		Calculated setback	Calculated setback
Tier 4	Wells that do not meet Tier 1,2, or 3 requirements	All but de minimis	Yes		Analysis	Analysis
	Serves > 199 connections	Yes	Yes		Analysis	Analysis

Level of Review and Mitigation Required for Various Types of Well Applications

DRAFT Tier	DRAFT Criteria	Water Efficiency Required	CEQA Review	Surface Water Protecton	Well Interference
Tier 1	De Minimis < 5 connections; <2 AFY	No	Ministerial	Minimum setback	Minimum setback
Tier 2	Non De minimis Replace/Supp.	Yes	Ministerial	Minimum setback	Minimum setback
	Public Water system 5-199 connections				
Tier 3	New Non De minmis wells that are consistent with GSPs and meet setbacks	Yes	Ministerial	Calculated setback	Calculated setback
	Wells that do not meet Tier 1 or 2 minimum, but do meet calculated setbacks	All but de minimis			
Tier 4	Wells that do not meet Tier 1,2,or 3 requirements	All but de minimis	Yes	Analysis	Analysis
	Serves > 199 connections	Yes			

Definition of Replacement/Supplemental Well

Possible Considerations:

1. No significant increase in water use, area where water is used?
2. Draw from same aquifer; depth?
3. No increase in pump size or pipe diameter?

- (6) “New Well” means a well that will serve a new or significantly expanded use, which represents an increased extraction of groundwater.
- (7) “Replacement Well” means a well that will serve an existing use with no significant increase in water use and will replace an existing water source such as a spring or well that is to be destroyed.
- (8) “Supplemental Well” means a well that that will support an existing use with no overall increase in water use. The existing source could be a shared well or other well that will be maintained as a backup source.

Review of Proposed Code Language

- Chapter 7.70 Wells and Borings
- Chapter 7.73: Individual Water Systems

Next Steps

- Set Date for Meeting 3 (late Jan/early Feb)
- Develop criteria for review and measures for mitigation of stream impacts and well interference
- Fill out details of proposed Tier matrix
- Consult with resource agencies and environmental groups
- Next Well TAC meeting (Meeting 3)
- Complete Draft Code Language and associated policies
- TAC reviews Code Language (Meeting 4)
- Public Workshop
- Final TAC meeting

Discussion

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