



Monterey County Farm Bureau

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February 2, 2009

Carl P. Holm, AICP
County of Monterey
168 W. Alisal Street, Second Floor
Salinas, CA, 93901

**Subject: Comments on Monterey County General Plan, Draft Environmental Impact Report,
Section 4.3, Water Resources**

Dear Carl Holm,

We are writing to comment on the proposed mitigation to several of the impacts identified in the Water Resources section of the DRAFT Environmental Impact Report for the Monterey County 2007 General Plan. These comments are in addition to our letter dated November 13th, 2008.

County participation in a regional water supply planning process is the mitigation proposed for identified impacts such as county water use. We agree that it is prudent and appropriate for the county to participate in regional water supply planning discussions in order to safeguard Salinas Valley water and water right permits and to be part of discussions about other water needs in the county and region. However, we are concerned about the significant environmental impacts that would result from a regional water supply plan that removes water from Zone 2C or alters water right permits that are essential to the Salinas Valley Water Project (SVWP). We wish to be very clear that we do not see this as an appropriate mitigation for water use in the county. Rather than serving as a mitigation, participation in such a plan would be an exacerbation of groundwater overdraft conditions now threatening Zone 2C. Until such a time that seawater intrusion has been permanently abated and protocols are in place to ensure it does not begin again in the future – movement of Zone 2C water or alteration of any associated water right permits out of Zone 2C should not be contemplated.

A brief look back in time will bear out that the goal of balancing the Salinas Valley water basin has yet to be achieved. In 1946, the Division of Water Resources (DWR) reported under Bulletin 52-B that conditions of seawater intrusion and overdraft already existed in the Salinas Basin. This led to the earlier version of Monterey County Water Resources Agency (MCWRA) starting operation of the Nacimiento and San Antonio reservoirs (1957 and 1967 respectively). Until the original goal of balancing the Salinas Valley basin is met and there is a sustainable and sufficient water supply for the Salinas Valley, it is not prudent to consider moving water outside of the Salinas Valley and the rest of Zone 2C. Recently, as with the earlier reservoir projects, landowners of the Salinas Valley agreed to assess themselves for the implementation of multi-million dollar local water supply solutions. For the Castroville Seawater Intrusion Project (CSIP) landowners paid to construct a new wastewater treatment plant and pipeline distribution system to provide reclaimed wastewater and blended water to groundwater pumpers for irrigation. Then in 2003, the Monterey County Water Resources Agency created a new Zone 2C and won 85% voter approval for a new assessment to pay for implementation of the Salinas Valley Water Project (SVWP).

By agreeing to assess themselves for this water supply solution, Zone 2C voters took an active role in addressing their own water resource issues without reliance on water from elsewhere. Below is an excerpt from an Engineer's Report for the Salinas Valley Water Project outlining the many activities that are being funded through landowner property assessments. Landowners make these expenditures to ensure that present and future water needs of the properties they own and maintain are fulfilled.

"The first component, operation and maintenance of the existing reservoirs, includes direct operations and maintenance of the existing facilities, along with the associated activities of maintenance of the Salinas River channel, Salinas River mouth, cloud seeding, debris clearing, data collection and management, and other administrative tasks." (Page ES-1; Salinas Valley Water Project Engineer's Report).

The SVWP was designed to serve the specific needs of Zone 2C voters and not the water needs of communities outside of Zone 2C such as the Monterey Peninsula. Zone 2C includes the Salinas Valley and the communities of Marina and portions of the former Fort Ord. One of the major goals of the SVWP is to provide a sufficient water supply to meet water needs in Zone 2C through the year 2030. This is already a daunting task given the increase in required environmental flows and would be made more difficult or impossible if water from this project or water rights associated with the project are made available outside of Zone 2C before the goal is achieved. After the year 2030 (only 21 years in the future) additional demands on water in Zone 2C can be reasonably expected. This reality makes the water right held under permit 11043 even more critical to the long-term water supply sustainability of Zone 2C.

The following is excerpted from the 2003 Engineer's Report prepared to describe the technical basis for the new tax assessment for the SVWP.

"Groundwater is the major source of water in the Salinas Valley. Groundwater demands currently exceed groundwater recharge, resulting in an overdraft condition. This basin overdraft has resulted in declining groundwater levels and seawater intrusion, which have become serious conditions for the Salinas Valley. The SVWP will allow Monterey County Water Resources Agency to meet its water supply goals for the Salinas Valley.

- *The combined goals of the SVWP are: Halting seawater intrusion;*
- *Continuing conservation of winter flows for recharge of the Salinas Valley basin through summer releases;*
- *Providing flood protection;*
- *Improving long-term hydrologic balance between recharge and withdrawal; and*
- *Providing a sufficient water supply to meet water needs through the year 2030"*

(page 1-1; Salinas Valley Water Project Engineer's Report)

The MCWRA has communicated to the State Water Resources Control Board (SWRCB) that the SVWP is intended to provide a long-term, reliable water supply for Zone 2C and that success is linked to a water right held under permit number 11043. In a letter to the SWRCB, the Water Agency states, "...flows to be dedicated to fisheries uses requested by NOAA Fisheries may exceed 20,000 acre feet thus cementing that the water right held by MCWRA under Permit No. 11043 are an essential and integral part of the effective implementation of the Salinas Valley Water Project."

A February 19, 2001 letter from SWRCB Chair Arthur Baggett, Jr. to the House Energy and Water Development Appropriations Committee could not have said it better:

Because a local solution to this problem is deemed preferable to adjudication by the State, I urge you to support the efforts of the MCWRA in developing a workable solution to this problem. In the long run, developing and implementing a local solution will benefit all stakeholders in the Salinas Valley.

The Salinas Valley has found a local solution by supporting the SVWP and the existing water rights associated with Zone 2C which include Permit No. 11043. Together, these remain critical to the local solution which the SWRCB has encouraged.

Though we are sympathetic to the water supply challenges now facing our neighbors on the Monterey Peninsula, we must support their efforts to find their own local solution at a distance. *The SVWP and any associated water right permits designated for Zone 2C (formerly Zones 2 and 2A) must remain for the purpose of water supply within Zone 2C.*

Alteration of a water right permit and expansion of the uses of water developed through the SVWP are now being contemplated by a regional water supply planning process. Such alterations will cause adverse environmental impacts.

The current Draft Environmental Impact Report for the 2007 Monterey County General Plan (DEIR) says that water use in the county has environmental impacts for which mitigations are necessary. On the contrary, the designation of Zone 2C and the exhaustive environmental review already undertaken for the SVWP are appropriate mitigations for a water use concern within Zone 2C. Other portions of the county are currently undergoing similar design, environmental review, and cost allocation efforts that are completely separate and un-related to Zone 2C's water supply solution.

Significant and unavoidable impacts would result if un-studied and unknown alterations such as diversion of Zone 2C water out of Zone 2C or changes of purpose or place of use for water rights permits were to be made. *(See CEQA Guidelines section 15126, "all phases of a project must be considered when evaluating its impacts on the environment: planing, aquisition, development, and operation." See also, Pub. Resources Code, section 21008, diverting water outside of Zone 2C will have a "substantial, or potentially substantial adverse change in the environment.")*

Any consideration of altering, expanding, or in any way modifying the SVWP and all existing water rights, must retain as a baseline the water supply and water rights already associated with Zone 2C. In fact, any consideration of altering the SVWP by moving water already identified as essential to this project will have significant and unavoidable environmental impacts. *(See CEQA Guidelines, section 15125(c), Water resources in Zone 2C are unique to this region and will be negatively affected by possible diversion outside of the zone.)*

Specific Environmental Impacts resulting from taking water away from Zone 2C or altering water right permits to allow for transfer of water outside of Zone 2C:

Project components of the SVWP were specifically designed to halt seawater intrusion for the benefit of water users in Zone 2C and include:

- Modification of the Nacimiento spillway.
- Reoperation of Nacimiento and San Antonio Reservoirs.
- Surface Diversion/Impoundment.
- Delivery pipeline
- Pumping Limitations for areas where project water is delivered

Alteration, expansion, or change to these SVWP projects designed for Zone 2C or of any water right permits associated with Zone 2C (including permit number 11043) would exacerbate seawater intrusion making the aquifers unusable for either agricultural or municipal purposes in Zone 2C. This would be a significant and unavoidable impact. It is estimated that seawater has already intruded an average of 10,000 AFY into the 180-Foot and 400-Foot Aquifers since 1949. *(See CEQA Guidelines, section 15382.)*

Halting seawater intrusion will be a substantial beneficial impact to groundwater quality. If water is taken away from these projects, or an existing water right forgone or altered, advancing seawater intrusion could be reasonably expected to result and threaten potable supplies for the north Valley area, and affecting the ability to continue farming in the area.

Adverse impacts to agriculture from groundwater overdraft, seawater intrusion, or the diversion of water outside of Zone 2C include, but are not limited to, un-usable, salty water or not enough water to grow crops leading to a reduction of the amount of ground that can be farmed, associated job losses and an overall degradation of the regional economic picture. *(See CEQA Guidelines Appendix G altering Zone 2C water rights and/or diverting water outside of the zone for non-zone use is likely to change the existing environment which will result in the conversion of farmland to non-agricultural use.)*

Urban areas, such as Marina, Castroville, Fort Ord, and Salinas could experience an inability to provide potable water to municipal users through traditional means (e.g., expensive treatment such as seawater desalination could become necessary). The impact to groundwater quality would be significant and unavoidable. Given the

importance of groundwater to the Basin, this impact in itself, would render movement of water outside of Zone 2C unacceptable.

In addition, any movement of water outside of Zone 2C would be inconsistent with the Monterey County General Plan policies aimed at providing water to meet the County's water needs, reduce seawater intrusion, recharge groundwater, and preserve agriculture. A reduction in available water for Zone 2C would severely restrict the ability to consistently farm. A substantial reduction in crop output would be expected, either through forced fallowing of land, fewer annual planting cycles, or shifting to lower quality/lower value crops that are less water dependant. Conservation would help reduce the level of this impact, but conservation is already taking place and well documented under the Water Agency's ongoing program to record agricultural water conservation measures.

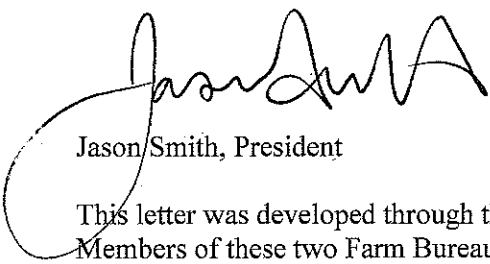
Emergency water shortages caused by the imprudence of transferring water from one over-drafted basin (Zone 2C) into other over-drafted basins within the county would also have direct impact on plant and animal species due to an increase in the number and depth of wells dug. Water quality would also be negatively impacted due to severely reduced river flows increasing concentrations of pollutant levels not currently in exceedence of regulatory standards.

Further, if insufficient supplies are available for residences within Zone 2C, it is likely that growth would be severely restricted and blight could occur. *(See Bakersfield Citizens for Local Control v. City of Bakersfield (2004) 124 Cal.App.4th 1184, when a lead agency is presented with credible evidence of potential environmental impacts due to possible urban decay or blight, the agency should evaluate that issue in the EIR.)*

The Salinas area already exhibits one of the lowest per capita water use figures in the State. Consequently, it is unreasonable to expect that per capita water use could be substantially reduced. Finally, reversing our progress toward a long-term reliable supply of water would have unknown and unstudied secondary and cumulative impacts.

In closing, if the county does participate in a regional water supply planning process we would support the development of water supply scenarios for the Monterey Peninsula and elsewhere that do not depend upon Zone 2C projects and their infrastructure. Finding a sustainable solution for the Peninsula is both desirable and important for the future of the whole county. But that solution should not be at the expense of communities already well on our way to sustainable solutions.

Thank you for considering our comments.



Jason Smith, President

This letter was developed through the work of our Water and Land Use Committees. Members of these two Farm Bureau Committees are listed below:

Dirk Giannini, Chris Bunn Sr., Christopher Bunn Jr. , Bill Hammond, Benny Jefferson, April England-Mackie, Bill Tarp, Bob Martin, Brad Rice, Colby Willoughby, Jennifer Clarke, Gary Tanimura, George Fontes, Kevin Piearcy, Matt Panziera, Ross Jenson, Steve Storm, Scott Anthony, Tom Rianda, Wayne Gularte