



MEMORANDUM
FC 14 (01-02-07)

TO: Board of Directors
FRO: Agricultural Water Advisory Committee
SUBJECT: Agricultural Water Advisory Committee Meeting Summary for July 11, 2022
DATE: August 9, 2022

This memorandum summarizes agenda items from the regular meeting of the Agricultural Water Advisory Committee held on July 11, 2022.

Attendees:

Committee members in attendance were: Mitchell Mariani (District 1), James Provenzano (District 2), William Cilker and David Vanni (District 3), Sheila Barry and Brent Bonino (District 4), Jan Garrod (District 5), Robert (Bob) Long (District 6), Sandra Carrico (District 7), Peter Van Dyke (Loma Prieta Resource Conservation District) and Dhruv Khanna (Private Well Owner-Non Retail).

Board members in attendance were, Director Nai Hsueh (District 5), Board Alternate, Director Richard P. Santos (District 3), and Director John L. Varela (District 1), Board Representatives.

Staff members in attendance were Antonio Alfaro, Aaron Baker, Lisa Bankosh, Neeta Bijoor, Rechelle Blank, John Bourgeois, Glenna Brambill, Clelia Busadas, Justin Burks, Usha Chatwani, Vanessa De La Piedra, Vincent Gin, Samantha Greene, Jason Gurdak, Candice Kwok-Smith, Brian Mendenhall, Carmen Narayanan, Metra Richert, Don Rocha, Ashley Shannon, Kirsten Struve, Darin Taylor, and Damaris Villalobos-Galindo.

Public in attendance was: Director Linda J. LeZotte (Valley Water District 4).

4. ACTION ITEMS

4.1 Drought Emergency Response and Water Supply Update

Ms. Neeta Bijoor reported on the following:

Summary from Meeting Agenda Memo:

Drought Conditions

On June 9, 2021, the Valley Water Board of Directors through Resolution 21-68 declared a water shortage emergency condition pursuant to California Water Code §350, called for water use reduction of 15% compared to 2019, and urged the County of Santa Clara (County) to proclaim a local emergency. Valley Water Resolution 22-20 amended Valley Water Resolution 21-68 on April 12, 2022, to call for no more than 2 days of irrigation in a week for ornamental lawns and prohibit excessive runoff, midday irrigation, and irrigation after rainfall. On May 24, 2022, the Board approved Ordinance 22-02 to enforce these restrictions.

In 2022, the County and California entered the third year of drought, and experienced the driest January, February and March on record. In 2021 and 2022, Valley Water's Federal and State imported water allocations were drastically reduced to historic lows. On March 28, 2022, Governor Gavin Newsom issued Executive Order N-7-22 to call on local water suppliers to move to Stage 2 of their water shortage contingency plans, at a minimum. The U.S. Drought Monitor Report from June 9, 2022, indicates that the County is in severe drought. The northern Sierra Nevada snowpack, a primary source of imported water, is 16% of normal as of June 13, 2022. Staff will provide additional updates regarding latest drought conditions.

The California Department of Water Resources (DWR) has announced a 2022 State Water Project (SWP) allocation of 5 percent, which equates to an allocation of 5 Thousand Acre Feet (TAF) for Valley Water. DWR has approved Valley Water's request for additional water to meet our critical human health and safety needs. The U.S. Bureau of Reclamation Central Valley Project (CVP) water supply allocations for south-of-Delta CVP contractors, including Valley Water, are currently set to a municipal and industrial allocation of public health and safety water

only and an agricultural allocation of zero percent. Reclamation has approved Valley Water's request for public health and safety water.

Groundwater levels in May have continued the seasonal decline, which typically occurs in spring and summer due to higher temperatures, increased water demand, and associated increased pumping. Greater than average declines in groundwater levels are expected this year because of the drought. Water levels in the North and South County index wells have generally declined since 2018 due to dry conditions, with a similar pattern as the 2012–2016 drought. Achieving the Board's water use reduction target is essential to minimize the risk of resumed subsidence in North County and wells going dry, particularly in South County. That risk increases as the drought persists.

Consequently, conservation is an important strategy to help reach the 15% call for water use reduction and mitigate negative impacts.

Water Conservation Outreach

In May 2022, media interest focused on the Board of Directors' unanimous approval of the watering restrictions enforcement ordinance. The May 24 board meeting garnered national and regional television, online, print and radio coverage. The "Say Yes" water conservation campaign was launched, encouraging residents to reduce outdoor watering for non-functional landscapes and engage in simple actions to save water. In addition to running in newspapers, the campaign is on social, digital, streaming and radio platforms.

Valley Water also conducts outreach to the Farm Bureau and publishes information on conservation programs in Farm Bureau publications. An update on Farm Bureau outreach will be provided.

Countywide Water Use Reduction

Valley Water received a significant increase in applications for our landscape rebates, requests for water-saving devices, and reports of water waste since 2021. Water use in the county is trending in the right direction with water use in April less than in March. Slightly more water, 2%, was used in April 2022 compared to April 2019. Santa Clara County's cumulative water savings from June 2021 – April 2022 is 3%, compared to 2019. The State uses a baseline year of 2020 for the conservation call. The cumulative water savings from July 2021 – April 2022 is 8%, compared to 2020, while the State's savings during this period is 2%. While the county is performing better than the State in water savings, much more progress needs to be made to achieve Valley Water's water savings call to ensure reliable supplies through this drought.

Water Waste Enforcement

At the May 24th Board meeting, Valley Water passed Resolution 22-02 to establish mandatory outdoor conservation measures for properties served potable water directly or indirectly from Valley Water sources. These mandatory measures include limiting irrigation of non-functional turf to a maximum two days per week, and not irrigating any outdoor landscape during and within 48 hours of measurable rainfall, between 9 AM and 6 PM, or in a manner that causes runoff. These restrictions do not apply to agricultural crop irrigation. The Water Waste Program will continue its educational mission while enforcing the mandatory outdoor measures.

Executive Order N-7-22 Well Permitting Requirements

On March 28th, Governor Newsom adopted Executive Order N-7-22 (Order) in response to the statewide drought emergency. Among other mandates related to drought response, the Order contains several provisions related to well permitting that are applicable to Valley Water as the county's primary well permitting agency.

The Order prohibits a public agency from issuing a permit for a new or modified well unless it first:

- Obtains verification from the Groundwater Sustainability Agency (GSA) that pumping from a proposed well in a medium- or high-priority basin under the Sustainable Groundwater Management Act (SGMA) is generally consistent with the applicable Groundwater Sustainability Plan.
- Determines that pumping from the proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

Permits for wells that will provide less than two acre-feet per year for individual domestic users or that will exclusively provide water to a public water supply system are excluded from these requirements. The above requirements became effective in late March when the Order was signed and will affect well permitting for agricultural users and other wells subject the Order, including large domestic wells and industrial wells. As the local GSA, Valley Water

will evaluate whether the proposed well is generally consistent with the adopted SGMA plan. Permit applicants seeking to drill non-public water supply system wells that produce more than two acre-feet per year will be responsible for obtaining a report signed by a licensed professional demonstrating the well will not impact nearby wells or cause subsidence. This report will be reviewed by Valley Water, who will issue the well permit once all related requirements are met. For well permits subject to the Order, permit applicants should expect additional costs and time needed to secure a well permit.

The Agricultural Water Advisory Committee discussed the following: imported water, enforcement, incentives for landscape replacement, public supply wells, permitted wells, comparative data on water usage, SGMA impacts, housing/population growth and water conservation.

Mr. Aaron Baker, Ms. Vanessa De La Piedra and Ms. Samantha Greene were available to answer questions.

The Agricultural Water Advisory Committee took no action.

4.2 ONE WATER – UPPER PAJARO RIVER WATERSHED PLAN – INFORMATION ON PLAN SCOPE, OVERVIEW AND STAKEHOLDER FEEDBACK

Ms. Damaris Villalobos-Galindo reported on the following:

Summary from Meeting Agenda Memo:

One Water, Valley Water's comprehensive, long-range planning process for watershed management, comprises the One Water Countywide Framework (Framework, Attachment 1) and five watershed plans. The vision, goals, and measurable objectives of the Framework provide key guidance to be applied at the watershed-scale.

On March 22, 2022, the Valley Water Board of Directors adopted the One Water Countywide Framework and the first of the five watershed level plans, the Coyote Creek Watershed Plan. The next step is to develop the remaining watershed plans: the Upper Pajaro River and Guadalupe River Watershed Plans in 2022, and West Valley and Lower Peninsula Watershed Plans in 2023.

Staff is beginning broad stakeholder outreach to ensure each watershed's community views and input are represented in One Water master planning. At this time, staff would like to provide an overview of the ongoing Upper Pajaro River Watershed planning effort to the Agricultural Water Advisory Committee, with an opportunity to receive input from the Committee (see Attachment 2 for additional ways to provide input).

Upper Pajaro River Watershed Plan

The Upper Pajaro River Watershed is comprised of the approximately 360 square miles of the Pajaro River Watershed that lies within Santa Clara County. The watershed is home to approximately 120,000 people, with most of the population clustered around south San José, Morgan Hill, Gilroy and the community of San Martin. Major land use categories in this area include 54% rural land (agricultural lands and ranchlands), 34% open space and parks (state and regional parks, conservation lands, and tribal lands), 8% urban landscapes between south San José and Gilroy, and 4% rural residential land use (see Attachment 3).

The Upper Pajaro River Watershed can be divided into four subwatersheds that include Pajaro River, Uvas Creek, Llagas Creek, and Pacheco Creek. The major source of water supply within the watershed is groundwater, followed by imported water. The Llagas groundwater subbasin, managed by Valley Water, is located within the boundary of the watershed.

Currently, 101 external stakeholder groups have initially been identified and contacted to collaborate and provide input to the master planning effort. These stakeholders have been categorized into 10 different cohorts which include:

- Subject matter experts
- Municipal/land use agencies
- Educational institutions
- Residents and community-based organizations
- Water resource agencies and special districts

- Special joint organizations and coalitions
- Governing bodies and regulatory agencies
- Open space conservation and recreation
- Environmental organizations
- Agricultural organizations/groups

Key challenges and opportunities identified early on within this watershed include:

- Continued groundwater sustainability within the context of drought and the onset of climate change
- Protection of groundwater from contamination
- Sustainability of urban expansion and growth
- Flood risk reduction
- Protection and conservation of cultural and sacred sites
- Agricultural and ecosystem resource protection
- Endangered species recovery
- Open space preservation
- Natural landscape restoration
- Meaningful inclusion of disadvantaged communities into the decision-making process

The Agricultural Water Advisory Committee discussed the following: open space/cattle lands, drought and climate change, impacts of loss lands, water yields, absence of water concerns, funding ways to move water, desalination, and look at long range pipeline needs.

Mr. Aaron Baker, Mr. Brian Mendenhall were available to answer questions.

The Agricultural Water Advisory Committee took no action.

4.3. REVIEW AGRICULTURAL WATER ADVISORY COMMITTEE WORK PLAN, THE OUTCOMES OF BOARD ACTION OF COMMITTEE REQUESTS; AND THE COMMITTEE'S NEXT MEETING AGENDA.

Mr. Jan Garrod, Committee Chair and Ms. Glenna Brambill reported on the following:

Summary from Meeting Agenda Memo:

The Work Plan outlines the topics for discussion to be able to prepare policy alternatives and implications for Board deliberation. The work plan is agendaized at each meeting as accomplishments are updated and to review any work plan assignments by the Board.

BACKGROUND:

Governance Process Policy-8:

The District Act provides for the creation of advisory boards, committees, or commissions by resolution to serve at the pleasure of the Board.

Accordingly, the Board has established Advisory Committees, which bring respective expertise and community interest, to advise the Board, when requested, in a capacity as defined: prepare Board policy alternatives and provide comment on activities in the implementation of the District's mission for Board consideration. In keeping with the Board's broader focus, Advisory Committees will not direct the implementation of District programs and projects, other than to receive information and provide comment.

Further, in accordance with Governance Process Policy-3, when requested by the Board, the Advisory Committees may help the Board produce the link between the District and the public through information sharing to the communities they represent

The Agricultural Water Advisory Committee took the following action:

The Agricultural Water Advisory Committee unanimously approved asking that the Board consider adding "Request to recognize growers as land-use stewards, contributors to groundwater recharge" to their October agenda for an in-depth discussion.

The next regularly scheduled meeting is Monday, October 3, 2022, 1:30 p.m.

If you have any questions or concerns, you may contact me at, gbrambill@valleywater.org or 1.408.630.2408.

Thank you!

Glenna Brambill, Management Analyst II,
Board Committee Liaison
Office of the Clerk of the Board

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