Dear Mr. Duncan,

I appreciate your response to my e-mail to the Board regarding coronoavirus contamination and sewage water.

Has the District contacted existing recycled water facilities to inquire about this issue and the effectiveness of the water treatment? I am sure those facilities are also being queried regarding the issue, and may be conducting specific tests of their injection effluent for coronavirus particles.

Specific testing for the pathogen would be in order, rather than a vague blanket answer of "don't worry about this", given the serious nature of the pandemic and our society.

Your comment regarding the District's survey of confidence in the PureWater Soquel process is interesting. I remember the consultant reporting a relatively small sample, restricted to voters, and predominantly white males. That paid survey result, which took great liberty in defining what was included in the "comfortable with the process" did not provide any disclosure about what "further information" the person being surveyed was given to cause them to change their opinion about how they felt regarding the process.

That paid survey result is not at all what I am hearing from your ratepayers in discussions.

The District has yet to publish a FINAL version of an Anti-Degradation Evaluation for the PureWater Soquel Project.

Sincerely,

Becky Steinbruner

On Wednesday, September 16, 2020, 05:52:28 PM PDT, Ron Duncan <rond@soquelcreekwater.org> wrote:

Dear Ms. Steinbruner,

Thank you for your September 7, 2020 and September 15, 2020 emails to the Board. We are familiar with the issue of the COVID-19 being detected in raw sewage. Please see the COVID-19 information available on our website: https://www.soquelcreekwater.org/news/latest-news/covid-19-wastewater-treatment-designed-destroy-virus (included below too). We work to ensure all the water we provide is safe.

I would also like to point out that, contrary to your comments in your email below, the statistically valid community survey from earlier this year showed that nearly three-quarters of respondents are comfortable with the Pure Water Soquel project and over ninety percent agreed that investment is needed now to ensure reliable, safe water supplies for the future. We continue to provide the scientific facts about Pure Water Soquel and its treatment train to our customers and constituents, in order to keep them up to date.
Information from District website:

COVID-19 - Wastewater Treatment is Designed to Destroy Virus

You may have heard or read that coronavirus has been detected in raw sewage in communities where the virus is present.

Today’s wastewater treatment systems use multiple, advanced filtration, and disinfection processes to treat the water. These processes are designed to specifically remove or kill pathogens, including viruses such as the novel coronavirus. It is also known that the coronavirus is particularly susceptible to disinfection.

As asserted by the California State Water Board: “Existing stringent state standards protect public from COVID-19.” That agency also says, “There is no evidence that COVID-19 survives the disinfection process for drinking water or wastewater. California’s comprehensive safe drinking water standards include disinfection processes for drinking water which are extremely effective against viruses, including coronaviruses such as COVID-19.”

In our future Pure Water Soquel treatment process, after standard treatment including tertiary treatment, the virus would be eliminated at the wastewater treatment plant before being sent to our new advanced purification facility. Our advanced purification process would provide even further assurances of clean, safe water through the use of reverse osmosis filtration and ultraviolet (UV) / advanced oxidation process (AOP) treatment steps. Learn more from the similar long time water purification facility, Orange County Water District.

The reported detection of the coronavirus in untreated wastewater is something that continues to be methodically and comprehensively studied by expert scientists at agencies including the California State Water Resources Control Board/California Environmental Protection Agency, the World Health Organization, the US Environmental Protection Agency, the Centers for Disease Control, and the Water Environment Federation.

Pandemics like COVID and natural disasters like the recent wildfires, make water quality a high priority for water agencies and we will continue to follow guidelines by the state and federal water quality regulators.

Sincerely,

Ron Duncan | General Manager
Soquel Creek Water District | 5180 Soquel Dr., Soquel CA 95073 | www.soquelcreekwater.org
direct 831-475-8501 x144 | main 831-475-8500

🐱 Please consider the environment before printing this e-mail.
Dear Board of Directors,

In reviewing Correspondence associated with tonight's meeting, I note that my letter to you regarding the coronavirus in sewage had a link to another issue in error.

Here is the correct link that I wanted to provide you earlier:


Please respond to my earlier message, referencing the correct link herein.

Thank you.

Sincerely,

Becky Steinbruner

On Monday, September 7, 2020, 01:17:02 AM PDT, Becky Steinbruner <ki6tkb@yahoo.com> wrote:

Dear Board of Directors,

There is an increasing body of scientific acknowledgement that the coronavirus is in sewage. Since you plan to use treated sewage water to inject into the aquifer, I ask that your District conduct a pilot test to ensure your customers and all members of the public who rely on the Purisima Aquifer for clean potable water that you will be able to remove 100% of the corona virus particles before injecting the treated sewage water into the aquifer.

As your public survey determined recently, there is still a significantly high percentage of your customers that do not trust the PureWater Soquel Project ability to work and remove 100% of the contaminants from the sewage water. Many people are extremely concerned about maintaining their safety against contracting COVID-19.

Your District would do well to perform preliminary tests to assure people that your water treatments would be able to remove 100% of the COVID-19 before injecting it into the aquifer.

Please respond. Thank you.
Sincerely,
Becky Steinbruner
Dear Mr. Duncan,

Thank you for your response to the confusing information regarding the actual completion date the District hopes to accomplish for the PureWater Soquel Project.

However, your explanation regarding the construction timeline dates and the project cost reported by the District as part of the EPA WIFIA low cost loan agreement as reported on page 218 of the 8/18/2020 Board packet makes little sense.

Why would the District provide seemingly false project completion information to the EPA when the terms of the State Prop. 1 grant require the project be completed three years prior to the dates you claim? The District has seemingly provided misinformation to the EPA, as well as to your ratepayers and other members of the public who review your website materials.

Conflicting information such as this may lead District ratepayers to question the accuracy and transparency of the information on the website.

Please respond. Thank you.

Becky Steinbruner

On Tuesday, September 15, 2020, 03:03:29 PM PDT, Ron Duncan <rond@soquelcreekwater.org> wrote:

Dear Ms. Steinbruner,

Thank you for your inquiry. While the District does not get involved in the Board of Directors’ elections or campaign processes and issues; I do wish to respond factually to your inquiry about the Pure Water Soquel (PWS) project completion dates used for the federal Environmental Protection Agency (EPA) Water Infrastructure Finance and Innovation Act (WIFIA) loan documents.

The federal EPA WIFIA program relies on federal appropriations processes which are not always easy or timely to navigate. Their method for appropriation of funds differs from the state loan and grant agencies in terms of complexity. WIFIA is also accustomed to working with agencies and project scopes that are much larger than PWS, where delays in construction are more common. They have found it is much easier to build a contingency into the loan planning on the front end than it is to go back and amend a federal loan agreement later. For this reason, the District was advised to include a buffer in our WIFIA loan agreement for both the construction schedule and the loan amount for the Pure Water Soquel project. The inclusion of this contingency (additional loan amount and schedule) should not be interpreted or automatically concluded as the project will cost more or take longer. That assumption would be incorrect and misleading.

The District continues to meet and work toward the state’s timelines for its Prop 1 Grant Program (e.g. our $2M planning grant deliverables were completed prior to the work completion date of June 30, 2020) due to the seriousness of the State designating the
basin as critically overdrafted, to meet the State’s mandate to have the basin sustainable by 2040, and to prevent seawater intrusion from further contaminating the aquifer. Thus, the District has not changed the anticipated completion date for the Pure Water Soquel Project. It remains the end of 2022/very early 2023 and aligns with our $50M implementation grant’s projected work completion date.

Sincerely,

Ron Duncan | General Manager
Soquel Creek Water District | 5180 Soquel Dr., Soquel CA 95073 | www.soquelcreekwater.org
direct 831-475-8501 x144 | main 831-475-8500

Please consider the environment before printing this e-mail.

This e-mail message, including any attachments, may be confidential and exempt from disclosure, may contain work product and/or confidential communications, and may be subject to other privileges and restrictions as well. IF YOU ARE NOT AN INTENDED RECIPIENT, PLEASE REPLY BY E-MAIL THAT YOU RECEIVED THIS MESSAGE IN ERROR, DELETE THIS MESSAGE FROM YOUR SYSTEM, AND DELETE, PURGE, AND/OR DESTROY ALL COPIES

From: Becky Steinbruner <ki6tkb@yahoo.com>
Sent: Thursday, September 10, 2020 11:09 PM
To: bod <bod@soquelcreekwater.org>; Emma Olin <emmao@soquelcreekwater.org>
Cc: Bruce Daniels <bruce@protectwater.info>; Tom Lahue <tom@protectwater.info>; Becky Steinbruner <ki6tkb@yahoo.com>
Subject: Re: Is PureWater Soquel Project Due to Be Working by the End of 2020?

Dear Soquel Creek Water District Board of Directors,

This evening, I note that the error on President Daniels and Director LaHue campaign website referencing a 2020 PureWater Soquel completion date has been changed as shown below and in the attached screen shot.

"This PureWater Soquel facility is currently under construction and will be working by the end of 2022."

However, this claim that the Project facility "will be working by the end of 2022" still appears to be misinformation, according to District information submitted to the EPA for the WIFIA loan agreement. Page 213 of your Board agenda packet for August 18, 2020 states:
<table>
<thead>
<tr>
<th>Project</th>
<th>Substantial Completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seawater Intrusion Prevention (SWIP)/Recharge Wells and Monitoring Wells</td>
<td>September 2024</td>
</tr>
<tr>
<td>Conveyance Infrastructure</td>
<td>January 2025</td>
</tr>
<tr>
<td>Treatment Facilities</td>
<td>January 2025</td>
</tr>
</tbody>
</table>

What is the correct information regarding the date that the PureWater Soquel Project would be completed and operational, if it is built?

Assuming District staff has supplied accurate information to the EPA for the WIFIA loan agreement, it still appears that there is misinformation being distributed by the Board President and past-President that is misleading voters.

Please ensure this problem is corrected. Please respond. Thank you.

Sincerely

Becky Steinbruner

On Thursday, September 10, 2020, 01:45:40 PM PDT, Becky Steinbruner <ki6tkb@yahoo.com> wrote:

Dear Soquel Creek Water District Board of Directors,
I am writing to question campaign information being claimed by incumbents Bruce Daniels and Tom LaHue on their campaign website. The misinformation provided to the voters is inaccurate because the candidates claim an impossible completion and operational date for the PureWater Soquel Project by the "end of 2020". (see attached screen shot)

https://protectwater.info/index.php/water-supply/

One would think that the President and past-President of your Board would know better than to claim and disseminate such misinformation to the voting public. Please urge them to correct this problem.
promptly.

Please respond.

Sincerely,
Becky Steinbruner

This PureWater Soquel facility is currently under construction and will be working by the end of 2020.
Dear Board,
I request that you please pull Consent Agenda Items 4.4, 4.5, 4.7 and 4.10 for better public discussion of the information with staff in a transparent manner.

Thank you.
Sincerely,
Becky Steinbruner
From: Becky Steinbruner
To: bod; Emma Olin
Cc: Becky Steinbruner
Subject: Wondering When Soquel Creek Water District Board Meeting Videos Will Be Available?
Date: Friday, September 11, 2020 12:09:16 AM

Dear Soquel Creek Water District Board of Directors,
Since about 2017, Board minutes are reported with little detail regarding discussion and public input. In the past when I have inquired of your Board regarding this lack of substance and information, I have been told that the videos provide complete documentation regarding the discussions and public input at meetings.

However, your District website has no video recordings posted of any Board meetings since June 16, 2020.

When will the videos of the July 21 and August 18, 2020 Board meetings be posted to the District website for public review?

I very much appreciate having these recordings available. Please respond. Thank you.

Sincerely,
Becky Steinbruner
Dear Board of Directors and Financial Director,

I have been able to more carefully review the District Financial Report presented in Consent Agenda Item 4.4 at the August 18, 2020 Board meeting. I appreciate seeing the breakdown of Tier 1 and Tier 2 residential customer numbers (page 23), however I find the total customer number of 19,591 a bit curious.

On the District's website, under Facts, Figures and Maps, the number of service connections is reported as:

| Service Connections | Approximately 15,800 |

I assume that this service connection number includes all connections, including commercial, industrial and irrigation. How can the total number of residential customers possibly total 19,591, as is reported in the Financial Report chart showing Tiered usages? This is a difference of nearly 4,000, and is seemingly confusing residential with all types of customers.

Could you please explain and clarify the difference in reported customer numbers?

Furthermore, the bar graphs showing the percentage of customers in Tier 1 and Tier 2 do not appear to reflect proportional percentages indicated. It is misleading and gives the impression that there are significantly fewer residential customers in the expensive Tier 2 category.

I look forward to your response. Thank you.

Sincerely,

Becky Steinbruner
Dear Ms. Olin and Board,
Thank you for this extensive response. I have received and printed out the 18 pages in order to better examine the information presented. I will respond after careful review.

Sincerely,
Becky Steinbruner
September 17, 2020

Ms. Becky Steinbruner
3441 Redwood Drive
Aptos, CA 95003
Email: ki6tkb@yahoo.com

Subject: Clarification of My February 20, 2019 Declaration

Dear Ms. Steinbruner,

At the March 3, 2020 Soquel Creek Water District Board Meeting, and most recently in your September 1, 2020 email, you referred to a limited portion of my Declaration dated February 20, 2019 that was attached to the District’s Oppositions to your first Ex Parte Application against the District in your CEQA lawsuit challenging the Pure Water Soquel Project. Although it is our understanding that the State Water Resources Control Board has already responded to you as part your information requests about the grant agreements, you continue to request clarification from the District on the language in my Declaration, so I have provided the following.

Background: The full paragraph from my referenced Declaration paragraph 19 states:
“The District has applied for a Proposition 1 Groundwater (‘Prop 1’) Grant through the State Water Resources Control Board for up to $50 million to assist in funding the Project, which is estimated to cost $90 million, and has been invited to submit a full application for Round 2 of this Grant program. The bond requirement for liquidation of funds under Prop 1 is that qualified projects must be constructed and on-line by spring 2023. The last date for disbursement of Prop 1 grant monies is February 29, 2020, thus all Project work must be completed by February 29, 2020 or the District would be required to surrender the $50 million. A true and correct copy of the ‘Helpful Hints’ for the Grant documenting the March 2023 deadline for a project to qualify for liquidation of funds is attached hereto and incorporated herein as Exhibit J.’

Clarification: You seem to be asserting that I tried to mislead the Court in my Declaration regarding the grant applications, and you do so by inappropriately focusing on the dates in the grey highlighted section above and have not acknowledged or included Exhibit J of my Declaration. Exhibit J of my Declaration includes the actual referenced document from the State Water Resources Control Board, and it contains the key dates you question. I even highlighted that section in yellow in my original Declaration to be clear and transparent. Exhibit J is attached (Attachment 2) as part of this response.

The sentence on which you have focused on regarding the February 29, 2020 deadline is referring to the Prop 1 Planning grant funds (not the Implementation grant). All necessary Pure Water Soquel work required to obtain the Prop 1 Planning grant funds had to be completed at the time of my Declaration by February 29, 2020. (We have completed that work on time and already have received the vast majority of the $2 million grant funding for our customers.) It is clear from the sentences before the grey highlighted section and at the end of the grey highlighted section, as well as the attached “helpful hints,” from the State Water Resources Control Board in Exhibit J to my declaration that the Pure Water Soquel project has to be constructed by early 2023; therefore, the reference to February 29, 2020 did not concern Project construction. Again, to avoid confusion the section highlighted in yellow in Exhibit J of my Declaration was part of my original declaration.
I’d like to clarify that the first sentence (highlighted in grey above), did inadvertently state that the Prop 1 Planning grant funds were $50 million, when in fact they were $2 million. Regardless, there is no evidence that the Santa Cruz Superior Court relied upon this particular sentence in ruling on your prior Ex Parte Applications, any of your other motions/applications, or the merits of your lawsuit. My entire Declaration should be taken as a whole, including the attachments, and the point that I was making – time was, and is, of the essence on this project in order to obtain both planning and construction grant funds. In addition, compliance with SGMA (see below) is also extremely important as the State has declared our region’s basin as one of 21 basins in California as unsustainable and mandated that it be brought into compliance by 2040.

**State Mandate and Compliance with Sustainable Groundwater Management Act (SGMA):** Further, and pursuant to the administrative record in your CEQA litigation, the Santa Cruz Mid-County Groundwater Basin from which the District draws 100% of its water is classified by the California Department of Water Resources as “high priority” pursuant to the SGMA due to the active seawater intrusion that is contaminating this region’s sole source of supply. The District has also declared a water shortage emergency and adopted regulations and restrictions to curtail usage to conserve the water supply. Thus, even apart from grant funding opportunities, this Project is of utmost importance to reduce the degree of overdraft conditions in the Basin, to protect against further seawater intrusion, and to restore groundwater levels to ensure water supplies and meet the SGMA’s requirement of basin sustainability by 2040. As you are aware, the Pure Water Soquel Project is one of the primary water supply projects included in the Groundwater Sustainability Plan, which was prepared through a collaborative, public process under the Santa Cruz Mid-County Groundwater Agency.

**In Summary:** The District needed to finish work related to the Prop 1 Planning grant by February 29, 2020 (at the time of my declaration) for our customers to benefit from the $2 million Planning Grant, and Project construction of Pure Water Soquel has to be completed by early 2023 for our customers to benefit from the $50 million State grant.

I hope we both share positive intent to protect the groundwater basin for our community such that we can be compliant with State regulations and have a sustainable water supply for current and future generations. In addition to the $2 million planning grant and the $50 million implementation grant, we have obtained low-interest loans from the State’s seawater intrusion control loan program and Federal EPA’s WIFIA program for the remainder of the project costs (and additional contingency, if needed). While you have expressed concern for our ratepayers, the District is working very hard to make sure our customers benefit from this amazing opportunity and investment from the State Water Resources Control Board and the Federal EPA.

Sincerely,

SOQUEL CREEK WATER DISTRICT

By _____________________________
Ron Duncan
General Manager

**Attachments:**
(1) Ron Duncan's declaration with yellow highlight added by Ms. Steinbruner (yet omits Exhibit J, which is a part of the declaration).
(2) Exhibit J to Ron Duncan's declaration. Note the portion marked in solid yellow highlight was part of the original declaration for extra emphasis and clarity.
ATTACHMENT 1

Ron Duncan’s declaration with yellow highlight added by Ms. Steinbruner (yet omits Exhibit J, which is a part of the declaration).
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Attorneys for Respondents Soquel Creek Water District; Board of Directors for the Soquel Creek Water District and Ron Duncan

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

REBECCA (BECKY) STEINBRUNER,
Petitioner,

v.

SOQUEL CREEK WATER DISTRICT,
BOARD OF DIRECTORS FOR THE
SOQUEL CREEK WATER DISTRICT,
and RON DUNCAN, General Manager for
Soquel Creek Water District,

Respondents.

SANTA CRUZ COUNTY, SANTA CRUZ CITY, SANTA CRUZ CITY
WASTEWATER TREATMENT FACILITY, SANTA CRUZ MID-
COUNTY GROUNDWATER AGENCY,
TWIN LAKES BAPTIST CHURCH and
DOES 1-50,000, INCLUSIVE,

Real Parties in Interest.

Case No. 19CV00181
[CEQA]

DECLARATION OF RONALD C. DUNCAN IN SUPPORT OF SOQUEL CREEK WATER DISTRICT’S
OPPOSITION TO EX PARTE
APPLICATION FOR ORDER
REQUESTING PRELIMINARY
INJUNCTIVE REVIEW, TEMPORARY
RETRAINING ORDER AND STAY

Date: February 20, 2019
Time: 1:00 p.m.
Location: 10

Assigned to the Honorable Judge Paul Burdick, Dept. 5

Filed concurrently with District’s Opposition to Ex Parte Application; Declaration of Taja Dufour ISO Opposition; and District’s Request for Judicial Notice ISO Opposition]

Action Filed: January 17, 2019;
Amended Petition: January 31, 2019
DECLARATION OF RONALD C. DUNCAN

I, RONALD C. DUNCAN, declare as follows:

1. Since 2015, I have been the General Manager of the Soquel Creek Water District ("District"). I have worked for the District in various roles since 2004. I have a Bachelor of Science (Geology), a Master of Science (Groundwater Hydrology), and a Master of Business Administration. I am a Professional Geologist licensed in California and hold a Special District Administrator Certification. I make this declaration in support of the District’s Opposition to Petitioner Rebecca Steinbruner’s (“Petitioner”) *Ex Parte* Application for Stay and Injunction.

2. I have personal knowledge of the matters set forth herein, and if called as a witness, I could and would competently testify to these facts.

3. Seawater intrusion is contaminating the Santa Cruz Mid-County Groundwater Basin (“Basin”). This intrusion is an active contamination which renders drinking water unusable for human consumption and irrigation and is very difficult (if not impossible) to cleanup or reverse. The seawater contamination is already three miles inland in the Watsonville area and 10 miles inland in the Monterey area. In fact, the majority of heavily populated coastal regions of the world that rely on groundwater have seawater contaminated aquifers.

4. Predictive calculations prepared by the District’s hydrologist Hydrometrics (now Montgomery & Associates) show that, with low groundwater levels as previously experienced, seawater intrusion could contaminate the District’s main well-field near the middle of the District in two years. A true and correct copy of Hydrometrics’ finding is attached hereto and incorporated herein as Exhibit “A.”

5. Although the District has taken significant temporary actions to increase the groundwater levels (i.e. declared a groundwater emergency, evoked a Stage 3 usage curtailment of usage, shifted the pumping to other wells), water levels have not risen sufficiently to protect against ongoing seawater intrusion. Additionally, water levels could rapidly return to lower levels due to several factors (i.e. increase...
demand, pumping reconfigurations, drought, and other factors.). Even with the various temporary emergency efforts, groundwater levels are still not above protective and desirable levels in several portions of the basin.

6. Seawater intrusion is a ticking time bomb that continues along the coast line and poised to ruin our community’s water supply. Indeed, the District recently learned that a customer (Mr. Pete Cartwright) who the District serves, but who also has a private agricultural well, recently lost the use of his well due to seawater intrusion. Mr. Cartwright’s well is approximately 5,000 feet south of the District’s water supply well named “Altivo.” A true and correct copy of a map showing the location of Mr. Cartwright’s well is attached hereto and incorporated herein as Exhibit “B.”

7. In 2017, data collected through airborne electromagnetics (AEM) technology, was performed by SkyTem and Ramboll for the Santa Cruz Mid-County Groundwater Agency, to measure variations in the electrical conductivity of underground geology. This technology is used world-wide to map groundwater resources composition and water content. The data shows that seawater contamination is not just located at the ends of the District’s service area, which was previously known but also has moved along the entire service area coastline, an extreme condition.

8. A true and correct copy of a report and map showing the risk of sea water intrusion to the Basin, prepared by Montgomery & Associates (formerly Hydrometrics), is attached hereto and incorporated herein as Exhibit “C.”

9. Experts Dr. Rosemary Knight and doctoral student Meredith Goebel at Stanford University have been in communication with me regarding the 2017 SkyTem, and Ramboll AEM work. On July 30, 2018, they informed via email that the level of seawater intrusion is worse than SkyTEM and Ramboll discovered. A true and correct copy of that July 30, 2018 communication is attached hereto and incorporated herein as Exhibit “D.”

10. Even without seawater intrusion at the District’s main well-field, in portions of the
Basin the District has already significantly (e.g. approximately 70 times) exceed the recommended seawater water quality levels set by the State of 250 milligram ("mg") per liter and the draft target set by Santa Cruz Mid-County Groundwater Agency of 100 mg per liter (by approximately 170 times).

11. The Santa Cruz Mid-County Groundwater Agency is required by State law to develop a plan to address the problem by January 2020 and have project(s) identified to solve the problem and meet milestones to achieve sustainability within 20 years. State officials stated publicly and have told me personally that they plan to strictly enforce these requirements.

12. Since 2014, the District has instituted and maintained a Stage 3 Level Water Shortage Emergency, requesting consumers to curtail water consumption by 25% and implementing associated Stage 3 emergency water rates to help prevent further seawater intrusion. A true and correct copy of District Board Resolutions 14-22 and 18-09 are attached hereto and incorporated as Exhibits “E” and “F.”

13. Due to a statewide drought from 2012-2016, Governor Brown issued a drought state of emergency proclamation on January 17, 2014 that lasted until April 17, 2017. As part of the State’s mandate, the State Water Board assigned mandatory water conservation standard ranging up to 36% for water agencies. This statewide effort garnered the largest statewide conservation effort in its history with statewide average water savings of 20% in 2017. However, the State Water Resources Control Board has reported that water savings have virtually vanished and as of January 2018, is back to 0.8% - basically back to normal. A true and correct copy of a graph from the State Water Resources Control Board data illustrating the decrease in water savings in just nine months is attached hereto and incorporated as Exhibit “G.”

14. While water consumption statewide has basically returned to normal (after saving of approximately 20%), District consumption has not returned to normal mainly because we are still in a Stage 3 Emergency. However, District customers are
slowly conserving less water, going from water savings of approximately 38% from normal (2013 usage) in May 2015 to only 19% in January. The water conservation efforts have at least temporarily helped increase water levels. The most recent Groundwater Monitoring Report for the basin by Montgomery and Associates, dated August 22, 2018 estimated protective water levels are only in seven (7) of the 12 wells used for monitoring groundwater levels. Thus five (5) of the wells have water levels that are not estimated to be sufficiently high to prevent seawater intrusion — even at what is considered the peak of conservation efforts. The Report does note that groundwater quality results did not show an increase in seawater intrusion in areas monitored. However, page 6 of the Reports states “… full groundwater level recovery will not be achieved until groundwater levels are at protective elevation all coastal monitoring wells. Therefore, the basin continue to be in a state of overdraft.” A major concern of the District is that local water consumption will continue to increase (i.e. as conservation efforts lessen as has happened statewide) and that water levels will start to drop again. A true and correct copy of the August 22, 2018 Groundwater Monitoring Report for the basin prepared by Montgomery and Associates is attached hereto and incorporated herein as Exhibit “H.”

15. On January 4, 2019, the Department of Water Resources (“DWR”) updated its prioritization of groundwater basins, and it continues to list the Santa Cruz Mid-County basin as being Critically Overdrafted. In 2016 the DWR/State Department of Water Resources first declared the Basin as being in a state of Critical Overdraft (the State’s most severe basin designation) in Bulletin 118. The Basin is one of just 21 basins in over 500 basins in California that the State has identified as being in Critical Overdraft. Indeed, a true and correct copy of Table 2, from Bulletin 118 is attached hereto and incorporated herein as Exhibit “I” and it lists the 21 Critically Overdrafted basins and the Santa Cruz Mid-County Basin (no. 3-001) is at the top of the list.
16. The purpose of the Pure Water Soquel: Groundwater Replenishment and Seawat Intrusion Prevention Project ("Project") is to replenish the Basin with purified water, correcting the critical overdraft of the Basin and creating a seawater intrusion barrier. This is the main project that best aligned with our community values identified during the development and outreach process. Our outreach to the community has been constant and throughout, exceeding the requirements for State law. For example, though not required by State law, the District placed a link to the Final Environmental Impact Report ("EIR") for the Project on the District's website, and put a hard copy of the Final EIR at the front desk of the District’s office.

17. While the Pure Water Soquel Project design work is currently underway, construction activity on the Project is not expected to commence before Spring of 2020, such that the first injections of purified water are not expected to begin until the end of 2022.

18. The State has already awarded the District over $2,000,000 in grant funding for the Pure Water Soquel Project and the Federal government (Bureau of Reclamation) has provided $150,000 in grant funding. This show of support has benefited our rate payers; however, as discussed below we are seeking more grant funding. An delay in the Project could jeopardize some of the funding.

19. The District has applied for a Proposition 1 Groundwater ("Prop 1") Grant through the State Water Resources Control Board for up to $50 million to assist in funding the Project, which is estimated to cost $90 million, and has been invited to submit a full application for Round 2 of this Grant program. The bond requirement for liquidation of funds under Prop 1 is that qualified projects must be constructed and on-line by spring 2023. The last date for disbursement of Prop 1 grant monies is February 29, 2020, thus all Project work must be completed by February 29, 2020 or the District would be required to surrender the $50 million. A true and correct copy of the “Helpful Hints” for the Grant documenting the March 2023 deadline
20. The District is subject to the Sustainable Groundwater Management Act’s (“SGMA”) mandate to solve the critical overdraft of the Basin. Via section 10720.7 of SGMA, the State requires that Critically Overdrafted basin (i.e. the District/Santa Cruz Mid-County Groundwater Agency) meet an accelerated schedule to create a Groundwater Sustainability Plan (“GSP”) by 2020, and bring the Basin into sustainability by 2040.

21. The Santa Cruz Mid-County Groundwater Agency (“MGA”), is the state-required groundwater sustainability agency that is responsible for bringing the basin into sustainability and is currently drafting the GSP for Basin 3-001, the Santa Cruz Mid-County Groundwater Basin. As part of the GSP, projects, programs, and activities need to be included to demonstrate the actions that will be undertaken to correct the critical overdrafted condition. On November 15, 2018, the MGA approved the inclusion of several projects including “… river water transfers, in lieu recharge, Pure Water Soquel, aquifer storage and recovery, and managed aquifer recharge.” The Pure Water Project is the only water supply project at the moment identified by the MGA that is a defined and environmentally reviewed Project, all others that are listed are only early stages of feasibility and in a proof-of-concept phase. A true and correct copy of the MGA’s November 15, 2018 draft minutes is attached hereto and incorporated herein as Exhibit “K.”

22. Any delay that prevents the Project from moving forward with design or construction will impair the District’s ability to fight seawater intrusion, placing our customers at severe risk due to the potential contamination of the District’s main well-field, as well as private well owners and other municipalities and water district that rely on this Basin, and/or significant rate increases due to the need to obtain alternate water supplies.

23. Any delay that prevents the Project from moving forward with seeking grant
funding could result in the loss of those grants and result in the attendant need for the District to adopt further rate increases to fund the Project. This would impose a tremendous hardship on our customers, who have already been asked to curtail water usage by 25% since 2014, and who are already some of the lowest per capita water users in the State. Indeed, the District estimates the need for a 9% rate increase for five years in a row, if grant funding cannot be obtained.

24. Any Project delay also increases the cost of the Project due to inflation. The District is currently estimating cost inflation at approximately five percent (5%) a year. This means that for every month the Project, estimated to cost $90 million, is delayed, the Project’s costs increase due to inflation costs of approximately $375,000. A true and correct copy of the technical memo entitled “Cost Estimate Updates for Pure Water Soquel and Community Water Plan Options related to Water Transfers” is attached hereto and incorporated herein as Exhibit “L.”

25. The District has on numerous occasions considered Petitioner’s claims that the Pure Water Soquel Project is unnecessary because the District can receive excess surface water from the City of Santa Cruz. However, except for some water from the North Coast streams (Liddell Springs, Laguna Creek and Majors Creek), other surface water sources from Santa Cruz (e.g., San Lorenzo River) are currently precluded by State law to be provided to the District. While the District is engaging in a pilot water transfer project with the City of Santa Cruz in hopes of obtaining some potential excess surface water in the future, this pilot project has demonstrated difficulties due to unanticipated fish flow constraints and from the transfer water containing significantly elevated levels of carcinogenic constituents. Any long term surface water project from San Lorenzo River would also require a change or new water rights. Any long term surface water project from San Lorenzo River would also require a change or new water rights. Indeed, even the City of Santa Cruz has their own concerns about the potential for water transfers to benefit the District in solving the seawater intrusion challenges. The City of Santa
Cruz Water Director Ms. Rosemary Menard, in recent email, stated: "there is not
enough surface water to reliably meet both the City of Santa Cruz’s needs and the
needs that Soquel Creek has to protect the aquifer from sea water intrusion." A
true and correct copy of Ms. Menard’s email is attached hereto and incorporated:
Exhibit "M."

26. My entire professional career has revolved around helping to ensure water bodies
(e.g., stream, groundwater, ocean, etc.) and drinking water supplies are not
degraded and that human health and the environment are protected. My wife is a
teacher at a local public school and we have raised our two teenage boys in Santa
Cruz since they were born at Sutter Hospital in Santa Cruz. We are very invested
in this area and care about the District’s customers. Good stewardship of the Basin
is critical to be able to meet the needs of our customers, be fiscally responsible,
and preserve the environment.

I declare under penalty of perjury, under the laws of the State of California that the
foregoing is true and correct.

Executed on February 20, 2019 at Soquel, California.

RONALD C. DUNCAN
PROOF OF SERVICE

At the time of service I was over 18 years of age and not a party to this action. My business address is 3390 University Avenue, 5th Floor, Riverside, California 92501. On ___, 2019, I served the following document(s):

DECLARATION OF RONALD C. DUNCAN

☐ By fax transmission. Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.

☐ By United States mail. I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed below (specify one):

☐ Deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.

☐ Placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice of collecting and processing correspondence for mailing. On the same day the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in sealed envelope with postage fully prepaid.

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at Riverside, California.

☐ By personal service. At ___ p.m., I personally delivered the documents to the persons at the addresses listed below. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package clearly labeled to identify the attorney being served with a receptionist or an individual in charge of the office. (2) For a party delivery was made to the party or by leaving the documents at the party's residence with some person not less than 18 years of age between the hours of eight in the morning and six in the evening.

☐ By messenger service. I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed below and providing thereto a professional messenger service for service. A Declaration of Messenger is attached.

☐ By overnight delivery. I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses listed below. I placed the envelope or package for collection at an overnight delivery carrier at an office or a regularly utilized drop box of the overnight delivery carrier.
By e-mail or electronic transmission. Based on a court order or an agreement, the parties to accept service by e-mail or electronic transmission, I caused documents to be sent to the persons at the e-mail addresses listed below. I did receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Rebecca (Becky) Steinbruner  
3441 Redwood Drive  
Aptos, CA 95003  

Petitioner In Pro Per

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on June 20, 2019, at Santa Cruz, California.

[Signature]

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ATTACHMENT 2

Exhibit J to Ron Duncan’s declaration. Note the portion marked in solid yellow highlight was part of the original declaration for extra emphasis and clarity.
EXHIBIT "J"
“Helpful Hints” for
Proposition 1 (Prop 1) Groundwater Grant Program (GWGP) - Round 2 Solicitation

General Information
This document is intended to provide a snapshot of useful information, but is not all encompassing. Applicants are expected to review the Prop 1 GWGP Guidelines before submitting a Concept Proposal through the Financial Assistance Application Submittal Tool (FAAST).

It is highly recommended that applicants review the grant agreement templates posted on the Prop 1 GWGP website prior to submitting a proposal. If applicants are not able to abide by the terms and conditions contained therein, applicants should not submit a proposal.

Applicants should also sign up for email notifications to receive program updates.

Eligibility
In general, projects that will cleanup or prevent contamination of groundwater that serves or has served as a source of drinking water are eligible for Prop 1 GWGP funds. Please note the following, and refer to the section of the Prop 1 GWGP Guidelines noted in parentheses for more information:

- Eligible applicants include public agencies, non-profit organizations, public utilities, tribes, and mutual water companies (Section 4).
- Contamination in groundwater is defined, and is typically tied to exceedances of a primary Maximum Contaminant Level or notification level (Appendix A).
- Costs that identified responsible parties are able and willing to pay are not eligible (Section 9).
- Typical match is 50% of the total project cost, with reductions considered for disadvantaged communities (Section 5).

Coordination with Regulatory Agencies
Division of Financial Assistance staff will coordinate with regulatory agencies in reviewing proposals to ensure that proposed projects are considered a high priority. In developing projects, potential applicants are encouraged to coordinate with local regulatory staff, including the Division of Drinking Water, Regional Water Quality Control Board, Department of Toxic Substances Control, etc.

Other Related Funding Sources
Site Cleanup Subaccount Program (SCAP)
The Prop 1 GWGP is closely coordinated with the SCAP. SCAP funds can also be utilized to remediate groundwater contamination, but for human-made contaminants only. Typically work must be implemented consistent with a regulatory agency issued directive, and projects are only SCAP-eligible if the responsible party lacks financial resources to complete the work. Eligible recipients differ from the Prop 1 GWGP, and may include individuals or businesses.

Drinking Water State Revolving Fund (DWSRF)
Prop 1 GWGP eligibility is largely focused on funding projects that will cleanup or prevent contamination in the aquifer, but additionally allows for grants up to $5 million to eligible disadvantaged communities for implementation projects that treat groundwater for direct potable use, with no cleanup or remediation of the aquifer. Typically this is only considered if the nature and extent of contamination is not conducive to cleanup in the aquifer. These projects are considered “drinking water treatment” projects, and may also be eligible for grants and loans through the DWSRF. Applicants for these projects should not complete the Prop 1 GWGP solicitation and should instead apply to the DWSRF Program.

Division of Financial Assistance staff will coordinate on Prop 1 GWGP eligibility and joint funding opportunities.
“Helpful Hints” for
Proposition 1 (Prop 1) Groundwater Grant Program (GWGP) - Round 2 Solicitation

Clean Water State Revolving Fund (CWSRF)
The Prop 1 GWGP can also provide grants up to $8 million to disadvantaged communities for septic-to-sewer implementation projects that will prevent or reduce contamination of municipal or domestic supply wells. These projects may also be eligible for grants and loans through the CWSRF. Applicants for septic-to-sewer projects should not complete the Prop 1 GWGP solicitation and should instead apply to the CWSRF Program. Division of Financial Assistance staff will coordinate on Prop 1 GWGP eligibility and joint funding opportunities.

Planning vs. Implementation
Planning
Planning work should be geared toward developing an Prop 1 GWGP eligible implementation project. Eligible costs may include but are not limited to: site assessment, site characterization, modeling, remedial investigation, feasibility study, monitoring, responsible party search, and preliminary design.

Implementation
Implementation projects must include capital facilities that produce a positive, quantifiable environmental outcome. Eligible implementation projects can also include but are not limited to: design, pilot studies, and initial startup of facilities. Proposals for implementation projects should demonstrate that the proposed project is consistent with the Prop 1 GWGP Guidelines. Full design is not necessarily required for the award of implementation funds but the intent, scope, and budget for the project should be reasonably well developed, at least at a conceptual level. Otherwise, applicants should consider applying for planning funds to further develop their project.

Examples of Eligible Projects Funded in Round 1
Planning projects awarded funds during Round 1 consist primarily of remedial investigation, feasibility studies, and/or preliminary design work. Implementation projects awarded funds during Round 1 include primarily extraction and treatment systems, as well as seawater intrusion prevention projects, and well abandonment projects. Applicants are encouraged to review the list of awarded projects for more information.

Project Timelines
The Prop 1 GWGP Guidelines indicate that funds are available for expenditure until June 30, 2021. If the State Budget is approved as proposed, the Prop 1 GWGP funding appropriation will be extended. In completing Concept Proposals, applicants should assume that Round 2 projects must be complete by March 2023. As needed, Division of Financial Assistance will provide further direction to applicants in the invitation for Full Proposals.

Cost Eligibility
Eligible costs incurred after November 4, 2014 may be claimed for match. Reimbursement of eligible costs will not occur until after agreement execution. The grant agreement will indicate the eligible start date, after which eligible reimbursable costs may be incurred. For the purposes of the Concept Proposal, applicants can assume an eligible start date of December 2018. Keep in mind that indirect costs, overhead, contingency, as well as operations and maintenance costs are not eligible expenses. See more on ineligible costs in Section 10 of the Prop 1 GWGP Guidelines.
Dear Soquel Creek Water District Board of Directors,

I never received a response from you regarding the issues I raised in my May 31, 2020 letter to you.

I am re-sending it and ask that you please respond.

Sincerely,
Becky Steinbruner

On Sunday, May 31, 2020, 06:34:29 PM PDT, Becky Steinbruner <ki6tkb@yahoo.com> wrote:

Dear Soquel Creek Water District Board,

I have only just been able to access the MidCounty Groundwater Agency Draft Groundwater Sustainability Plan (GSP) that was submitted in January, 2020 and made available for public comment in February. It is a very large document that has been a challenge to access, especially with the closure of District Offices for COVID-19 response.

As I have repeatedly discussed with your Board, General Manager Ron Duncan's statement in a Declaration filed with Santa Cruz County Superior Court on February 20, 2019 presented an urgent picture of imminent threat of seawater intrusion to the District's water supply as a reason to expedite legal challenge to the PureWater Soquel Project's CEQA problems. I submitted a copy of Mr. Duncan's Declaration to you at the March 3, 2020 Board meeting correspondence: file:///home/phtp/Downloads/03-03-20_BoardCorrespondence%20(3).pdf

Mr. Duncan's claim in paragraph #22 on page 7 illustrates the emergency-quality focus that he and your Board seem to support.

However, the description of the seawater intrusion conditions as described in the GSP does not comport with the District's proclaimed sense of overwhelming urgency:

2.2.4.3 Seawater Intrusion

*Historically, seawater intrusion has been documented at Soquel Point in the Purisima A- and has been consistently detected at deep monitoring wells in all coastal monitoring clusters in the Aromas area (in both Purisima F-unit and Aromas Red Sands aquifers). With the exception of monitoring well cluster SC-A1, coastal monitoring clusters in the Aromas area were installed with their deepest completion intentionally located below the freshwater-saltwater interface to monitor increases in chloride concentrations. Chloride data from Water Year 2018 shows that the extent of seawater intrusion has remained the same over the past few years (Figure 2-35). Coastal well locations where seawater intrusion has not been observed continue to show no indication of seawater intrusion. Groundwater quality where seawater intrusion has been observed is either stable or improving with the exception of one well. At SC-A2B, an increasing trend has been observed over the last two years and the latest sample exceeded the minimum threshold that is set for this well as part of the Basin’s sustainable management criteria in Section 3. If any of the following three samples at SC-A2B exceed the minimum threshold, this would be considered an undesirable result based on the sustainable management criteria proposal contained in this GSP.

Once again, I make the claim to your Board that the real urgency driving the District's PureWater Soquel Project timeline fast-track is to satisfy the financial goal of using State grant money to pay for the very expensive and energy-demanding Project, and not necessarily the urgency of any seawater intrusion
problem that could be more feasibly remedied with conjunctive use projects for which the infrastructure already exists.

It is extremely disappointing that the District has taken no action to pursue the reasonable and legal ability to apply with the State to obtain Temporary Water Rights for water from the San Lorenzo River during wet months, using an urgency claim. This would allow the City of Santa Cruz to sell the District more potable water for conjunctive use than is currently allowed under the Surface Water Transfer Pilot Project. This legal analysis, conducted by Best, Best & Krieger, was presented over six years ago to your Board by County Water Resources Director Mr. John Ricker, in early 2014. I am providing you with that document again in the attachment below.

In September, 2019, the State Water Board made changes to the procedure and policy regarding such temporary water rights requests by reducing the application fees and allowing the temporary rights during wet months to be granted for a period of five years.

Furthermore, the District could negotiate a price with the City of Santa Cruz to potentially purchase the water at a favorable and reasonable rate, given the benefit of improving the groundwater levels in the aquifer where the City also has production wells. As I wrote you on May 17, 2020, under Prop. 218 and the California Constitution Articles XIIIC and XIIID, the City can charge whatever price they choose, as long as that price does not exceed the cost of providing the water to you.

I do not understand how the District can claim such a sense of urgency in order to drive forward the environmentally-damaging and energy-intensive PureWater Soquel Project yet take no action whatsoever to obtain expanded water rights that would decrease the need for pumping from District wells and thereby allow groundwater levels to continue to improve and thereby achieve sustainable levels.

Please explain in writing why the District, despite claims of seawater intrusion urgency, has not pursued this reasonable and legal avenue available to obtain a supplemental supply using infrastructure that already exists and for which all chemical analysis has shown is not problematic.

Sincerely,
Becky Steinbruner