

# Water board directors vote to end Midcounty moratorium

By BOB SMITH

The water connection moratorium in the Midcounty was lifted Monday night by the Soquel Creek County Water District.

But the district will now be charging \$3,800 for a connection — more than double the rate last week.

Directors voted unanimously on the two controversial actions Monday night, following two lengthy public hearings.

Cancellation of the water connection moratorium also lifts the district's water conservation rules, including bans on sidewalk and car washing.

The connection fee, called a "Storage and Transmission Fee" by the district, was raised over objections from some home builders and property owners.

The district raised the fees to finance construction of an \$8 million water diversion dam and water treatment plant on Soquel Creek in Soquel.

Santa Cruz County Supervisors were expected this afternoon to rescind the well drilling ban they placed on the Midcounty last winter at the request of the water district after a U.S. Geological Survey report indicated that the area was pumping too much water from the underground Purisima aquifer, and, as a result, faced the danger of seawater intrusion in the coastal area.

USGS officials have since repudiated the report as a basis for the moratorium.

Water district officials approved a \$142,100 contract Monday night with a private consulting firm, Luhdorff and Scalmanini of Davis, to design and oversee construction of a string of monitoring wells along the coast from Opal Cliffs to Rio del Mar to gather information about groundwater conditions and serve as an early warning of future seawater intrusion.

The water board's actions Monday night could be a campaign issue for two of the three people challenging

incumbent directors for seats on the board next month.

Candidate Barbara Kieve told the directors that as many as 2,000 new dwelling units could be built in the Midcounty in the next few years under terms of Measure J, the county's Growth Management Ordinance.

"It is the business of the county to regulate growth under provisions of Measure J," she said. "It is the business of this board to supply an abundance of good water, yet there is nothing in any of the reports before you to enable anyone of you to know whether satisfying the water needs of this great number of dwelling units will overdraw or not overdraw our water supply.

"Although the Luhdorff and Scalmanini report makes it clear that the data presently available is too incomplete to support the claim that we are now overdrafting our water supply, it also makes it clear on this very same data that no one can now tell how much water we do have and that no one can safely predict the sustained safe annual yield.

"On the strength of these facts, it appears that Ordinance 80-1 ought not be rescinded. If you men are inclined to lift the moratorium," she continued, "it makes no sense to do in a way that would buy the district time — a form of temporary suspension in which 10 percent, a couple of hundred or so, could be taken in. "Meanwhile, of course, you could launch the well monitoring program — a move which I strongly support, and in this way you might avoid overextending the district's services until you can find out from the monitoring results where the supply is and whether seawater is, in fact, working its way inward.

"With that information, it would become clear whether to keep the moratorium on or stop it."

Regardless of the board's action, Mrs. Kieve urged the board to enact a new water conservation moratorium that would continue to mandate

"If you keep it on, it is almost an illegal act."

Mrs. Breen and her husband, Harry, hammered at the board members later in the meeting with the contention that owners of several thousand building sites in the Midcounty would be allowed to pay the substantially lower connection fees in effect last week because they had applications in process at the county building and planning departments.

They argued that this is unfair to "new" home builders who were being asked to pay the full cost of the district's diversion dam and water treatment plant.

Referring to a year-old report by District General Manager Robert Johnson, the Breens contended that the owners of approximately 3,000 building sites would be eligible for decreased water connection fees.

Both Johnson and District Counsel Robert Bosso refuted the Breens' argument, saying that water connection permits now are not issued until the applicant has a building permit in hand, and they are charged the prevailing rate — now \$3,800.

Johnson's report said there are now 213 lots on which the Storage and Transmission fees had been prepaid under an old district regulation that was rescinded two years ago. Anyone now applying for water, including those with county building lottery numbers, will pay the full connection fee.

That statement was supported by Aptos Seascape General Manager Dean Wise, who said his company, one of the largest and oldest Midcounty land developers, paid the full connection fees on two subdivisions approved by the county recently.

District critic Lawrence Frommhagen, who lives outside the district on Old San Jose Road in the Soquel Valley, but now claims to have "property interests" in the district, told the board that the moratorium "was basically counterproductive."

"I urge you to enact a modest increase in water rates, hookup fees and an excess use fees — including economic sanctions to enforce conservation.

"Unfortunately in our society, that is the only way it (conservation) works," Frommhagen added.

Water board president Ken Izant told Frommhagen that the water moratorium ordinance, conservation portions included, would be rescinded Monday night, and directors might consider a new conservation ordinance at a future date.

Director Jack Beebe made a motion to rescind the ordinance, seconded by Mervin Garibotto. It passed unanimously.

water saving measures throughout the district.

"Again in the interest of a cautious water management program, the fundamental issue tonight is not the rescinding of the ordinance; it is our ability to provide an abundance of good water to the people of this district."

A second board candidate, Dora Jane Breen, took the opposite position, demanding that the board lift the water connection moratorium.

"This was passed as an emergency measure and was intended as a management tool," she said. "It is very clear that we do not have an emergency, no seawater intrusion, no overdraft.