



*To advance the economic, social and environmental sustainability of Northern California
by enhancing and preserving the water rights, supplies and water quality.*

State Water Resources Control Board *Groundwater Workplan Concept Paper*

December 18, 2013

We appreciate the State Water Resources Control Board's (SWRCB) engagement with Northern California as the SWRCB thinks about and further develops a *Groundwater Workplan Concept Paper (Concept Paper)*. In our initial comments, we first provide a perspective on groundwater management in the Sacramento Valley and the water resources managers' efforts to advance sustainability in the region. We then offer general thoughts with respect to the October 4, 2013 draft Concept Paper that we believe will help promote active groundwater management in California with an eye towards regional sustainability in the Sacramento Valley. It is our hope that this will facilitate an ongoing conversation with the SWRCB and other agencies as these concepts are further discussed and developed.

I. Active Management for Regional Sustainability

The State of California in 2009 adopted a new state policy on regional sustainability. For the Sacramento Valley, "each region that depends on water from the Delta watershed shall improve its regional self-reliance for water through investment in water use efficiency, water recycling, advanced water technologies, local and regional water supply projects, and improved regional coordination of local and regional water supply efforts." (Water Code §85021.) NCWA and the water resources managers are committed to advance the economic, social, and environmental sustainability of the Sacramento Valley by actively managing the water resources to preserve the water rights, supplies, and water quality for the rich mosaic of beneficial purposes: farmlands, cities and rural communities, refuges and managed wetlands, recreation, and meandering rivers that support fisheries and wildlife. These water rights and supplies are essential for all three pillars of sustainability: the economy, environmental stewardship and social and community well-being; which--in the Sacramento Valley--are all closely integrated.

To better understand and portray the Sacramento River watershed in this light, water resources managers in the region have come together around a technical report defining *Efficient Water Management for Regional Sustainability in the Sacramento Valley*. (See: <http://www.norcalwater.org/efficient-water-management/>.) The report builds upon decades of

continually improving water use efficiency in the Sacramento Valley at the farm, refuge, district, and basin level. The technical report also provides a foundation to initiate the process to evaluate improved water management opportunities in the Sacramento Valley and the trade-offs that will need to be considered in making future management decisions. Specifically, with respect to groundwater resources, Sacramento Valley water resources managers are building upon this technical framework with three coordinated efforts that will be performed in the first part of 2014:

An Assessment of the Sacramento Valley’s Groundwater Resources. Historically, “groundwater levels associated with the Sacramento Valley have remained steady, declining moderately during extended droughts and generally recovering to their pre-drought levels during subsequent wetter periods.” (DWR Bulletin 160-2009, SR-12.) “Groundwater quality in the Sacramento River hydrologic region is generally excellent.” (DWR Bulletin 118-2003, p.160.) We will build upon this work and the new draft California Water Plan by providing an independent overview of the Sacramento Valley’s groundwater resources and the evolving efforts to better understand and actively manage the resources to provide sustainable benefits for the Sacramento Valley and for California. The report will also provide a discussion of active management successes, long-term vulnerabilities and recommendations for the future.

Groundwater Quality Assessment Report. A Groundwater Quality Assessment Report (GQAR) is being developed for the Sacramento Valley, which will provide water resources managers and the leaders in the Sacramento Valley Water Quality Coalition with an assessment of groundwater quality in the region. The GQAR will support the Central Valley Regional Water Quality Control Board’s Waste Discharge Requirements for the Long-Term Irrigated Lands Program.

Roles and Responsibilities. For the Sacramento Valley, we will explore the respective roles and responsibilities for water agencies, local governments and the state with respect to groundwater management.

As pressures on Sacramento Valley water supplies increase, it will be increasingly important to actively manage the groundwater resources in conjunction with surface supplies to assure regional sustainability and self-sufficiency. Imbedded in our sustainability initiative is the ability to 1) manage groundwater resources for the safe-yield of the aquifer systems and 2) preserve groundwater quality. (*See e.g.* Sustainability of Ground-Water Resources, United States Geological Survey Circular 1186 (1999).) Water resources managers are committed to sustainability and will continue their ongoing efforts to promote the safe yield and preserve groundwater quality for regional sustainability.

II. Important Themes for the Concept Paper

With respect to the draft Concept Paper, we offer the following themes we encourage the SWRCB to consider in this process.

A. Subsidiarity: An Over-Arching Concept for California Groundwater

With the challenges facing California and its groundwater resources, we encourage the SWRCB to articulate a new way of doing business with respect to how the state empowers and incentivizes local and regional agencies to manage groundwater in a sustainable manner. The Governor in his 2013 “State of the State” address on education called for subsidiarity, which is “the idea that a central authority should only perform those tasks which cannot be performed at a more immediate or local level.” This is a concept that, if properly applied by state agencies, could forge a new and innovative approach to groundwater management in California. This concept recognizes the regional and local differences in groundwater throughout California and offers an approach where the SWRCB and other state agencies will pursue actions when local or regional agencies fail to act responsibly and state action is necessary to prevent irrevocable harm to a groundwater aquifer system. This concept provides the best opportunity for active and sustainable groundwater management throughout California, while working within the fiscal realities facing California.

B. Effective Coordination of Information Management

There are currently several state entities and numerous local entities throughout the state that manage databases and information systems involving groundwater. At the state level, this includes the Department of Water Resources, the State Water Resources Control Board, the Department of Public Health, the Department of Pesticide Regulation, and others. Better alignment of state agencies would be helpful for water resources managers and the general public to better understand California’s groundwater resources.

California over the past decade has created a solid foundation for groundwater management and the related information management in California that should be continued.

- The Local Groundwater Management Assistance Act of 2000 (AB 303; Water Code 10795) has provided tools for local agencies to better understand groundwater resources and has provided the basis for much of the information that will be provided as part of SB7X-6 (see below) and with respect to local and regional groundwater plans under Water Code §10750.
- The Groundwater Quality Monitoring Act of 2001 (AB 599, Water Code §10780) led to partnerships with the United States Geological Survey (USGS) and others to establish a statewide groundwater quality monitoring program generally known as the Groundwater Ambient Monitoring and Assessment (GAMA) program. With respect to groundwater quality, the SWRCB submitted a report “Public Accessibility to Information about Groundwater Conditions” to the Legislature, which provides an update on the program and makes several recommendations on opportunities to extend the program until 2024 as called for in the original legislation.

- The California Statewide Groundwater Elevation Monitoring Program (CASGEM), where DWR is compiling local groundwater elevation information required under SBX7- 6 (Water Code §10920), which will be available over the next year. DWR will be identifying the extent of groundwater elevation monitoring that is being undertaken throughout the state and reporting this to the Legislature and the Governor.
- The Central Valley Regional Water Quality Control Board (Regional Board) is developing Waste Discharge Requirements (WDRs) as part of the Irrigated Lands Regulatory Program. This includes various provisions relating to groundwater, including a Groundwater Quality Assessment.

These programs, and various other programs in the State of California, provide the core foundation that will help promote more active groundwater management in California with an eye toward regional sustainability. In the Sacramento Valley, various water resources managers, in conjunction with local governments, will be providing the groundwater elevation monitoring under SBX7-6. This information will not only inform and be used by water resources managers in implementing their local groundwater management plans (i.e. AB3030 etc.), it is also important as an objective tool to inform the public about groundwater resources. This is particularly important in the Sacramento Valley where there are tremendous fears that groundwater will be mined for the benefit of other parts of California. (See e.g., Water Code §1220.) Additionally, the GQAR will be provided to the Regional Board as part of its WDR.

For next steps, we believe the Administration, working with the Legislature and local water resources managers, can solidify this foundation by further supporting these programs and by creating a center of excellence among state agencies, working with local water resources managers, that will serve as the repository for groundwater information and provide the tools for information management and sound analysis of groundwater conditions. One example of a highly successful program we recommend exploring is the Cooperative Snow Survey, where a state entity partners with local entities throughout California to compile and analyze data to inform decision-makers with respect to water conditions in California. (See <http://cdec.water.ca.gov/snow/>.) A similar program established for groundwater management could coordinate the various state agencies with groundwater information, while creating a public advisory committee that includes local entities. This type of a strong partnership between the state and local agencies would efficiently use precious state resources, coordinate the respective expertise on groundwater, and continue to solidify the foundation necessary for active groundwater management in California.

C. Reliable Surface Supplies are Essential to Sustainable Groundwater Management

In nearly all parts of the Sacramento Valley, reliable surface water supplies are the key to healthy groundwater aquifers. The ability for water resources managers to conjunctively manage surface and groundwater resources has led to stable groundwater aquifers that are operated within their safe-yield. Without these surface water supplies, many of these

areas would likely be either over-drafted or trending towards overdraft conditions. In fact, the localized areas in the Sacramento Valley that have experienced groundwater elevation declines are areas that do not utilize or have access to surface water. In this context, water resources managers continue to explore more effective ways to actively manage their surface and groundwater supplies through local groundwater management plans. (*See* Water Code §10750.)

In this light, there are pressures from various places, including various SWRCB programs, that could redirect surface water away from the Sacramento Valley, which, in turn, will result in additional groundwater pumping, less recharge to groundwater aquifers, and possible impacts to the environment. Here, again, the state needs to align its policies and it needs to reconcile these conflicting programs and actions. In other words, the SWRCB should not propose to redirect surface water while ignoring the impacts on the groundwater resources, or by finding that any impacts to groundwater are significant, yet unavoidable as we have seen in different SWRCB proposals.

D. Intersection with Land Use Planning.

There are several interesting and important intersections between groundwater management and land use planning that deserve further attention. First, the protection of important recharge zones is an important element of active groundwater management. (*See e.g.,* Water Code 10753.7.) The second important intersection is the requirements in the water supply and land use planning laws, where the availability of groundwater is part of the water supply analysis provided to the local land use agencies for urbanization. (*See e.g.,* Water Code §10631(b); Government Code §65867.5.) Third, crop conversions and new land in agricultural production are usually reliant upon groundwater resources. In all cases, there needs to be further coordination between land use entities and water supply entities as part of an effort to advance sustainable management of the groundwater resources.

E. Legislative Recommendations

With respect to legislative recommendations, we encourage the SWRCB and others to review the Legislative Analyst's Office report: *Liquid Assets: Improving Management of the State's Resources*. This report provides a good foundation for legislative discussions and it offers sound recommendations for helping advance groundwater sustainability in California. The report is available at: http://www.lao.ca.gov/reports/2010/rsrc/groundwater/groundwater_032410.aspx.

Thank you for the opportunity to provide input today on how to promote active groundwater management in the Sacramento Valley and California. Please call if you would like to discuss these issues further.