



Stanislaus and Tuolumne Rivers Groundwater Basin Association

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March 16, 2017

Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 "I" Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814-0100

**Re: Comment Letter – 2016 Bay-Delta Plan Amendment & SED**

Dear Ms. Townsend:

The Stanislaus and Tuolumne Rivers Groundwater Basin Association (STRGBA) would like to thank the State Water Resources Control Board (SWRCB) for the opportunity to comment on the subject Recirculated Draft Substitute Environmental Document.

STRGBA member agencies are all local agencies, pursuant to the Sustainable Groundwater Management Act's (SGMA) definition. The STRGBA member agencies include the cities of Oakdale, Riverbank, Modesto, and Waterford, Stanislaus County, Oakdale Irrigation District, and Modesto Irrigation District. Since its inception in 1994, STRGBA has provided a forum for local agencies to work cooperatively and provide for coordinated planning in the pursuit of effective and sustainable management of the water resources within the Modesto Sub-basin (Sub-basin).

In January 2017, STRGBA member agencies agreed to form a Groundwater Sustainability Agency (GSA) through a Memorandum of Understanding (MOU), for the portion of the Modesto Sub-basin that lies within their collective jurisdictions. STRGBA believes that their cooperative and coordinated actions will result in the continued sustainable use of the groundwater within the Sub-basin.

STRGBA believes that the Substitute Environmental Document (SED) conflicts with SGMA in several areas. First, the SED doesn't adequately address impacts of the proposed Lower San Joaquin River (LSJR) alternatives on groundwater. Several of the STRGBA member agencies are municipal water providers and the alternatives described in the SED will significantly jeopardize their ability to continue to provide safe and reliable drinking water to over a quarter million residents that depend on this level of service. Second, the SED doesn't utilize acceptable tools for its groundwater analysis and deliberately and adversely interferes with the STRGBA's mission to implement SGMA. The SED admits that the LSJR alternatives will "substantially deplete groundwater supplies or interfere substantially with groundwater recharge", yet also states that the impacts "cannot be determined with certainty". Any of the tools currently available will readily demonstrate that reduced surface water deliveries will have a detrimental effect on the groundwater levels. Third, the SED ignores existing groundwater relationships and management activities, like the STRGBA, that exist at a local level. STRGBA member agencies

have been coordinating activities within the Sub-basin for many years and the fruit of this coordination has prevented the Sub-basin from becoming critically overdrafted. Fourth, the SED's reliance on groundwater in its modeling assumptions and as the primary source of mitigation for the LSJR alternatives usurps local control, which violates the SGMA. The main goal of SGMA is to promote the State's interest in achieving groundwater sustainability through local management of the resource. The SED is counterproductive and will force the SWRCB to intervene since the STRGBA will be unable to manage groundwater sustainability in the Sub-basin.

In addition to our general concerns with the SED, we also offer the following specific comments:

1. The SED is flawed because it doesn't incorporate the SGMA into the SWRCB's planning efforts. The SGMA has called for GSA's to provide local direction for sustainably managing their sub-basins as defined in the California Department of Water Resources (DWR) Bulletin 118, California's Groundwater. The groundwater sub-basins impacted by the SED are locally monitored as part of the California Statewide Groundwater Elevation Monitoring (CASGEM) program. The SED must analyze potential groundwater impacts by analyzing the Groundwater Management Plans for each sub-basin and the work products from the existing Groundwater Monitoring Entities.
2. The SED can't pretend that an artificially-limited discussion about removing surface water from the most senior surface water rights holders in the Sub-basin is equivalent to a scientific analysis about the potential physical, social and economic impacts on the groundwater sub-basins and their many users. The SED should include a detailed analysis of the broader impacts to the communities that rely on groundwater from the Sub-basin when surface water supplies are drastically reduced and agricultural users either turn to groundwater or fallow land.
3. STRGBA disagrees with the SED's statement that "the model assumes that municipal water providers would not experience a reduction in surface water supply; this assumption is only used in calculating groundwater and agricultural impacts" (p. 9-44). The SED impact analysis should reflect current practices in the Sub-basin. Only one municipal water provider in the Sub-basin receives surface water supply. For this provider reductions in surface water allocations are the same as reductions to agricultural users. However, the remaining municipal water agencies within the Sub-basin rely solely on groundwater. For these water agencies that don't have an alternative source of water, the water supply reductions will be even greater, and must be considered in the impact analysis.
4. The SED modeling assumes varying levels of groundwater pumping, none of which has been verified against publicly available planning documents. The SWRCB should describe how the modeling assumptions used in the SED with respect to groundwater pumping compare against publically available planning documents related to the same.

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- Modesto Irrigation District • Oakdale Irrigation District • Stanislaus County •

5. The SGMA has called on local agencies to implement sustainable Groundwater Management Plans (GSP), which requires suppliers to establish a level of sustainability and to implement measures that will accomplish those objectives in 20 years.
  - a. The SED proposes to implement the LSJR alternatives that, on purpose, will result in significant and unavoidable groundwater impacts to the Sub-basin.
  - b. The impacts of the LSJR alternatives insure that STRGBA will be unable to prevent chronic lowering of groundwater levels and significant reductions in groundwater storage in the Sub-basin, thereby forcing the SWRCB to take-over management of the Sub-basin.
6. STRGBA disagrees with the SED's statement that "the best indication of the potential for groundwater impacts that may occur if surface water diversions are reduced in drought years is the percentage of the irrigated area that falls within the irrigation district service areas and usually relies on surface water" (p. 9-19).
  - a. What is the basis for this central assumption used by the SWRCB as part of its groundwater impact analysis?
  - b. How does the SED analyze potential impacts to the groundwater pumpers that are solely dependent on groundwater for their basic human needs as well as local commerce?
7. The SED's groundwater analysis is a poor substitute for the decades of scientific analysis that has been conducted in the Sub-basin. The SWRCB should utilize existing models, such as the MERSTAN model developed by the U.S. Geological Survey (USGS), which are well documented and peer reviewed.
8. Since the SED relies on increased groundwater pumping to mitigate the impacts of reduced surface water supply in the Sub-basin, the SWRCB should incorporate the legislature's guidelines for a groundwater sustainability planning document into the SED. These guidelines are listed in Chapter 6 of the Sustainable Groundwater Management Act.
9. The SWRCB should explain how the SED plans to incorporate DWR's recently released publication, "Guide to Best Management Practices for Sustainable Groundwater Management", December 2016. The SWRCB should review the report and revise the SED to be consistent with the rest of the state's planning approach to groundwater management and to SGMA-implementation efforts.

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In conclusion, the STRGBA has been managing groundwater in the Sub-basin for over 20 years and has submitted a letter of intent to DWR to become the GSA for that portion of the Sub-basin falling within the service areas of member agencies. We believe in local control and SGMA was predicated on the premise that locals know best about managing their groundwater. The SED ignores the existing groundwater relationship and management entities that exist at a local level. Based on our studies, groundwater and surface water are intimately connected. DWR's draft report, "Water Available for Replenishment, Draft Report", January 2017, estimates that only 260,000 acre-feet of surface water is available for replenishment from the whole San Joaquin River Hydrologic Region. Taking 290,000 acre-feet of surface water from the plan area will have a devastating effect on our area. The STRGBA encourages the SWRCB to withdraw the current SED and work with local agencies such as STRGBA to develop durable solutions to regional issues in the Sacramento-San Joaquin River Delta.

Sincerely,



John B. Davids, P.E.  
Chair, STRGBA

Enclosures: Disk 1  
Bulletin\_118 Interim\_Update\_2016  
b118\_80\_ground\_water\_ocr  
Bulletin\_118\_Update\_2003  
b118-1975pdf  
2012CASGEMReportingtotheLegislature  
CASGEM\_5\_year report  
CASGEM Users Guide

Disk 2  
Sir2015-5045  
MERSTAN\_1960-04\_Archive

Disk 3  
2014SustainableGroundwaterManagementLegislationwith2015amends1-15-2016  
SGMA BMP's 1-5

Disk 4  
Draft\_Water\_Available\_For\_Replenishment\_Report  
Appendix A-D

cc: Administration Files  
STRGBA Member Agencies

- City of Modesto • City of Oakdale • City of Riverbank • City of Waterford •
- Modesto Irrigation District • Oakdale Irrigation District • Stanislaus County •