



State Water Resources Control Board

GROUNDWATER QUALITY FUNDING SCOPING QUESTIONS: PROPOSITION 1 GROUNDWATER SUSTAINABILITY

GROUNDWATER SUSTAINABILITY SCOPING QUESTIONS

Responses provided by the Fresno Metropolitan Flood Control District, 5469 E. Olive Avenue, Fresno CA 93727, (559) 456-3292.

Proposition 1 GWS

1. What types of projects should be eligible or given higher priority?

What the law says: "...projects to prevent or clean up the contamination of groundwater that serves or has served as a source of drinking water...projects necessary to protect public health by preventing or reducing the contamination of groundwater that serves or has served as a major source of drinking water for a community."

Higher priority should be given to multi-benefit capture, recharge, water quality improvement, climate adaptation, basins in overdraft, populations reliant heavily on groundwater. Fresno Metropolitan Flood Control District's perspective: The Fresno/Clovis metropolitan area is home to more than 600,000 people, and is dependent primarily on groundwater to supply its water needs. While they are moving towards the treatment of surface water, the cities of Fresno and Clovis currently draw 84% and 62% of their municipal water supply from groundwater, respectively. This area of the Central San Joaquin Valley is in a serious groundwater overdraft condition. To correct the imbalance between demand and replenishment of groundwater supplies, an increased focus on groundwater recharge is imperative, along with the transition to treated surface water.

2. Should some funds be used for loans? If so, how much?

What the law says: "...The sum of nine hundred million dollars (\$900,000,000) shall be available, upon appropriation by the Legislature from the fund, for expenditures on, and competitive grants, and loans for..."

Most drought impacted communities are also suffering drought-related slumps in local economy, especially areas dependent on agriculture and tourism. These communities need a high rate of subsidization as their ability to repay loans will be limited.

3. How much funding should be set aside for technical assistance to

disadvantaged communities? What kind of technical assistance is needed?

What the law says: "...Funding authorized by this chapter shall include funding for technical assistance to disadvantaged communities. The agency administering this funding shall operate a multidisciplinary technical assistance program for small and disadvantaged communities...."

Many disadvantaged communities do not have the necessary resources or staffing to study and design the infrastructure to accomplish goals of Prop. 1. While not advocating how much should be allocated to disadvantaged communities, it is our opinion that some funding should be set aside for technical assistance.

4. What kind of limits should there be on grant funding amounts?

What the law says: ...There are no funding limits specified.

The funding should be spread throughout the State, but the areas with the highest overdraft should receive priority for the largest portion of the funding. It is a matter of the greatest cost to benefit ratio: improve existing facilities and make them better unless new facilities are absolutely necessary. The projects, no matter what the cost, should provide the highest benefit to groundwater sustainability. It should be an efficiency/payback question, not a limit question.

5. What factors should we consider in determining cost share? How should leveraging of private, federal, and local funds be considered in projects selection?

What the law says: "...added consideration for those projects that leverage private, federal, or local funding...."

"...a local cost share of not less than 50 percent of the total costs of the project shall be required..."

No restrictions on using one type of assistance to leverage Prop. 1 assistance. This would make more projects feasible for DACs and small communities, and would help direct funds to communities with track records of responsible grant administration. Count in-kind contributions equally toward cost share, and that will help level the playing field for agencies that can't commit much capital towards necessary projects, or those that can't support a loan with current revenue. Cost share commitment could also be lowered for projects that have multiple benefits, or are a critical part of a regional integrated groundwater management plan.

6. What kind of project benefits should we look for or focus on?

What the law says [paraphrased priorities]:

- ◆ *Threat posed by groundwater contamination to drinking water supply*
- ◆ *Potential for groundwater contamination to spread/impair*

- ◆ *Potential of project to enhance local water supply reliability*
- ◆ *Potential of project to recharge vulnerable, high-use basins*
- ◆ *Projects with no viable responsible party(ies) or responsible parties unwilling/unable to pay total cleanup cost*

Each state agency..shall be responsible for establishing metrics of success...

‘Potential of project to enhance local water supply reliability’ and ‘Potential of project to recharge vulnerable, high-use basins’ are priorities on which focus would produce important and tangible benefit. Increasing supply is a decades-long priority in the Kings sub-basin area, the urgency of which has been highlighted by the continuing drought and growing population.

7. How should the timing of project completion and timeline for project benefits to be realized be considered in project selection?

What the law says:

- ◆ *Not explicitly discussed in Proposition 1...*

Drought is a recurring phenomenon and it is important that significant projects have a reasonable time for completion, yet they must be completed in a timely manner to insure their in place prior to the next cycle of drought. The project benefits must be recognized in order to be selected, but the quantification of the results may likely not be realized until the next drought.

8. How should we assess a community’s ability to pay for operations and maintenance of a facility funded by Proposition 1 funds?

What the law says: “An agency administering grants or loans for the purposes of this chapter shall assess the capacity of a community to pay for the operation and maintenance of the facility to be funded.”

A project should not be built unless the sponsoring agency has a sufficient revenue stream to provide perpetual operations and maintenance.

9. What would constitute a reasonable effort to identify responsible parties and recover costs by parties receiving funding?

What the law says: “Parties that receive funding for remediating groundwater storage aquifers shall exercise reasonable efforts to recover the costs of groundwater cleanup from the parties responsible for the contamination.”

No comment

10. How should responsible parties’ unwillingness or inability to pay for the total cost of cleanup be evaluated?

What the law says: “The project addresses contamination at a site ...where the identified

responsible parties are unwilling or unable to pay for the total cost of cleanup...” [Note - this is a prioritization criteria]

No comment

11. When considering a potential project funded under this program should any of the contaminants listed in Proposition 1 or other contaminants not listed, be given higher priority?

What the law says: “The contaminants that may be addressed ...may include, but shall not be limited to, nitrates, perchlorate, MTBE (methyl tertiary butyl ether), arsenic, selenium, hexavalent chromium, mercury, PCE (perchloroethylene), TCE (trichloroethylene), DCE (dichloroethene), DCA (dichloroethane), 1,2,3-TCP (trichloropropane), carbon tetrachloride, 1,4-dioxane, 1,4-dioxacyclohexane, nitrosodimethylamine, bromide, iron, manganese, and uranium.”

No comment

12. What areas of the Groundwater Sustainability section of Proposition should be further defined or clarified in the guidelines?

What the law says: “...each state agency that receives an appropriation ...shall develop and adopt project solicitation and evaluation guidelines. The guidelines shall include monitoring and reporting requirements and may include a limitation on the dollar amount of grants or loans to be awarded.”

No comment