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Jo Anne Kipps  
Fresno, CA

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Eric Oppenheimer  
California State Water Resources Control Board  
[eric.oppenheimer@waterboards.ca.gov](mailto:eric.oppenheimer@waterboards.ca.gov)

### **COMMENTS ON DISCUSSION DRAFT GROUNDWATER WORKPLAN CONCEPT PAPER**

Please accept the following comments on State Board's Groundwater Workplan Concept Paper. I am a resident of Fresno County and a California registered civil engineer with experience in water resources and water quality control. I worked in the Fresno office of the Central Valley Regional Water Quality Control Board from 1998 through 2010 in the WDR and NPDES Programs. Prior to 1998, I worked for the California Department of Water Resources for 8 years. Prior to earning my civil engineering degree in 1989, I worked for several years as a contract archaeologist in California, primarily in the San Joaquin Valley and Sierra Nevada.

The Groundwater Workplan Concept Paper outlines a groundwater management program that does not mention drought or global climate change as critical factors that must influence California's groundwater resource management. Currently, California is experiencing its driest year on record. Statewide and regional water resource planners should realize that California's prehistory is punctuated by decades-long stretches of critically dry years. Global warming will exacerbate the effects of drought conditions by reducing and possibly, in time, eliminating the vast snow pack that feeds California's reservoirs and flood control facilities. Given the state's natural propensity for long-term droughts and the uncertainty of global climate change, statewide and regional water resource planners should accept the reality that drought is the new normal and plan accordingly. The Concept Paper should be revised to address this new reality.

The Workplan Concept Paper recommends the Legislature require local groundwater management entities "establish thresholds for sustainable groundwater management in their local groundwater management plans and report their progress." Even if the Legislature follows through on this recommendation, it is unlikely that local entities will have the political will to challenge agribusiness and its perceived right to extract groundwater at non-sustainable levels. The alarming rate at which land subsidence is occurring in the western San Joaquin Valley demands immediate action to reduce pumping in this area. The Workplan Concept Paper does not propose a sufficiently robust regulatory framework to address excessive groundwater extraction by agribusiness in the San Joaquin Valley and elsewhere it is a problem. It is apparent that regional groundwater management entities in the San Joaquin Valley are unable to influence groundwater extraction by agribusiness and that state "oversight and enforcement" is needed now, not after years of data collection that further confirm declining groundwater levels and long-term, if not permanent, adverse impact on beneficial uses.

Regarding Governance and Management, the Groundwater Workplan Concept Paper suggests expansion of the use of general orders for waste discharge requirements. This has been a statewide goal for a long time. But, for some reason, State Board has been unable to develop and implement general orders of the kind used by other states, despite having eleven staff positions in two units dedicated to the WDR Program.

The WDR Program has long been plagued by inadequate funding. In the late 1990s, State Board conducted a “needs study” to identify how much time it took to, in effect, produce regulatory widgets such as individual waste discharge requirements and facility inspection reports. While I cannot recall the details of the study’s results, I recall that it determined the WDR Program so underfunded that, to provide the necessary funding, annual waste discharge fees would have to be raised substantially to levels State Board management decided were not politically tenable. And so, year after year, the WDR Program limps along, woefully underfunded and understaffed. Exacerbating this situation is the apparent inequality of State Board’s allocation to the various regional board offices of annual fees paid by dischargers operating in each office’s jurisdiction. One would think that State Board would allocate to each of the various regional board offices the same amount of revenue generated by dischargers operating within the offices’ respective jurisdictions, minus a reasonable overhead for State Board purposes. This is not the case. I recall participating in statewide WDR Program meetings in which staff representing various regional boards asked the State Board’s WDR Program coordinator how State Board allocated annual fee revenues to the various regional board offices. We were told, in effect, that State Board management decided on the allocation and that staff should not be concerned with such matters. Now that I am no longer a Water Board employee, I can publicly recommend that, at a minimum, State Board make public the reasoning behind how it allocates WDR Program fee revenues to the regional board offices charged with its implementation and enforcement. If applicable, State Board should also disclose whether it uses WDR Program fees to fund other underfunded programs. My point here is to relay my concern to State Board that if its implementation of its Groundwater Workplan Concept Paper involves the creation of yet additional State Board employee positions, it ensure they are not funded at the expense of other underfunded programs.

Thank you for the opportunity to submit comments on this matter.

JO ANNE KIPPS