

**From:** Stacey Sullivan [<mailto:SSullivan@suscon.org>]  
**Sent:** Wednesday, December 18, 2013 5:36 PM  
**To:** Oppenheimer, Eric@Waterboards  
**Subject:** Sustainable Conservation's Groundwater Workplan Concept Paper comments

Dear Mr. Oppenheimer:

Sustainable Conservation appreciates the opportunity to comment on the State Water Resources Control Board (Water Board) Groundwater Workplan Concept Paper (Workplan). We applaud this effort to coordinate the Water Board's current groundwater protection efforts, the ongoing actions of other entities with groundwater management responsibilities, and potential actions that the Water Board and other entities could pursue.

The Water Board believes that an effective groundwater management program generally requires five key elements to be in place: thresholds, monitoring and assessment, governance, funding, and enforcement. What follows are our comments on some of the potential actions set forth in the Workplan to implement or advance those elements.

### 3.1. Sustainable Thresholds:

3.1.1(1): Sustainable Conservation believes that clarifying how the antidegradation policy applies to groundwater recharge issues would help provide an answer to the assessment called for in Section 3.3.2(1) – legal obstacles and associated liability for groundwater recharge with sources containing low level contaminants. The main source for recharge of aquifers containing “high quality water” in agricultural areas will be water containing levels of fertilizers and pesticides. While these recharge activities might lead to short-term increases in contaminant levels, they can result in longer term benefits to both the quality and quantity of the underlying aquifer. Clarifying that such activities are permitted under the antidegradation policy would expedite recharge activities in agricultural areas.

3.1.1(3): Expanding successful basin management objectives into high use basins without existing objectives will promote more rational and methodical resource management.

3.1.2(2): Sustainable Conservation believes that groundwater management is most effective at the local or regional level. That said, we also believe that creating a requirement for local groundwater management agencies to establish thresholds could be an important tool in achieving the overall goals of Section 3.5 on Oversight and Enforcement. However, this would only be effective if the local and regional entities are also given enforcement authority.

### 3.2 Monitoring and Assessment:

3.2.2(6): We strongly support action that would improve the coordination and cost effectiveness of groundwater quality monitoring. We believe that one of the most effective ways to achieve this is through incentives to landowners to pursue innovative methods to monitor water quality in collaboration with the Water Boards and other agencies.

### 3.3 Governance and Management:

3.3.2(1): As stated in our comments on Section 3.1.1(1), we believe that the assessment called for in this potential recommendation can be applied to the goal of clarifying the application of the antidegradation policy to groundwater recharge activities.

3.3.2(2): Coordination between the Water Board and DWR to develop guidelines for best practices for groundwater management would provide a valuable set of tools to local and regional groundwater management entities, whose scope and authority we recommend expanding in our comment on Section 3.1.2(2).

3.3.2(4): We are not entirely clear what is meant by “a standardized set of authorities” in this potential recommendation. We hope that it means a common set of enforcement powers that local or regional groundwater management entities could employ to “effectively and actively manage groundwater.”

### 3.4 Funding:

While we do not have specific comments on any of the proposed actions in this section, we would urge the Water Board to include funding for incentives for landowners to engage in groundwater recharge and nitrate loading reductions. It is worth mentioning that incentives do not need to be monetary in order to be effective. Real regulatory relief for demonstrably good actors is often a much more attractive option than a cash payment.

### 3.5 Oversight and Enforcement

3.5.1(3): We believe that the only truly effective interagency task force for addressing groundwater overdraft must include local and regional agencies, not only state or federal entities. As previously stated, we believe that the primary focus for groundwater management should be at the local and regional level. We support the proposal in the draft Water Action Plan for state agencies to work with the Legislature to ensure that local agencies have the incentives, tools, authority, and guidance to develop and enforce local and regional groundwater management plans. Making an adopted and operational groundwater management plan a prerequisite for state funding, as has been proposed in draft proposals for a 2014 water bond, could provide significant stimulus in this direction. We would add that the incentives should be available not only to local and regional agencies but also to local landowners, whose buy-in is essential to achieving truly successful groundwater management plans.

Thank you for taking our comment into consideration. We look forward to continuing to participate in the process of developing the Workplan. Please contact me with any questions you may have.

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