



DEPARTMENT OF PUBLIC HEALTH

Kathleen Grassi, R.D., M.P.H.

Director

Ron Rowe, R.E.H.S., M.P.A.

Environmental Health Director

December 18, 2013

Eric Oppenheimer
Director, Office of Research, Planning & Performance
State Water Resources Control Board
1001 I Street, 16th Floor
Sacramento, CA 95814

Via email: eric.oppenheimer@waterboards.ca.gov

RE: State Water Resources Control Board Groundwater Workplan Concept Paper Comments

Dear Mr. Oppenheimer:

On behalf of the Merced County Department of Public Health, Division of Environmental Health, I would like to take this opportunity to thank you and State Water Board staff for meeting with me, and many interested county representatives on November 15, 2013 in Sacramento to present, answer questions, and receive comments on the State Water Resources Control Board (SWRCB) draft Groundwater Workplan Concept Paper. As you are aware approximately 40 county representatives representing 19 counties participated in the meeting hosted by the Rural County Representatives of California. Also in attendance were representatives of affiliated organizations including the California Association of Environmental Health Administrators.

Merced County is actively involved in water management issues to ensure adequate water is available to meet our region's needs. As part of this effort, Merced County has recently adopted the 2013 Merced Integrated Regional Water Management Plan (IRWMP) and is currently beginning work on a contemporary high resolution groundwater and surface water interactive model to better understand our complex regional hydrologic system.

Below are additional considerations to the SWRCB Groundwater Workplan Concept Paper ("the Worplan") five primary components for an effective groundwater water planning and management efforts.

1. **Sustainable thresholds** will need to be established in all regions of the state for water level drawdown and water quality for all basins, not only impacted, vulnerable, and high-use basins. Singling out "water basins subject to critical overdraft" for special attention will only reinforce a dangerous preoccupation with crisis management rather than long-term sustainable basin management.
2. **Water quality and water level monitoring** and assessment, and data management systems, capable of determining if thresholds are being met and evaluating trends are important. However, the Workplan fails to specifically address the importance of monitoring subsidence and lacks emphasis on building a local understanding of how and determining where groundwater recharge is occurring and protecting these critical areas.

3. **Governance structures** with the management mechanisms needed to prevent impacts before they occur, clean up contamination where it has occurred, provide adequate treatment of contaminated drinking water sources, and ensure that meeting groundwater level and quality thresholds are managed over the long term can be key to developing successful local groundwater management processes. The Workplan falls short in providing incentives to continue proactive local IRWMP efforts that have developed collaborative governance structures to address water resource management.
4. **Funding** to support modeling, monitoring, and governance/management actions will be critical to local and statewide groundwater management efforts. Previously the State has been relatively effective in funding planning activities such as IRWMP. Currently no long term funding mechanisms have been established to assist local water resource management efforts.
5. **Oversight and enforcement** in basins where ongoing management efforts are not protecting groundwater or surface water resources may be needed. Oversight yes, however, the applicability of enforcement should only be considered as a last resort where stakeholder outreach, education, and consensus processes fail to provide adequate resource protection. The participation and collaboration of overlying landowners in the case of groundwater and surface water right holders will be instrumental in any process to provide sustainable yields.

The SWRCB should not expand their authority into the area of groundwater quantity as the Workplan correctly points out. There have been and will continue to be local and regional success stories in groundwater management. The Workplan clearly recognizes a “one size fits all” solution does not lend itself to the complex and variable hydrogeologic conditions known throughout the State of California.

The SWRCB should broaden their views and inform local populations and decision makers. The SWRCB should consider performing a Statewide and National assessment of water management structure options providing descriptions of areas where, either by adjudication or a management plan as examples, measureable success has been achieved in balancing the demands on water resources to establish a “sustainable yield” rather than “safe yield”. In addition a written summary, by SWRCB, describing legal challenges and the outcomes encountered by various entities nation-wide may better prepare local entities in California engaging in water management activities potentially reducing unanticipated outcomes for all.

As you are aware, there are many state and federal agencies involved in groundwater in one regard or another including water quality, monitoring, cleanup, etcetera. Improved coordination between governmental agencies can better assist local groundwater managers. Improving coordination and eliminating duplication should be a high priority for the State rather than imposing on locals or creating new and costly requirements including the creation of new unfunded programs.

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Merced County Department of Public Health, Division of Environmental Health appreciates the opportunity to provide comments on the draft SWRCB Groundwater Workplan Concept Paper. Please contact me at (209) 381-1100 or rrowe@co.merced.ca.us if you have any questions.

Sincerely,

Ron Rowe – MPA, REHS
Division of Environmental Health Director

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CC: Merced County Board of Supervisors
Jim Brown, Chief Executive Officer, Merced County
Kathleen Grassi, Director, Merced County Department of Public Health