

LAGUNA IRRIGATION DISTRICT

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State Water Resources Control Board Division of Water Rights
Attn: Mitchell Moody
P.O. Box 2000
Sacramento, CA 95812-2000
mitchell.moody@waterboards.ca.gov

Dear Chairman Esquivel and Honorable Board Members:

On behalf of Laguna Irrigation District, I write this letter in opposition to the Semitropic Water Storage District's (Semitropic) Petition to Revise the Fully Appropriated Stream Status of the Kings River (FAS).

Laguna Irrigation District is a public agency located in Fresno and Kings Counties that provides surface water for irrigation and groundwater recharge from the Kings River. We are the largest member agency of the North Fork Kings Groundwater Sustainability Agency. We have been actively recharging the groundwater beneath our District for over 50 years. In recent years we have nearly doubled our recharge capabilities and are currently adding more to use additional Kings River water during high flow periods. We make these efforts for the benefit of our landowners, as well as three disadvantaged communities (DACs) within and adjacent to our District. California law recognizes the need to address water supply and quality issues for DACs, and it is in this context that Laguna Irrigation District submits the following comments on the Semitropic FAS petition.

Semitropic's FAS petition is submitted in an attempt to secure a right to divert Kings River waters for use in Kern County – outside the watershed of origin. The Kings River is the primary surface water source to the communities within the three counties that comprise the watershed of origin: Fresno, Kings, and Tulare Counties. Groundwater Sustainability Agencies (GSAs) throughout those counties are now engaged in the process of addressing groundwater sustainability and the use of Kings River high water flows is a crucial element of those sustainability efforts.

Public comments submitted on the Semitropic Project establish that historic Kings River flood flows are less than the anticipated groundwater overdraft in Fresno, Kings, and Tulare Counties. We are aware that planning efforts at various levels of regional and local government are underway to fully utilize Kings River flood flows for addressing SGMA impacts and anticipated growth. It is only appropriate that Kings River water should be available to meet these needs within the watershed of origin.

The Semitropic Project seeks to export Kings River flood flows out of the Kings River watershed. By exporting water from critically over drafted groundwater basins, the Semitropic project would significantly impair the ability of the regional GSAs to comply with SGMA without resorting to removing significant lands from production and limiting urban growth. The Semitropic Project would negatively impact the lives and livelihoods of many people in Fresno, Kings, and Tulare Counties who depend on water from the Kings River.

California is the first state in the nation to enact a law recognizing that “every human being has the right to safe, clean, affordable and accessible water” – also known as “the human right to water.” The Kings River service area includes 51 “Disadvantaged Communities” – areas which most suffer from a combination of economic, health, and environmental burdens – with a population of 646,236. In addition, the area includes 59 “Severely Disadvantaged Communities” with a population of 84,510. In all, 69 percent of the population that live in the Kings and Tulare groundwater basins live in a Disadvantaged Community or Severely Disadvantaged Community.

Approximately 25 percent of our District is composed of small farms and homesteads that are reliant upon good quality groundwater for domestic purposes, and the surface water from the Kings River maintains that well water quality and quantity. Many of these folks would be considered “disadvantaged.”

The Semitropic Project has the potential to deprive DACs and other disadvantaged people access to water and jeopardize long-term regional/local sustainability. The Semitropic project will only make already-difficult circumstances worse and threaten “the human right to water.”

Further, contrary to Semitropic’s claims, its Project neither reduces nor eliminates flood risk. Rather, it increases the potential for flooding on the South Fork Kings River. As commented on by others (in particular Kings River Conservation District) the channel capacity of the South Fork simply cannot accommodate the flood flows Semitropic is demanding.

For these stated reasons and more, Laguna Irrigation District respectfully requests that the State Water Resources Control Board deny Semitropic’s FAS petition. The Semitropic FAS petition and Project are not in the public interest. Instead, the Project would only harm groundwater sustainability efforts, threaten access to safe, clean, affordable and accessible water, and risk loss of life and property on the South Fork of the Kings River.

Sincerely,



Scott Sills

General Manager

Laguna Irrigation District

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