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Sent via e-mail: SGMPS@water.ca.gov

**Subject: Comment Letter – Draft Groundwater Sustainability Plans
Emergency Regulations**

Dear Miss Bisnett:

The Sacramento Regional County Sanitation District (Regional San) appreciates the opportunity to provide comments on the Draft Emergency Regulations for Groundwater Sustainability Plans (Draft Regulations). Regional San provides wastewater treatment for over 1.4 million residents and businesses in and around the Sacramento region, treating on average 150 million gallons per day (MGD) of wastewater. Regional San currently produces up to 3.5 MGD of recycled water which is distributed in the local community for landscape irrigation. However, we are in the process of constructing a \$2 billion dollar wastewater treatment plant upgrade, known as “EchoWater”. When completed in 2023, all of Regional San’s estimated 167,000 acre feet per year of treated water would meet water recycling standards and this high quality recycled water could be available for multiple beneficial uses including groundwater replenishment.

Regional San is supportive of the Sustainable Groundwater Management Act (SGMA). In general, we are supportive of the Draft Regulations and the need to form Groundwater Sustainability Agencies (GSA) as indicated in SGMA. However, we do have concerns with some of the Draft Regulations language and provisions and have provided specific comments and recommended changes below.

Page 4, Section 351 (o) Definitions

“Management area” is described as areas within a basin where conditions are significantly different from basin conditions as a whole and that justify establishing different minimum thresholds, measureable objectives, monitoring and management actions.

Comment: It is unclear as to how the management areas will be used in conjunction with groundwater management areas (or zones) that are being discussed in other groundwater management forums, such as Central Valley Salinity Alternatives for Long Term Sustainability (CV-SALTS). Management areas should not be limited to areas that share similar characteristics or to areas that differ from adjacent areas. Allowing more

flexibility in the use and designation of management areas could allow water use flexibility, such as parameter averaging to maximize beneficial uses. Accordingly, the following changes are recommended to the definition:

“Management area” refers to areas within the basin where conditions such as water use sector, water source type, geology, aquifer characteristics, or critical parameters related to undesirable results are significantly different from basin conditions as a whole, ~~and~~ or that justify establishing different minimum thresholds, measureable objectives, monitoring and management actions.”

Page 9, Section 352.6 b (4) Data and Reporting Standards

The section states:

“...the Agency shall describe a schedule for acquiring monitoring wells...”

Comment: It is not clear from the Draft Regulations whether new monitoring wells will be allowed, required, or encouraged for the purposes of monitoring groundwater volume or parameters. Where possible, considerations should be given to maximizing the use of existing wells and data for monitoring purposes. Extensive construction of new wells for the purpose of monitoring should be discouraged.

Page 10 Section 352.6 (e) (2) Data and Reporting Standards

The section indicates that the models shall be calibrated against site specific field data.

Comment: Groundwater data that would allow model calibration is limited in many locations. In addition, there are groundwater areas that are limited in water quality data. Is it the intent of this Draft Regulation to encourage more wells for data collection purposes? The language should be clearer rather than leaving it open to interpretation.

Page 16 Section 354.8 (a) (4)

The section states:

“Designation of existing land uses and the identification of each water use sector and water source type.”

Comment It is unclear whether items such as private or small community wells and septic tanks must be included in the Plan area maps. It would be helpful to specify how granular these areas need to be described and managed.

Page 16 Section 354.8 (f) Description of Plan Area The section states:

“A description of conjunctive use programs and infrastructure in the basin.”

Comment: The term infrastructure should be described or defined. For instance, would the required infrastructure description only include the infrastructure related to water conjunctive use?

Page 20 Section 354.16 Basin Conditions and Page 22 Section 354.18 (b) Water Budget

These sections state:

“The Plan shall characterize current and historical groundwater conditions in the basin.”

“The Plan shall quantify the current, historical, and projected water budget for the basin...”

Comment: What is the required historical time frame that would meet the minimum plan requirements? Similarly, the term “historical” is used in section 354.18 (b) related to items required to determine water budget. The requirements for historical data should be described or defined. It should be noted that item b (3) (A) in this same section specifies 50 years for historical precipitation data.

Page 21 Section 354.16 (d) Basin Conditions

The section requires among other things, a description of:

“Groundwater quality issues that may impact the supply and beneficial uses of groundwater...”

Comment: This information would be duplicative, or potentially contradictory to, the same issues described in the related Regional Water Board basin plans or 303(d) lists. It could be problematic to have separate documents that might state different issues, impacts, and beneficial uses of groundwater. How would the Groundwater Management Plan and the related basin plan(s), 303(d) lists, CV-SALTS and other documents be coordinated to avoid conflicting interpretations of groundwater use or impairments, or conflicting regulatory requirements? A stated order of precedence might be useful if one document would supersede another adopted document. Note that although section 355.10 addresses resolution of conflicts between agencies or others responsible for groundwater management, it is not clear if this process would be applicable or work if conflicts arise between two state agencies.

Page 21, Section 354.16 (d)(1) Basin Conditions

This section states:

“The location of known groundwater contamination sites and plumes including current or historical waste discharge requirements...”

Comment: The relevant Regional Board waste discharge requirements orders could be identified where this information resides.

Page 23 Section 354.18 (d) (3) Basin Conditions

This section requires prediction of the impact of climate change and sea level rise on water budgets.

Comment: It would be helpful to provide a citation of the recommended guidelines, values, or assumptions that would be used to predict impacts from climate change and sea level rise to ensure consistent evaluation assumptions and tools are used for water budget evaluations and groundwater modeling.

Pages 24 Section 354.20 Management Areas and

Page 25 Section 354.22 Introduction to Sustainable Management Criteria

These sections discuss minimum thresholds and critical parameters in management areas.

Comment: We have similar concerns as highlighted previously, in that this information would be duplicative, or potentially contradictory to the same issues described in the related Regional Water Board basin plans, 303(d) lists or CV-SALTS. It is also unclear in what manner the sustainable management plans would complement or interact with the State Water Board's Strategic Goals and Regional Water Board's basin plan objectives.

Regional San appreciates the opportunity to comment on the Draft Regulations. If you have any questions, please contact Sam Safi at 916-876-6290 (safis@sacsewer.com) or myself at, 916-876-6092 or (mitchellt@sacsewer.com).

Sincerely,



Terrie Mitchell
Manager, Legislative and Regulatory Affairs

cc: Christoph Dobson, Director of Policy and Planning
Linda Dorn, Environmental Program Manager
Sam Safi, Associate Engineer