

10.8.2020 M.Elizabeth Comments on September 11, 2020 Draft 2020 Addendum of the 2014 Integrated Regional Water Management Plan

Thank you for the week extension on the internal comments. The plan for the 2020 IRWM update was to include release of sections for review beginning April 2020 rather than release of the entire draft. The entire draft and discussion of review schedule occurred on September 16, 2020 with internal review to end October 2, 2020.

The MOU that the Delta-Sierra Group signed for which I represent dated 10.4.2019 is different than posted on the website, relating to the naming of the Coordinating Committee. The Greater San Joaquin County Coordinating Committee or Coordinating Committee vs. the Greater San Joaquin County Regional Water Coordinating Committee. The County's MOU includes the correction which was not on the final which was distributed as such. The Greater San Joaquin County Regional Water Coordinating Committee is the term used for the committee created by the MOU and will be used herein.

I refer to sections within the Draft IRWM and/or page numbers. I have also reviewed comments which Brandon Nakagawa has already provided to the Greater San Joaquin County Regional Water Coordinating Committee and when deemed necessary commented on these as well, For the most part, errors I observed relating to the reference to the Eastern San Joaquin Groundwater Basin Authority (GBA), Eastern San Joaquin Groundwater Subbasin, Eastern San Joaquin Groundwater Sustainability Plan and Eastern San Joaquin Groundwater Authority have been corrected with Brandon Nakagawa. There were so many errors that I had to pause and consider if the Project Management Team, that conferred over the two summer months that the Greater San Joaquin County Coordinating Committee did not meet, had reviewed this draft. Distributing to the whole Coordinating Committee earlier drafts would have provided a more accurate depiction of the historical governance and a more complete draft.

General Comments

The Integrated Regional Water Management Plan should include a more comprehensive assessment of water quality issues faced by residents of the planning area. The Safe and Affordable Funding for Equity and Resilience (SAFER) program is a set of tools, funding sources, and regulatory authorities designed to meet the goals of safe, accessible, and affordable drinking water for all Californians. There are currently 7 public water systems that have been identified as impacted by one or more contaminant.
https://www.waterboards.ca.gov/safer/dw_systems_violations_tool.html.

The Draft 2020 Addendum 4.2 Water Quality did include mention of areas with nitrate and arsenic pollution that was described in the Final GSP for the Eastern San Joaquin Subbasin. While at the same time stating that increased "concentrations have not been found to have a causal nexus between SGMA-related groundwater management activities in the Subbasin." The Integrated Regional Water Management Plan should include a more comprehensive assessment of water quality issues faced by residents of the planning area. DWR requires that the Plan include a description of location, extent, and impacts of the contamination; actions undertaken to address the contamination, and a description of any additional actions needed to address the contamination. The description of water quality from the Final GSP is not sufficient to describe in accessible language for the public to understand and for the water managers to have a complete picture of water quality issues in the planning area. At

minimum, the various programs areas and sites should be co-located in rural and disadvantaged community areas on a map and summarized.

The risk of water shortage due to drought has been assessed by DWR for small water systems. The IRWMP should refer to this analysis and include those small water systems identified with high risk levels. The *March 2020 Draft Small Water Suppliers and Rural Communities at Risk of Drought and Water Shortage Vulnerability and Recommendations and Guidance to Address the Planning Needs of these Communities* was published in fulfillment of Assembly Bill 1668, passed into law in 2018, and included the identification of water systems within San Joaquin County that have various drought vulnerabilities: <https://data.cnra.ca.gov/dataset/drought-risk-small-suppliers-and-communities>. These systems should have been identified in the draft 2020 Addendum of the IRWMP. Unlike larger water system, these smaller water systems are not required to maintain drought contingency plans in large part because they do have the technical or financial capacities that larger water system have. Inclusion in the IRWMP may enable these small systems to leverage other funding sources to make necessary modifications to be more resilient.

The Eastern San Joaquin Groundwater Sustainability Plan submitted to DWR received 14 comments uploaded to the DWR website for DWR's considerations when reviewing the SGMA compliance adequacy of the plan.¹ Several of these letters noted that the Eastern San Joaquin did not include a well mitigation program which is to be implemented should conditions in the subbasin worsen as a result of increased pumping and/or drought conditions. Several recent reports and correspondence to the state regarding such a water well mitigation program and the human right to water are referenced below for consideration and incorporation into the 2020 Addendum. A well mitigation program must be included in the 2020 Addendum.

[Framework for a Drinking Water Well Impact Mitigation Program Written by Self-Help Enterprises, Leadership Counsel for Justice and Accountability, and the Community Water Center](#)

[Reviewing Groundwater Sustainability Plans In Accordance With State Agency Obligations to Consider the Human Right to Drinking Water Letter to State by the Leadership Counsel for Justice and Accountability, Self-Help Enterprise, Community Water Center, American Rivers, and Union of Concerned Scientists](#)

[White Paper Estimated Numbers of Californians Reliant on Domestic Wells Impacted as a Result of the Sustainability Criteria Defined in Selected San Joaquin Valley Groundwater Sustainability Plans and Associated Costs to Mitigate Those Impacts 9 April 2020 Prepared by EKI Environment & Water, Inc. for the Water Foundation](#)

Specific Comments

Abbreviations: Add GMA, WMA, and TBD

There were twenty instances that TBD was encountered in the draft 2020 Addendum and tabulated below. These instances where there is no text to review represents a significant

¹ <https://sgma.water.ca.gov/portal/gsp/comments/47>

hurdle for the Coordinating Committee to review because the draft is incomplete. This review cycle must be restarted with a complete draft.

6 TBD	Table 4-1 provides a cross-reference to sections of the adopted 2014 IRWM Plan mapped to DWR's 2016 Integrated Regional Water Management Guidelines. Table 4-1 uses Strikeout/Underline where the 2014 IRWMP is corrected or updated.	2d	Additional requirement, not in 2012 GL: In evaluating different ways to meet IRWM Plan objectives, where practical, consider the strategies adopted by CARB in its AB 32 Scoping Plan.
		2e	Additional requirement, not in 2012 GL: Consider options for carbon sequestration and using renewable energy where such options are integrally tied to supporting IRWM Plan objectives.
		3e	An evaluation of RMS and other adaptation strategies and ability of such strategies to eliminate or minimize those vulnerabilities, especially those impacting water infrastructure systems.
		5c	"It should be noted that CWC § 10562 (b)(7) (i.e. SB 985) requires the development of a stormwater resource plan and compliance with these provisions to receive grants for stormwater and dry weather runoff capture projects. Upon development of the stormwater resource plan, the RWMG shall incorporate it into IRWM Plan. The IRWM Plan should discuss the processes that it will use to incorporate such plans. This requirement does not apply to DACs with a population of 20,000 or less and that is not a co-permittee for a municipal separate stormwater system national pollutant discharge elimination system permit issued to a municipality with a population greater than 20,000." Minor wording differences - e.g., GSP example in the 2016 Guidelines instead of Groundwater Management Plan in the 2012 Guidelines.
		8	Same requirement with the following additional detail: "Native American Tribes – It should be noted that Tribes are sovereign nations, and as such coordination with Tribes is on a government-to-government basis."
		9e	Additional requirement, not in 2012 GL: Areas of the state that receive water imported from the Sacramento-San Joaquin River Delta, the area within the Delta, and areas served by coastal aquifers must also consider the effects of SLR on water supply conditions and identify suitable adaptation measures.
5 TBD	Pg 4-104	4.7.1	Potential Effects of Climate Change
		4.7.2	Include potential effects of Climate Change on the region and consider if adaptations to the water management system are necessary.
		4.7.3	Consider the contribution of the project to adapting to identified system vulnerabilities to climate change effects on the region.
		4.7.4	Consider changes in the amount, intensity, timing, quality and variability of runoff and recharge.

		4.7.5	Consider the effects of sea level rise on water supply conditions and identify suitable adaptation measures.
6 TBD	Pg 4-108	4.7.7	Consider the contribution of the project in reducing GHG emissions as compared to project alternatives
		4.7.8	Consider a project's ability to help the IRWM region reduce GHG emissions as new projects are implemented over the 20-year planning horizon.
		4.7.9	Reducing energy consumption, especially the energy embedded in water use, and ultimately reducing GHG emissions.
		4.8.1	Specific benefits to critical water issues for Native American Tribal communities
		4.8.2	Adaptive Management
		4.8.3	Stormwater Resources Plan
2 TBD	Pg 4-109	4.10	Local Land Use Planning
		4.11	Stakeholder Involvement
1 TBD	Pg 4-112	4.12.1.4	Sea Level Rise

The 2.0 Documentation of the 2014 IRWMP should include a couple of paragraphs describing what the DWR recommended be specifically addressed in future IRWM Plan.

The 3.0 Conformance to 2012 Guidelines Table 3-1 should have included key points or descriptions of those requirements which the DWR recommended be specifically addressed in a future plan rather than simply referring to a section in the document. The response to those areas identified by DWR as needing revision in the 2014 should have been a specific area of Coordinating Committee discussion.

Brandon Nakagawa questioned whether or not the Updates to Address 2012 Plan Standards Table 3-1 is be updated to reflect the new GSJCRWCC entity, the Greater San Joaquin County Regional Water Coordinating Committee and put forth more than 20 edits of this table. Many of those I had identified on my copy as problematic such as statements regarding the current the status of the Eastern San Joaquin County Groundwater Basin Authority (GBA) which is referenced as dissolved or was simply renamed as the Eastern San Joaquin Groundwater Authority (GWA). This Table 3-1 should be updated to show how the 2020 Addendum and 2014 IRWMP conform to current DWR Plan Standards some of which are the same as the 2012 Guidelines and some which have changed based on 2016 Guidelines. The following are additional changes that reflect updated conditions.

Governance

Coordination with neighboring IRWM efforts and state and federal agencies.

The groundwater management plan is obsolete and should be deleted. The additional state and federal agencies should include a list of specific agencies that are involved in projects within the planning area. The neighboring groundwater sustainability agencies and IRWM areas should also be specifically listed.

The collaborative processes used to establish Plan objectives and Describe the collaborative process and tools used to establish objectives (Objectives).

The statement “Objectives reviewed and updated in stakeholder workshop” should be deleted. There was one opportunity for members of the public to comment on objectives and this opportunity was not advertised as a stakeholder workshop.

Publish NOI to prepare/update the Plan; adopt the Plan in a public meeting.

The 2019 NOI to update the 2014 plan is posted on the website:

<http://www.esjirwm.org/Portals/0/assets/docs/public-notices/NOTICE-OF-INTENT-Legal-Notice-Format-2014.pdf?ver=2020-01-02-083737-657>

Region Description

Describe water supplies and demands for minimum 20-year planning horizon

This statement “2010-2035; Urban demand projected to grow 53% but with lower per capita use; Agricultural demands projected to decrease 6%” fails to provide a relative comparison of the water supplies and demands. Table 4 3. Water Budget Tabulations from GSP should be the source of these data and include dates to 2040.

Describe social and cultural makeup, including specific information on DACs and tribal communities in the region and their water challenges

References section 4.2 which refers to Water Quality. I did not check all of the references listed for each requirement. A complete description of the DAC outreach was not included in the 2020 Addendum. The DAC outreach that was done represented a significant creative and financial investment and a full summary should be included in the 2020 Addendum.

Integration

Contains structure and processes for developing and fostering integration: Stakeholder/institutional Resource Project implementation.

Curious about what “internal and external integration of stakeholders, resources, and projects meant” so I turned to 4.4 (in the Addendum) and found a discussion of Plan Objectives whereas 4.5 involves the resource management system. The integration methodology that is planned for implementation of the 2020 Addendum should be clearly laid out so that the public understands implementation processes.

Does the project review process in the plan incorporate the following factors?

Status of the Project Proponent's IRWM Plan adoption.

The statement “Project proponents will adopt plan subsequent to GBA Board adoption” should be modified to state the GSJCRWCC instead of GBA Board. Several other references to GBA follow all should be changed to GSJCRWCC or to SJC as suggested by Brandon Nakagawa for monitoring but not the biennial report. I do not recall seeing any biennial reports posted on the website so perhaps this is something that needs further discussion.

Financing

Include a programmatic level (i.e. general) plan for implementation and financing of identified projects and programs* including the following: List known, as well as, possible funding sources, programs, and grant opportunities for the development and ongoing funding of the IRWM Plan.

Again there is a referenced to GBA: "GBA currently funded through Water Investigation Zone 2 and local contributions; Zone 2 expires June 2015; Comprehensive listing of funding sources and mechanisms; Local sponsoring agencies would fund and maintain projects, potentially with special zones established for projects of general benefit." Brandon Nakagawa's rewrite is acceptable but this is an area of needed discussion amongst the Coordinating Committee members that are regularly attending. There are some members that seldom if ever have attended. Financing updates and member reports must be discussed sooner rather than later.

Climate Change

Evaluate IRWM region's vulnerabilities to climate change and potential adaptation responses based on vulnerabilities assessment in the DWR Climate Change Handbook for Regional Water Planning

Other citations should include some of the results of DWR continued climate changes assessments summarized:

https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/All-Programs/Climate-Change-Program/Files/4th-Assessment-FINAL-DWR-papers-summary-a5174-DWR-CC-contributions-v8ada_a_y19.pdf?la=en&hash=0F08CAC0CA7CFB29F6B9FCA2F24B1D14DF4A154C

Inter-model agreement on projected shifts in California hydroclimate characteristics critical to water management Persad, G.G., Swain, D.L., Kouba, C. et al. Climatic Change (2020). <https://doi.org/10.1007/s10584-020-02882-4>

Table 4.1 DWR Plan Review Table include an Regional Description which lacked content or a TBD: Additional requirement, not in 2012 GL: Describe likely Climate Change impacts on the region as determined from the vulnerability assessment.

Section 4.12 Climate change has listed some vulnerabilities and includes adaptations to runoff variability but does not discuss many of the other vulnerabilities.

Native American Sovereign Lands

San Joaquin County was settled by two tribes the Miwok (United Auburn and Wilton Rancheria) and the Northern Valley Yokuts Tribe (Linden). There may have been outreach specifically to these tribes as part of the DAC outreach process that should be documented. As a Stocktonian, I reside on Northern Yokuts land.

Summary

I read through the remainder of the document and generally agree that I have read the material before in the Eastern San Joaquin Groundwater Sustainability Plan. One note that Brandon Nakagawa made regarding the shift in crop patterns which I agree should have the number sources clearly referenced but the data presented clearly shows the shift in cropping patterns which is vital to consider when developing an integrated water management plan which protects all water resources.

I hope that the Coordinating Committee will have an opportunity to review a completed draft before scheduling for approval.