

November 18, 2024

Submitted electronically via sgmps@water.ca.gov

Mr. Paul Gosselin
Deputy Director, Sustainable Water Management
California Department of Water Resources
715 P Street
Sacramento, CA 95814

RE: ACWA Comment Letter – Interconnected Surface Water (ISW) Depletion Caused by Groundwater Use, Papers 2 & 3

Dear Mr. Gosselin:

The Association of California Water Agencies (ACWA) appreciates the opportunity to provide comments on the draft papers, *Techniques for Estimating Interconnected Surface Water Depletion Caused by Groundwater Use* (Paper 2) and *Examples for Estimating Interconnected Surface Water Depletion Caused by Groundwater Use* (Paper 3). ACWA represents more than 470 public water agencies that collectively deliver approximately 90 percent of the water in California for domestic, agricultural, and industrial uses. We respectfully offer the following comments and align our comments with those submitted by the Groundwater Resources Association (GRA).

General Comments

1. Clarify Intended Use for Paper Series – ACWA suggests that the Department of Water Resources (DWR) specify, particularly in Paper 2 and the guidance document (yet to be released), that the recommendations therein are for guidance purposes only, and that Groundwater Sustainability Agencies (GSA) will not be penalized for not following the recommendations in their Groundwater Sustainability Plans (GSP) if a different approach that better suits local conditions is developed and implemented by a GSA. This flexibility will support the ability of GSAs to choose management strategies that more effectively meet the particular conditions, hydrology, and needs of their basins and is consistent with the Sustainable Groundwater Management Act's (SGMA) foundational principle of emphasizing locally led management.

Additionally, ACWA strongly urges DWR to clarify that upcoming plan updates and periodic evaluations will not be measured against the recommendations in these papers (and the upcoming guidance document) in the near future. Groundwater Sustainability Plans are complex and take significant time and resources to develop and amend. GSAs should be given reasonable time to take these papers into consideration before DWR uses them as a basis to review any evaluations or updates.

2. Accept Additional Comments on Papers 2 and 3 During Guidance Document Comment Period – ACWA suggests that DWR accept and consider additional comments on Papers 2 and 3 during the anticipated comment period for the guidance document, which has not

been released at the time of this writing. As each of the papers in this series inform the others, a comprehensive comment period for all papers is appropriate and will lead to better outcomes. ACWA also strongly urges DWR to provide robust opportunities for groundwater practitioners to provide input on the development of the guidance document.

3. Include Recommendations Related to ISW Depletion and Sustainable Management Criteria (SMC) – It is ACWA’s understanding that the final papers will not include recommendations on what specific depletion volumes should be included in SMCs. This is appropriate and in line with SGMA’s local control mandate; however, we respectfully suggest that DWR clarify that GSAs are not required or expected to achieve zero depletion. GSAs should be able to set realistic and achievable goals for ISW depletion. It is important to recognize that some level of depletion is unavoidable and that the focus should be, consistent with GSP methodologies, on sustainable management rather than absolute targets.
4. Address Direct Stream Diversions – ACWA suggests that DWR include recommendations that address how stream depletions due to groundwater pumping should be balanced with stream depletions due to direct stream diversions. We are available to work with DWR staff on developing such a recommendation.

Comments on Paper 2

1. Consider Replacing the Term “Scenario” with “Simulation” – The use of the term “scenario” to describe the proposed model or other simulations without pumping may be confusing to some readers and lead them to believe that a condition without pumping is realistic or should be considered as an approach to basin management, and not simply an exercise designed to estimate total surface water depletion in a basin. Describing these exercises as “simulations” would illustrate that they represent a form of sensitivity analysis for evaluating ISW depletion.
2. Consider Alternatives and Modifications to the Paper’s “Without-Pumping” Simulation – ACWA understands that the “without-pumping” simulation recommended in Paper 2 is not intended to reflect an actionable management strategy and is meant as a tool to evaluate ISW depletion. ACWA suggests, however, that DWR should clarify that the change in depletion between the “with-pumping” and “without-pumping” simulations is only relevant for the waterways that were interconnected at the signing of SGMA. Turning off pumping in a model will result in more (and longer) interconnected waterway reaches that the GSAs are not, in our view, responsible for managing. This approach is consistent with SGMA, which does not make GSAs responsible for many pre-2015 conditions.

Additionally, using a “without pumping” simulation can cause other complications. Using a model calibrated to historical conditions *with* pumping for simulations *without* pumping may produce inaccurate results. While we appreciate the goal of DWR’s proposed approach, we urge DWR to revise Paper 2 to allow GSAs to simulate reasonable simulations that reflect local conditions and model accuracy instead of the “without pumping” scenario.

3. Include Guidance on Ephemeral Streams – ACWA suggests that DWR include guidance on gauging ISW depletion related to ephemeral streams. We recommend guidance that supports using groundwater levels as a proxy. We are available to work with DWR staff on developing such a recommendation.
4. Recognize that Numerical Models are not Necessary (or Feasible) in Every Basin – We recognize that the paper's focus is on assessing location, quantity, and time (LQT) and how to satisfy that requirement within the Basin Setting of the GSP. It does not address how numerical, analytical, or statistical approaches may be appropriate or useful for management purposes and SMC. We hope that more information will be made available in the guidance document. We respectfully caution DWR that, if these papers highlight numerical models as the most appropriate tool, this may cause confusion later.
5. Provide Clearer Definition of "Equally Effective" – ACWA suggests that DWR provides a clearer definition of how an analytical model (or another model) can be "equally effective" as a numerical model (end of page 10).
6. Provide More In-Depth Description of Assumptions – ACWA appreciates that Paper 2 includes discussion of the simplifying assumptions that groundwater managers should take into consideration when using models to estimate ISW depletion. We suggest that these sections could be expanded to provide more information. For example, DWR could include suggestions related to discharge into streams and imported water for urban use. It should be noted that Paper 2 seems to assume that high-quality, appropriate data is readily available for the modeling approaches recommended by the paper. This will not be the case in all basins.

Comments on Paper 3

1. Include Examples of Analytical Models – ACWA recommends that DWR include examples of analytical models in Paper 3. We understand that DWR's draft guidance in Paper 2 is focused on the application of numerical models. However, as stated above, there may be basins where numerical models are not necessary or feasible. We suggest that Paper 3 is updated to include at least one example of a numerical model or other approach.

ACWA appreciates the opportunity to provide comments on the proposed drafts. Please contact me at sorenn@acwa.com or 916.669.2367 with any questions regarding our input.

Sincerely,



Soren Nelson
Policy Advocate
Association of California water Agencies