

Submitted via electronic mail to SGMA-Kern@waterboards.ca.gov

February 12, 2025

Ms. Courtney Tyler, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

RE: Comments – Kern County Subbasin

Dear Ms. Tyler,

The Association of California Water Agencies (ACWA) appreciates the opportunity to provide public comments to the State Water Resources Control Board (State Water Board) as part of the Kern County Subbasin probationary hearing. ACWA represents approximately 470 public water agencies that collectively deliver approximately 90% of the water in California for domestic, agricultural, and industrial uses. As the State Water Board considers potential probation for the Kern County Subbasin, ACWA submits these comments to highlight the critical role that groundwater banking plays in achieving sustainable water management both inside of the Kern County Subbasin and statewide.

The practice of groundwater banking pre-dates the Sustainable Groundwater Management Act (SGMA) and will continue to play a critical role in balancing water supply variability, ensuring resilience against droughts, and securing water reliability for urban, agricultural, and environmental uses. California's Water Resilience Portfolio (2020) recognizes groundwater banking (Action 3.4) as a key strategy for managing water resources in a changing climate. Groundwater banking projects, particularly those in Kern County, where approximately 90% of the State's groundwater banking currently occurs, enable water users to capture and store high-flow water for later use, enhancing statewide flexibility and drought preparedness. Substantial effort is undertaken to mitigate impacts in order to comply with CEQA, along with the considerable financial and water investments associated with existing water banks.

Groundwater banking has many benefits, including:

- **Increased drought resilience:** Groundwater banks support statewide water reliability, ensuring critical supplies during dry years.
- **Improved groundwater conditions:** Because groundwater banks are operated to recharge more water than is withdrawn, they have a positive water supply impact on basins and generally improve groundwater conditions in local basins.
- **Incentivizing investments:** Groundwater banks lend themselves to partnerships and higher reliability, which draws investment and supports predictable water supply.
- **Decreased reliance on Delta exports:** Flexible groundwater storage reduces pressure on the Sacramento-San Joaquin Delta, alleviating water supply challenges and helping to avoid conflicts between competing beneficial uses.

ACWA acknowledges that the State Water Board is balancing many factors when considering probation for the Kern Subbasin. The Kern County Subbasin probationary hearing and associated Staff Report have highlighted that more work is needed to integrate groundwater banking operations and SGMA. ACWA is committed to working with the State Water Board, the Department of Water Resources (DWR), and groundwater bank managers to find solutions that allow the State Water Board to fulfill its role in SGMA while not undermining the ability of groundwater banks to support the state's water supply and reliability goals. ACWA recognizes that Kern County is home to numerous groundwater banking operations that are managed by many entities under different management frameworks, adding to the complexity of finding a path forward for groundwater banks in the subbasin and elsewhere.

We urge the State Water Board to recognize groundwater banking as a key element of California's sustainable water future and to take steps to support groundwater banking's role in California's long-term water resilience strategy. ACWA appreciates the opportunity to provide input on this critical issue and remains committed to working with interested parties to achieve these goals.

Thank you for considering our comments. Please contact me at sorenn@acwa.com if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Soren Nelson". The signature is fluid and cursive, with the first name "Soren" and last name "Nelson" clearly distinguishable.

Soren Nelson
Senior Policy Advocate

CC: Ms. Samantha Arthur, Deputy Secretary for Water, California Natural Resources Agency
Mr. Paul Gosselin, Deputy Director of Sustainable Water Management, California
Department of Water Resources
Ms. Tina Cannon Leahy, Attorney Supervisor, State Water Resources Control Board