



# SAN JOAQUIN FARM BUREAU FEDERATION

MEETING TODAY'S CHALLENGES / PLANNING FOR TOMORROW

**March 17, 2017**

Public Comment  
2016 Bay-Delta Plan Amendment & SED  
Deadline: 3/17/17 12:00 noon

State Water Resources Control Board  
c/o Jeanine Townsend, Clerk of the Board  
P.O. Box 100  
Sacramento, CA 95814-0100



## **Re: San Joaquin Farm Bureau Comments on Bay-Delta Plan Update Phase 1 SED**

The San Joaquin Farm Bureau Federation is a private, not for profit organization that advocates on behalf of over 1500 members in San Joaquin County. We appreciate the opportunity to voice our concerns and our opposition to the Substitute Environmental Document prepared for the Phase I of the Bay-Delta Water Quality Control Plan.

### **1. General Concerns**

#### **A. Friant needs to be included in the SED.**

Because Friant is the most upstream reservoir, it stands to reason the water that is captured there should be implicated in any plan that purports to maintain downstream water quality objectives. The mere, passing mention that there is an agreement for the operation of that reservoir is not sufficient to be considered as incorporated into the plan. The flow agreements that have been reached that are illuded to should be included in the analysis of inflow to the San Joaquin River.

#### **B. This plan undermines water rights.**

The SED calls for an unimpaired flow of water that is currently captured in reservoirs subject to senior, pre-1914 water rights. On the basis of having a strong water right, water districts have raised funds from their grower constituents to fund the infrastructure to capture and deliver that water based on the certainty that it will be available. The SED calls for a significant and drastic reduction to water that there is a legal claim to and any encroachment on the rights of the districts is an affront to the water rights system that California Water Law is based in. We are gravely concerned that any revision to the district's water rights will set a precedent for such revisions to occur statewide.

### **2. Impacts to Groundwater**

#### **A. Any increased impact to groundwater is contrary to public policy.**

In 2014, the California legislature passed a package of three bills to manage groundwater that are collectively known as the Sustainable Groundwater Management Act or SGMA. This legislation mandates that local public agencies may elect to manage their groundwater basins themselves or if they elect not to, they will be considered probationary and the State Water Resources Control Board will be the backstop to ensure that basins are sustainable.

The Eastern San Joaquin subbasin accounts for a vast majority of the land in San Joaquin County and is considered by the Department of Water Resources to be a high priority, critically overdrafted subbasin. For two decades, the Groundwater Basin Authority has been meeting regularly for to develop IRWMP's that are heavily focused on conjunctive use projects to lessen

the reliance on groundwater facilitating the recovery from overdraft. Over \$700 million dollars have been invested locally in groundwater recharge projects, irrigation efficiency projects, and the Delta Water Supply Project that serves the city of Stockton.

These projects saw great success and before the drought the basin was thought to be in a period of significant recovery. With the severe drought conditions that limited surface water supply and the passing of SGMA, the integration of these projects on a macro scale has been greatly accelerated.

The recovery and improvement of basin conditions is a high priority to the state, as seen with the passage of such sweeping legislation and it has been a high priority for the Eastern San Joaquin subbasin for even longer as seen with the significant investments in time and resources. It is absolutely contrary to legislative and local efforts to implement a plan that will drastically reduce surface water supply in even wet years and force the usage of more groundwater at a time when basins are depleted from drought and statutorily obligated to be sustainable.

#### **B. The analysis is incomplete.**

The SED makes many references to the new regulatory regime under SGMA but SWRCB staff has repeated at many public presentations that the impacts to groundwater under both the unimpaired flows standard coupled with the statutorily required implementation of SGMA is “too speculative” because sustainability plans are developed and implemented locally.

To acknowledge the reality that there are looming, significant changes to groundwater management and then to not account for those in the analysis make it impossible to determine what the true impacts to the groundwater basins will be.

#### **C. The proposed SED flows retard Groundwater Sustainability Plan development.**

It is incumbent on those agencies that have elected to be Groundwater Sustainability Agencies (GSA's) that they develop a Groundwater Sustainability Plan (GSP) to ensure there is a management plan for the basin to bring it into sustainability throughout the “planning horizon”. Creating a water balance is required as well as creating a plan to ensure that the basin will reach balance on the planning horizon through the management steps outlined in the GSP.

The SED determines impacts in terms of averages. For example, on page

However, the SED also recognizes that impacts will be less in wet years and higher in dry years. A Groundwater Sustainability Agency (GSA) cannot develop a plan for basin management when they cannot predict whether the water years in the planning horizon will be dry, wet, or normal and the GSA cannot determine how much water they could expect to be pumped to account for that variation. It is also difficult to determine the water balance when the amount of surface water available to these GSA's will vary so dramatically.

### **3. Economic Impacts**

One of the significant economic impacts that is not cohesive in the analysis is that in analyzing the impacts to local county governments based on tax revenue, the difference is calculated based on lost tax revenue from agricultural production in table 20.3.2-8. However it is readily acknowledged that there are indirect and induced jobs that contribute to the local economies in the three counties and the lost tax revenue for those businesses and jobs is not analyzed.

The SED states on page 20-25 in table 20.3.2-9 that under the most restrictive alternative in the most stressed county the loss in tax revenue from lost agricultural production will not exceed .4 percent of total collected taxes. We feel that this is a significant impact to local governments that

are already struggling. A \$26 million dollar loss in San Joaquin County alone will devastate the ability of local county governments to provide necessary services to their residents.

#### **4. Impacts to Agricultural Resources**

The aforementioned economic impacts are intrinsically linked with the impacts to agricultural resources. In San Joaquin County, the agriculture industry is valued at \$2.7 billion dollars. This only accounts for farm gate value and does not account for indirect or induced revenue generated from the agricultural production. Our community heavily relies on the jobs and tax base generated by our strong agricultural economy.

As stated on page 20-15 of the SED, to analyze the impacts to agricultural production, the study looked at amount of surface water available and then the “groundwater pumping capacity” of each impacted district. However, because the pumping capacity will necessarily change as SGMA is implemented so the impacts to agriculture cannot be estimated on the assumption that there will be pumping capacity to replace the lost surface water.

Under every alternative, table 11-1 shows there will be significant and unavoidable impacts to agricultural resources including the conversion of prime farmland, unique farmland, and farmland of statewide importance. These impacts will have resounding impacts throughout the communities that can include significant soil erosion.

There is a significant disconnect between table 11-7 that indicates over 36% of irrigated land in San Joaquin County is irrigated by drip or microsprinkler irrigation and yet on page 11-49, one of the suggested mitigation measures is conversion to more efficient irrigation measures. Given the high percentage of growers who have already invested in irrigation efficiency technology and the fact that some crops are not suitable for such irrigation systems, it would seem that the current level of efficiency is very close to where it will be.

Secondly, there is no analysis as to what the impacts to groundwater will be should all growers who can improve efficiencies do so. When water is applied to crops recharge occurs and it will be lost and that is not considered in the impacts to groundwater analysis.

#### **B. Impacts to South Delta agricultural production need to be evaluated.**

On page 11-2, the SED states that the water quality in the south Delta will remain the same, which is entirely contrary to the fact that at the same time the plan calls for increasing salinity in the South Delta even during the irrigation season. Furthermore, the assumption that this will have no impact on even salt sensitive crops that are grown is entirely unfounded and baseless. There are ongoing studies to evaluate such impacts and until they are completed this cannot be accepted as fact particularly considering ample anecdotal evidence to the contrary.

#### **5. Increasing Salt in the South Delta**

##### **A. Increasing the salinity standard to 1.0 ec year-round.**

Salinity has been an increasing issue in the Delta, particularly in the South Delta where the water quality standards are violated more often than they are met. These standards were developed through a very lengthy process to establish the biological opinions that created that standard.

The SED disproportionately allocates the responsibility of meeting water quality objectives from the project operators to the local water districts. It is the Bureau of Reclamation's responsibility to ensure water quality downstream and instead of enforcing the current 0.7 ec standard during the irrigation season, the SED allows them to continue to degrade water quality and share the burden with the local districts at the expense of senior water rights that the districts hold.

At the December 16<sup>th</sup>, 2016 workshop held by the SWRCB in Stockton, CA, Michelle Leinfelder-Miles with the University of California Cooperative Extension gave a presentation on her findings in the leeching study that has been ongoing in the South Delta and her findings that as saltier water is applied, salt will build up in the soil.

Here, no such scientific analysis has been done to determine the impacts of the new salinity standard of 1.0 ec year-round. At the same time, the process to begin reevaluating the biological opinions has just begun. These processes need to be coordinated and there is no reason behind establishing a detrimental arbitrary standard in the meantime.

**B. Measuring water quality with compliance points rather than at Vernalis.**

In addition to increasing the standard to 1.0, the SED also allows for the standard to be measured by an average of different compliance points throughout the South Delta. This will lead to further impaired water quality in some areas because the poor water quality can be averaged with that where it is less salty.

Both the increasing of the standard and allowing it to be measured by a variety of compliance points rather than at Vernalis will lead to growers in the Delta applying saltier water and seeing I build up in their soil. Studies are ongoing as to the effect this has on crops.

**C. Increasing salinity and the anti-degradation policy**

The anti degradation policy analysis clearly states that the current standard of 0.7ec during the irrigation season would be moved to 1.0ec year-round and that this *would not* lower water quality in the southern Delta. We fail to see how such a determination could be made when clearly the increased salinity in and of itself is a significant impact to the quality of water.

Thank you for the opportunity to furnish comments on the Draft SED. We remain adamantly opposed to any increase in salinity in the South Delta and any reduction of surface water deliveries that our community relies on. We believe there are better and more effective ways to provide benefits for fisheries and the people best suited to manage the watersheds are those who work directly with the rivers and have made the investments in beneficial, scientifically based habitat improvement projects. We will continue to follow this process very closely.

Sincerely,



President