City of Modesto

What specific empirical evidence has been collected and analyzed in order to justify such an action? While superficially it may seem logical to assume that any additional groundwater wells, wherever they may be drilled within the basin, will incrementally contribute to any general overdraft problem; without specific data that conclusively shows a direct link between groundwater withdrawals of a certain amount causing a corresponding drop in groundwater levels of a certain amount, it is only speculation at best and would not provide the 'bullet proof' justifiable evidence that would be needed against the inevitable "Taking" lawsuit(s) and is just not good engineering/hydrogeology. Also, since the very work that is needed to determine whether a measurable and significant link exists between the two has already been identified in the adopted the TAC/WAC/Board's Work Plan (Monitoring Elements 6, 7, 9, & 10), why would we want to skip performing these critical tasks?

Groundwater contour maps dating back to the late 1950's show that there is a cone-of-depression, concentrated mostly within the Eastside Water District's service area, started showing up in the late 1970's and early 1980's. What they don't show is whether or not recent contour maps (DWR has not posted maps for 2011 – 2014) indicate an indisputable link between all of the new irrigation wells in the northeast portion of the Modesto subbasin with the groundwater overdraft problem in the Eastside Water District area of the Turlock subbasin.

Even though the permitting of new municipal wells is not a County function (CDPH traditionally had this authority and it has recently been moved to the SWRCB), we would be adamantly opposed to any attempt to add additional layers to the existing municipal permitting process (the City of Modesto currently soliciting proposals to install two new domestic wells).

Del Puerto Water District

Thank you for the opportunity to provide feedback regarding the proposed county-wide moratorium on groundwater well drilling. Because the nature of the question seems to be more policy-related than technical-related, and because my response is provided without the benefit of advance discussion and guidance from my Board, I defer to their ultimate decision as to what is best for the District, the constituents it represents, our region, and the County as a whole.

It seems to me that in an effort to address a "specific" problem, the County is proposing a "blanket" solution. While it is questionable whether or not a moratorium would have the immediate effect of providing the solution the County seeks, it seems certain to some respect that it would actually make matters worse for other areas which are neither deserving nor able to withstand such a restriction.

For example, certain areas of the County operate in conditions that are highly balanced given this third year of drought, with reliable surface supplies and historical proof of their

areas ability to recharge when hydrologic conditions improve. Other areas with less reliable surface supplies, such as the 28,000 acres served in Stanislaus County by Del Puerto WD (along with another 17,000 acres in San Joaquin and Merced Counties), could suffer extensive economic harm if limited in their access to groundwater during the current hydrologic situation. This seems less than equitable as these same water users have been balancing their use of groundwater with the import of surface water for years INTO the County.

Making the assumption that a moratorium would apply to private persons and agencies alike, I also see the potential for a human costs should wells need to be replaced in emergency situations for rural households, or even worse for area served by Cities who may need to replace a production well to serve its citizens.

A cautionary note to the County Board of Supervisors: If the current drought cycle continues, and if the Del Puerto Water District suffers yet a fourth year of minimal to no allocation from its' CVP contract, our ability to import supplemental supplies will be non-existent, and access to groundwater will be the <u>only</u> remedy for many of your neighboring farmers and business owners with their lives invested in their business operations. Please review the potential economic impacts to the County as a whole prior to making this very restrictive decision.

<u>Modesto Irrigation District</u>

At this time, there isn't enough known to take a position on Stanislaus County's proposed water well moratorium. However, MID has been actively engaged in sustainable groundwater management within our irrigation service area for more than 40 years. We are optimistic that through State law and the continued cooperation of local water purveyors we will bring careful, deliberate and coordinated action to continued groundwater sustainability moving forward.

**MID participation in County, State and Federal groundwater discussions**

 MID has actively participated in Stanislaus County's Technical Advisory Committee and Water Advisory Committee.
 Through Stanislaus County's committees and processes and several other regional, state and federal arenas, MID has vocalized that we've been and remain committed to sustainably managing our groundwater resources.

**MID active in groundwater management for decades**
 We've had a groundwater pumping policy in place for almost 30 years. This policy reinforces reasonable cooperation with other users of groundwater resources in and around our irrigation service area in the interest of preserving and protecting our groundwater resources such that they are sustainable for dry periods such as this. Also as noted in our policy, MID encourages all well owners to prudently manage their wells and groundwater use.

 Over the past two decades we've taken action to improve groundwater levels through our partnership with the City of Modesto – delivering approximately 600,000 acre feet of treated surface water to the City, thus reducing their dependency on groundwater.
 MID so partnered with the United States Geological Survey and other Stanislaus and Tuolumne Rivers Groundwater Basin Association member agencies in the development of a regional groundwater model which we expect to be completed this fall.
 MID is a member agency to the Stanislaus and Tuolumne Rivers Groundwater Basin Association, which is one of the only recognized California Statewide Groundwater Elevation Monitoring (CASGEM) Reporting Entities in the San Joaquin Valley. As mandated under CASGEM, MID reports well readings on a bi-annual basis to the Department of Water Resources.
 On the west side of MID's irrigation service area, shallow groundwater continues to be an impediment to crop production and thus MID maintains and operates an extensive network of shallow de-watering wells.

**Groundwater recharge**
 MID recognizes the groundwater recharge benefits of flood irrigation. Through the application of surface water, we replenish groundwater storage to carry us through dry years. As documented in MID's Agricultural Water Management Plan we estimate that approximately 60,000 acre feet of groundwater recharge occurs annually as a result of surface water provided for on-farm irrigation within our irrigation service area. In normal years, this volume is significantly more than the volume of groundwater extracted aiding in the continued sustainability of the Modesto Sub-basin.
 MID encourages the State to declare that groundwater recharge is a beneficial use.

**Protecting surface water supplies will in turn preserve groundwater storage**
 Groundwater sustainability in the Modesto Sub-basin directly hinges upon maintaining existing surface water supplies.

<u>Oakdale Irrigation District</u>

A couple of risks I see to those landowners inside an irrigation district boundary;

1. If a moratorium is initiated on new wells then those planting trees would not be able to get the frost protection and drought protection benefits provided by a deep well. That's a lot of risk for those investments.

2. Because of that risk, a moratorium may quell land conversions and reduce the market value of cropland as a result.

3. Along those lines, how do you handle the guys who have trees scheduled and paid for planning but haven't dug their well yet. They may be in a world of hurt and at risk if they can't get a deep well in now.

Central California Irrigation District

Thank you for asking for our thoughts relative to an issue being brought before the WAC membership at the meeting scheduled for October 8. As we understand it the Stanislaus County board of supervisors has asked the WAC for its advisory position of the potential for adopting a well water moratorium ordinance similar to the San Luis Obispo County ordinance adopted last year.

Walt my initial reaction is that a countywide ordinance could have adverse economic impacts in areas in the county like CCID where a well drilling moratorium is not needed. In CCID we have a very reliable surface water supply. This is the result of the water rights development in our service area by Miller and Lux going back to the late 1800s and the fact that the heirs of Miller and Lux had the foresight to sign the historic Exchange Contract with the United States in 1939. Because of our reliable surface water, and the fact that there has been no potential new lands in the District being brought into production going back to the 1950s, our groundwater levels are in balance or are gaining over the long term as shown in our long-term groundwater elevation monitoring. That's not to say that we haven't seen some water elevation declines over the last couple years. We've seen declines fairly similar to what we saw in the 1977 and the 1991 through 1994 drought periods. We are also expecting to see full recovery of the aquifer as we saw after those drought periods.

Turlock Irrigation District

Thank you for the opportunity to comment on the proposed moratorium. As discussed at the meeting on Thursday, much of the demand for a moratorium appears to be politically driven. There are many areas within the County that have not had groundwater problems, and where groundwater levels have remained relatively stable. These areas are also areas that have significant groundwater recharge occurring.

TID imports a significant amount of surface water into the region, and is by far the main source of groundwater recharge for the Turlock Subbasin. Growers use surface water to irrigation the majority of irrigated acreage within TID. This recharge has historically been utilized in dry years to supplement reduced surface water supplies. A blanket moratorium would inhibit the District and its growers ability to use the groundwater, and surface water conjunctively. As a result, it doesn't appear to be appropriate to establish a blanket (County-wide) moratorium on drilling new wells. Such an approach would reduce the additional demand on water use in areas where groundwater levels are declining, but unnecessarily adversely impact areas of the County which do not have the groundwater problems experienced in other areas. It would be devastating to individual growers, and would significantly adversely impact agricultural production and the local economy.

For example, much of the western side of the TID has not seen significant groundwater level declines beyond what might be expected in drought conditions. Much of this land is used to house and feed the local dairy industry. Dairies are required to utilize nutrient water in a manner that allows the nutrients to be used agronomically. Dairymen use the nutrient water to fertilize feed crops. Fresh water is needed to blend with the nutrient water to meet the crop needs. Should next year be another dry year, surface water supplies will be even more limited than they were this year. Growers will be forced to rely more heavily on groundwater to supplement limited surface water supplies. The inability to drill new wells could result in loss of crops, the inability to meet regulatory requirements, the reduction of dairy herd sizes to comply with the regulatory requirements, and other long term impacts.

Similarly, there are parcels with permanent crops that have historically relied on surface water for their supply. Should the drought continue, surface water supplies may be very limited. A moratorium would limit the ability to install new wells in areas that have sufficient groundwater supplies, unnecessarily impacting orchards and other crops.

For the reasons described above, a blanket moratorium doesn't appear to be the appropriate answer to the issue at hand, and could result in significant, unnecessary, impacts to the region.