



**ECOS**  
ENVIRONMENTAL  
♦ COUNCIL ♦  
OF SACRAMENTO

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February 22, 2023

To Jim Peifer, Executive Director  
Regional Water Authority  
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Subject: Comments regarding the document titled “Sacramento Regional Water Bank Proposed Goal, Objectives, Principles, and Constraints” dated February 13, 2023

Dear Mr. Peifer.

The Environmental Counsel of Sacramento’s (ECOS) Water Committee commends your and Regional Water Authority (RWA) staff’s public participation efforts to engage the public in the development of a Regional Water Bank (Bank). The recently conducted public workshops have given participating community members valuable information about what a groundwater bank is and how it can facilitate regional water purveyor conjunctive use programs.

Water Committee members appreciate the opportunity to provide comment on the document titled “Sacramento Regional Water Bank Proposed Goal, Objectives, Principles, and Constraints” (Document) and hope RWA will adopt our suggestions to improve both the Document and any resulting Bank established in our region.

#### 1. Goal

Regarding the Goal statements in the Document, we offer the following comments:

RWA states that “*The GOAL represents the desired “end state” of activities. The Goal captures the intent – the why – of the Water Bank and serves as the foundation of the entire development and implementation process.*” The goal is expressed as:

*“To expand conjunctive use throughout the region to:*

- 1. Improve long-term regional reliability and provide statewide water supply opportunities when possible; and,*
- 2. support healthy ecosystem function on the lower American River.*

We believe an appropriately constituted and operated Bank can serve as an important tool to support the health of the region. As such, we believe the Bank’s Goal should be broadened and made more inclusive so that it does not limit or inhibit meaningful participation and regional benefit.

Ideally, the “end state” the Bank should contribute to is the accomplishment of water security, support the ecosystem function on the lower American River and other regional rivers, creeks and tributaries, contribute to regional environmental justice objectives, help improve ecosystem health, and provide flood management benefits. We suggest creating a goal statement(s) that supports this “end state” by providing room to grow and adapt to challenges, and new participants in the future. The RWA’s highly successful Integrated Regional Water Management Program (IRWMP) attracted a great deal of funding to the region and created innovative projects, in keeping with the Department of Water Resources IRWMP philosophy:

*“Integrated Regional Water Management (IRWM) is a collaborative effort to identify and implement water management solutions on a regional scale that increase regional self-reliance, reduce conflict, and manage water to concurrently achieve social, environmental, and economic objectives. This approach delivers higher value for investments by considering all interests, providing multiple benefits, and working across jurisdictional boundaries. Examples of multiple benefits include improved water quality, better flood management, restored and enhanced ecosystems, and more reliable surface and groundwater supplies.”*

<https://water.ca.gov/programs/omtegrated-regional-water-manegment>

We suggest that the Goal framing the Bank be formulated around the RWA’s philosophy of applying integrated regional water management principles so that the Bank will provide multiple benefits and consider all interests and beneficial users. We understand that at this point in the Bank’s development, local resources are largely coming from RWA’s participating water purveyor rate payors. It is understandable that the Bank’s initial focus is on water purveyor conjunctive use programs. However, while the Bank’s Goals may address conjunctive use opportunities in the near term to support both regional water supply reliability and healthy ecosystem function in the Lower American River, the Goal should clearly state that the Bank’s underpinning concept is that the groundwater subbasins serve as a regional storage reservoir(s) that will be operated for the benefit of all ground and surface water beneficial users. The Goals should articulate that the Bank’s intent is to facilitate regional water resource sustainability through its ability to coordinate and account for a variety of programs including excess flood water capture and storage, recycled water storage and reuse, water purveyor conjunctive use programs, and other forms of surface water deposits. The Bank’s operations can also positively impact American River and Cosumnes River temperature and flow concerns, Folsom and upstream reservoir storage concerns/opportunities, and environmental resources that are dependent on groundwater and surface water for survival. This broadened Goal statement recognizes that Regional Sanitation, Sacramento Area Flood Control Agency (SAFCA), the agricultural sector as well as other groundwater pumpers may have both interest and ability to participate in the Bank. Other entities outside the region who have American and Cosumnes River water rights and wish to participate in the bank may be able to as well. Finally, the Goals should include a general statement that Bank operations will do no environmental harm and that the Bank will contribute to improved groundwater storage and subbasin sustainability within its sphere of operations.

## 2. Objectives

The Objectives appear to be too narrowly focused. Reference IRWM principles for strategy development. For example, rather than limiting groundwater recharge to wet years, recharge should occur whenever water conditions and environmental constraints allow. For example, extreme storm events can occur during dry periods and excess storm water may be available for recharge as part of a comprehensive water bank program. In addition, recharge of recycled water is not necessarily bound by type of water year. We believe it is more important to focus on the conditions when recharge or deposit withdrawals are appropriate rather than limiting them by water year type.

As discussed in the Goal comments above, objectives are needed for the inclusion of storm water and recycled water within the banking program. In addition, an Objective to reach out to other major sectors/groundwater users for potential participation is warranted.

The Objectives directed toward improving/enhancing water purveyor programs and financing should be made broader to include all Bank depositors in relation to their contributions and level of participation.

## 3. Principles

As stated in the Goals section above, we recommend the application of IRWM principles as a guide to developing projects, identifying funding, and making decisions. A noted shortcoming of the Document is that there are no Principles dealing with inclusion of other regional water bank depositors (Regional Sanitation, SAFCA, and others), and these need to be added.

A principle is needed regarding the rigor and openness of bank deposit and withdrawal accounting.

A principle is needed regarding how the bank's operations are interfaced with Groundwater Sustainability Agencies (GSA) operations and responsibilities under the Sustainable Groundwater Management Act (SGMA) as outlined in their Groundwater Sustainability Plans (GSP). GSAs are not typically funded to police or monitor banking operations so the principles of how this relationship will work and who is responsible for each step in verifying the groundwater impacts of Bank operation need to be spelled out.

A principle is needed to clearly delineate that ground water management under SGMA trumps Bank operations that will negatively impact subbasin sustainability. Participation in the Bank does not give water purveyors or other participants the ability to negatively impact the region's groundwater sustainability and those beneficial users who depend on it.

A principle is needed to address the interrelationship and status of previous banking activities and those of the future. There needs to be clarity as to past deposits and who is to be covered by the subsequent governance specifics.

A principle is needed to address direct protection of adjacent wells, Interconnected Surface Waters (ISW) and Groundwater Dependent Ecosystems (GDE). Bank operation should ensure

that extraction location/timing/amounts do not negatively impact the adjacent resources. This level of protection should be greater than that afforded by SGMA. Protection to SGMA standards, for instance, could allow the Water Bank to drop groundwater levels below minimum thresholds in 10 of the 43 SASb monitoring well areas on an ongoing basis but still not trigger SASb protections for ISW, GDEs and shallow wells. While this may not be the intention of the Water Bank, such a situation should be addressed by the general principals. Currently, the Environmental Stewardship principles only reference the compliance with GSPs.

#### 4. Constraints

The viability and acceptance of the groundwater modeling and monitoring systems the bank plans to use to monitor and account for its operations represents a Constraint that should be included in the Document. For example, the CoSANA model is new and is still being assessed and improved upon. There are questions regarding the ability to compare results from this model and the CalSims 3 surface water model.

It is not clear how the current GSPs address prior banking operations. It is also unclear how prior banking balances – if any – interact with SGMA, the 2015 sustainability targets set in each GSP, and if these balances were incorporated in the findings of sustainability in both the North and South American subbasin GSPs. Addressing these issues is an important aspect of this document and in the operation of the GSPs.

Current monitoring well systems also constitute a constraint. The GSAs have identified shortcomings in these systems in their GSPs. There may be a question regarding whether subbasin monitoring well systems are able to fully reflect subbasin operations and monitor GDEs while at the same time being relied upon for banking operations. The GSP monitoring systems were not designed around a particular water banking scenario and may need to be adjusted once banking operations are determined. Improvements to both the models and monitoring may be needed before banking operations and their impact can be fully accounted for.

Under Regulatory constraints, the Regional Water Quality Control Board should be added.

Under Institutional constraints, the wording should be changed from “consider” the Water Forum Agreement to “be consistent with” the Water Forum Agreement.

Thank you for the opportunity to provide these comments on RWA’s draft Document. ECOS looks forward to continuing to work with you and your staff as the Regional Water Bank develops.

Sincerely,



Ted N. Rauh  
Chair, ECOS Water Committee

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