

Paso Robles Subbasin GSP  
Chapter 9  
Draft of May 15, 2019  
Required Corrections

**9.1 Introduction**

- Water budgets ..... Add: Reference should be made to the court mandated reduction in pumping by the City of Paso Robles, et al and the positive impact that will have on the current level of pumping.

Removed lined out portions:

To stop persistent declines in groundwater levels, ~~achieve the sustainability goal by 2040 and avoid undesirable results through 2070~~ as required by SGMA regulations, groundwater pumping reductions will be needed. In most cases, a reduction in groundwater pumping will occur as a result of management actions, except where a new water supply is provided and used instead of pumping groundwater. ~~Projects to bring in new water supplies included in this chapter are based on previous vetted feasibility studies.~~

Note: the goal to reach sustainability should be 2030. To achieve sustainability a reduction in overall pumping will be required.

**9.2 Implementation Approach**

Add:

- Expand and improve monitoring networks, e.g., the SLO County GSA will monitor water levels at public wells.

Remove:

- ~~Track the development of water supply projects.~~

Page 3:

- Present information on management actions and ~~projects~~ including . . . . .

Add:

Because the amount of groundwater pumping in the Sub-basin is more than the estimated sustainability yield of about 61,000 AFY .....

Note: the methodology of determining 61,000 AFY needs to be described in a footnote.

Page 3 continued:

In general, management actions will be implemented in all areas ~~before projects because projects take many years to complete.~~

3<sup>rd</sup> line from the bottom of page3:

~~.....funds for alternative approaches such as purchasing and following cropland and contributing to projects that bring in new water supplies to offset groundwater demand.~~

Page 4 Bottom Paragraph: Remove entire paragraph.

~~Any rules, .....under this GSP.~~

### **9.3 Level 1 Management Actions**

Level 1 management actions may include:

- ~~● Initiate an interference program that includes
  - ~~○ Rotating groundwater pumping on agreed schedules to optimize and reduce groundwater use.~~
  - ~~○ Well spacing requirements~~~~

#### **9.3.1.3 Circumstances for implementation**

BMPs and related outreach will be promoted ~~and implemented~~ soon after adoption of the GSP.

#### **9.3.1.4 Public Noticing** top of page 8

~~The BMPs will be promoted through a focused outreach campaign.~~

#### **9.3.1.6 Implementation Schedule**

~~Implementing BMPs will begin immediately after the GSP is adopted and when funds become available.~~

### **9.3.1.8 Estimated Cost**

The estimated cost .....Monitoring of BMPs will have an estimated cost of \$25,000 to \$50,000.

### **9.3.2 Interference Mitigation Program**

- Minimum well spacing requirements for new wells will be considered by SLO County.

#### **9.3.2.1 Relevant Measurable Objectives**

Remove this section

#### **9.3.2.2. Expected Benefits and Evaluation of Benefits**

The first paragraph comes out. Begins ~~The primary benefit~~ and ends with the expected benefits.

The last sentence in the second paragraph (page 9) comes out. Begins ~~isolating the effect of~~ and ends in the ~~subbasin~~.

#### **9.3.2.3 Circumstances for implementation**

Remove this section

#### **9.3.2.4 Public Noticing**

Remove this section

#### **9.3.25 Permitting and Regulatory Process**

Remove this section

#### **9.3.2.6 Implementation Schedule**

Remove this section

### **9.3.2.7 Legal Authority**

Remove this section comes out

### **9.3.2.8 Estimated Cost**

The existing paragraph comes out and in its place the following is inserted.

The interference mitigation program has been estimated at up to \$750,000, which is deemed too expensive. Accordingly, the program components will be reviewed and revised in order to bring the cost down below \$200,000.

### **9.3.3 Promote Stormwater Capture**

First paragraph second line: Change “could” be promoted to “will” be promoted

#### **9.3.3.1 Relevant Measure Objectives**

Replace: Stormwater capture “may” benefit with “will” benefit

### **9.3.4 Voluntary Fallowing of Agriculture Land**

Change the first sentence to: The GSAs may consider promoting voluntary fallowing of crop land to reduce overall groundwater demand.

Remove all 5 bullet points.

#### **9.3.4.1 Relevant Measurable Objectives**

The voluntary fallowing program would benefit.....

#### **9.3.4.2 Expected Benefits and Evaluation of Benefits**

Remove all of this section

#### **9.3.4.3 Circumstances for Implementation**

Remove all of this section

#### **9.3.4.4 Public Notice**

Remove all of this section

#### **9.3.4.5 Permitting and Regulatory Process**

The land fallowing program is subject to CEQA, but only if it is a “formal program.”

#### **9.3.4.8 Estimated Cost**

Remove all of this section as the estimated cost of a formal program is too expensive.

#### **9.3.5 Groundwater Pumping Fees**

Paragraph one. Add the concepts: 1) that pumping fees would be tiered, 2) that one of the goals is to reduce overall pumping in the subbasin, & 3) CASGEM data will be used as appropriate to avoid duplication.

Note: \$500,000 is too expensive for the development of a fee structure lower this cost!

Page 14: ~~If needed, each GSA shall enact fees by ordinance or resolution that is materially comparable to similar levels and classes of use to the ordinance of the other GSAs.~~

### **9.4 Level 2 Management Actions**

Remove second bullet point “Developing funding.....the same reductions.

Remove last bullet point “Retirement of .....groundwater pumping.

#### **9.4.1 Mandatory pumping reductions in specific areas**

In the second line “decline ranges from 25 – 65%.

Note: How was this range determined? Requires a footnote to explain the numbers. Moreover, don’t we need to know water levels first?

Items:

1. Determination of baseline pumping in specific areas based on:
  - a. Area specific declines and estimated yield in that area
  - b. Historical use Explain how will historic use be determined and what evidence will be required over what period of time?
  - c. Land uses and corresponding irrigation requirements
2. Remove this item.
3. Change to: The GSP should target achieving sustainability in the area of 2030 not use 2040 as the target.

The paragraph below item 3 on page 15:

Is the concept of “sustainable Yield” still being used? The rumor circulating is that it is not being used any longer.

In critical areas of the subbasin there should be an immediate ramp down of pumping.

4<sup>th</sup> line from the bottom of the paragraph – 2040 should be changed to 2030

#### **9.4.2 Groundwater Conservation Program**

The paragraphs at the bottom of page 15 & top of page 16:

These paragraphs are completely unacceptable and need to be eliminated or re-written.

The bullet points below the second paragraph on page 16:

- A tiered pumping rate structure is OK. The remainder of that point is out.
- Third bullet point is out.
- Fifth bullet point is out.
- Sixth bullet point is out.
- Seventh bullet point is out.
- Eighth bullet point is out. *de minimis* pumpers are exempt!

#### **9.4.2.1 Tiered Pumping Fee Structure**

The first and second paragraphs are out and replaced by the following:

A tiered pumping fee structure should be implemented. The thresholds that define each tier along with the fee charged for each tier would be determined in hearings, public outreach and be subject to final Board approval. The tiers and fees will be established to address areas where reduced pumping is needed. Individual groundwater pumpers may choose to switch to less water intensive crops, or implement water use efficiencies.

The fee structure and allowances may not be uniform across the Subbasin in the final groundwater conservation program. Portions of the Subbasin with localized groundwater decline may be subject to different fee structures.

#### **9.4.2.2 Site Specific Carryover**

Remove all of this section as it is unacceptable

#### **9.4.2.3 Re-location and Transfer of Pumping Allowances**

Remove all of this section as it is unacceptable

#### **9.4.2.4 Non-Irrigated Land**

Remove all the existing language and insert the underlined paragraph:

Note: This section needs to take into consideration those landowners who will achieve Quiet Title within the next several weeks some of which may or may not currently farm irrigated crops.

Owners of land that is not under irrigation will be surveyed prior to when the GSP is adopted to determine if they have plans to plant an irrigated crop or crops and, if so, would be assigned a two year provisional pumping allowance. If the landowner has not planted within two years the provisional allowance would expire; however, such landowners would have overlying rights to the reasonable beneficial use of groundwater on their parcels.

#### **9.4.2.5 Relevant Measurable Objectives**

Add the use of CASGEM data in determining the progress toward objectives.

### **9.4.3 Agriculture Land and Pumping Allowance Retirement**

Remove all of this section on pages 20 & 21

Note: This approach leads to Owen's Valley type results.  
It is in SLO County's interest to keep water with the land on which it is pumped.  
Who represents the local property owners in this plan?

#### **9.4.3.1 Relevant Measurable Objectives**

Remove the second sentence.

#### **9.4.3.2 Expected Benefits and Evaluation of Benefits**

Remove the first paragraph.

#### **9.4.3.3 Circumstances for Implementation**

Remove this section entirely.

#### **9.4.3.4 Public Noticing**

Remove this section entirely.

#### **9.4.3.5 Permitting and Regulatory Process**

Remove this section entirely.

#### **9.4.3.6 Implementation Schedule**

Remove this section entirely – this is a bad program!

#### **9.4.3.7 Legal Authority**

Remove – this is superfluous!



### **9.4.3.8 Estimated Cost**

Remove entirely.

## **9.5 Projects**

Remove first paragraph entirely.

Add: Projects must not involve public funds, but private funds only. The projects presented in this GSP 1) rely on five potential sources of water for direct delivery only, and 2) cannot involve direct injection into the groundwater basin, as direct injection opens the issue of groundwater ownership.

Retain project numbers: 1, 3, 4, 5, & 6 – remove project number 2 SWP water

Add: /Stormwater capture to item 6

### **9.5.1 Overview of Project Types**

1. Direct delivery for irrigation or municipal use only.

#### **9.5.1.1 In-Lieu Recharge through Direct Delivery**

1. Add: in lieu of groundwater pumping.
2. Direct Delivery water may be stored above ground only.
3. Imported water MAY NOT be injected into the Subbasin.

#### **9.5.1.2 Direct Recharge through Recharge Basins**

Add: Recharge Basins will be used only for the percolation of Stormwater capture into alluvial areas. Direct recharge through injection wells is not acceptable due to the possibility of contamination and the issue of ownership of injected groundwater.

## **9.5.2 General Project Provisions**

Remove the last sentence: ~~This section assumes .....for illustrative purposes.~~

### **9.5.2.1 Summary of Permitting and Regulatory Processes**

Remove the last paragraph.

## **9.5.3 Conceptual Projects**

Add: a Stormwater Capture project where topographical conditions are compatible and where captured water can reasonably be diverted to alluvial or sandy soil can be used for percolation.

Note: The concept is that with a robust Stormwater capture program the need for any imported water will be obviated. Moreover, if groundwater pumping is reduced through the implementation of best farming practices the subbasin can achieve sustainability well before 2040.

Note: Stormwater capture and percolated into the aquifer is becoming popular in many areas of California to recharge groundwater basins.

## **9.5.4 Substitute Projects**

Remove 9.5.4 and related sections on substitute projects

Note: First, Recharge Basins utilizing purchased or imported water are unacceptable.

The benefits described in 9.5.4 can easily be exceeded through a robust program of Stormwater capture and percolation.

## **9.8 Management of Groundwater Extractions and Recharge and Mitigation of Overdraft**

Replace existing with the following:

This GSP is designed to mitigate the current moderate annual over drafting of the Subbasin through a combined program of management actions designed to promote a reduction in pumping and provide authority for mandatory pumping reductions as necessary.

A three-way program made up of 1) robust capture and percolation of annual Stormwater, 2) the utilization of recycled water (RW) where appropriate, and 3) the rational use of groundwater, for irrigated farming and commercial and domestic use, will result in subbasin sustainability well within the deadline of 2040.

Within a relatively short period of time overall pumping should be reduced to a level not exceeding annual natural recharge while respecting the correlated rights of all subbasin overlies. Also on a forward basis the current level of over pumping will be moderately reduced as a result of the Quiet Title litigation judgment and the required reduction in pumping by the litigation defendants.

In summary, this GSP will soon bring annual subbasin pumping in balance with the natural recharge of the subbasin thus achieving sustainability.