September 26, 2021

Siskiyou County Flood Control and Water Conservation District
1312 Fairlane Road
Yreka, CA 96097

Submitted via email: lauraf@lwa.com; katie.duncan@stantec.com; sgma@co.siskiyou.ca.us

Re: Public Comment Letter for Butte Valley Draft Groundwater Sustainability Plan

Dear Laura Foglia,

On behalf of the above-listed organizations, we appreciate the opportunity to comment on the Draft Groundwater Sustainability Plan (GSP) for the Butte Valley Basin being prepared under the Sustainable Groundwater Management Act (SGMA). Our organizations are deeply engaged in and committed to the successful implementation of SGMA because we understand that groundwater is critical for the resilience of California's water portfolio, particularly in light of changing climate. Under the requirements of SGMA, Groundwater Sustainability Agencies (GSAs) must consider the interests of all beneficial uses and users of groundwater, such as domestic well owners, environmental users, surface water users, federal government, California Native American tribes and disadvantaged communities (Water Code 10723.2).

As stakeholder representatives for beneficial users of groundwater, our GSP review focuses on how well disadvantaged communities, drinking water users, tribes, climate change, and the environment were addressed in the GSP. While we appreciate that some basins have consulted us directly via focus groups, workshops, and working groups, we are providing public comment letters to all GSAs as a means to engage in the development of 2022 GSPs across the state. Recognizing that GSPs are complicated and resource intensive to develop, the intention of this letter is to provide constructive stakeholder feedback that can improve the GSP prior to submission to the State.

Based on our review, we have significant concerns regarding the treatment of key beneficial users in the Draft GSP and consider the GSP to be **insufficient** under SGMA. We highlight the following findings:

1. Beneficial uses and users **are not sufficiently** considered in GSP development.
    a. Human Right to Water considerations **are not sufficiently** incorporated.
    b. Public trust resources **are not sufficiently** considered.
    c. Impacts of Minimum Thresholds, Measurable Objectives and Undesirable Results on beneficial uses and users **are not sufficiently** analyzed.
2. Climate change **is not sufficiently** considered.

3. Data gaps **are not sufficiently** identified and the GSP **does not have a plan** to eliminate them.
4. Projects and Management Actions **do not sufficiently consider** potential impacts or benefits to beneficial uses and users.

Our specific comments related to the deficiencies of the Butte Valley Draft GSP along with recommendations on how to reconcile them, are provided in detail in **Attachment A.**

Please refer to the enclosed list of attachments for additional technical recommendations:

Attachment A	GSP Specific Comments
Attachment B	SGMA Tools to address DAC, drinking water, and environmental beneficial uses and users
Attachment C	Freshwater species located in the basin
Attachment D	The Nature Conservancy's "Identifying GDEs under SGMA: Best Practices for using the NC Dataset"

Thank you for fully considering our comments as you finalize your GSP.

Best Regards,

Ngodoo Atume
Water Policy Analyst
Clean Water Action/Clean Water Fund

J. Pablo Ortiz-Partida, Ph.D.
Western States Climate and Water Scientist
Union of Concerned Scientists

Samantha Arthur
Working Lands Program Director
Audubon California

Danielle V. Dolan
Water Program Director
Local Government Commission

E.J. Remson
Senior Project Director, California Water Program
The Nature Conservancy

Melissa M. Rohde
Groundwater Scientist
The Nature Conservancy

Attachment A

Specific Comments on the Butte Valley Draft Groundwater Sustainability Plan

1. Consideration of Beneficial Uses and Users in GSP development

Consideration of beneficial uses and users in GSP development is contingent upon adequate identification and engagement of the appropriate stakeholders. The (A) identification, (B) engagement, and (C) consideration of disadvantaged communities, drinking water users, tribes, groundwater dependent ecosystems, streams, wetlands, and freshwater species are essential for ensuring the GSP integrates existing state policies on the Human Right to Water and the Public Trust Doctrine.

A. Identification of Key Beneficial Uses and Users

Disadvantaged Communities, Drinking Water Users, and Tribes

The identification of Disadvantaged Communities (DACs), drinking water users, and tribes is **insufficient**. We note the following deficiencies with the identification of these key beneficial users.

- The GSP states that there are three Severely Disadvantaged Communities (SDACs) in the basin, but these areas are not mapped. NGO-001
- The GSP provides a map of domestic well density in Figure 1.5, but fails to provide depth of these wells (such as minimum well depth, average well depth, or depth range) within the basin. NGO-002
- The GSP fails to identify the population dependent on groundwater as their source of drinking water in the basin. Specifics are not provided on how much each SDAC community relies on a particular water supply (e.g., what percentage is supplied by groundwater). NGO-003

These missing elements are required for the GSA to fully understand the specific interests and water demands of these beneficial users, and to support the development of sustainable management criteria and projects and management actions that are protective of these users.

RECOMMENDATIONS

- Provide a map of the SDACs in the basin. The DWR DAC mapping tool[1] can be used for this purpose. NGO-001 cont.
- The statement on p. 2-11 that there are no DACs in the basin is confusing, since SDACs are a subset of DACs. Please remove or clarify this sentence.
- Include a map showing domestic well locations and average well depth across the basin. NGO-002 cont.

[1] The DWR DAC mapping tool is available online at: https://gis.water.ca.gov/app/dacs/

- Identify the sources of drinking water for SDAC members, including an estimate of how many people rely on groundwater (e.g., domestic wells, state small water systems, and public water systems).

- Describe the occurrence of tribal lands in the basin. If tribes have interests in the basin or if groundwater management within Butte Valley Basin will have impacts on downstream tribes, describe them in detail.

NGO-003 cont.

NGO-004

Interconnected Surface Waters

The identification of Interconnected Surface Waters (ISWs) is **insufficient**. There is no map presented in the ISW section (Section 2.2.2.6) of stream reaches in the basin. The GSP provides a vague assessment of groundwater levels in the vicinity of stream reaches, with no specific details provided. The analysis concludes with the statement (p. 89): "Until the associated data gaps are addressed, Butte Creek is tentatively assumed disconnected from the Basin groundwater aquifer due to nearby deep groundwater levels."

NGO-005

NGO-006

The GSP acknowledges large data gaps for the determination of ISWs. However, given the gaps in groundwater level data and streamflow data, the stream reaches should be considered potential ISWs until further data can be gathered. Because the potential ISWs have not been identified, they cannot be adequately managed in the GSP. Until a disconnection can be proven, all potential ISWs should be included in the GSP. This is necessary to assess whether surface water depletions caused by groundwater use are having an adverse impact on environmental beneficial users of surface water.

NGO-007

RECOMMENDATIONS

- Provide a map showing all the stream reaches in the basin, with reaches clearly labeled with stream name and interconnected or disconnected. Consider any segments with data gaps as potential ISWs and clearly mark them as such on maps provided in the GSP.

NGO-005 cont.

NGO-007 cont.

- Provide depth-to-groundwater contour maps using the best practices presented in Attachment D, to aid in the determination of ISWs. Specifically, ensure that the first step is contouring groundwater elevations, and then subtracting this layer from land surface elevations from a digital elevation model (DEM) to estimate depth-to-groundwater contours across the landscape. This will provide accurate contours of depth to groundwater along streams and other land surface depressions where GDEs are commonly found.

NGO-008

- Use seasonal data over multiple water year types (we recommend 10 years from 2005 to 2015) to capture the variability in environmental conditions inherent in California's climate, when mapping ISWs.

NGO-009

- Reconcile ISW data gaps with specific measures (shallow monitoring wells, stream gauges, and nested/clustered wells) along surface water features in the Monitoring Network section of the GSP. Data gaps are discussed in general terms in the ISW section (Section 2.2.2.6), but very little detail is provided.

NGO-007 cont.

Groundwater Dependent Ecosystems

The identification of Groundwater Dependent Ecosystems (GDEs) is **insufficient**, due to lack of clarity around the monitoring well data (well location and screen depth) used to map groundwater elevations and depth to groundwater. The GSP references TNC Best Practices for using the NC Dataset (2019) as the approach used to map depth to groundwater, using the difference between land surface elevation and interpolated groundwater elevation above mean sea level. However, the GSP does not further describe the monitoring well data (well location and screen depth) used to create the depth-to-groundwater maps. NGO-010

The GSP took initial steps to identify and map GDEs using the Natural Communities Commonly Associated with Groundwater dataset (NC dataset) and other sources. However, we found that some mapped features in the NC dataset were improperly disregarded, as described below.

- NC dataset polygons were incorrectly removed in areas adjacent to irrigated fields due to the presence of surface water. However, this removal criteria is flawed since GDEs, in addition to groundwater, can rely on multiple water sources – including shallow groundwater receiving inputs from irrigation return flow from nearby irrigated fields – simultaneously and at different temporal/spatial scales. NC dataset polygons adjacent to irrigated land can still potentially be reliant on shallow groundwater aquifers, and therefore should not be removed solely based on their proximity to irrigated fields. NGO-011

- NC dataset polygons were incorrectly removed based on the amount of time that they access groundwater. As presented in the GSP, assumed GDEs have access to groundwater >50% of time and assumed non-GDEs have access to groundwater <50% of the time. However, NC dataset polygons should not be assumed to be disconnected if there is any connection to groundwater (regardless of temporal percentage). Many GDEs often simultaneously rely on multiple sources of water (i.e., both groundwater and surface water), or shift their reliance on different sources on an interannual or inter-seasonal basis. NGO-012

RECOMMENDATIONS

- On the depth-to-groundwater level maps presented in Appendix 2-C, include the location of groundwater monitoring wells used to produce the maps. Discuss screening depth of monitoring wells and ensure they are monitoring the shallow principal aquifer. NGO-010 cont.
- Use depth-to-groundwater data from multiple seasons and water year types to verify whether polygons in the NC Dataset are supported by groundwater, instead of the incorrect criteria mentioned above (presence of irrigation water or less than 50% time connected to groundwater). NGO-012 cont.
- Refer to Attachment B for more information on TNC's plant rooting depth database. Deeper thresholds are necessary for plants that have reported maximum root depths that exceed the averaged 30 feet threshold, such as valley oak (*Quercus lobata*). We recommend that the reported max rooting depth for these deeper-rooted plants be used. For example, a depth-to-groundwater threshold of 80 feet should be used instead of the 30 feet threshold, when verifying whether valley oak polygons from the NC Dataset are connected to groundwater. It is important to re-emphasize that actual rooting depth data are limited and will depend on the plant species and site-specific conditions such as soil and aquifer types, and availability to other water sources. NGO-013

- If insufficient data are available to describe groundwater conditions within or near polygons from the NC dataset, include those polygons as "Potential GDEs" in the GSP until data gaps are reconciled in the monitoring network.

NGO-014

Native Vegetation and Managed Wetlands

Native vegetation and managed wetlands are water use sectors that are required[2,3] to be included into the water budget. The integration of native vegetation and managed wetlands into the water budget is **insufficient**, due to the absence of Appendix 2-D (Water Budget). We could not determine if the water budget included the current, historical, and projected demands of native vegetation and managed wetlands. The inclusion of explicit water demands for native vegetation and managed wetlands is crucial, so that key environmental uses of groundwater are accounted for as water supply decisions are made using this budget and considered in project and management actions.

NGO-015

RECOMMENDATION

- Include Appendix 2-D (Water Budget) in the GSP. Quantify and present all water use sector demands in the historical, current, and projected water budgets with individual line items for each water use sector, including native vegetation and managed wetlands.

NGO-015 cont.

B. Engaging Stakeholders

Stakeholder Engagement during GSP development

Stakeholder engagement during GSP development is **insufficient**. SGMA's requirement for public notice and engagement of stakeholders[4] is not fully met by the description in the Stakeholder Communication and Engagement Plan included in the GSP (Appendix 1-A).

NGO-016

The GSP describes outreach to tribal and environmental stakeholders in the basin and states that members of these groups are on the Stakeholder Advisory Committee. However, we note the following deficiencies with other aspects of the stakeholder engagement process:

- The opportunities for public involvement and engagement are described in very general terms. They include attendance at public meetings, stakeholder email list, and updates to

NGO-017

[2] "'Water use sector' refers to categories of water demand based on the general land uses to which the water is applied, including urban, industrial, agricultural, managed wetlands, managed recharge, and native vegetation." [23 CCR §351(al)]

[3] "The water budget shall quantify the following, either through direct measurements or estimates based on data: (3) Outflows from the groundwater system by water use sector, including evapotranspiration, groundwater extraction, groundwater discharge to surface water sources, and subsurface groundwater outflow." [23 CCR §354.18]

[4] "A communication section of the Plan shall include a requirement that the GSP identify how it encourages the active involvement of diverse social, cultural, and economic elements of the population within the basin." [23 CCR §354.10(d)(3)]

the GSP website. There is no specific outreach described for members of the SDAC communities or domestic well owners.

NGO-017

- The Stakeholder Communication and Engagement Plan does not include a plan for continual opportunities for engagement through the *implementation* phase of the GSP for SDACs, domestic well owners, and environmental stakeholders.

NGO-018

RECOMMENDATION
• In the Stakeholder Communication and Engagement Plan, describe active and targeted outreach to engage SDAC members, domestic well owners, and environmental stakeholders throughout the GSP development and implementation phases. Refer to Attachment B for specific recommendations on how to actively engage stakeholders during all phases of the GSP process.

NGO-016 cont.

C. Considering Beneficial Uses and Users When Establishing Sustainable Management Criteria and Analyzing Impacts on Beneficial Uses and Users

The consideration of beneficial uses and users when establishing sustainable management criteria (SMC) is **insufficient**. The consideration of potential impacts on all beneficial users of groundwater in the basin are required when defining undesirable results[5] and establishing minimum thresholds.[6,7]

<u>**Disadvantaged Communities and Drinking Water Users**</u>
For chronic lowering of groundwater levels, the GSP does not sufficiently describe or analyze direct or indirect impacts on domestic drinking water wells, DACs, or tribes when defining undesirable results. The GSP does not sufficiently describe how the existing minimum threshold groundwater levels are consistent with avoiding undesirable results in the basin. The GSP states (p. 3-34): "The minimum threshold is expected to cause as much as 15% well outages." This is the only quantitative statement made however, and it is not supported by data or analysis.

NGO-019

For degraded water quality, minimum thresholds for the following three constituents of concern (COCs) are set at the maximum contaminant levels (MCLs): nitrate, specific conductivity and arsenic. However, the GSP does not set SMC for the other COCs in the basin (boron, benzene, and 1,2-dibromoethane). The GSP states on p. 3-37 that because 1,2-dibromoethane and benzene are already being monitored and managed by the Regional Board through the Leaking Underground Storage Tank (LUST) program, SMC are not needed. The GSP states that since boron is naturally occurring, SMC are not needed. However, SMC should be established for all COCs in the basin, in addition to coordinating with water quality regulatory programs. Naturally occurring COCs can be exacerbated as a result of groundwater use or groundwater management within the basin.

NGO-020

[5] "The description of undesirable results shall include [...] potential effects on the beneficial uses and users of groundwater, on land uses and property interests, and other potential effects that may occur or are occurring from undesirable results." [23 CCR §354.26(b)(3)]
[6] "The description of minimum thresholds shall include [...] how minimum thresholds may affect the interests of beneficial uses and users of groundwater or land uses and property interests." [23 CCR §354.28(b)(4)]
[7] "The description of minimum thresholds shall include [...] how state, federal, or local standards relate to the relevant sustainability indicator. If the minimum threshold differs from other regulatory standards, the agency shall explain the nature of and the basis for the difference." [23 CCR §354.28(b)(5)]

The GSP only includes a very general discussion of indirect impacts to drinking water users when defining undesirable results and evaluating the cumulative or indirect impacts of proposed minimum thresholds. The GSP does not, however, mention or discuss direct and indirect impacts on DACs or tribes when defining undesirable results for degraded water quality, nor does it evaluate the cumulative or indirect impacts of proposed minimum thresholds on DACs or tribes. NGO-021

RECOMMENDATIONS

Chronic Lowering of Groundwater Levels

- Describe direct and indirect impacts on drinking water users, DACs, and tribes when describing undesirable results and defining minimum thresholds for chronic lowering of groundwater levels. NGO-019 cont.

Degraded Water Quality

- Describe direct and indirect impacts on drinking water users, DACs and tribes when defining undesirable results for degraded water quality. For specific guidance on how to consider these users, refer to "Guide to Protecting Water Quality Under the Sustainable Groundwater Management Act."[8]
- Evaluate the cumulative or indirect impacts of proposed minimum thresholds for degraded water quality on drinking water users, DACs, and tribes. NGO-021 cont.
- Set minimum thresholds and measurable objectives for boron, benzene and 1,2-dibromoethane. Ensure they align with drinking water standards[9]. NGO-020 cont.

Groundwater Dependent Ecosystems and Interconnected Surface Waters

Sustainable management criteria provided in the GSP do not consider potential impacts to environmental beneficial users. The GSP neither describes nor analyzes direct or indirect impacts on environmental users of groundwater or surface water when defining undesirable results. NGO-021 cont. This is problematic because without identifying potential impacts to GDEs and beneficial users of interconnected surface waters, minimum thresholds may compromise, or even destroy, environmental beneficial users. Since GDEs are present in the basin, they must be considered when developing SMC for the basin.

The GSP states that the depletion of interconnected surface water sustainability indicator is not applicable in the Basin, but this has not been proven. Chapter 2 of the GSP disregards ISWs due to data gaps. However, they should be retained as potential ISWs and preliminary SMC for the depletion of interconnected surface water sustainability indicator should be established. NGO-022

[8] Guide to Protecting Water Quality under the Sustainable Groundwater Management Act https://d3n8a8pro7vhmx.cloudfront.net/communitywatercenter/pages/293/attachments/original/1559328858/Guide_to_Protecting_Drinking_Water_Quality_Under_the_Sustainable_Groundwater_Management_Act.pdf?1559328858.

[9] "Degraded Water Quality [...] collect sufficient spatial and temporal data from each applicable principal aquifer to determine groundwater quality trends for water quality indicators, as determined by the Agency, to address known water quality issues." [23 CCR §354.34(c)(4)]

RECOMMENDATIONS

- When defining undesirable results for chronic lowering of groundwater levels, provide specifics on what biological responses (e.g., extent of habitat, growth, recruitment rates) would best characterize a significant and unreasonable impact to GDEs. Undesirable results to environmental users occur when 'significant and unreasonable' effects on beneficial users are caused by one of the sustainability indicators (i.e., chronic lowering of groundwater levels, degraded water quality, or depletion of interconnected surface water). Thus, potential impacts on environmental beneficial uses and users need to be considered when defining undesirable results[10] in the basin. Defining undesirable results is the crucial first step before the minimum thresholds[11] can be determined. NGO-023

- Establish preliminary SMC for the depletion of interconnected surface water sustainability indicator, that can be refined when data gaps are filled. When defining undesirable results for depletion of interconnected surface water, include a description of potential impacts on instream habitats within ISWs when defining minimum thresholds in the basin[12]. The GSP should confirm that minimum thresholds for ISWs avoid adverse impacts to environmental beneficial users of interconnected surface waters as these environmental users could be left unprotected by the GSP. These recommendations apply especially to environmental beneficial users that are already protected under pre-existing state or federal law[6,13]. NGO-022 cont.

2. Climate Change

The SGMA statute identifies climate change as a significant threat to groundwater resources and one that must be examined and incorporated in the GSPs. The GSP Regulations[14] require integration of climate change into the projected water budget to ensure that projects and management actions sufficiently account for the range of potential climate futures.

The integration of climate change into the projected water budget is **incomplete**. The GSP does incorporate climate change into the projected water budget using DWR change factors for 2030 and 2070. The GSP also considers multiple climate scenarios (e.g., the 2070 extremely wet and extremely dry climate scenarios) in the projected water budget. The GSP includes climate change into key inputs (e.g., precipitation, evaporation, and surface water flow) of the projected water budget. However, we are

NGO-024

NGO-024 cont.

[10] "The description of undesirable results shall include [...] potential effects on the beneficial uses and users of groundwater, on land uses and property interests, and other potential effects that may occur or are occurring from undesirable results". [23 CCR §354.26(b)(3)]

[11] The description of minimum thresholds shall include [...] how minimum thresholds may affect the interests of beneficial uses and users of groundwater or land uses and property interests." [23 CCR §354.28(b)(4)]

[12] "The minimum threshold for depletions of interconnected surface water shall be the rate or volume of surface water depletions caused by groundwater use that has adverse impacts on beneficial uses of the surface water and may lead to undesirable results." [23 CCR §354.28(c)(6)]

[13] Rohde MM, Seapy B, Rogers R, Castañeda X, editors. 2019. Critical Species LookBook: A compendium of California's threatened and endangered species for sustainable groundwater management. The Nature Conservancy, San Francisco, California. Available at: https://groundwaterresourcehub.org/public/uploads/pdfs/Critical_Species_LookBook_91819.pdf

[14] "Each Plan shall rely on the best available information and best available science to quantify the water budget for the basin in order to provide an understanding of historical and projected hydrology, water demand, water supply, land use, population, climate change, sea level rise, groundwater and surface water interaction, and subsurface groundwater flow." [23 CCR §354.18(e)]

concerned that the selected period is from 1991-2011 and therefore it does not include the drought from 2012-2016. We look forward to reading Appendix 2-D (Water Budget) in the next draft of the GSP to learn about how you are integrating drought risk in your future water budget. NGO-024 cont.

The GSP does not calculate a sustainable yield based on the projected water budget with climate change incorporated, but instead states that the sustainable yield will vary over time as new project and management actions are added. NGO-025 The GSP states (p. 2-126): "The sustainable yield is not a number that is constant over time, as future conditions may decrease or increase the amount of groundwater that can be withdrawn without causing undesirable results" and continues: "For every implementation of a PMA resulting in the reduction in groundwater pumping, including some conservation easements, there is a commensurate downward adjustment in sustainable yield. The exact amount of that adjustment varies over time and will depend on the future portfolio of PMAs implemented (see chapters 3 and 4). Without the automatic adjustment of the sustainable yield to future agreed-upon reductions in groundwater pumping, other water users in the Basin may claim that the reduction in groundwater pumping, e.g., for in lieu recharge, makes groundwater available for pumping elsewhere or at other times, up to the (constant) limit of the sustainable yield. This must be avoided to successfully manage the basin." Keep in mind that sustainable yield is a legally required component of SGMA and necessary for informing what project and management actions are necessary in the basin. If sustainable yield is not calculated, then there is also increased uncertainty in virtually every subsequent calculation used to plan for projects, derive measurable objectives, and set minimum thresholds. Plans that do not explicitly calculate sustainable yield may underestimate future impacts on vulnerable beneficial users of groundwater such as ecosystems, DACs, domestic well owners, and tribes. NGO-025 cont.

RECOMMENDATIONS

- Include Appendix 2-D (Water Budget) in the next draft of the GSP, so that the manner in which climate change is incorporated into the water budgets is fully explained. NGO-024 cont.
- Estimate sustainable yield based on the projected water budget with climate change incorporated, to inform the basis for development of projects and management actions. NGO-025 cont.
- Incorporate climate change scenarios into projects and management actions. NGO-026 cont.

3. Data Gaps

The consideration of beneficial users when establishing monitoring networks is **insufficient**, due to lack of specific plans to increase the Representative Monitoring Points (RMPs) in the monitoring network that represent water quality conditions and shallow groundwater elevations around DACs, domestic wells, GDEs, and ISWs. NGO-027 Beneficial users of groundwater may remain unprotected by the GSP without adequate monitoring and identification of data gaps in the shallow aquifer. The Plan therefore fails to meet SGMA's requirements for the monitoring network[15].

The GSP includes a data gap assessment (Appendix 3-A) that identifies and prioritizes data gaps in the monitoring networks. Thus while the GSP recognizes the importance of filling data gaps, it does not provide specific plans, well locations shown on a map, or a timeline to fill the data gaps. NGO-027 cont. The GSP states (p. 3-6): "These additional monitoring or information requirements depend on future availability of funding

[15] "The monitoring network objectives shall be implemented to accomplish the following: [...] (2) Monitor impacts to the beneficial uses or users of groundwater." [23 CCR §354.34(b)(2)]

and are not yet considered among the GSP Representative Monitoring Points (RMPs). They will be considered as potential RMPs and may eventually become part of the GSP network at the 5-year GSP update." However, the additional RMPs should be included in the GSP now, instead of included in the 5-year GSP update. Without a map of proposed new monitoring well locations, a determination cannot be made regarding the adequacy of the monitoring network for sustainability indicators going forward into the GSP implementation phase. NGO-027 cont.

RECOMMENDATIONS

- Provide maps that overlay current and proposed monitoring well locations with the locations of DACs, domestic wells, GDEs, and ISWs to clearly identify potentially impacted areas. NGO-028 Increase the number of representative monitoring points (RMPs) across the basin as needed to adequately monitor all groundwater condition indicators. Prioritize proximity to GDEs and drinking water users when identifying new RMPs. NGO-029
- Provide specific plans to fill data gaps in the monitoring network. Evaluate how the gathered data will be used to identify and map GDEs and ISWs, and identify DACs and shallow domestic well users that are vulnerable to undesirable results. NGO-030
- Further describe the biological monitoring that will be used to assess the potential for significant and unreasonable impacts to GDEs or ISWs due to groundwater conditions in the basin. Section 4.4 mentions the use of satellite images to evaluate the status of GDEs, however no further details are provided in the GSP. NGO-031

4. Addressing Beneficial Users in Projects and Management Actions

The consideration of beneficial users when developing projects and management actions is **insufficient**, due to the failure to completely identify benefits or impacts of identified projects and management actions to beneficial users of groundwater such as DACs and drinking water users. NGO-032

We commend the GSA for including projects and management actions with explicit benefits to the environment (e.g., the Abandonment of Sam's Neck Flood Control Facility and Kegg Meadow Enhancement and Butte Creek Channel Restoration). The GSP discusses how these projects will benefit ecosystems, but does not discuss the manner in which DACs, drinking water users, and tribes may be benefitted or impacted by projects and management actions identified in the GSP. Therefore, potential project and management actions may not protect these beneficial users. NGO-032 cont. Groundwater sustainability under SGMA is defined not just by sustainable yield, but by the avoidance of undesirable results for *all* beneficial users.

RECOMMENDATIONS

- For DACs and domestic well owners, include further discussion of a drinking water well impact mitigation program to proactively monitor and protect drinking water wells through GSP implementation. The GSP describes a well replacement program in Section 4.3 (Tier II PMAs), but no details are provided. Refer to Attachment B for specific recommendations on how to implement a drinking water well mitigation program. NGO-033

- For DACs, domestic well owners, and tribes, include a discussion of whether potential impacts to water quality from projects and management actions could occur and how the GSA plans to mitigate such impacts. NGO-034

- Recharge ponds, reservoirs, and facilities for managed stormwater recharge can be designed as multiple-benefit projects to include elements that act functionally as wetlands and provide a benefit for wildlife and aquatic species. For guidance on how to integrate multi-benefit recharge projects into your GSP, refer to the "Multi-Benefit Recharge Project Methodology Guidance Document"[16]. NGO-035

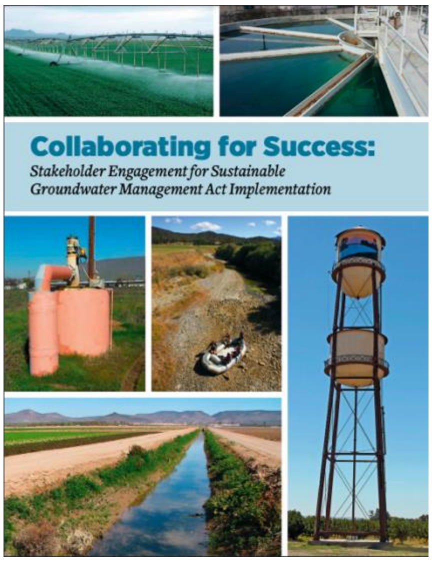
- Develop management actions that incorporate climate and water delivery uncertainties to address future water demand and prevent future undesirable results. NGO-036

[16] The Nature Conservancy. 2021. Multi-Benefit Recharge Project Methodology for Inclusion in Groundwater Sustainability Plans. Sacramento. Available at: https://groundwaterresourcehub.org/sgma-tools/multi-benefit-recharge-project-methodology-guidance/

Attachment B

SGMA Tools to address DAC, drinking water, and environmental beneficial uses and users

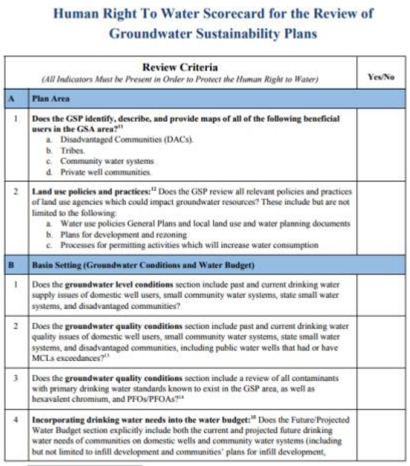
Stakeholder Engagement and Outreach



Clean Water Action, Community Water Center and Union of Concerned Scientists developed a guidance document called Collaborating for success: Stakeholder engagement for Sustainable Groundwater Management Act Implementation. It provides details on how to conduct targeted and broad outreach and engagement during Groundwater Sustainability Plan (GSP) development and implementation. Conducting a targeted outreach involves:

- Developing a robust Stakeholder Communication and Engagement plan that includes outreach at frequented locations (schools, farmers markets, religious settings, events) across the plan area to increase the involvement and participation of disadvantaged communities, drinking water users and the environmental stakeholders.
- Providing translation services during meetings and technical assistance to enable easy participation for non-English speaking stakeholders.
- GSP should adequately describe the process for requesting input from beneficial users and provide details on how input is incorporated into the GSP.

The Human Right to Water

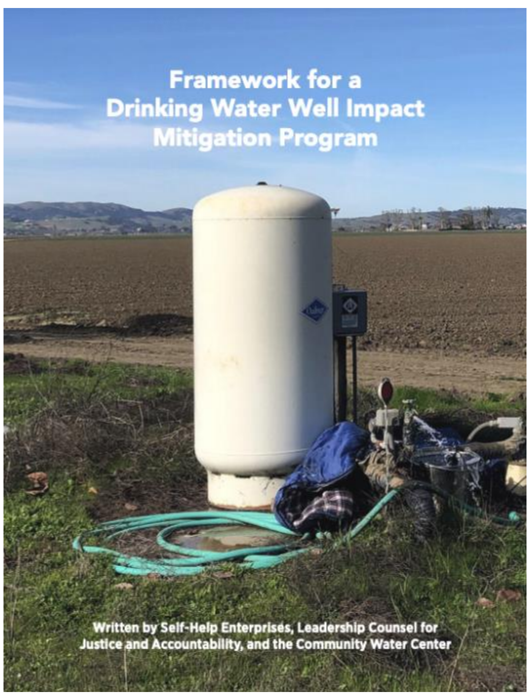


Human Right To Water Scorecard for the Review of Groundwater Sustainability Plans

	Review Criteria *(All Indicators Must be Present in Order to Protect the Human Right to Water)*	Yes/No
A	**Plan Area**	
1	**Does the GSP identify, describe, and provide maps of all of the following beneficial users in the GSA area?**[11] a. Disadvantaged Communities (DACs). b. Tribes. c. Community water systems d. Private well communities.	
2	**Land use policies and practices:**[12] Does the GSP review all relevant policies and practices of land use agencies which could impact groundwater resources? These include but are not limited to the following: a. Water use policies General Plans and local land use and water planning documents b. Plans for development and rezoning c. Processes for permitting activities which will increase water consumption	
B	**Basin Setting (Groundwater Conditions and Water Budget)**	
1	Does the **groundwater level conditions** section include past and current drinking water supply issues of domestic well users, small community water systems, state small water systems, and disadvantaged communities?	
2	Does the **groundwater quality conditions** section include past and current drinking water quality issues of domestic well users, small community water systems, state small water systems, and disadvantaged communities, including public water wells that had or have MCLs exceedances?[13]	
3	Does the **groundwater quality conditions** section include a review of all contaminants with primary drinking water standards known to exist in the GSP area, as well as hexavalent chromium, and PFOs/PFOAs?[14]	
4	**Incorporating drinking water needs into the water budget:**[15] Does the Future/Projected Water Budget section explicitly include both the current and projected future drinking water needs of communities on domestic wells and community water systems (including but not limited to infill development and communities' plans for infill development,	

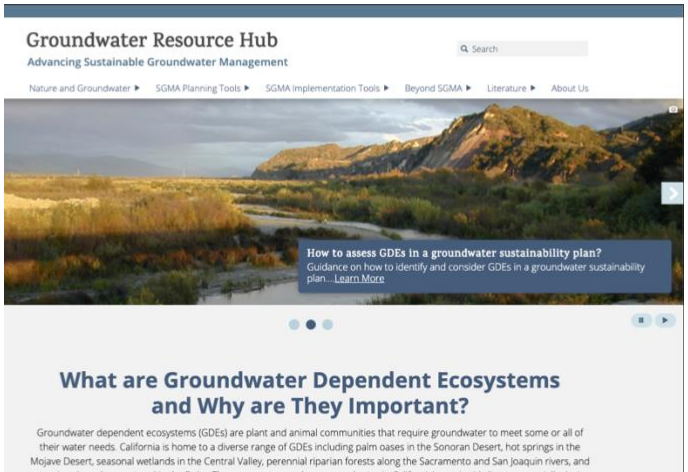
The Human Right to Water Scorecard was developed by Community Water Center, Leadership Counsel for Justice and Accountability and Self Help Enterprises to aid Groundwater Sustainability Agencies (GSAs) in prioritizing drinking water needs in SGMA. The scorecard identifies elements that must exist in GSPs to adequately protect the Human Right to Drinking water.

Drinking Water Well Impact Mitigation Framework



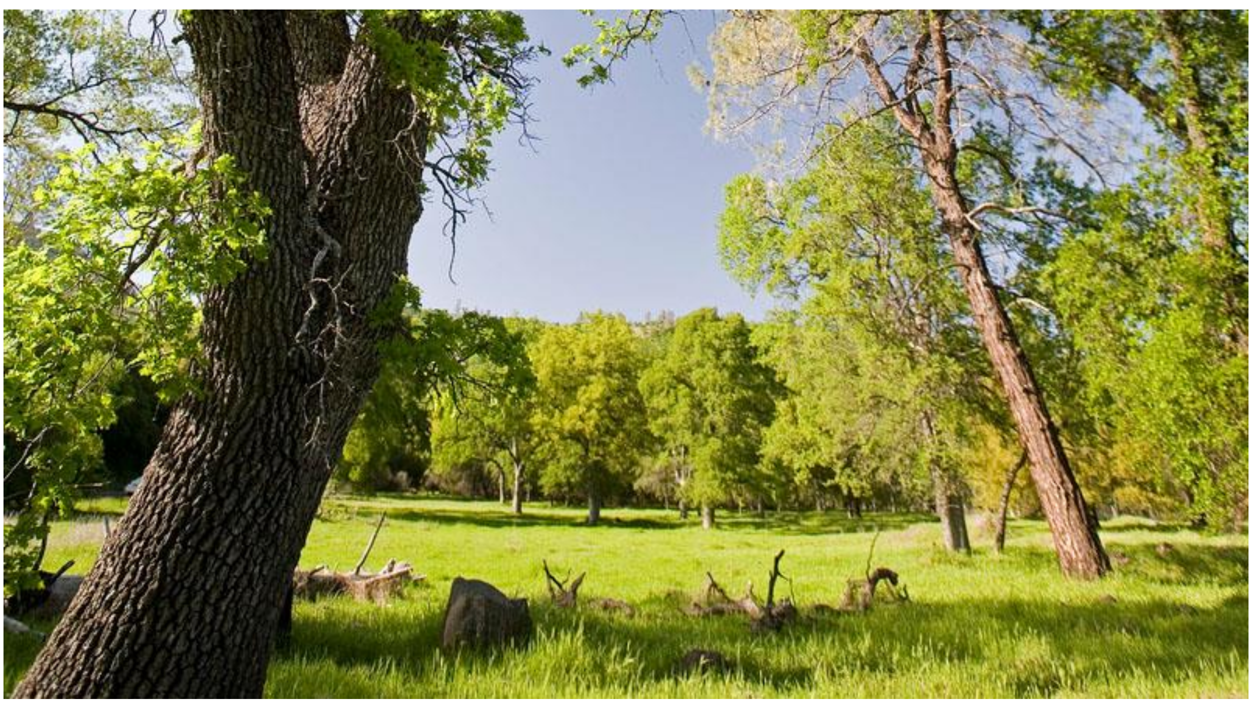
The Drinking Water Well Impact Mitigation Framework was developed by Community Water Center, Leadership Counsel for Justice and Accountability and Self Help Enterprises to aid GSAs in the development and implementation of their GSPs. The framework provides a clear roadmap for how a GSA can best structure its data gathering, monitoring network and management actions to proactively monitor and protect drinking water wells and mitigate impacts should they occur.

Groundwater Resource Hub



The Nature Conservancy has developed a suite of tools based on best available science to help GSAs, consultants, and stakeholders efficiently incorporate nature into GSPs. These tools and resources are available online at GroundwaterResourceHub.org. The Nature Conservancy's tools and resources are intended to reduce costs, shorten timelines, and increase benefits for both people and nature.

Rooting Depth Database



The Plant Rooting Depth Database provides information that can help assess whether groundwater-dependent vegetation are accessing groundwater. Actual rooting depths will depend on the plant species and site-specific conditions, such as soil type and availability of other water sources. Site-specific knowledge of depth to groundwater combined with rooting depths will help provide an understanding of the potential groundwater levels are needed to sustain GDEs.

How to use the database

The maximum rooting depth information in the Plant Rooting Depth Database is useful when verifying whether vegetation in the Natural Communities Commonly Associated with Groundwater (NC Dataset) are connected to groundwater. A 30 ft depth-to-groundwater threshold, which is based on averaged global rooting depth data for phreatophytes[1], is relevant for most plants identified in the NC Dataset since most plants have a max rooting depth of less than 30 feet. However, it is important to note that deeper thresholds are necessary for other plants that have reported maximum root depths that exceed the averaged 30 feet threshold, such as valley oak (*Quercus lobata*), Euphrates poplar (*Populus euphratica*), salt cedar (*Tamarix spp.*), and shadescale (*Atriplex confertifolia*). The Nature Conservancy advises that the reported max rooting depth for these deeper-rooted plants be used. For example, a depth-to groundwater threshold of 80 feet should be used instead of the 30 ft threshold, when verifying whether valley oak polygons from the NC Dataset are connected to groundwater. It is important to re-emphasize that actual rooting depth data are limited and will depend on the plant species and site-specific conditions such as soil and aquifer types, and availability to other water sources.

The Plant Rooting Depth Database is an Excel workbook composed of four worksheets:

1. California phreatophyte rooting depth data (included in the NC Dataset)
2. Global phreatophyte rooting depth data
3. Metadata
4. References

How the database was compiled

The Plant Rooting Depth Database is a compilation of rooting depth information for the groundwater-dependent plant species identified in the NC Dataset. Rooting depth data were compiled from published scientific literature and expert opinion through a crowdsourcing campaign. As more information becomes available, the database of rooting depths will be updated. Please Contact Us if you have additional rooting depth data for California phreatophytes.

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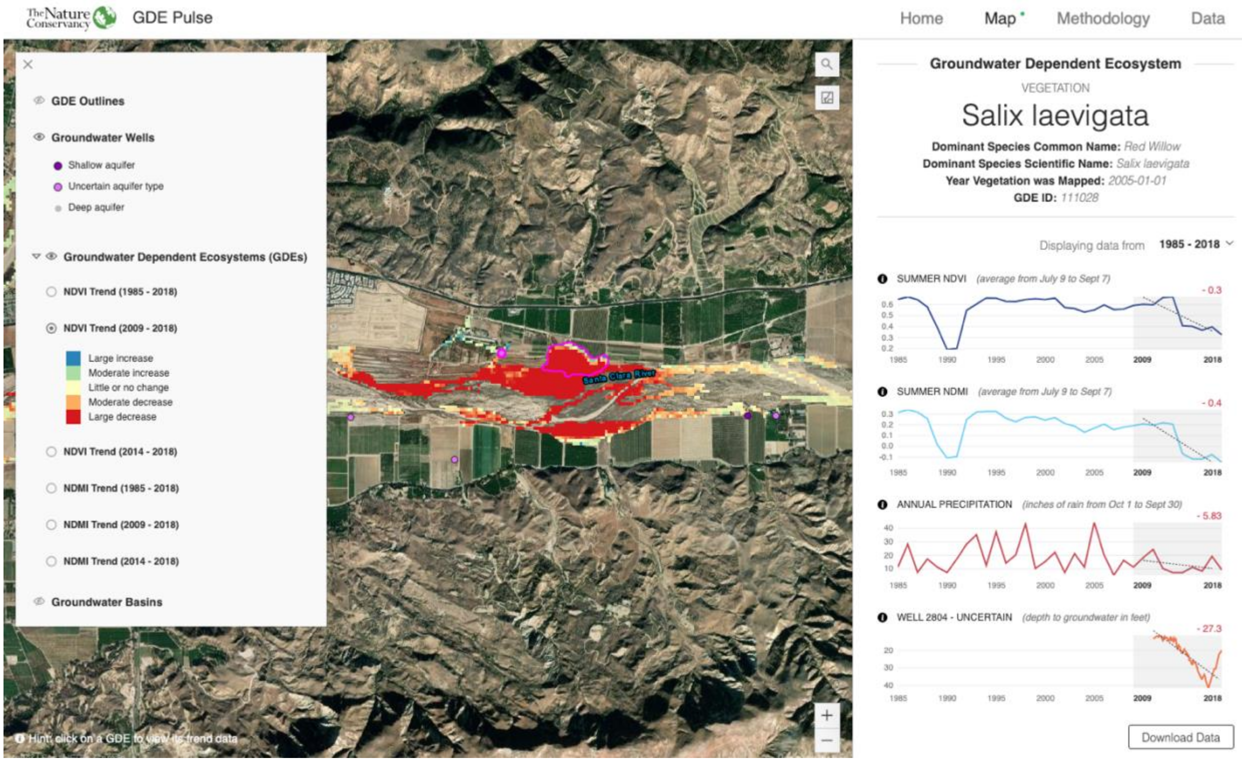
[1] Canadell, J., Jackson, R.B., Ehleringer, J.B. et al. 1996. Maximum rooting depth of vegetation types at the global scale. Oecologia 108, 583–595. https://doi.org/10.1007/BF00329030

GDE Pulse



GDE Pulse is a free online tool that allows Groundwater Sustainability Agencies to assess changes in groundwater dependent ecosystem (GDE) health using satellite, rainfall, and groundwater data. Remote sensing data from satellites has been used to monitor the health of vegetation all over the planet. GDE pulse has compiled 35 years of satellite imagery from NASA's Landsat mission for every polygon in the Natural Communities Commonly Associated with Groundwater Dataset. The following datasets are available for downloading:

Normalized Difference Vegetation Index (NDVI) is a satellite-derived index that represents the greenness of vegetation. Healthy green vegetation tends to have a higher NDVI, while dead leaves have a lower NDVI. We calculated the average NDVI during the driest part of the year (July - Sept) to estimate vegetation health when the plants are most likely dependent on groundwater.

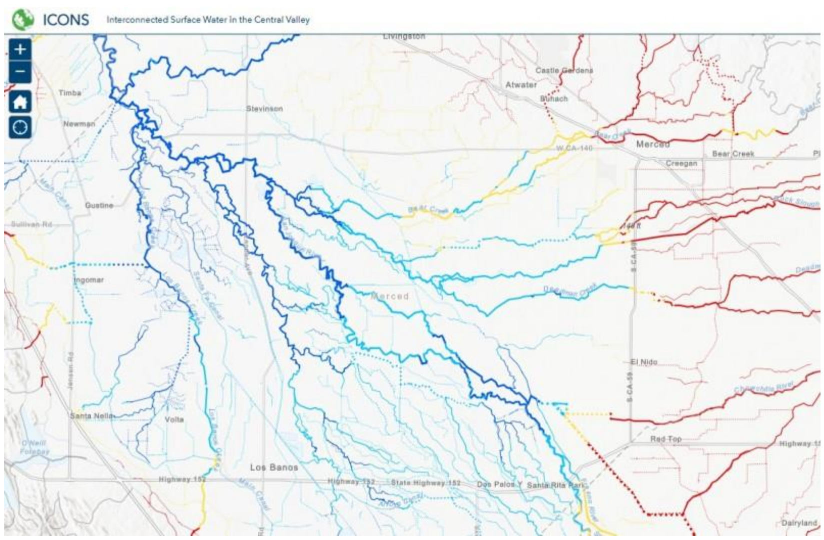
Normalized Difference Moisture Index (NDMI) is a satellite-derived index that represents water content in vegetation. NDMI is derived from the Near-Infrared (NIR) and Short-Wave Infrared (SWIR) channels. Vegetation with adequate access to water tends to have higher NDMI, while vegetation that is water stressed tends to have lower NDMI. We calculated the average NDVI during the driest part of the year (July–September) to estimate vegetation health when the plants are most likely dependent on groundwater.

Annual Precipitation is the total precipitation for the water year (October 1st – September 30th) from the PRISM dataset. The amount of local precipitation can affect vegetation with more precipitation generally leading to higher NDVI and NDMI.

Depth to Groundwater measurements provide an indication of the groundwater levels and changes over time for the surrounding area. We used groundwater well measurements from nearby (<1km) wells to estimate the depth to groundwater below the GDE based on the average elevation of the GDE (using a digital elevation model) minus the measured groundwater surface elevation.

ICONOS Mapper

Interconnected Surface Water in the Central Valley



ICONS maps the likely presence of interconnected surface water (ISW) in the Central Valley using depth to groundwater data. Using data from 2011-2018, the ISW dataset represents the likely connection between surface water and groundwater for rivers and streams in California's Central Valley. It includes information on the mean, maximum, and minimum depth to groundwater for each stream segment over the years with available data, as well as the likely presence of ISW based on the minimum depth to groundwater. The Nature Conservancy developed this database, with guidance and input from expert academics, consultants, and state agencies.

We developed this dataset using groundwater elevation data available online from the California Department of Water Resources (DWR). DWR only provides this data for the Central Valley. For GSAs outside of the valley, who have groundwater well measurements, we recommend following our methods to determine likely ISW in your region. The Nature Conservancy's ISW dataset should be used as a first step in reviewing ISW and should be supplemented with local or more recent groundwater depth data.

Attachment C

Freshwater Species Located in the Butte Valley Basin

To assist in identifying the beneficial users of surface water necessary to assess the undesirable result “depletion of interconnected surface waters”, Attachment C provides a list of freshwater species located in the Butte Valley Basin. To produce the freshwater species list, we used ArcGIS to select features within the California Freshwater Species Database version 2.0.9 within the basin boundary. This database contains information on ~4,000 vertebrates, macroinvertebrates and vascular plants that depend on fresh water for at least one stage of their life cycle. The methods used to compile the California Freshwater Species Database can be found in Howard et al. 2015[1]. The spatial database contains locality observations and/or distribution information from ~400 data sources. The database is housed in the California Department of Fish and Wildlife’s BIOS[2] as well as on The Nature Conservancy’s science website[3].

Scientific Name	Common Name	Legal Protected Status		
		Federal	State	Other
BIRDS				
Actitis macularius	Spotted Sandpiper			
Aechmophorus clarkii	Clark's Grebe			
Aechmophorus occidentalis	Western Grebe			
Agelaius tricolor	Tricolored Blackbird	Bird of Conservation Concern	Special Concern	BSSC - First priority
Aix sponsa	Wood Duck			
Anas acuta	Northern Pintail			
Anas americana	American Wigeon			
Anas clypeata	Northern Shoveler			
Anas crecca	Green-winged Teal			
Anas cyanoptera	Cinnamon Teal			
Anas discors	Blue-winged Teal			
Anas platyrhynchos	Mallard			
Anas strepera	Gadwall			
Anser albifrons	Greater White-fronted Goose			
Ardea alba	Great Egret			
Ardea herodias	Great Blue Heron			
Aythya affinis	Lesser Scaup			
Aythya americana	Redhead		Special Concern	BSSC - Third priority
Aythya collaris	Ring-necked Duck			
Aythya valisineria	Canvasback		Special	

[1] Howard, J.K. et al. 2015. Patterns of Freshwater Species Richness, Endemism, and Vulnerability in California. PLoSONE, 11(7). Available at: https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0130710

[2] California Department of Fish and Wildlife BIOS: https://www.wildlife.ca.gov/data/BIOS

[3] Science for Conservation: https://www.scienceforconservation.org/products/california-freshwater-species-database

Botaurus lentiginosus	American Bittern			
Bucephala albeola	Bufflehead			
Bucephala clangula	Common Goldeneye			
Calidris mauri	Western Sandpiper			
Calidris minutilla	Least Sandpiper			
Chen caerulescens	Snow Goose			
Chen rossii	Ross's Goose			
Chroicocephalus philadelphia	Bonaparte's Gull			
Cistothorus palustris palustris	Marsh Wren			
Cygnus columbianus	Tundra Swan			
Egretta thula	Snowy Egret			
Fulica americana	American Coot			
Gallinago delicata	Wilson's Snipe			
Grus canadensis	Sandhill Crane			
Haliaeetus leucocephalus	Bald Eagle	Bird of Conservation Concern	Endangered	
Himantopus mexicanus	Black-necked Stilt			
Limnodromus scolopaceus	Long-billed Dowitcher			
Megaceryle alcyon	Belted Kingfisher			
Nycticorax nycticorax	Black-crowned Night-Heron			
Oxyura jamaicensis	Ruddy Duck			
Pelecanus erythrorhynchos	American White Pelican		Special Concern	BSSC - First priority
Phalacrocorax auritus	Double-crested Cormorant			
Phalaropus tricolor	Wilson's Phalarope			
Plegadis chihi	White-faced Ibis		Watch list	
Pluvialis squatarola	Black-bellied Plover			
Podiceps nigricollis	Eared Grebe			
Podilymbus podiceps	Pied-billed Grebe			
Porzana carolina	Sora			
Rallus limicola	Virginia Rail			
Recurvirostra americana	American Avocet			
Riparia riparia	Bank Swallow		Threatened	
Setophaga petechia	Yellow Warbler			BSSC - Second priority
Tachycineta bicolor	Tree Swallow			
Tringa melanoleuca	Greater Yellowlegs			
Tringa semipalmata	Willet			
Xanthocephalus xanthocephalus	Yellow-headed Blackbird		Special Concern	BSSC - Third priority

CRUSTACEANS				
Hyalella muerta	An Amphipod		Special	
Hyalella spp.	Hyalella spp.			
HERPS				
Actinemys marmorata marmorata	Western Pond Turtle		Special Concern	ARSSC
Anaxyrus boreas boreas	Boreal Toad			
Anaxyrus punctatus	Red-spotted Toad			
Pseudacris regilla	Northern Pacific Chorus Frog			
Rana pretiosa	Oregon Spotted Frog	Proposed Threatened	Special Concern	ARSSC
Spea intermontana	Great Basin Spadefoot			ARSSC
Thamnophis sirtalis sirtalis	Common Gartersnake			
INSECTS & OTHER INVERTS				
Ablabesmyia spp.	Ablabesmyia spp.			
Aeshna spp.	Aeshna spp.			
Antocha spp.	Antocha spp.			
Apedilum spp.	Apedilum spp.			
Argia spp.	Argia spp.			
Atractelmis wawona	Wawona Riffle Beetle		Special	
Callibaetis spp.	Callibaetis spp.			
Cenocorixa wileyae				Not on any status lists
Centroptilum spp.	Centroptilum spp.			
Chironomidae fam.	Chironomidae fam.			
Cleptelmis addenda				Not on any status lists
Clinotanypus spp.	Clinotanypus spp.			
Coenagrionidae fam.	Coenagrionidae fam.			
Corisella decolor				Not on any status lists
Corixidae fam.	Corixidae fam.			
Cricotopus spp.	Cricotopus spp.			
Cryptochironomus spp.	Cryptochironomus spp.			
Cryptotendipes spp.	Cryptotendipes spp.			
Eukiefferiella spp.	Eukiefferiella spp.			
Fallceon quilleri	A Mayfly			
Gumaga spp.	Gumaga spp.			
Haliplus spp.	Haliplus spp.			
Helicopsyche spp.	Helicopsyche spp.			
Hesperocorixa laevigata				Not on any status lists
Hydroptila arctia	A Caddisfly			

Hydroptila spp.	Hydroptila spp.			
Laccophilus maculosus				Not on any status lists
Liodessus obscurellus				Not on any status lists
Microtendipes spp.	Microtendipes spp.			
Mideopsis spp.	Mideopsis spp.			
Notonecta kirbyi				Not on any status lists
Oecetis spp.	Oecetis spp.			
Ophiogomphus spp.	Ophiogomphus spp.			
Optioservus spp.	Optioservus spp.			
Oxyethira spp.	Oxyethira spp.			
Parakiefferiella spp.	Parakiefferiella spp.			
Paralauterborniella spp.	Paralauterborniella spp.			
Paraleptophlebia spp.	Paraleptophlebia spp.			
Parametriocnemus spp.	Parametriocnemus spp.			
Pentaneura spp.	Pentaneura spp.			
Phaenopsectra spp.	Phaenopsectra spp.			
Procladius spp.	Procladius spp.			
Procloeon venosum	A Mayfly			
Psectrocladius spp.	Psectrocladius spp.			
Pseudochironomus spp.	Pseudochironomus spp.			
Radotanypus spp.	Radotanypus spp.			
Rheotanytarsus spp.	Rheotanytarsus spp.			
Sanfilippodytes spp.	Sanfilippodytes spp.			
Sialis spp.	Sialis spp.			
Simulium spp.	Simulium spp.			
Tanytarsus spp.	Tanytarsus spp.			
Tricorythodes spp.	Tricorythodes spp.			
Wormaldia spp.	Wormaldia spp.			
MAMMALS				
Castor canadensis	American Beaver			Not on any status lists
Lontra canadensis canadensis	North American River Otter			Not on any status lists
Neovison vison	American Mink			Not on any status lists
Ondatra zibethicus	Common Muskrat			Not on any status lists
Sorex palustris	American Water Shrew			Not on any status lists
MOLLUSKS				
Gyraulus spp.	Gyraulus spp.			
Lymnaea spp.	Lymnaea spp.			
Physa spp.	Physa spp.			

Pisidium spp.	Pisidium spp.			
PLANTS				
Potentilla newberryi	Newberry's Cinquefoil		Special	CRPR - 2B.3
Rorippa columbiae	Columbia Yellowcress		Special	CRPR - 1B.2
Alopecurus aequalis aequalis	Short-awn Foxtail			
Amphiscirpus nevadensis				Not on any status lists
Anemopsis californica	Yerba Mansa			
Aquilegia shockleyi	NA			Not on any status lists
Bistorta bistortoides				Not on any status lists
Bolboschoenus maritimus paludosus	NA			Not on any status lists
Carex alma	Sturdy Sedge			
Carex densa	Dense Sedge			
Carex nebrascensis	Nebraska Sedge			
Damasonium californicum				Not on any status lists
Downingia bacigalupii	Bacigalup's Downingia			
Downingia cuspidata	Toothed Calicoflower			
Downingia insignis	Parti-color Downingia			
Downingia pulcherrima				Not on any status lists
Downingia yina	NA			
Eleocharis acicularis acicularis	Least Spikerush			
Eleocharis bella	Delicate Spikerush			
Eleocharis coloradoensis				Not on any status lists
Eleocharis macrostachya	Creeping Spikerush			
Eleocharis montevidensis	Sand Spikerush			
Eleocharis parishii	Parish's Spikerush			
Eleocharis rostellata	Beaked Spikerush			
Epipactis gigantea	Giant Helleborine			
Fimbristylis thermalis	Hot Springs Fimbry		Special	CRPR - 2B.2
Iris missouriensis	Western Blue Iris			
Juncus xiphioides	Iris-leaf Rush			
Lobelia cardinalis cardinalis	NA			
Lythrum californicum	California Loosestrife			

Montia chamissoi	Chamisso's Miner's-lettuce			
Myosurus apetalus	Bristly Mousetail			
Myosurus minimus	NA			
Myosurus sessilis	Sessile Mousetail			
Myriophyllum aquaticum	NA			
Navarretia intertexta	Needleleaf Navarretia			
Navarretia leucocephala leucocephala	White-flower Navarretia			
Navarretia leucocephala minima	Least Navarretia			
Paspalum distichum	Joint Paspalum			
Phacelia distans	NA			
Phragmites australis australis	Common Reed			
Pluchea sericea	Arrow-weed			
Psilocarphus oregonus	Oregon Woolly-heads			
Puccinellia nuttalliana	Nuttall's Alkali Grass			
Rhododendron columbianum				Not on any status lists
Rumex salicifolius salicifolius	Willow Dock			
Salix exigua exigua	Narrowleaf Willow			
Salix exigua hindsiana				Not on any status lists
Salix gooddingii	Goodding's Willow			
Salix laevigata	Polished Willow			
Schoenoplectus americanus	Three-square Bulrush			
Schoenoplectus pungens longispicatus	Three-square Bulrush			
Scirpus microcarpus	Small-fruit Bulrush			
Senecio hydrophilus	Great Swamp Ragwort			
Sidalcea pedata	Pedate Checker-mallow	Endangered	Endangered	CRPR - 1B.1
Stachys albens	White-stem Hedge-nettle			
Stuckenia striata				Not on any status lists
Symphyotrichum frondosum	Alkali Aster			
Symphyotrichum lanceolatum lanceolatum	NA			
Typha domingensis	Southern Cattail			

Veronica anagallis-aquatica	NA			

Attachment D

July 2019

IDENTIFYING GDEs UNDER SGMA

Best Practices for using the NC Dataset

The Sustainable Groundwater Management Act (SGMA) requires that groundwater dependent ecosystems (GDEs) be identified in Groundwater Sustainability Plans (GSPs). As a starting point, the Department of Water Resources (DWR) is providing the Natural Communities Commonly Associated with Groundwater Dataset (NC Dataset) online[1] to help Groundwater Sustainability Agencies (GSAs), consultants, and stakeholders identify GDEs within individual groundwater basins. To apply information from the NC Dataset to local areas, GSAs should combine it with the best available science on local hydrology, geology, and groundwater levels to verify whether polygons in the NC dataset are likely supported by groundwater in an aquifer (Figure 1)[2]. This document highlights six best practices for using local groundwater data to confirm whether mapped features in the NC dataset are supported by groundwater.

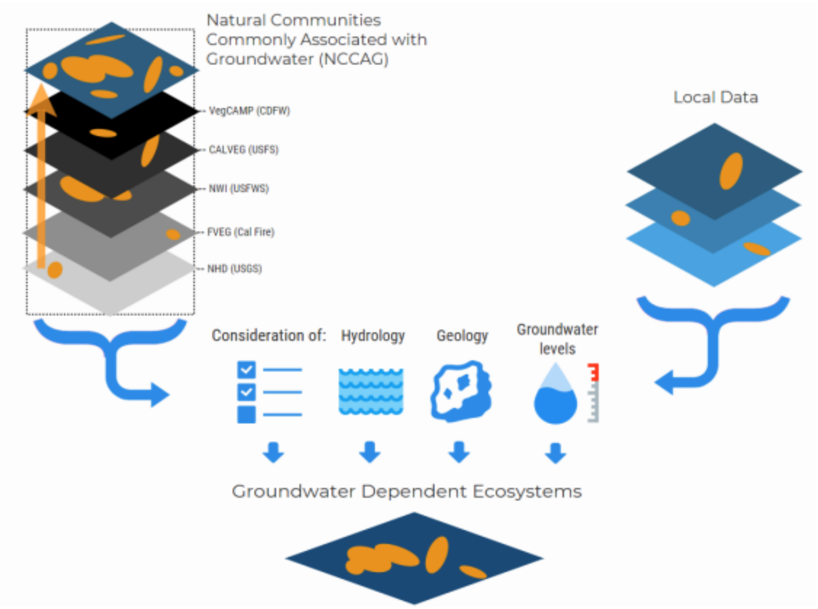


Figure 1. Considerations for GDE identification.
Source: DWR[2]

[1] NC Dataset Online Viewer: https://gis.water.ca.gov/app/NCDatasetViewer/
[2] California Department of Water Resources (DWR). 2018. Summary of the "Natural Communities Commonly Associated with Groundwater" Dataset and Online Web Viewer. Available at: https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Data-and-Tools/Files/Statewide-Reports/Natural-Communities-Dataset-Summary-Document.pdf

The NC Dataset identifies vegetation and wetland features that are good indicators of a GDE. The dataset is comprised of 48 publicly available state and federal datasets that map vegetation, wetlands, springs, and seeps commonly associated with groundwater in California[3]. It was developed through a collaboration between DWR, the Department of Fish and Wildlife, and The Nature Conservancy (TNC). TNC has also provided detailed guidance on identifying GDEs from the NC dataset[4] on the Groundwater Resource Hub[5], a website dedicated to GDEs.

BEST PRACTICE #1. Establishing a Connection to Groundwater

Groundwater basins can be comprised of one continuous aquifer (Figure 2a) or multiple aquifers stacked on top of each other (Figure 2b). In unconfined aquifers (Figure 2a), using the depth-to-groundwater and the rooting depth of the vegetation is a reasonable method to infer groundwater dependence for GDEs. If groundwater is well below the rooting (and capillary) zone of the plants and any wetland features, the ecosystem is considered disconnected and groundwater management is not likely to affect the ecosystem (Figure 2d). However, it is important to consider local conditions (e.g., soil type, groundwater flow gradients, and aquifer parameters) and to review groundwater depth data from multiple seasons and water year types (wet and dry) because intermittent periods of high groundwater levels can replenish perched clay lenses that serve as the water source for GDEs (Figure 2c). Maintaining these natural groundwater fluctuations are important to sustaining GDE health.

Basins with a stacked series of aquifers (Figure 2b) may have varying levels of pumping across aquifers in the basin, depending on the production capacity or water quality associated with each aquifer. If pumping is concentrated in deeper aquifers, SGMA still requires GSAs to sustainably manage groundwater resources in shallow aquifers, such as perched aquifers, that support springs, surface water, domestic wells, and GDEs (Figure 2). This is because vertical groundwater gradients across aquifers may result in pumping from deeper aquifers to cause adverse impacts onto beneficial users reliant on shallow aquifers or interconnected surface water. The goal of SGMA is to sustainably manage groundwater resources for current and future social, economic, and environmental benefits. While groundwater pumping may not be currently occurring in a shallower aquifer, use of this water may become more appealing and economically viable in future years as pumping restrictions are placed on the deeper production aquifers in the basin to meet the sustainable yield and criteria. Thus, identifying GDEs in the basin should done irrespective to the amount of current pumping occurring in a particular aquifer, so that future impacts on GDEs due to new production can be avoided. A good rule of thumb to follow is: *if groundwater can be pumped from a well - it's an aquifer*.

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[3] For more details on the mapping methods, refer to: Klausmeyer, K., J. Howard, T. Keeler-Wolf, K. Davis-Fadtke, R. Hull, A. Lyons. 2018. Mapping Indicators of Groundwater Dependent Ecosystems in California: Methods Report. San Francisco, California. Available at: https://groundwaterresourcehub.org/public/uploads/pdfs/iGDE_data_paper_20180423.pdf
[4] "Groundwater Dependent Ecosystems under the Sustainable Groundwater Management Act: Guidance for Preparing Groundwater Sustainability Plans" is available at: https://groundwaterresourcehub.org/gde-tools/gsp-guidance-document/
[5] The Groundwater Resource Hub: www.GroundwaterResourceHub.org

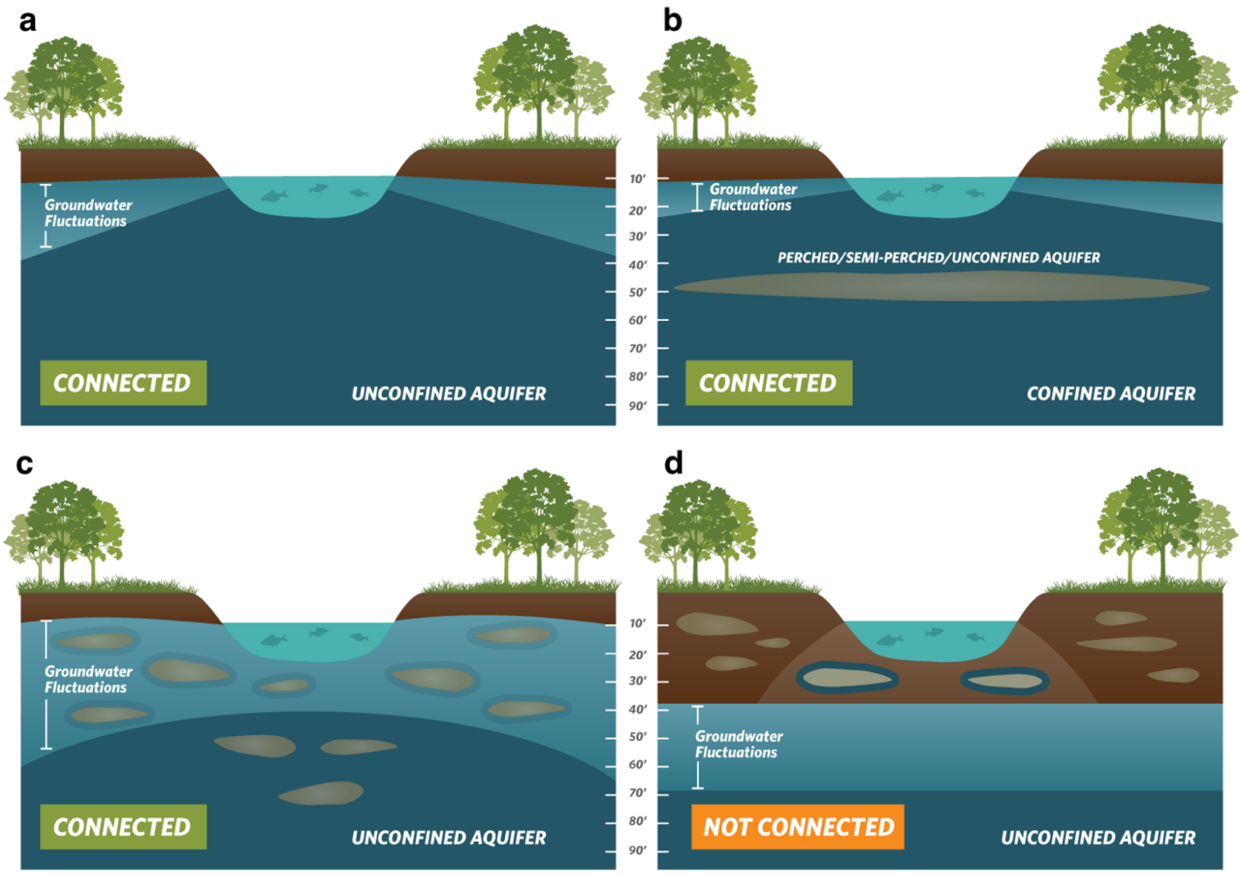

Figure 2. Confirming whether an ecosystem is connected to groundwater. Top: (a) Under the ecosystem is an unconfined aquifer with depth-to-groundwater fluctuating seasonally and interannually within 30 feet from land surface. **(b)** Depth-to-groundwater in the shallow aquifer is connected to overlying ecosystem. Pumping predominately occurs in the confined aquifer, but pumping is possible in the shallow aquifer. **Bottom: (c)** Depth-to-groundwater fluctuations are seasonally and interannually large, however, clay layers in the near surface prolong the ecosystem's connection to groundwater. **(d)** Groundwater is disconnected from surface water, and any water in the vadose (unsaturated) zone is due to direct recharge from precipitation and indirect recharge under the surface water feature. These areas are not connected to groundwater and typically support species that do not require access to groundwater to survive.

BEST PRACTICE #2. Characterize Seasonal and Interannual Groundwater Conditions

SGMA requires GSAs to describe current and historical groundwater conditions when identifying GDEs [23 CCR §354.16(g)]. Relying solely on the SGMA benchmark date (January 1, 2015) or any other single point in time to characterize groundwater conditions (e.g., depth-to-groundwater) is inadequate because managing groundwater conditions with data from one time point fails to capture the seasonal and interannual variability typical of California's climate. DWR's Best Management Practices document on water budgets[6] recommends using 10 years of water supply and water budget information to describe how historical conditions have impacted the operation of the basin within sustainable yield, implying that a baseline[7] could be determined based on data between 2005 and 2015. Using this or a similar time period, depending on data availability, is recommended for determining the depth-to-groundwater.

GDEs depend on groundwater levels being close enough to the land surface to interconnect with surface water systems or plant rooting networks. The most practical approach[8] for a GSA to assess whether polygons in the NC dataset are connected to groundwater is to rely on groundwater elevation data. As detailed in TNC's GDE guidance document[4], one of the key factors to consider when mapping GDEs is to contour depth-to-groundwater in the aquifer that is supporting the ecosystem (see Best Practice #5).

Groundwater levels fluctuate over time and space due to California's Mediterranean climate (dry summers and wet winters), climate change (flood and drought years), and subsurface heterogeneity in the subsurface (Figure 3). Many of California's GDEs have adapted to dealing with intermittent periods of water stress, however if these groundwater conditions are prolonged, adverse impacts to GDEs can result. While depth-to-groundwater levels within 30 feet[4] of the land surface are generally accepted as being a proxy for confirming that polygons in the NC dataset are supported by groundwater, it is highly advised that fluctuations in the groundwater regime be characterized to understand the seasonal and interannual groundwater variability in GDEs. Utilizing groundwater data from one point in time can misrepresent groundwater levels required by GDEs, and inadvertently result in adverse impacts to the GDEs. Time series data on groundwater elevations and depths are available on the SGMA Data Viewer[9]. However, if insufficient data are available to describe groundwater conditions within or near polygons from the NC dataset, include those polygons in the GSP until data gaps are reconciled in the monitoring network (see Best Practice #6).

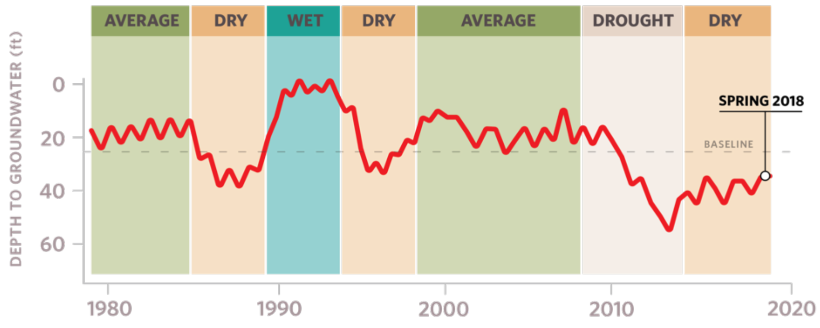

Figure 3. Example seasonality and interannual variability in depth-to-groundwater over time. Selecting one point in time, such as Spring 2018, to characterize groundwater conditions in GDEs fails to capture what groundwater conditions are necessary to maintain the ecosystem status into the future so adverse impacts are avoided.

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[6] DWR. 2016. Water Budget Best Management Practice. Available at: https://water.ca.gov/LegacyFiles/groundwater/sgm/pdfs/BMP_Water_Budget_Final_2016-12-23.pdf

[7] Baseline is defined under the GSP regulations as "historic information used to project future conditions for hydrology, water demand, and availability of surface water and to evaluate potential sustainable management practices of a basin." [23 CCR §351(e)]

[8] Groundwater reliance can also be confirmed via stable isotope analysis and geophysical surveys. For more information see The GDE Assessment Toolbox (Appendix IV, GDE Guidance Document for GSPs[4]).

[9] SGMA Data Viewer: https://sgma.water.ca.gov/webgis/?appid=SGMADataViewer

BEST PRACTICE #3. Ecosystems Often Rely on Both Groundwater and Surface Water

GDEs are plants and animals that rely on groundwater for all or some of its water needs, and thus can be supported by multiple water sources. The presence of non-groundwater sources (e.g., surface water, soil moisture in the vadose zone, applied water, treated wastewater effluent, urban stormwater, irrigated return flow) within and around a GDE does not preclude the possibility that it is supported by groundwater, too. SGMA defines GDEs as "ecological communities and species that depend on groundwater emerging from aquifers or on groundwater occurring near the ground surface" [23 CCR §351(m)]. Hence, depth-to-groundwater data should be used to identify whether NC polygons are supported by groundwater and should be considered GDEs. In addition, SGMA requires that significant and undesirable adverse impacts to beneficial users of surface water be avoided. Beneficial users of surface water include environmental users such as plants or animals[10], which therefore must be considered when developing minimum thresholds for depletions of interconnected surface water.

GSAs are only responsible for impacts to GDEs resulting from groundwater conditions in the basin, so if adverse impacts to GDEs result from the diversion of applied water, treated wastewater, or irrigation return flow away from the GDE, then those impacts will be evaluated by other permitting requirements (e.g., CEQA) and may not be the responsibility of the GSA. However, if adverse impacts occur to the GDE due to changing groundwater conditions resulting from pumping or groundwater management activities, then the GSA would be responsible (Figure 4).

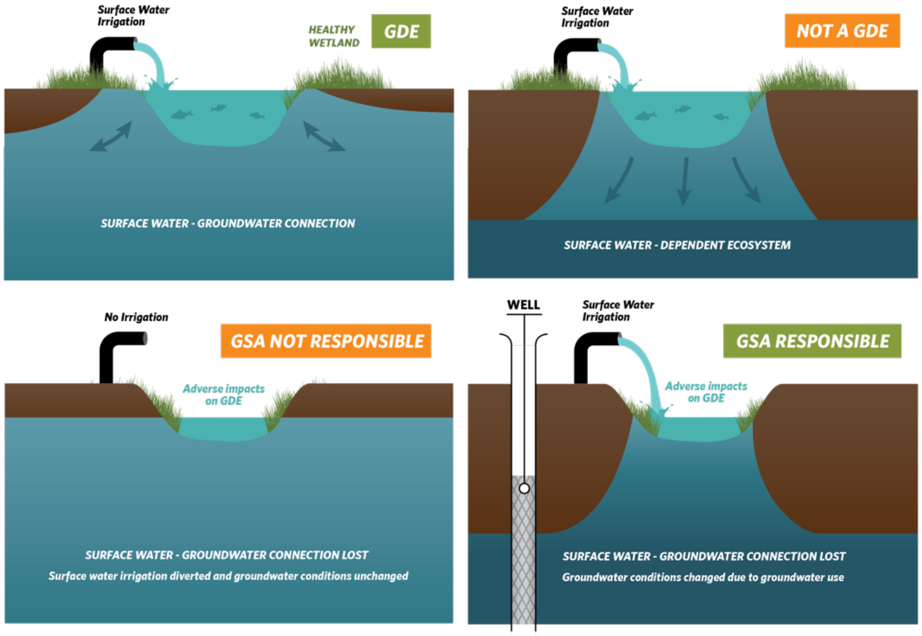

Figure 4. Ecosystems often depend on multiple sources of water. Top: (Left) Surface water and groundwater are interconnected, meaning that the GDE is supported by both groundwater and surface water. **(Right)** Ecosystems that are only reliant on non-groundwater sources are not groundwater-dependent. **Bottom: (Left)** An ecosystem that was once dependent on an interconnected surface water, but loses access to groundwater solely due to surface water diversions may not be the GSA's responsibility. **(Right)** Groundwater dependent ecosystems once dependent on an interconnected surface water system, but loses that access due to groundwater pumping is the GSA's responsibility.

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[10] For a list of environmental beneficial users of surface water by basin, visit: https://groundwaterresourcehub.org/gde-tools/environmental-surface-water-beneficiaries/

BEST PRACTICE #4. Select Representative Groundwater Wells

Identifying GDEs in a basin requires that groundwater conditions are characterized to confirm whether polygons in the NC dataset are supported by the underlying aquifer. To do this, proximate groundwater wells should be identified to characterize groundwater conditions (Figure 5). When selecting representative wells, it is particularly important to consider the subsurface heterogeneity around NC polygons, especially near surface water features where groundwater and surface water interactions occur around heterogeneous stratigraphic units or aquitards formed by fluvial deposits. The following selection criteria can help ensure groundwater levels are representative of conditions within the GDE area:

- Choose wells that are within 5 kilometers (3.1 miles) of each NC Dataset polygons because they are more likely to reflect the local conditions relevant to the ecosystem. If there are no wells within 5km of the center of a NC dataset polygon, then there is insufficient information to remove the polygon based on groundwater depth. Instead, it should be retained as a potential GDE until there are sufficient data to determine whether or not the NC Dataset polygon is supported by groundwater.

- Choose wells that are screened within the surficial unconfined aquifer and capable of measuring the true water table.

- Avoid relying on wells that have insufficient information on the screened well depth interval for excluding GDEs because they could be providing data on the wrong aquifer. This type of well data should not be used to remove any NC polygons.

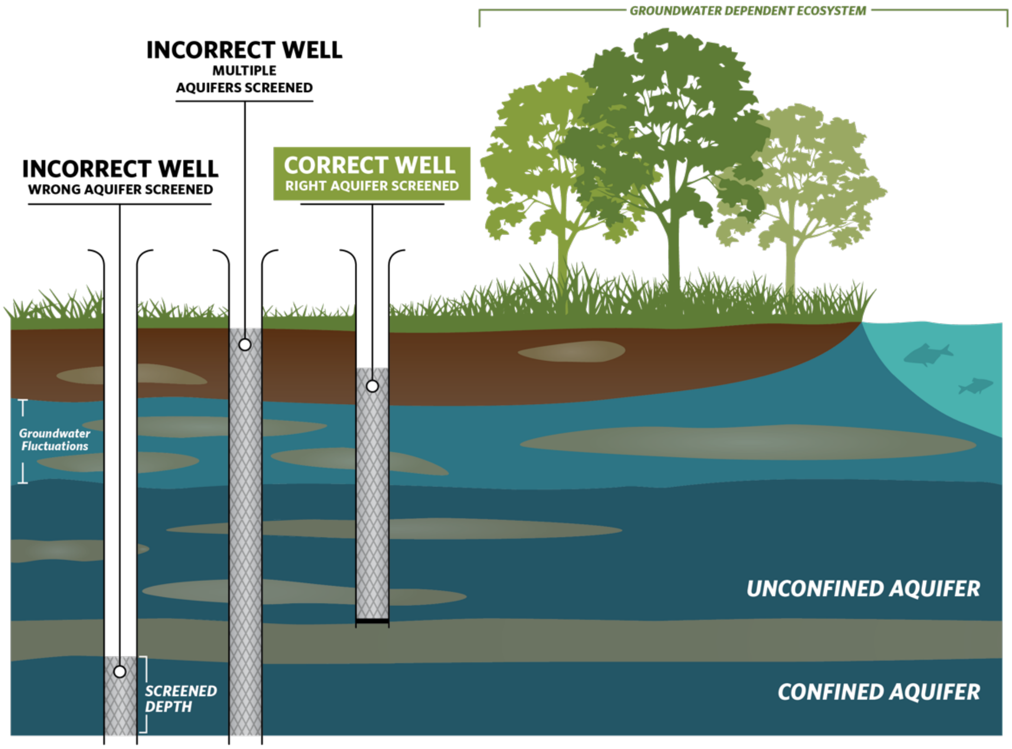

Figure 5. Selecting representative wells to characterize groundwater conditions near GDEs.

BEST PRACTICE #5. Contouring Groundwater Elevations

The common practice to contour depth-to-groundwater over a large area by interpolating measurements at monitoring wells is unsuitable for assessing whether an ecosystem is supported by groundwater. This practice causes errors when the land surface contains features like stream and wetland depressions because it assumes the land surface is constant across the landscape and depth-to-groundwater is constant below these low-lying areas (Figure 6a). A more accurate approach is to interpolate **groundwater elevations** at monitoring wells to get groundwater elevation contours across the landscape. This layer can then be subtracted from land surface elevations from a Digital Elevation Model (DEM)[11] to estimate depth-to-groundwater contours across the landscape (Figure b; Figure 7). This will provide a much more accurate contours of depth-to-groundwater along streams and other land surface depressions where GDEs are commonly found.

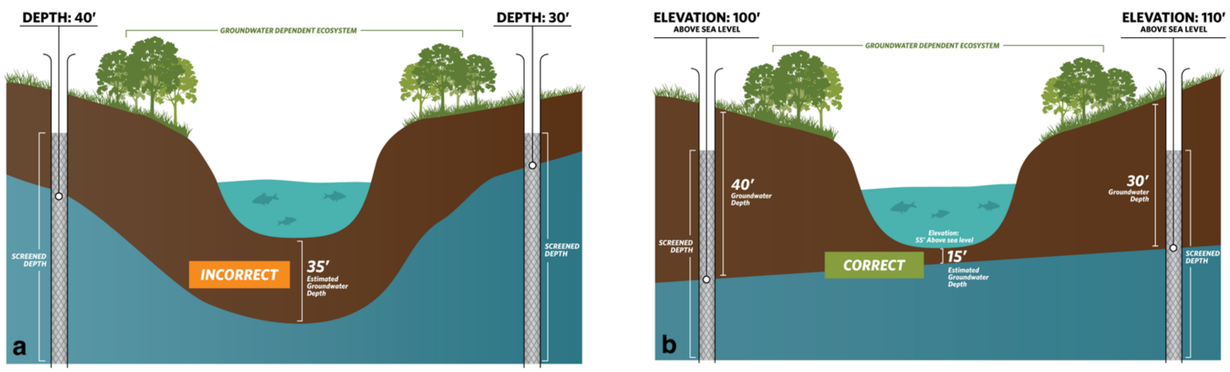

Figure 6. Contouring depth-to-groundwater around surface water features and GDEs. (a) Groundwater level interpolation using depth-to-groundwater data from monitoring wells. **(b)** Groundwater level interpolation using groundwater elevation data from monitoring wells and DEM data.

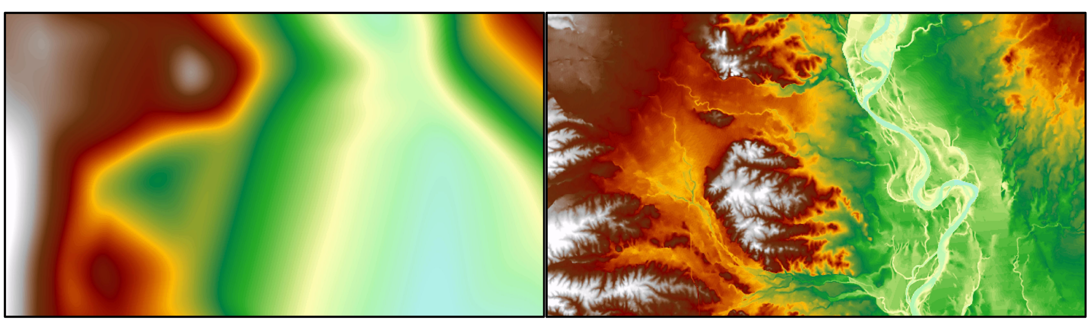

Figure 7. Depth-to-groundwater contours in Northern California. (Left) Contours were interpolated using depth-to-groundwater measurements determined at each well. **(Right)** Contours were determined by interpolating groundwater elevation measurements at each well and superimposing ground surface elevation from DEM spatial data to generate depth-to-groundwater contours. The image on the right shows a more accurate depth-to-groundwater estimate because it takes the local topography and elevation changes into account.

[11] USGS Digital Elevation Model data products are described at: https://www.usgs.gov/core-science-systems/ngp/3dep/about-3dep-products-services and can be downloaded at: https://iewer.nationalmap.gov/basic/

BEST PRACTICE #6. Best Available Science

Adaptive management is embedded within SGMA and provides a process to work toward sustainability over time by beginning with the best available information to make initial decisions, monitoring the results of those decisions, and using the data collected through monitoring programs to revise decisions in the future. In many situations, the hydrologic connection of NC dataset polygons will not initially be clearly understood if site-specific groundwater monitoring data are not available. If sufficient data are not available in time for the 2020/2022 plan, **The Nature Conservancy strongly advises that questionable polygons from the NC dataset be included in the GSP until data gaps are reconciled in the monitoring network.** Erring on the side of caution will help minimize inadvertent impacts to GDEs as a result of groundwater use and management actions during SGMA implementation.

KEY DEFINITIONS

Groundwater basin is an aquifer or stacked series of aquifers with reasonably well-defined boundaries in a lateral direction, based on features that significantly impede groundwater flow, and a definable bottom. *23 CCR §341(g)(1)*

Groundwater dependent ecosystem (GDE) are ecological communities or species that depend on groundwater emerging from aquifers or on groundwater occurring near the ground surface. *23 CCR §351(m)*

Interconnected surface water (ISW) surface water that is hydraulically connected at any point by a continuous saturated zone to the underlying aquifer and the overlying surface water is not completely depleted. *23 CCR §351(o)*

Principal aquifers are aquifers or aquifer systems that store, transmit, and yield significant or economic quantities of groundwater to wells, springs, or surface water systems. *23 CCR §351(aa)*

ABOUT US

The Nature Conservancy is a science-based nonprofit organization whose mission is *to conserve the lands and waters on which all life depends*. To support successful SGMA implementation that meets the future needs of people, the economy, and the environment, TNC has developed tools and resources (www.groundwaterresourcehub.org) intended to reduce costs, shorten timelines, and increase benefits for both people and nature.