



Friends of Five Creeks

Volunteers preserving and restoring watersheds of
North Berkeley, Albany, Kensington, south El Cerrito and Richmond since 1996
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Subject: Comments on the East Bay Plain Subbasin Groundwater Basin Final Groundwater Sustainability Plan

Concerned staff members of the California Department of Water Resources and East Bay Municipal Utility District, Board Member Katz:

We sincerely apologize for submitting this comment after close of public comment. Since comments closed Saturday night, and this letter is arriving on Sunday, perhaps we can beg your indulgence.

Our all-volunteer organization has worked hands-on to protect and revitalize creeks and watersheds from Berkeley to Richmond for 26 years. Working at projects from Bay to hills, we see sudden, recent, and rapid physical changes which we believe are likely due to climate change and megadrought. These realities are described more generally in comments by the California Department of Fish and Wildlife and the coalition of large environmental groups including Audubon. We join those letters' insistence that this plan meaningfully and promptly deal with the environmental roles of groundwater, including in the area where we work -- the little-studied shallow groundwater of the northern portion of the East Bay Plain.

The current plan fails to give enough weight to effects of groundwater on fish, wildlife, and streams. The shallow groundwater in the north portion of the East Bay Plain will be a significant factor in effects of saltwater intrusion due to drought and sea-level rise. *We believe we are seeing these effects now, as long-established willows, California evening primrose, and tules on the Bay shore in Berkeley have died suddenly in the most recent two years of drought.*

This groundwater is important in determining survival of native and riparian vegetation (Loss of even non-native vegetation along urban streams can be devastating to both wildlife and property.) In our current drought, *the East Bay is seeing unprecedented, poorly understood sudden die-offs of trees, including “weedy” species such as acacias.* Causes are complex – but recent research clearly shows the sometimes counter-intuitive role of groundwater in tree survival.

The shallow groundwater of the East Bay Plain affects the local creeks that now support small populations of anadromous fish. This groundwater will become more important as climate change progresses. Millions of taxpayers’ dollars are being spent supposedly to support or increase those fish populations. EBMUD’s contention that Wildcat Creek has little potential to support salmon or steelhead reminds me of their similar letter more than 20 years ago, when Friends of Five Creeks discovered a small population of *O. mykiss* in little Codornices Creek, on the Berkeley-Albany border. EBMUD maintained that little Codornices and similar urban creeks were just too impacted to support such runs. (The agency has a big stake -- it was just introducing chloramines, toxic to aquatic life.) Despite EBMUD’s supposed expertise, the steelhead/rainbow trout are still there – recovering from a major fish kill from firefighting surfactant, eating even though our monitoring methods say there aren’t the right benthic bugs, and, since trout cannot read, passing what our rules say are barriers to their movement.

Heat and lack of water due to climate change and drought may kill these fish at last, however, with the East Bay Plain’s shallow groundwater a critical factor. This plan is a license for that kill. Its depletion criteria are wholly ineffective: a two-foot decline in water levels under widely separated San Leandro and San Pablo Creeks, or levels in half of almost nonexistent wells, for two consecutive non-drought years. When did we last have two such years?

This change is happening now. Last summer, Codornices Creek went dry in long reaches for the first time in human memory. Where the creek had flow, it was almost certainly due to (toxic, chloraminated) irrigation between sports fields. Wildcat and San Pablo Creeks have been intermittent for years, including in reaches that support *O. mykiss*. Study of this intermittency and its effects would be contrary to the interests of EBMUD and the East Bay Regional Park District, which dam those creeks.

The current plan should insist on immediate study of this intermittency, including changes, causes, and possible remedies. This research should follow and extend research ongoing in the Klamath, Navarro, and Russian River watersheds and the South Bay, including work by Trout Unlimited and the Yurok Nation.

This plan should incorporate possible remedies including recharge and changes in permeability – which might also reduce harms from urban runoff. If, as this plan assumes, permeability will not change significantly, why are we spending so much taxpayers’ money trying to “slow it, spread it, sink it.”? Recharge may even be relatively easy in urban areas where drinking-water quality is not a consideration, ongoing construction and repair churn infrastructure, and threats from pollution to floods and sea-level rise provide motivation.

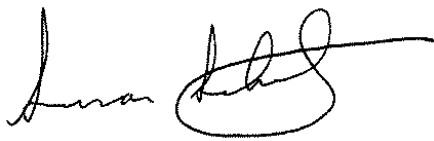
The assumption that the shallow groundwater in the north portion of the East Bay Plain is stable and sustainable is not justified, nor is the plan’s implicit assumption of homogeneity. The plan unjustifiably lumps together what it ranks as the largest sources of flow: rain, pipe breakage, and excess irrigation. This lumping ignores and masks these factors’ likely instability, as well as ability to change some of them – particularly those EBMUD can influence. EBMUD claims to be making major efforts to reduce leakage. What happens to groundwater if it succeeds? What happens if drought or conservation rules really curb irrigation? One possibility is that gestures in these directions are basically greenwashing as the agency

continues business as usual. Further, it is fantasy to assume stability in rainfall, given ongoing climate change, megadrought, and recent large and unpredictable storms. We can't ignore the elephant in the room just because we can't understand or predict its behavior. More broadly, assuming stability based on near-total lack of information is sticking one's head in the sand.

Finally, this plan should give more weight to possible harms from industrial pollutants, in this plans area located mostly in the shallow groundwater plain north of San Leandro, with its large areas of current and former industry and landfill. The assumption that these pollutants won't filter into groundwater becomes even less realistic as one considers the effects of sea-level rise. The real thinking may be that this is some other agency's problem, and since no one drinks the water, it doesn't matter. I believe that the SGMA does not allow this form of thinking.

Please keep us informed of future opportunities to comment on this plan and resultant action.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Schwartz", with a large, stylized flourish extending to the right.

Susan Schwartz, President, Friends of Five Creeks