

Protecting the County's Water Supply

The current 2000-2020 General Plan contains a multitude of policies and implementation programs requiring the County to study and monitor the quality and quantity of the county's water supply. The majority of these policies and programs — many of which the County failed to implement — are either being eliminated or revised as part of the proposed 2020-2040 plan update.

The California Environmental Quality Act of 1970 (CEQA) is a public disclosure statute. It requires jurisdictions such as Fresno County to identify a project's potential adverse impacts and to adopt all feasible measures to mitigate those impacts. The update of a county general plan is considered a project under CEQA because it is a long-term plan for the physical development of a county. It is, in this sense, a "blueprint" for future development.

The environmental impact report (EIR) for the current 2000-2020 General Plan assessed the environmental effects that could result from full implementation of the plan. The EIR revealed that plan implementation would likely cause significant and unavoidable adverse impacts, among them a demand for water exceeding supply, which would result in groundwater overdraft conditions, with secondary effects such as lowered groundwater tables, land subsidence and loss of recharge potential.

Despite these expected adverse impacts, the Board of Supervisors was able to approve the 2000-2020 General Plan by way of the adoption of a *Statement of Overriding Considerations*, which stated that the plan's economic and social benefits outweighed its potential adverse effects on the environment. According to wording in the *Statement of Overriding Considerations*, unsustainable use of groundwater was found "acceptable."

That said, at the time the Board adopted the 2000-2020 General Plan, it also adopted mitigation measures designed to lessen the severity of the impact. The Board selected more than 40 General Plan policies to serve as mitigation measures to help safeguard the county's water supply. The County also adopted ten programs to

ensure implementation of those policies. These policies and programs included requirements that the County develop a countywide water sustainability program, a water budget, a groundwater monitoring program, a list of water conservation strategies and a process for resolving water supply problems. Also adopted were requirements that the County establish water demand standards and a centralized water resource database.

The public is ill informed regarding the extent to which the County implemented these policies and programs. The County has not provided information demonstrating that the County has complied with the statutory requirement to monitor the implementation of the mitigation measures identified above. In addition, the County's annual progress reports on the implementation of the General Plan do not show that programs addressing water supply were ever implemented.

Owing to worsening groundwater depletion problems across the state, in 2014, the State Legislature enacted the Sustainable Groundwater Management Act. The act required the formation of groundwater management agencies (GSAs). There are now over a dozen such agencies within the county, each with its own district and plan for sustainably managing groundwater.

In response to the formation of these agencies, the County proposes to delete or significantly alter all of the implementation programs and nearly half of the policies designed to safeguard the county's water supply. The County is also proposing to add new policies and programs to address groundwater recharge, recurring drought conditions, water conservation, coordination with water resource management agencies and support for the construction of new water storage facilities.

Given the many GSA plans for managing groundwater, the extent of the proposed changes to policy — and the uncertainties related to climate change, it may prove difficult to adequately evaluate the environment effect that full implementation of the proposed 2020-2040 General Plan will have on the county's water supply.