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VIA EMAIL TO SASBGSP_COMMENTS@KENNEDYJENKS.COM

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Jennifer Larsen
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2775 N Ventura Road, No. 202
Oxnard, CA 93036

RE: Huhtamaki Foodservice, Inc.'s Comment Letter on Draft South American Subbasin Groundwater Sustainability Plan

Dear Ms. Larsen:

This letter is submitted on behalf of Huhtamaki Foodservice, Inc. (Huhtamaki) for its property located at 8450 Gerber Road, Sacramento, CA 95828 (the Property), which overlies the South American Subbasin (SASb or Subbasin). On behalf of Huhtamaki, we would like to inform the SASb Groundwater Sustainability Plan (Plan) development team of Huhtamaki's groundwater use¹ and provide comments on the Draft Plan.

In 1963, Huhtamaki began production of groundwater from two water supply wells on the Property for overlying use in Huhtamaki's consumer products manufacturing operations. From 1990 until 2005, the volume of water pumped by Huhtamaki ranged from 200,000 to 3.5 million gallons per day (MGD) or 220 to 3,900 acre-feet per year (AFY). In 2001, groundwater pumping ranged between 300,000 and 1.5 MGD (335 to 1,680 AFY). In 2002, at a time when its production process was using approximately 600,000 to 750,000 gallons per day (approximately 672 to 840 AFY), Huhtamaki was forced to temporarily pause all groundwater production after third-party groundwater pollution from operations on a neighboring property caused elevated levels of the contaminant tetrachloroethylene (PCE) in groundwater beneath the Property.² During this interim period, Huhtamaki was forced to connect to the local municipal water system (California-American Water's (Cal-Am) Parkway System) as an interim water supply to replace groundwater supplies. Clean-up efforts are ongoing, and Huhtamaki intends to resume groundwater production from the Subbasin once groundwater quality conditions improve.

We are providing this information to ensure that the Final Plan recognizes Huhtamaki's historical groundwater production pursuant to its overlying water rights and incorporates Huhtamaki's expected groundwater production into the Plan. Similar to all other users within the Subbasin, Huhtamaki appreciates the Plan's commitment to honoring groundwater rights and ensuring sustainable groundwater management of the Subbasin.

¹ Huhtamaki previously provided information on its groundwater use to the Sacramento Central Groundwater Authority (SCRA) through its May 7, 2020 letter requesting to be added to the Sustainable Groundwater Management Act (SGMA) Stakeholder Distribution List for the South American Subbasin.

² More information on the history of this issue can be found in the Central Valley Regional Water Quality Control Board's April 25, 2003 Clean Up and Abatement Order No. R5-2003-0059, as revised in 2005 (Order No. R5-2005-0721), 2006 (Order No. R5-2006-0530), and 2007 (Order No. R5-2007-0723).

On behalf of Huhtamaki, we reviewed the Draft Plan and offer the following comments:

Comment No. 1. The Draft Plan list of SASb Beneficial Uses and Users (Section 1.5.3.1) does not include “commercial” or “industrial” uses of groundwater as beneficial uses within the Subbasin. Although the Draft Plan mentions these types of uses elsewhere and in the Sustainability Goal (see, e.g., Plan, § 3.1, App. 1-D), “commercial” and/or “industrial” uses should be added to this list. (See Wat. Code, §§ 10723.2, 10727.2(b)(2); Cal. Code Regs., tit 23, § 354.10(a).)

Comment No. 2. The Water Budget (Section 2.4) should account for Huhtamaki’s historical and projected groundwater use within the Subbasin. This section does not present granular detail about groundwater use by commercial and industrial users, but rather estimates urban water demand based on 2015 Urban Water Management Plans (UWMPs) and agricultural demand through land use mapping. (See Plan, §§ 2.4.1.3.1, 2.4.1.3.2, 2.4.1.3.3.) Accordingly, the Water Budget may not capture large-scale commercial and industrial users, such as Huhtamaki, unless those users are accounted for within the UWMPs.³ As described above, Huhtamaki holds an overlying right to the Subbasin, has previously pumped groundwater from the Subbasin, and plans to resume groundwater pumping when the quality of its water is satisfactory. We thus recommend that the Final Plan assess the groundwater production of commercial and industrial users that may not be included in the UWMPs and incorporate this production into the Water Budget and other sections of the Plan.

Comment No. 3. The Draft Plan indicates that three sections are missing: (1) Sustainability Yield Estimate (Section 2.4.3); (2) Funding Sources and Mechanism (Section 5.4); and (3) Interconnected Surface Water Monitoring (Section 2.1.6). The public and stakeholders must have the opportunity to review and comment on these sections prior to approval of the Final Plan by the groundwater sustainability agencies. (Cal. Code Regs., tit 23, § 355.4(b)(10); Plan, App. 1-D, p. 16.) Because these are fundamental sections of the Plan, we request that these sections be posted for review and comment as soon as possible.

Thank you for your careful consideration of these comments. Should you have any questions about this letter, please contact me at asteinfeld@bhfs.com.

Sincerely,



Amy Steinfeld

cc: John Woodling, Sacramento Central Groundwater Authority, Interim Executive Director
Rochelle B. Stringer, Esq., Huhtamaki General Counsel

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³ As noted above, while Huhtamaki’s neighbor has been removing PCE from groundwater beneath the Property, Huhtamaki has been relying on interim water service from Cal-Am’s Parkway System. Thus, Huhtamaki’s recent water usage should be included in the water demand estimates in the 2015 Cal-Am UWMP. When Huhtamaki resumes groundwater production, however, it may pump additional groundwater from the Subbasin that is not accounted for in Cal-Am’s most recent water demand estimates given that the Cal-Am UWMP supply portfolio for the Parkway System includes both groundwater and purchased surface water supplies. (Cal-Am, 2015 Urban Water Management Plan for the Northern Division-Sacramento District (June 30, 2016), § 6.3.6, Tab. 5-9, Tab. 6-4.)