



September 4, 2015

Via Email and U.S. Mail

Email: sgmps@water.ca.gov

California Department of Water Resources
Attn: Sustainable Groundwater Management Section
P.O. Box 942836
Sacramento, CA 94236

Re: Draft Basin Boundary Regulations

Dear Mr. Steven Springhorn:

The San Joaquin Tributaries Authority (SJTA) reviewed the draft basin boundary regulations released by the Department of Water Resources (DWR) on July 17, 2015 and offers the following comments.

Process for Developing Regulations

The process DWR used to develop and draft the basin boundary regulations was thorough and appropriately inclusive of stakeholder feedback. The SJTA members appreciated meeting with DWR on the issue of basin boundary revision. It was helpful for the SJTA members to discuss the potential boundary adjustment impacts to the region with DWR. In addition, it was beneficial to provide DWR with feedback on how proposed changes could affect the management of groundwater in the region.

Section 343.6 Combine Basin Requests

Section 343.6 requires that basin boundary revisions within a basin are coordinated and combined into a single request. In larger basins there may be requests for boundary revisions that are entirely unrelated. Requiring requests that are unrelated be combined does not seem to serve any specific purpose, but may take considerable time and resources. The regulations should be revised to encourage, but not mandate, requests within the same basin be combined.

Section 344.8 Local Support

Section 344.8 requires evidence of local support consist of a resolution formally adopted by the governing body of the supporting public agency. This provision appears to be overly burdensome. DWR is providing only a short window in which petitioners may apply to revise basin boundaries. This short time period may not allow a petitioning party to develop all the technical information and obtain formal action from all local supporting agencies. In order to adopt a resolution, public agencies

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must schedule, notice, and hold a meeting, vote on the issue of the resolution. To ask each supporting public agency to perform these actions within such a short time frame is not realistic and the inability to deliver a formally adopted resolution may not represent a lack of support for the basin boundary request. The regulations should be amended to remove the requirement that local support be affirmatively documented; instead the regulations should assume there is local support unless a protest or other objection is made.

Section 344.18 CEQA Compliance

Section 344.18 requires the petition to include sufficient information necessary to enable DWR to satisfy its requirements to be a responsible agency under the California Environmental Quality Act (CEQA). This section implies that a basin boundary request would result in environmental changes and trigger CEQA. This implication may not be supported; some basin boundary requests may not trigger CEQA. For this reason, this section should be amended to state that only requests that would require compliance with CEQA need to provide sufficient information to satisfy CEQA.

Section 345.2 Use of Consistent Methodologies and Data

Section 345.2 requires a basin requesting a revision request use consistent data and methodologies. The use of consistent methodologies and data should not be a criterion for reviewing a basin boundary revision request. It makes sense to require consistent data in basin management, but the same does not apply to a request for a basin boundary revision. In fact, differing methodology and data use may be a reason to support a basin boundary adjustment. In addition, this regulation pre-supposes basins already have data and groundwater plans, which may not be a valid assumption. The regulations should be amended to remove this requirement.

The SJTA appreciates the opportunity to comment on the draft regulations and thanks DWR for the consideration of the above comments. We look forward to continuing to work with DWR on developing regulations pursuant to the Sustainable Groundwater Management Act.

Very truly yours,



VALERIE C. KINCAID

VCK/llw

cc: San Joaquin Tributaries Authority