

Kim Dolbow Vann, DISTRICT I
JOHN D. LOUDON, DISTRICT II
Mark D. Marshall, DISTRICT III
Gary J. Evans, District IV,
Vice-Chair
Denise J. Carter, DISTRICT V,
CHAIR



COUNTY OF COLUSA
BOARD OF SUPERVISORS
Board Chambers
547 Market Street, Suite 102
Colusa, CA 95932
(530) 458-0508
cocolusa@countyofcolusa.org

March 31, 2016

California Department of Water Resources
Attn: Lauren Bisnett, Public Affairs Officer
P.O. Box 942836
Sacramento, CA 94236
Email: SGMPS@water.ca.gov

Re: Comments on Draft Emergency Groundwater Sustainability Plan Regulations

Thank you for the opportunity to review and comment on the Draft Emergency GSP Regulations. Colusa County appreciates the efforts of the Department of Water Resources (DWR) to develop these regulations in a transparent manner under very tight deadlines. The County also appreciates DWR's dedication to allowing local control and management of groundwater resources through SGMA.

Please accept the following comments regarding the draft GSP regulations on behalf of the County of Colusa:

General Comment: There is concern among many agencies, Colusa County included, that the Draft GSP Regulations do not allow empirical approaches to sustainable groundwater management. The Draft Regulations require the same high level of technical effort for all basins, which will impose unnecessary efforts and costs on GSAs in basins that can be shown to have been managed sustainably, based on historical groundwater levels and other empirical data. Local agencies that can demonstrate a history of sustainable management should not be required to adhere to the same analytic standards as basins that are already unsustainable or on trajectories likely leading to unsustainable conditions. The standard of "substantial compliance" allows for different approaches and levels of technical rigor to demonstrate sustainable management.

350.2(e): We agree that Adaptive Management will be an important tool for GSAs as they implement GSPs. SGMA is a new concept, and future water conditions are uncertain. Adaptive Management will be a necessary and important tool for successful groundwater management under SGMA.

353.6 (c): Can you clarify what "reasonable assistance" entails? Or provide examples of the types of assistance Agencies can expect to be available from DWR?

354.16 Basin Conditions

“Historical” and “Long Term” should be defined. Are there a minimum number of years in which we need to look back? Or do we rely on “best available data”?

354.16 (f): In general, interconnected surface water systems and groundwater dependent ecosystems are not adequately defined or identified at this time. Additionally, interconnected rivers and streams sometimes serve as boundaries between adjoining subbasins, posing the additional challenge of achieving coordination between the subbasins. And the effects of groundwater pumping on stream accretions and depletions are cumulative in the stream, pointing to the need for regional management strategies spanning across GSAs and GSPs. These concepts have not been widely studied and supporting data is lacking. How detailed and definitive will analysis of interconnected systems need to be? DWR should provide information and data that will be considered acceptable for the initial Plans (best available data).

354.28 Minimum Thresholds

354.28.(b)(6) Depletions of Interconnected surface water (A) and (B): As noted above, information/studies on Depletions of Interconnected Surface Water is lacking. This will be difficult to characterize in the initial Plans.

354.34 (g) and (h): Should read “The best management practices ~~developed~~ adopted by each Agency...” (352.4 states that “The Agency may rely on best management practices developed by the Department or shall adopt their own...”).

354.34 (H) (6): As mentioned above, data on surface water and groundwater interactions is lacking. Monitoring protocols are also lacking as this is a new concept in groundwater management. Many streams span multiple basins and jurisdictions, which would point to the need for regional coordination. It is not clear what methods would be necessary to provide monitoring of interconnected surface waters. Data should be coordinated and supplied by DWR.

355.2 (e): The Department has two years to evaluate Plans. Will an Agency begin implementing its Plan on January 1, 2020, even if the Department may not have final Plan review completed for up to two years? Has DWR considered the possibility of a tiered evaluation process, where GSPs are initially and quickly evaluated for completeness and acceptability, followed by more rigorous technical evaluation?

355.4 (a) (3): This section states that Plans must cover an entire basin. There may be multiple Plans in one basin. Is this referring to a “Coordinated GSP?” The Coordinated GSP is described in the Draft GSP Emergency Regulations Guide, but we do not see where it is mentioned in the Draft GSP Emergency Regulations.

357.4. Intrabasin Coordination

A “Coordinated GSP” is described in the Draft GSP Emergency Regulations Guide, but it is not mentioned in the Draft GSP Emergency Regulations. **357.4 (c)** states that “The submitting Agency shall compile and rectify data and interpretations regarding basin conditions provided by the Agencies and produce a single report synthesizing and summarizing that information

into a coherent and credible account of basin conditions." It goes on to list the required contents of the report. Is this considered the "Coordinated GSP?" This needs clarification.

Thank you for your consideration,



Denise J. Carter,
District V, Chair
Board of Supervisors, County of Colusa