



FRANK A.  
LOGOLUSO FARMS, INC.

October 5, 2015

Zaffar Eusuff  
Program Manager  
California Department of Water Resources  
Division of Integrated Regional Water Management  
Financial Assistance Branch  
Attn: Sustainable Groundwater Planning Grant Program  
[SGWP@water.ca.gov](mailto:SGWP@water.ca.gov)

Re: Comments on Draft Counties with Stressed Basins Grant PSP

Dear Mr. Eusuff,

It is the opinion of the signatories below that the Draft Counties with Stressed Basins Proposal Solicitation Package (Counties PSP) is not consistent with the goals and intent of the Sustainable Groundwater Planning (SGWP) Grant Program as identified in Proposition 1.

The SGWP Grant Program is funded by Proposition 1, which appropriates \$100 million for competitive grants for development of groundwater plans and projects consistent with sustainable groundwater planning. (Water Code § 79775.) Soon after the language of Proposition 1 was passed by the Legislature, the Sustainable Groundwater Management Act (SGMA) was also passed. SGMA mandates high and medium priority basins in California achieve sustainable groundwater management through the formation of Groundwater Sustainability Agencies (GSAs) and implementation of Groundwater Sustainability Plans (GSPs). It is widely recognized and understood that the SGWP Grant Program should be used for the creation and implementation of GSPs that will require expensive data collection, modeling and reporting.

We are encouraged by DWR's acknowledgment in the SGWP Grant Program's Draft Guidelines that the Program funds should be used in furtherance of sustainable groundwater planning under SGMA. However, we are concerned and disagree with DWR's focus on the prioritized funding of county planning and projects, rather than an inclusive approach to funding all eligible GSAs.

**SGWP Grant Program Funds Should be Available for All Eligible Agencies and Organizations.**

Public agencies, non-profit organizations, public utilities and mutual water companies are all eligible applicants for SGWP Grant funding. Many of these eligible applicants are also eligible to be GSAs in SGMA basins and will need funding to gather data and develop and implement GSPs. Because of the need of all GSAs for funding and the ability for agencies that may form or become GSAs to apply for the SGWP Grant Program, we are unclear as to the reasoning behind DWR's decision to give priority to proposals by

counties forming or participating in formation of GSAs and to create a separate Counties PSP for allocation of \$10 million of the \$100 million available.

The goal of SGMA is to allow for local management of groundwater basins to achieve sustainability. While counties are the default if a local agency does not become the GSA of a basin or portion of the basin, in many SGMA basins local agencies have already begun forming governance structures. By prioritizing counties over other entities forming GSAs, DWR is significantly reducing already stretched funds from being available to all agencies eligible to be a GSA.

Further, it is not appropriate to create a separate PSP process for counties. The counties that apply for the designated SGWP Grant Program may not become a GSA in a SGMA basin. Thus, counties that receive funding may implement programs or measures that are inconsistent with local planning and thwart creation and implementation of GSPs for the basin located in the county. Creating a separate PSP for counties and prioritizing counties over other eligible agencies is wholly inconsistent and contradictory with the purpose and goals of SGMA to maximize the ability for local agencies to sustainably manage a basin.

**Projects Eligible for Funding through the Counties PSP is an Inappropriate Use of the SGWP Grant Program.**

The Counties PSP Draft guidelines state the PSP will make SGWP funds available for counties to update and develop ordinances to improve sustainable management of groundwater including ordinances to prevent or mitigate undesirable effects of groundwater pumping and ordinances focused on land use that place a moratorium on uses or well permits.

We question DWR's decision to allow public funds allocated by Proposition 1 for the use by counties to develop and implement ordinances. Counties currently have the ability and means to develop ordinances, and the limited funds allocated in Proposition 1 should not be used for a process that is normal procedure for a county.

Additionally, any ordinance that places a moratorium or limit on land uses or well permits is inconsistent with the local planning and management under SGMA that is occurring in medium and high priority basins. In many basins, counties will not be the designated GSA and those local agencies that do become the GSAs of a basin need the flexibility to create GSPs that will achieve sustainable management of the basin, including what land uses are appropriate for the basin. Restrictive land use ordinances passed by counties, without consultation and coordination with the GSA for the basin, will impede a GSAs ability to develop the best and most achievable plan for the basin.

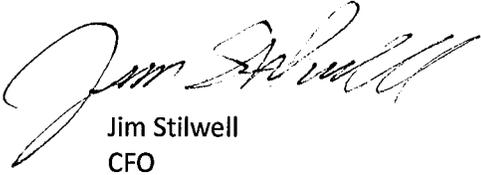
DWR should not fund projects that have the potential to frustrate the ability of GSAs in a basin to develop GSPs with Proposition 1 monies designed to promote the sustainable management of groundwater.

**Conclusion**

Thank you for the opportunity to present our concerns about the SGWP Grant Program Draft Guidelines and Counties PSP. We support DWR's goal of using the SGWP Grant Program to encourage sustainable management of groundwater resources by funding projects that support sustainable groundwater management planning and implementation. However, we suggest DWR revisit its proposal to prioritize counties over other local agencies that may become the GSAs of a basin in order to maximize the ability

of the SGWP Grant Program to fund projects that will truly achieve sustainable groundwater management for the long term.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Stilwell". The signature is fluid and cursive, with the first name "Jim" being particularly prominent and stylized.

Jim Stilwell  
CFO