



Stanislaus and Tuolumne Rivers Groundwater Basin Association

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March 28, 2016

California Department of Water Resources  
Attn: Lauren Bisnett, Public Affairs Office  
P.O. Box 942836  
Sacramento, California 94236

**Re: Stanislaus and Tuolumne Rivers Groundwater Basin Association – Comments on DWR’s Draft Emergency Regulations for Groundwater Sustainability Plans and Alternatives**

Dear Ms. Bisnett:

The Stanislaus and Tuolumne Rivers Groundwater Basin Association (STRGBA) was formed in 1994 and is comprised of all local agencies within the Modesto Sub-basin – Stanislaus County, Oakdale and Modesto Irrigation Districts, and the cities of Modesto, Riverbank, Oakdale and Waterford. The Modesto Sub-basin is part of the larger San Joaquin Valley Groundwater Basin as defined in the California Department of Water Resources (DWR) Bulletin 118. STRGBA has and continues to recognize that the groundwater and surface water resources within the Modesto Sub-basin are vitally important to the continued well-being of the area’s economy.

In 2015, STRGBA member agencies approved a revised Memorandum of Understanding (MOU) which, at least in part, includes a commitment to collectively seek formation of one or more Groundwater Sustainability Agencies (GSA) to provide Sustainable Groundwater Management Act (SGMA) compliant groundwater management governance within the Modesto Sub-basin prior to June 30, 2017. To date, we have made significant progress towards meeting this commitment and hope to file our necessary GSA formation documentation well ahead of the June 30, 2017 deadline.

Given our history and commitment to the future, STRGBA appreciates the opportunity to comment on the Draft Emergency Regulations for Groundwater Sustainability Plans and Alternatives (Draft Regs) and we offer the following comments for your consideration:

1. §352.6 Data and Reporting Standards calls for groundwater and surface water models developed or utilized as part of or in support of a Plan to be in the public domain, constructed on open-source software with publicly-available supporting documentation that establishes its ability to represent groundwater and surface water flow. STRGBA and our member agencies have invested significant resources in the tools necessary to sustainably manage our groundwater resources. To unduly burden and preclude the use of tools, information or additional resources not currently in the public domain or not supported by publicly-available information significantly inhibits resource managers from continuing to effectively and efficiently manage local resources in the best interests of those we serve. Furthermore it’s inconsistent with other planning processes and requirements of DWR.

- City of Modesto • City of Oakdale • City of Riverbank • City of Waterford •
- Modesto Irrigation District • Oakdale Irrigation District • Stanislaus County •

2. §354.44 Projects and Management Actions calls for the implementation of emergency contingency projects or actions in the event that groundwater conditions in the basin have passed a minimum threshold or that undesirable results have occurred or are imminent and that such emergency contingency projects or actions shall be designed to achieve immediate results such that the Agency is able to demonstrate that the emergency has been abated by or before the next annual report. It's impractical to think that emergency contingency projects or actions will achieve immediate results. Dependent on the responsiveness of the basin, it may take several years for corrective actions to be realized. STRGBA suggests the GSA demonstrate that the emergency has been abated within a period of 5 years or as otherwise supported by the best available science and documented in the GSA's next annual report.
3. §356.6 Department Review of Annual Reports calls for DWR to acknowledge receipt of annual reports, but fails to provide a definitive timeline for recommending corrective actions to address any deficiencies in the annual report of implementation of the Plan as may be required. STRGBA suggests that DWR recommend corrective actions within 180 days from the date of acknowledgement to the extent it is necessary.
4. §357.4 Intrabasin Coordination is overly prescriptive and inconsistent with a fundamental principle of SGMA – local control and management. The roles and responsibilities of the Submitting Agency creates the perception of a false hierarchy and erodes the ability for local agencies to manage local resources in a way that makes sense for those local agencies within the basin. STRGBA suggests that the requirement to establish or identify a Submitting Agency be eliminated and this section revised to embody the spirit of SGMA and allow for local control and management.

As noted above, the STRGBA appreciates the opportunity to provide comments on the Draft Regs and should you have any questions or concerns regarding the information noted herein, please feel free to contact me at (209) 526-7564.

Sincerely,



John B. Davids, P.E.  
Chair, STRGBA

cc: Administration Files  
STRGBA Member Agencies

- City of Modesto • City of Oakdale • City of Riverbank • City of Waterford •
- Modesto Irrigation District • Oakdale Irrigation District • Stanislaus County •