



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS

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April 1, 2016

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

Re: Groundwater Sustainability Plan Emergency Regulations

Dear Sustainable Groundwater Management Section:

On behalf of staff of San Luis Obispo County (County) charged with implementing the County's Sustainable Groundwater Management Act Strategy, I thank you for the opportunity to comment on the draft Groundwater Sustainability Plan Emergency Regulations. We truly appreciate your efforts to engage local agencies, counties, and interested parties early in the process. You will find comments, suggested edits and requests for clarification, reflective of technical, project management, supervisorial and management staff perspectives, that we hope will help your agency refine and improve the draft regulations and develop helpful best management practices.

ARTICLE 1. Introductory Provisions
Section 350.2. General Principles (Page 2)

(a) ... without adversely affecting the ability of an adjacent basin to implement their Plan. . .

Comment: In several locations the regulations discuss the need to show how implementation of a Plan won't adversely affect the ability of an adjacent basin to implement their Plan. What if the adjacent basin is a low or very low basin? Does an Agency indicate so and state that it will coordinate with the basin's Agency should it pursue a Plan or become high or medium?

(g) The Department may evaluate a Plan at any time, for compliance with the Act and this Subchapter.

Comment: We request clarification on the evaluation process from DWR. For example, (1) does the DWR give an initial notification to the GSA before evaluating a Plan? (2) What is the timeframe for the GSA to respond to a comment or perform a Plan correction (if required) from DWR's evaluation?

Section 351. Definitions (Page 3)

(j) "Critical parameter" refers to chronic lowering of groundwater levels indicating a depletion of supply if continued over the planning and implementation horizon, reduction....

Comment: We request clarification on the definition. The term critical parameter sounds like an undesirable result.

(m) *Interconnected surface water “. . . and the overlying surface water is not completely depleted”*

Comment: It is unclear if this refers to creeks and rivers that have above ground flow year-round or an unlined basin/ag pond that always has water in it. What does “depleted” mean? Above ground is empty? Or above ground and the saturated zone? Pictures may help. Would it be correct to put the word “continuously” in front of “interconnected” or does it apply under intermittent conditions as well?

(u) *“Plan”*

Comment: Is an adopted plan and initial plan essentially the same thing? There may be significant implications for an Agency collecting revenue/spending money implementing a Plan that is deemed to be insufficient two years later. Hopefully there would be enough communication to know that they are at least implementing a Plan that is substantially compliant closer to the submittal date to DWR.

(x) *“Principal aquifers” refer to aquifers or aquifer systems that store, transmit, and yield significant or economic quantities of groundwater to the wells, springs, or surface water systems.*

Comment: We request clarification on the definition and reference document. For example, is this defined in Bulletin 118 (2003)?

(ai) *“Water year” refers to the period from October 1 through the following September 30, inclusive, as defined in the Act.*

Comment: Can the water year period be flexible to what the Agency has historically utilized? For example, SLO County rain reports are July 1 through the following June 30.

(aj) *“Water year type” refers to the classification system index provided by the Department to assess the amount of precipitation in a basin.*

Comment: We request clarification on the definition.

Article 3. Technical and Reporting Standards

§ 352.4. Best Management Practices

(b) *Best management practices shall be reviewed at least every five years as part of the periodic evaluation of the Plan and modified as necessary.*

Comment: We need clarification on who or which group will be reviewing and modifying the BMPs.

Section 352.6. Data and Reporting Standards

Comment: Many basins may have maps, hydrographs and wells that don't meet the standard but are useful, particularly for establishing historic conditions. It would be helpful to pull Section 352.6 (b) (4) forward and have it be applicable to all the standards, with a focus for this section on new work/sites/etc. meeting the standards.

Section 352.6 Data and Reporting Standards, **sub-section (a), paragraph (2)**, groundwater, surface water and land surface elevations are to be reported to the nearest 0.1' and tied to NAVD 88. Per paragraph (b) of said article, reference point elevations are only required to be to the nearest 0.5' and tied to NAVD 88.

Comment: We need clarification on the measurement tolerance, if we are locating the ground at the reference point to the nearest 0.1' then the reference point should be held to the same standard. Also, chapter 15 of the Business and Professions code, A.K.A. the Professional Land Surveyor's Act, defines what constitutes the practice of "Land Surveying" in the state of California. In Article 3 of said chapter, section 8726 "Land Surveying" Defined, the act states the following:

- A person, including any person employed by the state or by a city, county, or city and county within the state, practices land surveying within the meaning of this chapter who, either in a public or a private capacity, does or offers to do any one of the following:
 - (a) Locates, relocates, establishes, reestablishes or retraces the alignment or elevation for any of the fixed works embraced within the practice of civil engineering as described in Section 6731.
 - (b) Determines the configuration or contour of the earth's surface, or the position of fixed objects above, on, or below the surface of the earth by applying the principles of mathematics or photogrammetry.

Thus, the regulations for this section should reference the above code and the surveyed measurements should be completed by a land surveyor, who is licensed to practice in the State of California.

Section 352.6. Data and Reporting Standards (Page 8)

(3) Wells used to monitor groundwater conditions shall be constructed according to standards described in DWR Bulletin 74-90, as amended, and shall include the following identifying information presented in both tabular and geodatabase-compatible shapefile form:

(B) Well location, elevation of the ground surface, and reference point, including a description of the reference point.

Comment: Well level is confidential information between the County and well owner. The County request clarification on how would the State insure the data will be protected. We have to abide by our confidentiality agreements. This comment is typical for all the County's well level information. We are limited to aggregate reporting unless specified by our confidentiality agreements.

Section 352.6 Data and Reporting Standards (Page 8)

(b)(2) "Wells used as the source of basic geologic or other information, including data used to develop the hydrogeologic conceptual model, to determine the water budget, or establish the basin setting, shall provide the best available information. All available information about the wells shall be reported in the Plan, which shall include, at a minimum, well location, well construction, and well use."

Comment: We have to abide by our confidentiality agreements. This comment is typical for all the County's well level information. We are limited to aggregate reporting unless specified by our confidentiality agreements.

Section 352.6 Data and Reporting Standards (Page 8)

(c) Maps submitted to the Department shall meet the following requirements:

(1) *Each map, including all data layers, shapefiles, geodatabases, and other information used to create the map, shall be submitted electronically to the Department in accordance with Article 4.*

Comment: Well level is confidential information between the County and well owner. The County request clarification on how would the State insure the data will be protected. We have to abide by our confidentiality agreements. This comment is typical for all the County's well data information. We are limited to aggregate reporting unless specified by our confidentiality agreements.

Section 352.6. (4) (Page 9) *If an Agency relies on wells that lack casing perforations, borehole depth, and total well depth information to monitor groundwater conditions as part of an initial Plan, the Agency shall describe a schedule for acquiring monitoring wells with the necessary information, or demonstrate to the Department that such information is not necessary to understand and manage groundwater in the basin.*

Comment: We request clarification on the timeframe for acquiring monitoring wells with the necessary information (Data Gap); and clarification on what would be required to demonstrate to the Department that such information is not necessary to understand and manage groundwater in the basin.

Section 352.6 (e)) (Page 10) *Groundwater and surface water models developed or utilized as part of or in support of a Plan shall ~~be~~ consist of public domain open-source software that meets the following requirements:*

- (1)** *Shall have publically available supporting documentation that establishes its ability to represent groundwater and surface water flow.*
- (3)** *Shall be based on actual field or laboratory measurements, or equivalent methods, that document the validity of chosen parameter values.*

Comment: Note that "be" should be deleted. What is meant by (3) is unclear. Well level is confidential information between the County and well owner. The County requests clarification on how would the State insure the data will be protected. We have to abide by our confidentiality agreements. This comment is typical for all the County's well level information. We are limited to aggregate reporting unless specified by our confidentiality agreements.

Section 352.6 (f) (Page 10) *The Agency shall provide a list of references and technical studies relied upon by the Agency in developing the Plan. The Agency shall provide electronic copies of all reports and other documents and materials that are not otherwise generally available to the public. Proprietary data and reports need not be disclosed unless requested by the Department to resolve interbasin disputes, as described in Section 355.12.*

Comment: We request the Department not to disclose proprietary data even to resolve interbasin disputes. Well level is confidential information between the County and well owner. We have to abide by our confidentiality agreements. This comment is typical for all the County's well data information. We are limited to aggregate reporting unless specified by our confidentiality agreements.

ARTICLE 4. Procedures

Section 353.2. Information Provided by the Department (Page 11)

Comment: This will be important for Agencies to know early on for scoping work efforts and raising revenue to develop information needed to comply. Also consider diversion information and status that the State Water Board could provide.

Section 353.4. Reporting Provisions (Page 11)

(b) All materials shall be accompanied by a transmittal letter signed by a person duly authorized under California law to bind the party submitting the report, and including the following certification:

"I certify under penalty of law ..."

Comment: We request clarification on who will be able to sign the transmittal letter, authorized under California law to bind the party submitting the report. For examples, a Qualified SWPPP Developer (QSD) is required to sign the General Permit – Stormwater Pollution Prevention Plan.

Section 353.6. Initial Notification (Page 12)

(c) Upon request, prior to adoption of a Plan, the Department shall provide reasonable assistance to an Agency regarding the elements of a Plan required by the Act and this Subchapter. Notwithstanding any advice provided by the Department, the Agency is solely responsible for the development and adoption of a plan that is capable of achieving sustainable groundwater management.

Comment: We support Section 353.6. (c) (Page 12), the Department shall provide reasonable assistance to an Agency regarding the elements of a Plan required by the Act.

§ 353.10. Withdrawal or Amendment of Plan

An Agency may amend a Plan at any time pursuant to the requirements of Section 356.12.

Comment: We request clarification to a Plan amendment. If amending the plan, does a 60 day public comment follow the amendment?

ARTICLE 5. Plan Contents

Subarticle 1. Administrative Information

Section 354.6. Agency Information (Page 15):

(e) A description of anticipated revenues and costs of implementing the Plan, including programs, projects, contracts, administrative expenses and other expected costs, and information demonstrating that the Agency has the necessary financial ability to implement the Plan.

Comment: The anticipated revenues and costs of implementing the Plan is generated by basin users; however, this could be contingent by the Proposition 218 process. We request clarification on the process for anticipated revenues and costs of implementing the Plan.

§ 354.8. Description of Plan Area (Page 16)

(a) (5) The density of wells per square mile, by dasymetric or similar mapping techniques, showing the distribution of all agricultural, industrial, and domestic water supply wells in the basin, including de minimis extractors, and the location and extent of communities dependent upon groundwater.

Comment: We request clarification on density of wells per square mile (density well number), by dasymetric or similar mapping techniques. Also, how is de minimis extractors defined without metered wells?

(g) Land use

Comment: There may be agricultural easements that allow for certain development that are not accounted for in general plans.

Section 354.10. Notice and Communication (Page 18):

(d) *A copy of all comments regarding the Plan received by the Agency and a summary of any responses made by the Agency.*

Comment: We request clarification on the submittal format of the comments to the GSA. For example, a comment from a phone conversation may not be transcribed correctly. We suggest public comments to be submitted in writing, such as by email/mail.

Edit: **(e)(1)** *An explanation of the Agency's decision making process and how stakeholder input and public response will be used considered (the comment may not always be used but it should always be considered)*

Subarticle 2. Basin Setting

Section 354.12 Introduction to Basin Setting,

.14 Hydrogeologic Conceptual Model

.16 Basin Conditions

.18 Water Budget

.28 Minimum Thresholds

.30 Measurable Objectives

All of Subarticle 4 – Monitoring Networks

(Pages 18-24, 31-36)

General Comment: These sections require extensive engineering and hydrogeological analysis. And it's unlikely that there are existing technical studies that would cover the information required e.g. "conditions that existed as of January 1, 2015." Compliance by a majority of smaller GSA's would be difficult. Also, there may be only certain eligible entities that form Agencies that maintain a robust monitoring network and database.

Section 354.16. Basin Conditions (Page 20)

Comment: In a few places "current year" conditions or "existing" land uses are requested (e.g. 354.16 and 18 (b)). What year is this? 2015? Or 2018 if the GSP is due in 2020?

Section 354.16. Basin Conditions (Page 21)

(e) *The extent, cumulative total, and annual rate of land subsidence, including maps depicting total subsidence. Each Agency shall utilize data available from the Department, as specified in Section 353.2, or the best available information.*

Comment: We request clarification on what will DWR consider the best available information for land subsidence. For example, would GPS be an acceptable alternative to the DWR data. What measurement method will DWR use for land subsidence? Any standards?

- (f) *Identification of interconnected surface water systems and groundwater-dependent ecosystems within the basin. Each Agency shall utilize data available from the Department, as specified in Section 353.2, or the best available information*

Comment: We request clarification on what will DWR consider the best available information for interconnected surface water systems and groundwater-dependent ecosystems within the basin. Any standards?

Section 354.18. Water Budget (Page 22)

Edit: (b)(2)(C) *A description of how historical conditions concerning hydrology, water demand and surface water supply reliability have impacted the basins ability to operate within achieve sustainable yield.*

Section 354.18. Water Budget (Page 23)

(B) *Water Demand: Projected water demand shall utilize the most recent land use, evapotranspiration, and crop coefficient information as the baseline water demand over the planning and implementation horizon, while evaluating scenarios of future water demand uncertainty associated with projections of local land use planning, future population growth, and climate change.*

Comment: We request clarification on the water budget. For example, evapotranspiration (ET) is difficult and expensive to measure and even more difficult to separate transpiration and soil moisture. Also, the factors that affect the crop coefficient information is crop type, stage of growth, soil moisture, health of plants and cultural practices. Thus, the crop coefficient would be considered as a variable throughout the year for the water budget and ET. We request that a standard for crop coefficient be implemented based on season (e.g., dormant orchard) and by crop type.

Section 354.18. Water Budget (Page 23)

Edit: (d) *Notwithstanding (g), the following information ...*

(d)(3) *“... climate change...”*

Comment: There are existing efforts to scale federal climate models to local areas – to what extent will the State be coordinating with Federal agencies to ensure consistent methodology if the State will be providing the data on climate change? Same question applies to land subsidence and precipitation analysis.

Section 354.18. Water Budget (Page 23)

(e) *The Department shall provide the California Central Valley Groundwater-Surface Water Simulation Model (C2VSIM) and the Integrated Water Flow Model (IWFM) for use by Agencies in developing the water budget. Each Agency may choose to use a different flow model.*

Comment: We request clarification on the model and parameters (C2VSIM and IWFM) that DWR will use for climate change and sea level rise. For example, these models may have calculations based for that regions climate or environmental parameters incorporated into the model, which will be different from region to region, such as sea level rise for coastal communities.

Section 354.18. Water Budget (Page 24)

(g) *The Agency may utilize other data in addition to or in lieu of information provided by the Department if the Agency is able to demonstrate that the data is of sufficient quality.*

Comment: We request clarification on what will DWR consider the best available information and how will DWR determine if the data is of sufficient quality. Any standards?

Section 354.20 Management Areas (Page 24)

Edit: *Each Agency may define one or more management areas within a basin (end of sentence). "if local conditions . . . of the Plan" seems unnecessary to include since the provisions outlined must be complied with regardless of reason for management areas.*

Subarticle 3. Sustainable Management Criteria
Section 354.26 Undesirable Results (Page 26)

"...significant and unreasonable effects..."

Comment: Is there a legal definition or opinion for this phrase? If not, what is the Department's intent?

Section 354.26. Undesirable Results (Page 26):

- (a)** *The description provided by the Agency shall include, but is not limited to, the following:*
- (1)** *The groundwater conditions under which the critical parameters are significant and unreasonable, which shall define minimum thresholds for that critical parameter as described in Section 354.28.*

Comment: We request clarification on minimum thresholds. Any standards?

Section 354.26. Undesirable Results (Page 27):

(d) *An Agency that is able to demonstrate that one or more critical parameters would not lead to undesirable results in the basin shall not be required to conduct the analysis for those critical parameters described in this Section.*

Comment: We support this suggestion "able to demonstrate that one or more critical parameters would not lead to undesirable results in the basin shall not be required to conduct the analysis for those critical parameters described in this Section"

Section 354.28. Minimum Thresholds (Page 28)

- (b)** *Minimum thresholds for each critical parameter shall be defined based on the following:*
- (1)** *Chronic Lowering of Groundwater Levels*

Edit: *"... shall be the groundwater elevation that indicates a significant and unreasonable depletion of supply undesirable results.*

Edit: *(C) "Actions necessary and/or hydrology anticipated Management of extractions and recharge to ensure . . .*

- (2)** **Reduction of Groundwater Storage.** *(A) The annual sustainable yield of the basin, calculated based on historical trends and projected water use in the basin, based on water year type.*

Comment: We request clarification on the definition of water year type and how it applies to annual sustainable yield. Our practice is to calculate based on a wet/dry cycle.

(3) Seawater Intrusion. *The minimum threshold for seawater intrusion shall be the location where seawater intrusion is considered significant and unreasonable, and shall be defined by a numeric chloride concentration isocontour for each principal aquifer. Minimum thresholds for seawater intrusion shall be supported by the following:*

Comment: We request clarification on the definition of significant and unreasonable for seawater intrusion.

(A) *Maps and cross-sections of the chloride concentration isocontour that defines the minimum threshold, interim milestones, and measurable objective for seawater intrusion for each principal aquifer.*

Comment: We request clarification on the definition for interim milestones for seawater intrusion.

(B) *A description of the consideration given to the effects of current and projected sea level rise on seawater intrusion of the following during development of the seawater intrusion minimum threshold.*

Comment: We request clarification on the model provided from DWR, does the model provide an input for current and future sea level rise predictions?

(4) Degraded Water Quality. *The minimum threshold for degraded water quality shall be the significant and unreasonable degradation of water quality, including the migration of contaminant plumes that impair water supplies, based on the number of supply wells, a volume of water, or a location of an isocontour that exceeds concentrations of constituents determined by the Agency to be of concern for the basin.*

Comment: We request clarification on contaminant plumes that impair water supplies. Contaminant plumes are already regulated by DTSC and Regional Water Board with an agreed remediation and monitoring plan. Is the GSA required to include specifics on the contaminated plume into their annual report and groundwater model or a general statement?

(5) Land subsidence (page 29).

Comment: Land subsidence minimum threshold could include loss of storage space.

(A) *Identification of land uses and property interests that have been affected or are likely to be affected by land subsidence in the basin, including an explanation of how those uses and interests were determined and considered, and the rationale for how minimum thresholds were established in light of those effects.*

Comment: We request clarification on land subsidence, does DWR have any minimal standards for land subsidence?

(C) Maps and graphs showing the extent and rate of land subsidence in the basin that defines the minimum threshold, interim milestones, and measurable objectives.

Comment: We request clarification on land subsidence, if DWR is supplying the information why does the GSP need to provide maps and graphs on land subsidence?

(6) Depletions of interconnected surface water.

(B) A description of the groundwater-surface water model used to quantify surface water depletion. If a groundwater-surface water model is not used to estimate surface water depletion, the Plan shall identify and describe an equally effective method or tool to accomplish this requirement, or identify provisions for developing a groundwater-surface water model capable of quantifying surface water depletion no later than the first five-year assessment.

Comment: We request clarification on standards that DWR will require for interconnected surface water. For example, (1) seasonal streams (low depression) may form from an unconfined basin due to a high groundwater elevation from an El Nino year. We suggest a statement to be included in this section that discusses seasonal streams to be exempt from interconnected surface water section. (2) Does the model provided from C2VSIM and IWFM include groundwater-surface water model capability?

SUBARTICLE 4. Monitoring Networks

§ 354.34. Monitoring Network (page 31)

Each Agency shall develop a monitoring network capable of collecting sufficient data to demonstrate short-term, seasonal, and long-term trends in surface and groundwater conditions and yields representative information about changes relative to the minimum thresholds and measurable objectives for the basin.

Comment: We request clarification on the timeframe for short-term and long-term trends.

(b) (Page 32) - The monitoring network shall be designed to ensure adequate coverage of critical parameters. If localized conditions warrant the formation of management areas, those areas shall be specifically monitored with a quantity and spacing of monitoring sites sufficient to evaluate conditions in that area.

Comment: We request clarification on the following “*If localized conditions warrant the formation of management areas, those areas shall be specifically monitored with a quantity and spacing of monitoring sites sufficient to evaluate conditions in that area.*” Also, is there a standard for quantity and spacing of monitoring sites? Are the monitoring sites approved by DWR?

*(e) (Page 32) - The Plan shall describe the following information about the monitoring network:
(1) Scientific rationale used for the site selection process.*

Comment: We request clarification about the site selection process and what would be required for the scientific rationale.

*(e) (Page 32) - The Plan shall describe the following information about the monitoring network:
(3) . . . quantitative values for . . . interim milestones . . .*

Comment: To confirm, the definition allows for an interim milestone to be the implementation of a management action by year 5 and then an expected groundwater condition to hit in year 10 as a result of that action?

(h)(6) (Page 34) – Interconnected Surface Waters

Comment: Does this apply to all creek systems within a basin or those that have 10 AFY or more diversions? There are a number of intermittent, or usually dry, creek systems within basins that may not be significant enough to warrant purchasing and installing equipment.

§ 354.38 (c) Assessment and Improvement of Monitoring Network (page 35)

Comment: The regulations indicate that all data gaps must be filled by the 5-year assessment period. What if there are numerous and some that are more important than others, can there be a longer term plan developed in coordination with DWR?

§ 354.44 Projects and Management Actions (page 37-8)

Comment: For (a), instead of introducing “benefits” language keep language related to the extent to which the actions are keeping the basin above thresholds and meeting objectives and interim milestones. Also (b)(2) may be overly prescriptive if the emergency is of a nature that it cannot be addressed before the next annual report is due. Suggest ending the sentence after “immediate results”; emergencies by their nature are a combination of plan and reaction so flexibility is warranted.

ARTICLE 6. Evaluation and Assessment

Comment: Article 6 and some other administrative sections should include Coordinating Agency activities and requirements.

Section 355.2 Department Review of Initial Adopted Plan (Page 39)

“Upon adoption of a Plan the Agency shall submit a copy of the initial adopted Plan to the Department for evaluation.”

Comment: The definitions of Initial Plan and Adopted Plan per section 351(u) seems to contradict this process. Perhaps some clarity on the steps involved.

Section 355.4. Criteria for Plan Evaluation (Page 41)

a. (3) *The Plan covers the entire basin.*

Comment: We request the Department to clarify the meaning of entire basin plan. If the basin is divided into subbasins (high and low priority). The high priority subbasin requires a GSP; however, does the low priority subbasin require a GSP or needs to be a part of the GSP?

(b) (2) *The Plan shall describe emergency contingency projects or actions that will be implemented in the event that groundwater conditions in the basin have passed a minimum threshold or that undesirable results have occurred or are imminent. 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.*

Comment: We request the Department to provide a more flexible timeline for the emergency contingency projects instead of abatement by or before the next annual report. For example, a few projects will take a few years to implement before construction can begin, such as building a desalination plant and a recycled treatment plant.

Section 355.6. Periodic Review of Plan by Department

Comment: **(b)(3)** – What if amendments are to the measurable objectives and sustainability goal?

Section 355.10. Resolution for Conflicts by Department (Page 44)

(c) In resolving disputes, the Department may require additional information from each basin, including any proprietary data used by the Agency. Information withheld will be presumed not to support the interpretations that rely on that data.

Comment: We request the Department not to disclose proprietary data even to resolve disputes. We have to abide by our confidentiality agreements. This comment is typical for all the County's well level information. We are limited to aggregate reporting unless specified by our confidentiality agreements.

ARTICLE 7. Reports, Assessments, and Amendments - Subarticle 1. Annual Reports

Section 356.2. Introduction to Reports (Page 45)

This Article describes the requirements for annual reports submitted by Agencies on or before April 1 of each year after the adoption of the Agency's Plan, including information required to demonstrate progress towards achieving the sustainability goal based on performance relative to measurable objectives described in the Plan, and Department review of those reports.

Comment: GSPs are adopted by January 1, 2020 and the first annual report is due April 1, 2020. We request that the first annual report be submitted to DWR by April 1, 2021 and not April 1, 2020.

Section 356.4 Annual Report (Page 46)

Edit: **(b)(3)** Water source type and quantity ~~Surface water supply used . . .~~

(b)(4) *“Existing water use data from the most recent Urban Water Management Plans or Agricultural Water Management Plans within the basin may be used, as long as the data are reported by water year.”*

Comment: Again, is there any flexibility on the defined water year period (Oct 1 to Sept 30)

Subarticle 2. Periodic Evaluation of Plan

Section 356.10. Agency Evaluation and Assessment (Page 48)

f.(3) *Gaps in data or data quality shall be remediated no later than the first five-year assessment by the Department.*

Comment: We request that the GSPs use adaptive management to fill all data gaps and not limit it to a five year assessment for data gaps.

SUBARTICLE 3. Plan Amendments

§ 356.12. Amendments and Modifications to Plan (Page 50)

(3) *If the Department determines that the proposed modifications are or may be significant, the Department shall notify the Agency that the proposed modifications may only be adopted as formal amendments to the Plan.*

Comment: We request clarification on what triggers a formal review by DWR. Please define what would be characterized as a formal and informal amendment, examples if possible.

ARTICLE 8. Coordination Agreements

Edit/Comment: "Submitting" Agency should be replaced with "Coordinating" Agency

Section 357.4. Intrabasin Coordination (Page 52)

(d) *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. Reports produced by the Submitting Agency shall include the following:*

Comment: We request that DWR receives a GSP report from each GSA instead of have a Submitting Agency compile a single report. Also, I assume that one of the Agencies within the Basin can act as the Submitting Agency? Need clarity if the Department intends a third party act as Submitting Agency.

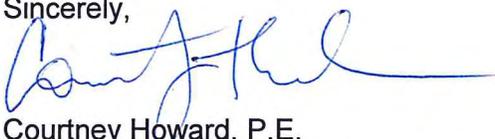
ARTICLE 9. Alternatives and Adjudicated Areas

Comment: It would be helpful to say more specifically what the alternative must address or include if DWR has a minimum standard in mind. Section 10733.6 (a) requires submittal of alternatives to DWR "for evaluation and assessment of whether the alternative satisfies the objectives of [Part 2.74] for the basin", however the objectives of Part 2.74 are not specifically defined in the act or the draft regulations.

Edit: **358.2 (c)(3)** "Water source type and quantity" rather than "Surface water supply".

Thank you again for the opportunity to comment. Your consideration of our input is very much appreciated. Please feel free to contact me at (805) 781-1016 or choward@co.slo.ca.us, or Carolyn Berg at (805) 781-5536 or cberg@co.slo.ca.us with any questions or concerns regarding our comments.

Sincerely,



Courtney Howard, P.E.
Water Resources Division Manager

CF 500.30.02 Groundwater General