California
WATER COMMISSION

Meeting Minutes

Meeting of the California Water Commission

Wednesday, April 20, 2016
State of California, Resources Building
1416 Ninth Street, First Floor Auditorium
Sacramento, CA 95814
Beginning at 9:30 a.m.

1. **Call to Order**
   The meeting was called to order at 9:35 a.m.

2. **Roll Call**
   Executive Officer Paula J. Landis called roll. Commission members Andy Ball, Joe Byrne, Carol Baker, Daniel Curtin, Paula Daniels, Maria Herrera, David Orth, and Armando Quintero were present, constituting a quorum. Commission member Joe Del Bosque was absent.

3. **Approval of March 2016 Meeting Minutes**
   A motion was made to approve the March 16, 2016 minutes. A vote was taken and the motion passed unanimously.

4. **Executive Officer's Report**
   Commission staff postponed the Water Storage Investment Program (WSIP) quantification regulations workshop that was previously scheduled for April 11. Staff is working with partner agencies to refine the regulations and the postponement will not impact the statutory deadline for Commission adoption of the regulations. In early April, Rachel Ballanti accepted the position as Program Manager I for the Commission.

5. **Commission Member Reports**
   Commissioner Baker participated in meetings with Commission and DWR staff. They briefed her on the Sustainable Groundwater Management Act (SGMA), CALFED surface storage projects, climate change modeling, and the WSIP. Later in April she met with representatives from Semitropic Water Storage District and individuals from various non-governmental organizations to discuss SGMA. On March 21, Commissioner Herrera attended a public workshop on SGMA in Visalia. Later that month she met with Orange Cove Mayor Victor Lopez to discuss the Temperance Flat Dam project. She also discussed SGMA regulations with representatives from Merced Irrigation District and Clean Water Action. On March 18, Commissioner Orth gave a presentation on the WSIP at the American Society of Civil Engineers Infrastructure Symposium. He also discussed WSIP regulations with representatives from Clean Water Action and the Tule River Association, and was joined by Commissioner Quintero to discuss the WSIP with the California Citrus Mutual Board of Directors. Commissioner Quintero met with representatives from the Department of Homeland Security and the California Water Foundation. Commissioner Daniels conducted a workshop on water markets with cooperation from the RAND Corporation.

6. **Public Testimony**
   A member of the public stated that there is an excessive amount of water being used for non-essential purposes such as watering lawns. He urged consumers to water their lawns with captured rainwater and conserve existing groundwater supplies for drinking only.

7. **Sustainable Groundwater Management Act Implementation: Update on All Comments on Draft Groundwater Sustainability Plan (GSP) Regulations and Presentation of Final Draft GSP Regulations**
   On February 18, DWR released the draft Groundwater Sustainability Plan (GSP)/Alternative Emergency Regulations. This began a public comment period which ended April 1. DWR received over 4,100 form letters from members of the public and 153 unique letters from local, state, and federal agencies, organizations, private companies, individuals, non-governmental organizations, and Tribal governments. The majority of the comments focused on plan contents, coordination agreements, or were general or non-regulatory comments.

   DWR staff presented an overview of each of the draft GSP regulations' nine articles, the nature of comments they received on each, and possible revisions. There was a substantive question and answer session during and after the presentation. The Commission's discussion included whether or not basin managers should be required to include maps of all wells in a basin, the appropriateness of other GSP content requirements, and the use of the word "substantial" in the phrase "substantial compliance."

   The Commission took public comments. Comments included:

   - The current draft regulations are too prescriptive and require too much data.
   - Overly prescriptive regulations will increase costs to water agencies.
   - DWR is asking for more than the statute requires.
   - Support for local control and the need for flexibility.
   - Small basin managers will not be able to achieve sustainability without more local control.
   - The draft regulations contain an appropriate amount of flexibility and are consistent with SGMA.
   - The prescriptive process does not account for the topographical and hydrogeological diversity of California's groundwater basins.
   - A tiered approach can demonstrate sustainability without DWR's excessive oversight, and that coordinating agencies are not necessary.
   - Requirements for alternative plans are too burdensome and contradict the spirit of the statute.
   - If a basin is currently being successfully managed, it is redundant for DWR to require that the plan for that basin be reformatted to fit within the model of a GSP.
   - Support for removal of the word "substantial" from the previously discussed "substantial compliance."
   - Stakeholders must be engaged and Tribal consultations must be required.

   A Commission member stated that clarity is needed on what constitutes a groundwater dependent ecosystem. Several Commission members supported comments that alternative plans must align with the objectives of SGMA. Another Commission member stated that although SGMA emphasizes local control, it also provides a clear role for state agency involvement and direction.

**During this agenda item, a break was taken to address comments on the Water Storage Investment Program.*

Assembly Member James Gallagher spoke on the topic of the WSIP, provided specific comments on the draft WSIP quantification regulations, and stated that the voters who passed Proposition 1 support above-ground storage. He urged the Commission to fund environmental documentation for projects, and stated that requiring all permits prior to funding would be very problematic for projects. He also spoke in favor of the benefits provided by Sites Reservoir and Temperance Flat Dam.

8. Update on Program and Administrative Activities for the Water Storage Investment Program (WSIP) and Briefing on WSIP Concept Papers

Commission staff gave a summary of administrative activities, technical work, and communications and engagement activities for the WSIP. Between January 29 and March 16, staff received written and verbal public comments on the WSIP quantification rulemaking package. Over 5,200 public comments were received from a wide variety of interested parties. Staff is currently in the process categorizing those comments based on content and assigning them to the appropriate staff for response. The Commission and staff discussed the timeline for changes to the draft quantification regulations and additional public comment periods. Staff also received 41 concept papers from project proponents which outline potential projects and will help staff refine the WSIP process. Staff briefed the Commission on those concept papers and key lessons learned from the information provided.

The Commission took public comments. A representative from Sites Joint Powers Authority stated that it is important for the Commission to finalize the regulatory language regarding climate modeling requirements as soon as possible.

9. Legislative Update

This item was postponed.

10. Update on DWR's Implementation of SB83 and the Online System for Well Completion Reports (OSWCR)

DWR staff gave the presentation. Since 1949, DWR has required well owners and managers to submit well completion reports to DWR's Regional Offices. In June 2015, Senate Bill 83 made all well completion reports available to the public upon request. In order to simplify cataloguing and mitigate damage to the original hard copies, DWR launched the Online System for Well Completion Reports (OSWCR) in October 2015. OSWCR is a platform that allows drillers to submit well completion reports online and improves access for authorized parties. Over 700,000 paper reports have already been transferred to digital images, and there are approximately 70,000 paper reports on file that still need to be transferred. The well completion reports contain information such as well construction information, geologic logs, well use and yield, owner information, permit information, and work type. DWR's future plans for OSWCR include development of a self-service portal to allow members of the public to view well completion reports once confidential data is redacted.

Prior to the adjournment of the meeting, Executive Officer Landis provided an overview of items for the next Commission meeting. At the next meeting the Commission will consider adoption of the final Groundwater Sustainability Plan regulations. UC Berkeley's Michael Kiparsky from will give a briefing on the report "Designing Effective GSAs," and Commission staff will present an

update on program and administrative activities for the WSIP. There will also be a legislative update and a briefing on State Water Project critical issues.

The meeting adjourned at 2:53 p.m.