



Sacramento Groundwater Authority
*Managing Groundwater Resources
 in Northern Sacramento County*

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California American
 Water

Carmichael
 Water District

Citrus Heights
 Water District

City of Folsom

City of Sacramento

County of Sacramento

Del Paso Manor
 Water District

Fair Oaks Water District

Golden State
 Water Company

Natomas Central Mutual
 Water Company

Orange Vale
 Water Company

Rio Linda / Elverta
 Community Water
 District

Sacramento Suburban
 Water District

San Juan
 Water District

Agricultural and
 Self-Supplied
 Representative

California Water Commission
P.O. Box 942836
Sacramento California 94236-0001

Transmitted via email to Paula Landis, Executive Officer

Dear Chair Byrne and Commissioners Baker, Ball, Curtin, Daniels, Del Bosque, Herrera, Orth, and Quintero

I want to express my appreciation for the attention the California Water Commission afforded the draft regulations for implementation of the Sustainable Groundwater Management Act (SGMA) at its April 20, 2016 meeting. Adopting appropriate regulations is critical to the success of SGMA and to the long term sustainability of California's groundwater resources. I was pleased to see that the Department of Water Resources staff has reviewed the comments submitted and embraced many of the necessary modifications in their proposed revisions.

There was significant discussion by the public and Commissioners around the question of how much data and information was needed in a Groundwater Sustainability Plan (GSP), and how DWR would evaluate compliance. Specifically, several commissioners questioned the appropriateness of “substantial” compliance as a standard.

Unfortunately, an exhaustive checklist for GSP content will not ensure sustainability. The path to sustainability will instead be more complex and involve the judgment of groundwater professionals on both sides of the issue – at the local Groundwater Sustainability Agencies that will develop and implement the GSPs, and at DWR, which must evaluate their actions.

As such, whether it is called “substantial compliance,” or simply “compliance,” it is important to properly define expectations. This question is fundamental to success at the local and state level. In our comments on the draft regulations, and

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those of the Association of California Water Agencies and others, we provided an appropriate definition for a compliance standard. A GSP should be found to be compliant if it

“meets the content requirements of the Act and contains sufficient data and analysis to support the Agency’s finding that the sustainability goal will be achieved, and the Department determines that any discrepancy would not materially affect the ability of the Agency to achieve the sustainability goal or of the Department to evaluate the likelihood of the Plan to attain that goal.”

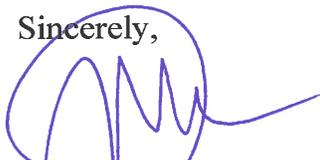
This standard of compliance gets to the key indicator of success, that the quantity and quality of information is adequate to move forward to take appropriate actions to achieve sustainability. Ultimately, the success of SGMA will be measured by the actions taken at the local level, not by the comprehensiveness of the content of the GSP.

In the event that a GSP is found inadequate, the outcome is state intervention. One would hope that when the State Water Resources Control Board develops an interim plan for a probationary basin it would focus on actions rather than filling in incidental gaps in the GSP. The Local GSAs should be evaluated on a comparable basis.

While our comments on the draft regulations included myriad other issues that need to be addressed, this issue of the appropriate standard of compliance is perhaps the most important, and I urge you to support the appropriate balance between planning and action.

Thank you for your attention to this important aspect of the Commission’s charge. Please contact me if you have any questions at (916) 967-7692 or jwoodling@rwah2o.org.

Sincerely,



John Woodling
Executive Director
Sacramento Groundwater Authority

cc: David Gutierrez, Department of Water Resources
David Bolland, Association of California Water Agencies