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ORANGE COUNTY WATER DISTRICT
ORANGE COUNTY'S GROUNDWATER AUTHORITY

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May 16, 2016

California Water Commission
P.O. Box 942836
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Transmitted via email

Subject: Agenda Item No. 8 Sustainable Groundwater Management Act
Implementation: Consider Adoption of Final Draft Groundwater Sustainability
Plan (GSP) Regulations

Dear Commissioners:

Orange County Water District (OCWD) commends the efforts of the Department of Water Resources (DWR) and the Commission in engaging the public and myriad stakeholders in the process of developing the GSP regulations within the very short time frame mandated by the Sustainable Groundwater Management Act (SGMA). The significant changes that DWR made to the draft GSP regulations in response to public comment, including those presented by OCWD, is a testament to DWR's desire to work together with stakeholders in crafting regulations that achieves our shared goal of sustainable groundwater management.

At the last Commission meeting, there was considerable discussion regarding use of "substantial compliance" as the lens in which the regulations will be interpreted and enforced. We support the use of "substantial compliance". In the case of OCWD, this will allow for OCWD to show that our existing programs meet the intent and purposes of many new terms identified in the regulations. Without the "substantial compliance" framework, we are concerned that the regulation would transform DWR's effort into an overly prescriptive, one-size fits all approach which is not the intent of SGMA.

At your upcoming May 18 meeting, you will consider adopting the final draft of the Groundwater Sustainability Plan (GSP) regulations. While no regulation is perfect, we support the final draft GSP regulations and encourage the Commission to adopt the final draft GSP regulations as presented by DWR.

Sincerely,

Michael R. Markus, P.E., D.WRE, BCEE, F.ASCE
General Manager