



**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT**

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California Department of Water Resources
Attn: Lauren Bisnett, Draft GSP Emergency Regulations Public Comment
PO Box 942836
Sacramento, CA 94236

Dear Ms. Bisnett:

We appreciate the opportunity to comment on the Sustainable Groundwater Management Act Draft Emergency Regulations for Groundwater Sustainability Plans and Alternatives. After reviewing the draft regulations, Merced County does have concerns regarding the alignment between the draft emergency regulations and the intent of SGMA, as well as the burden these regulations may impose on local agencies.

The Sustainable Ground Water Management Act (the Act) was passed with the clear intention of maintaining local management of groundwater, which Merced County supports. We strongly discourage any effort to change elements of the Act which may reduce local control or impose requirements that are unreasonable burdens on local agencies.

Data and Reporting Standards

§352.6(a)(2)

Requiring 0.1 foot accuracy on surface water and land surface elevation would involve extensive and costly surveying by the local agencies, with limited benefits. We recommend the 0.1 foot accuracy requirement be applied to the depth of groundwater measurement only.

§352.6(a)(4)

Local agencies may determine locations by methods other than GPS. We recommend the geographic locations be reported by latitude and longitude, removing the requirement to report in GPS coordinates.

§352.6(b)(2)

Requiring all available information about the wells to be reported in the Plan is unnecessary. We recommend that relevant information about wells shall be reported in the Plan. Additionally, well construction information is often unavailable and should not be included as a minimum requirement.

§352.6(b)(3)

It is often not possible to confirm that wells are constructed according to the DWR Bulletin 74-90 standards. We recommend that wells be constructed according to those standards, to the extent feasible.

Basin Conditions

§354.16(c)

Many subbasins do not have seawater intrusion issues and should not be required to develop maps and cross sections for this condition. We recommend clarification that this section only apply to basins or subbasins with seawater intrusion present.

§354.16(d)(2)

Local agencies should be provided with the flexibility to allow for meaningful discussions of risk, given the vast number of contaminated sites within most subbasins. We recommend including a description of the proximity of wells to "significant" sources of groundwater contamination.

Monitoring Network

§354.34(e)(3)

Not every site in the well monitoring network will have a minimum threshold, measurable objective, or interim milestones for each critical parameter. We recommend these values be included where relevant.

§354.34(h)(6)

Monitoring the interconnected surface water to achieve all the listed items is not feasible and creates a burden for the local agencies. Instead, the interconnected surface water monitoring network, together with other resources and tools, can support tools to develop cost-effective estimates.

§354.34(h)(6)(3)

Limited monitoring supported by tools such as integrated groundwater/surface water models will be able to characterize sections 1 and 2 of §354.34(h)(6). Section 3 would require an unreasonably high burden in installation of stream gages and monitoring wells with data logging pressure transducers for streams across the county. We recommend the removal of this item.

§354.34(h)(6)(4)

This section is vague and inconsistent with the other items in §354.34(h). We recommend the removal of this item.

Criteria for Plan Evaluation

§355.4(a)(3)

The Act does not require a single plan cover the entire basin. We recommend the removal of this item.

Annual Report

§356.4(a)

Annual reports should be concise enough not to require an executive summary. We recommend the removal of an executive summary in this section.

§356.4(b)(1)

It may not be reasonable or cost-effective to display all monitoring wells in the annual report, even though there still may be value in the continuous monitoring of these wells. We recommend that groundwater elevation from relevant monitoring wells identified in the monitoring network be analyzed.

Intrabasin Coordination

§357.4(b)

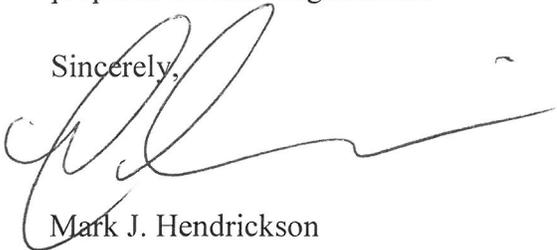
The requirement of a single Submitting Agency removes the flexibility given to local agencies to determine the most appropriate governance structure. This may create complications for basins or subbasins with multiple GSA's. Additionally, it may in effect force the undue creation of a yet another new agency, over the multiple GSA's already created. We recommend the removal of a single submitting agency for a basin or subbasin.

§357.4(d)

The coordinated GSP, as described in the Draft GSP Emergency Regulation Guide, contradicts the intent of the Act to allow local agencies to determine if multiple GSPs with coordination agreements are appropriate for the basin or subbasin. We recommend removing the coordinated GSP requirement and covering the integration of the Plans, data and methodologies in the required coordination agreement.

We appreciate your taking these comments into consideration as the Department of Water Resources prepares the final regulations.

Sincerely,



Mark J. Hendrickson
Director

cc: The Honorable Members of the Merced County Board of Supervisors
Mr. James Brown, County Executive Officer