



SWEETWATER AUTHORITY

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April 1, 2016

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Ms. Lauren Bisnett
California Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236

Subject: COMMENTS ON DRAFT EMERGENCY REGULATIONS FOR
GROUNDWATER SUSTAINABILITY PLAN & ALTERNATIVES
SWA FILE: B.P. 20164003

Dear Ms. Bisnett:

Sweetwater Authority (Sweetwater) has reviewed the Draft Emergency Regulations for Groundwater Sustainability Plans (GSP) & Alternatives. In general, Sweetwater believes the draft regulations are too expansive, overly prescriptive, and would likely result in burdensome and unnecessary costs for a Groundwater Sustainability Agency (GSA) of the type that would exist in the southern San Diego County area of the state. In addition, the draft regulations are clearly written for the central valley areas of the state where critical overdraft conditions are prevalent and would overregulate Sweetwater's low priority basin that is being managed within the safe yield of the aquifer. Some examples of overly prescriptive elements of the draft regulations include:

- The concepts of minimum thresholds and measurable objectives are a useful framework for developing and implementing a GSP in the central valley, but their uniform application may be overly prescriptive for the south San Diego area.
- The draft regulations require agencies to use only the water budget data provided by DWR, which may not be appropriate for Sweetwater's area.
- The data requirements of the draft regulations seem excessive and unnecessary for an area like Sweetwater's that is not critically overdrafted. The GSA should be able to evaluate and report representative data that supports the local GSP.
- Sweetwater uses NGVD29 as the datum reference, whereas the draft regulations prescribe using NAVD88 datum, which would require Sweetwater to run expensive reference point elevation surveys even when the sustainability goals can be achieved in the basin using the existing datum.

Ms. Lauren Bisnett

Re: Comments on Draft Emergency Regulations for GSP & Alternatives

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- The regulations go beyond the statute in the area of groundwater quality, suggesting, for example, that GSAs would have to evaluate the impacts of future land uses on groundwater quality.

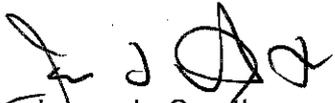
Sweetwater is embarking on a project in cooperation with the City of San Diego to develop a GSP for the San Diego Formation using a team of local geologists, engineers, scientists, and stakeholders, along with the USGS, to develop a GSP that demonstrates sustainability. The draft regulations should be uniformly revised to generally defer to the judgment and expertise of the local GSA. DWR should show trust in local agencies by applying more stringent and prescriptive requirements only when a GSA has not demonstrated good faith efforts.

And finally, the requirement in the draft regulations that a GSA have "contingency projects and actions" ready to implement if the first set of actions do not achieve sustainability is not required by the Sustainable Groundwater Management Act (SGMA), sets the tone of presumed failure, and is entirely inapplicable to the Sweetwater area because the aquifer is not being overdrafted and is managed within the safe yield. The draft regulations appear to require that GSAs evaluate, negotiate, and fund not one, but two sets of projects and actions solutions. In working to achieve or maintain sustainability, GSAs must be given latitude to modify and adapt projects based on local conditions and needs. Given annual reporting and regular plan assessments, this contingency plan requirement is unnecessary.

If you have any questions regarding these comments, please contact Ron R. Mosher, Director of Engineering, at (619) 409-6750, or Rmosher@sweetwater.org.

Sincerely,

SWEETWATER AUTHORITY



James L. Smyth
General Manager

JLS:RRM:vn

cc: Jennifer H. Sabine, Sweetwater Authority
Ron R. Mosher, Sweetwater Authority
Michael Garrod, Sweetwater Authority