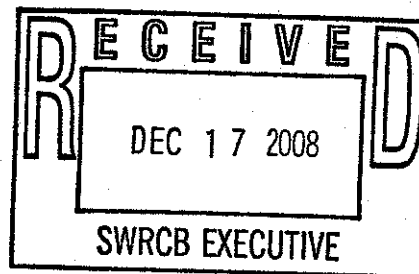


STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

**DEPARTMENT OF WATER RESOURCES**1416 NINTH STREET, P.O. BOX 942836  
SACRAMENTO, CA 94236-0001  
(916) 653-5791

December 17, 2008

Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, California 95814**COMMENTS ON STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION 68-16, "STATEMENT OF POLICY WITH RESPECT TO  
MAINTAINING HIGH QUALITY OF WATERS IN CALIFORNIA"**

Dear Ms. Townsend:

The Department of Water Resources (DWR) appreciates the opportunity to provide comments on the State Water Resources Control Board's (SWRCB) proposed review of the "Statement of Policy with Respect to Maintaining High Quality of Waters in California" (Anti-Degradation Policy), SWRCB Resolution No. 68-16.

The State of California faces a number of challenges to meeting its water supply needs in the future, a growing population, changing land use, and environmental and legal restrictions on diversions from the Delta and Colorado River, not to mention the decreasing snow pack and changed hydrology that will result from climate change. A number of approaches will be needed to meet future demands, including water conservation, recycled water, and desalination. DWR has identified conjunctive use and groundwater storage as one of the resource management strategies in the California Water Plan Update 2005 for making new water supplies available to meet future needs. Groundwater storage projects, including aquifer storage and recovery, will provide flexibility, as well as water supply reliability improvements on the local, regional, and statewide levels.

DWR strongly supports and has been working aggressively for the last decade to implement additional groundwater storage through locally driven projects. Over \$350 million dollars of state bond funds from Propositions 204, 13, and 50 have been dedicated to groundwater storage, and these were matched by over \$1 billion of local funds. Over 300,000 acre-feet of new water supply was developed from the Proposition 13 investments alone. Proposition 84 provides an additional \$1 billion for projects to improve water supply reliability, water quality, and the environment. Groundwater storage will represent a significant portion of the projects that are implemented with these funds.

Ms. Jeanine Townsend  
December 17, 2008  
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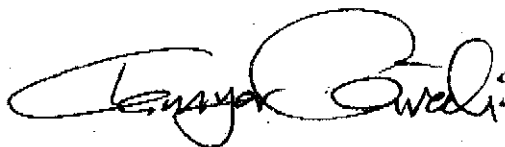
Groundwater storage projects regulated by the Regional Water Quality Control Boards (RWQCBs) are subject to compliance with the Anti-Degradation Policy. The intent of Resolution 68-16 is to regulate the disposal of wastes into the waters of the State "...to achieve highest water quality consistent with maximum benefit to the people of the State..." While we recognize the responsibility of the RWQCBs to protect water quality for all beneficial uses, we urge the SWRCB to pursue regulatory policies and strategies that can balance the protection of water quality with the need to effectively manage the dual resources represented by groundwater and aquifer storage space on a basin-wide scale.

The implementing guidelines for the Anti-Degradation Policy contained the SWRCB's Administrative Update 90-004 (APU 90-004) requires that a complete Anti-Degradation Analysis be conducted in "balancing the proposed action against the public interest." Although prescriptive standards may simplify the regulation of groundwater recharge projects, DWR favors a broader approach in which a set of principles provide a framework for the project-specific evaluation of the risks and benefits of recharge projects. Guidelines for appropriate monitoring, data evaluation and operational contingencies must also be developed to guide project development, implementation, and oversight.

DWR recognizes the important roles of the state regulatory agencies and believes there can be a reasonable balance between protecting water quality and public health and providing water supply benefits when implementing conjunctive use and groundwater storage projects. Effective use of our groundwater resources is important to the sustainability of the economy and environment of our state.

DWR is willing to work with the SWRCB, the RWQCBs, other state agencies, and project proponents to develop a successful approach to implementing and regulating groundwater storage projects to meet California's water needs. If you have any questions or wish to discuss this matter further, please contact me at (916) 651-9202 or Mr. Eric Hong, of my staff, at (916) 651-9232.

Sincerely,



12/17/2008

Kamyar Guivetchi, Chief  
Division of Planning and Local Assistance