



Association of California Water Agencies

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October 3, 2014

Mr. Rob Harper
WFWARP
USDA Forest Service
201 14th Street SW
Washington, DC 20250

RE: US Forest Service Proposed Directive on Groundwater Resources Management, Forest Service Manual 2560

Dear Mr. Harper:

The Association of California Water Agencies (ACWA) appreciates the opportunity to comment on the United States Forest Service (USFS) Proposed Directive on Groundwater Resource Management (Directive), Forest Service Manual 2560 79 FR 25815 (May 6, 2014). ACWA's 430 public water agency members supply over 90 percent of the water delivered in California for residential, agricultural, and industrial uses. In addition to the comments herein, ACWA encourages your careful consideration of the comments submitted by the Western Urban Water Coalition, National Water Resources Association, and Family Farm Alliance. Arid western states have unique water management challenges that the proposed Directive does not acknowledge.

ACWA appreciates the Forest Service recognition of the importance of groundwater resources and lauds the Directive's goal to provide more dependable, higher-quality water for human uses and ecosystem protection. However, ACWA has significant concerns with the proposed Directive and urges USFS to withdraw the proposal. Once the proposed Directive is withdrawn, USFS should consult with state and local water managers to develop a policy that will be effective for both water users and the environment.

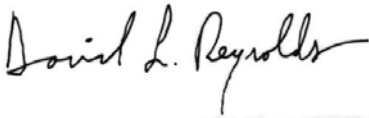
ACWA has the following specific concerns regarding the proposed Directive:

- It encroaches into states' rights to manage groundwater. California just adopted the Sustainable Groundwater Management Act. This historic law creates statewide standards and requirements for management of groundwater at the local level. How would the proposed Directive fit into the newly passed state legislation?
- USFS did not consult with state and local water managers in drafting the proposed Directive and there was no opportunity to provide input prior to the release of the document.
 - How would the proposed Directive fit into the California Statewide Groundwater Elevation Monitoring (CASGEM) program designed to track seasonal and long-term groundwater elevation trends in California's groundwater basins?

- How would the USFS responsibility for the management of groundwater resources be coordinated with the authorized groundwater management agency responsible for managing the quantity and quality of the groundwater resources within a basin?
- The proposed Directive appears to expand USFS jurisdiction to an uncertain downstream range beyond National Forest System lands. Such an expansion would have far reaching implications for downstream water rights. The USFS should not attempt to use this Directive to expand its jurisdiction.
- The proposed Directive includes vague and uncertain terminology.
 - For example, how will "groundwater watersheds" be defined under the Directive?
Would this include only the area immediately overlying USFS basins?

California's forested watersheds are increasingly important to safeguarding a resilient water management system. However, more work remains to ensure the Proposed Directive falls within the limits of agency authority, pays deference to a state's water authorities, and emphasizes a collaborative approach to water management. As stated above, ACWA recommends that USFS withdraw the proposed Directive on groundwater management and work with stakeholders to craft a policy that will work for both water users and the environment.

Sincerely,

A handwritten signature in black ink that reads "David L. Reynolds". The signature is written in a cursive style with a horizontal line underneath.

David Reynolds
Director of Federal Relations