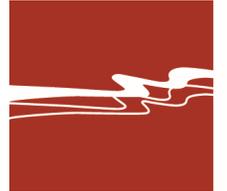


MEMORANDUM



WALLACE GROUP®

Date: October 4, 2021
To: Mladen Bandov, P.E.
Supervising Water Resources Engineer
From: Board of Directors
Edna Ranch East Mutual Water Company
Via: Rob Miller, PE 
Subject: Comment Regarding Draft Groundwater Sustainability Plan

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Wallace Group has been retained by Edna Ranch Mutual Water Company (ERMWC) to provide input on the draft GSP. ERMWC understands the County's current position of deferring a detailed discussion on the topic of exclusions and user classes to later phases of the regulatory process, with general language as you outlined. Their concern with this approach is that it doesn't provide the needed specificity for planning and management, and therefore they strongly advocate for more detailed, conclusive language.

While ERMWC's preference is to be designated as a group of domestic de minimis users, consistent with the July 21, 2021 analysis prepared by NewCurrent, they are willing to consider a position that would result in continued management and financial involvement. ERMWC is using 1.3 AFY or less per parcel, beneath the 2 AFY threshold for a de minimis user. ERMWC is also using at or less than 1% of the total well production in the Edna Valley, which they consider an insignificant amount. This determination is consistent with the draft GSP, including Section 6.6.1.1, which includes the following language with emphasis added:

*Additionally, rural domestic de minimis pumping is assumed to remain at current levels; there are no significant development plans in County-administered parts of the Basin. Additionally, this is a small portion of the overall water budget (2-4% of total pumping), and minor revisions to this pumping category will **not significantly** affect model results.*

Given these factors, ERMWC proposes a water extraction exclusion for water users (Mutuals) that meet the De minimis threshold on a per parcel basis and do not in aggregate extract a significant volume from the basin, which we conservatively quantify as 1% of total extractions. This exclusion would preclude further curtailment of water use. ERMWC requests that the following language be added to Section 9.5.2.2, Non-De Minimis Extraction and Reporting Program, immediately after the recently added County language regarding the exclusion of other user classes. The new language would read as follows (existing GSP language in italics, new language underlined):

WALLACE GROUP
A California Corporation

612 CLARION CT
SAN LUIS OBISPO
CALIFORNIA 93401

T 805 544-4011
F 805 544-4294

www.wallacegroup.us

...Such regulation could exclude a class of users beyond those that meet the statutory definition of a de minimis extractor if warranted and consistent with the objectives of this GSP. One qualifying class of users that has been identified as part of this GSP is the non-profit mutual water company which extracts an insignificant quantity from the basin. Such mutuals will be excluded from further pumping reductions subject to satisfying the following conditions:

- 1) The mutual must provide documentation confirming that its residential mutual members are consuming less than an average volume of 1.3 AFY per residential parcel.
- 2) The applicant must demonstrate annual well metering to the GSA using an approved and calibrated flow meter.
- 3) The applicant must agree in writing to provide a fair share financial contribution to the GSA on an annual basis
- 4) The applicant must prove their total extractions, in aggregate, are less than significant, defined as 1% or less of total basin extraction.
- 5) The applicant must provide documentation of internal enforcement of use limitations on mutual members, including financial penalties.

Please let me know if you have questions, and your consideration is appreciated.