THE STATE WATER BOARD'S ROLE IN SUSTAINABLE GROUNDWATER MANAGEMENT

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Overview

- SGMA Basics
- State Board Intervention Role
  - Intervention Triggers
  - Reporting
  - Fees
  - State Interim Plan
- Opportunities for Public Engagement

SGMA BASICS

Applicability & Key Requirements

The Basics

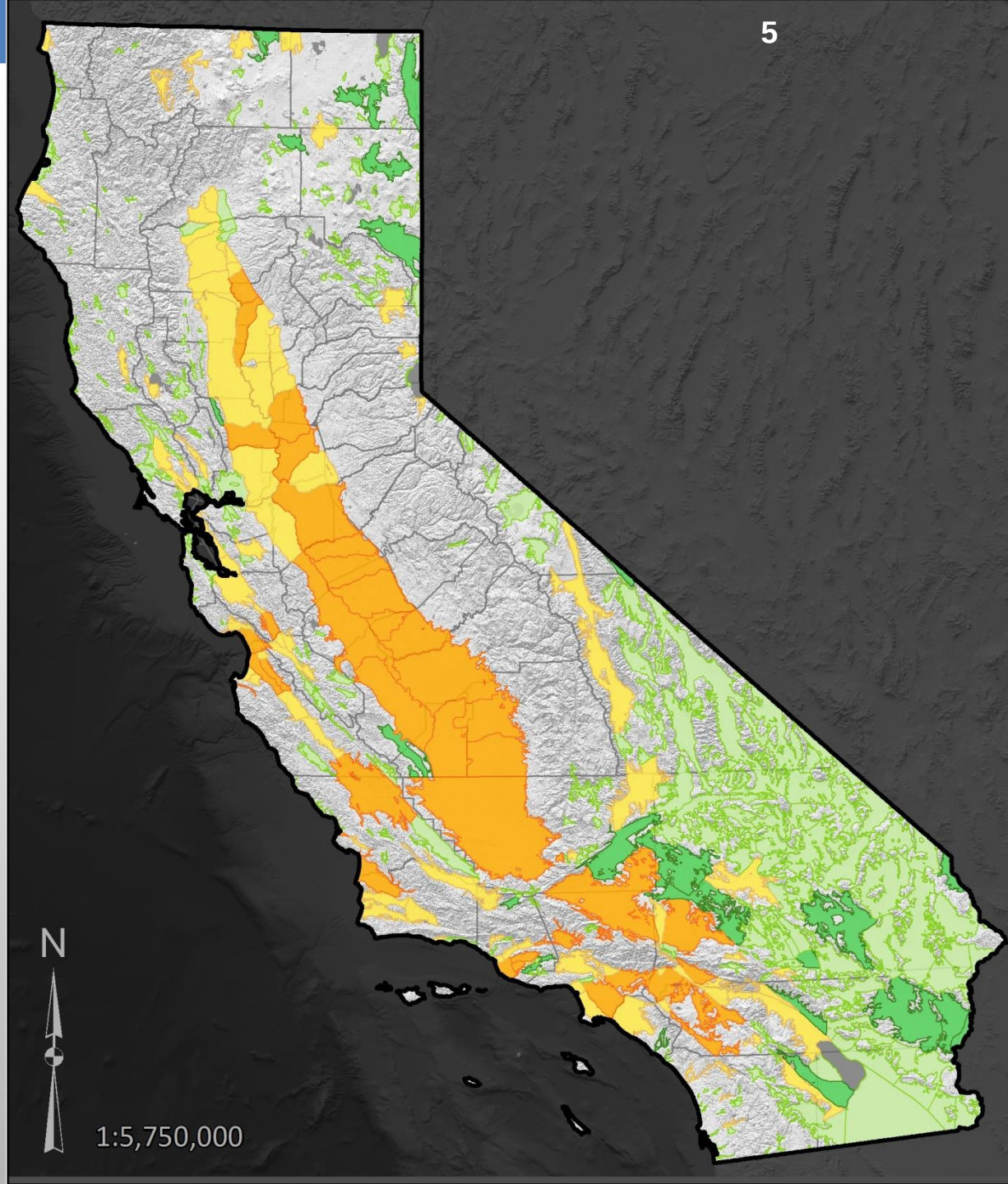
- Requires formation of sustainability agencies and development of sustainability plans
  - 127 High and medium priority basins
- Authorizes management tools for local agencies
- Defines timeframe for accomplishing goals
- Provides alternative if users can show basin is sustainable
- Creates state “backstop”

STATEWIDE
CASGEM PRIORITIZATION

Basins displayed by priority:

43 High Priority (O)
84 Medium Priority (Y)
27 Low Priority (G)
361 Very Low Priority (Lt. G)

Calculation involves:
Population & Pop. Growth
Irrigated acreage
Public supply well distribution
And other variables



Key SGMA Requirements

- Groundwater Sustainability Agencies (GSAs) (2017)
  - One or more agencies
  - If more than one agency per basin, GSAs must coordinate
- GSAs Prepare Groundwater Sustainability Plans (GSPs) (2020/2022)
  - Measurable objectives
  - Implementation milestones
  - Annual reports (water use, extraction, change in storage)
- Achieve Sustainability 20 years after plan adoption, prevent “undesirable results”

Sustainable groundwater management

Management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results.

Undesirable results

- Chronic lowering of groundwater levels (not including overdraft during a drought, if a basin is otherwise managed)
- Significant and unreasonable:
  - reductions in groundwater storage
  - seawater intrusion
  - degradation of water quality
  - Significant and unreasonable land subsidence
  - Surface water depletions adversely impacting on beneficial uses

STATE WATER BOARD ROLE IN SGMA

State Intervention, Data Reporting, Fees, and Interim Plans

Intervention Basics

In every circumstance, State Board can only step in when local efforts do not succeed

Timing and role of State Board intervention depends on how locals do not succeed

Numerous off-ramps for locals to avoid management by the state

Intervention Triggers

After	Intervention Trigger
June 30, 2017	No Groundwater Sustainability Agency formed.
Jan. 31, 2020	**In basins in a condition of critical overdraft**: 1) No sustainability plan has been adopted, or 2) The Department of Water Resources (DWR), in consultation with the State Water Board, finds that the sustainability plan or its implementation is inadequate.
Jan. 31, 2022	In other high- or medium-priority basins: 1) No sustainability plan has been adopted, or 2) DWR, in consultation with the State Water Board, finds the sustainability plan or its implementation is inadequate, and the State Water Board finds that the **basin is in a condition of long-term overdraft**.
Jan. 31, 2025	DWR, in consultation with the State Water Board, finds that the sustainability plan is inadequate or the plan is not being implemented in a manner that is likely to achieve the sustainability goal, and the State Water Board finds there are **significant depletions of interconnected surface waters.**

In all triggering events, intervention is the result of failure by locals to create a GSA or adopt and implement a GSP

State Water Board Roles

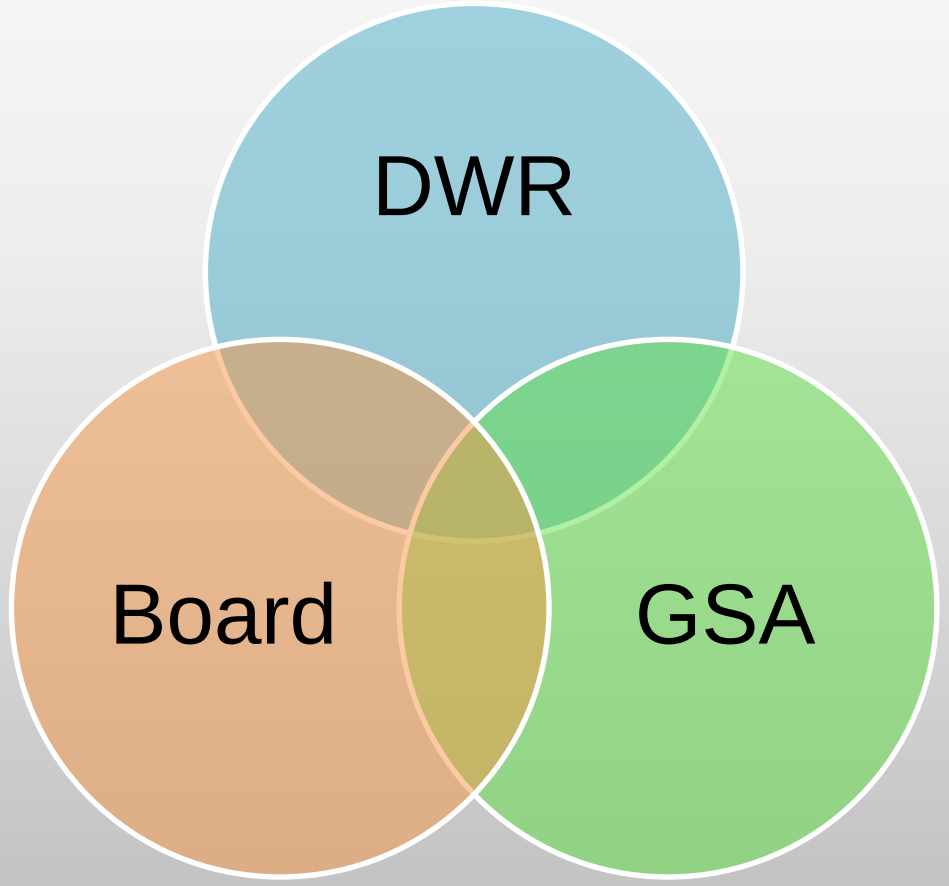
- The State Backstop
  - Data Manager
  - Basin Manager
- Coordination with DWR
  - Communication
  - Outreach
  - Regulation development
  - Implementation of the backstop

Role as Data Manager: Potentially Un-Managed Areas (PUMAs)

- First backstop role for Board is data collection (July 1, 2017)
- Groundwater users in PUMAs report to State Board (Water Code §5203)
  - Name and address, name of basin
  - Place of extraction
  - Monthly records of volume of extractions
  - Purpose of use, description of place of use
- Probationary basins can include additional data

Reporting System Needs

- Electronic reporting system to collect PUMA data
- Data need for interim plans
- Track fees
- Public interface



State Board Can Act as a Basin Manager

Develop fees to support basin management

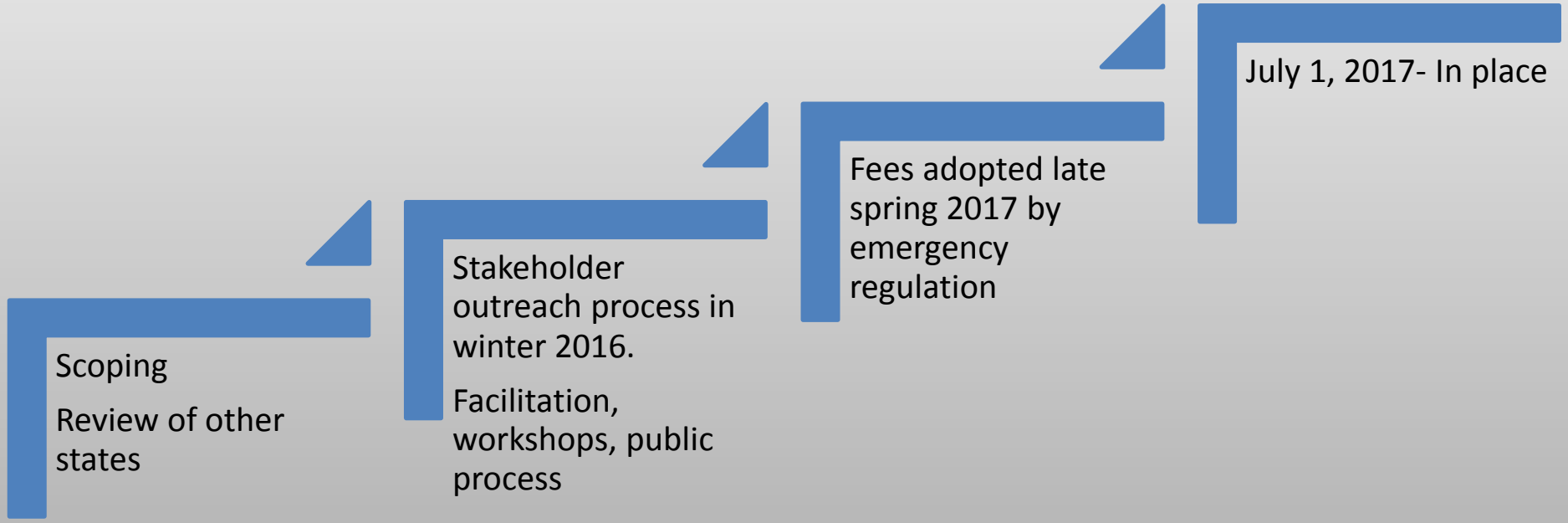
Designate probationary basins

Probationary basins lead to interim sustainability plans

Interim plans manage basins until local efforts come up to speed

Fees

- Cover all costs related to backstop
  - Facilitation, investigation, monitoring, hearings, enforcement, administration
  - PUMA reporting and participation in Board hearings
- Fees need to be in place with data reporting system



Probationary Basins

- Probationary Basin designations no sooner than:
  - No GSA (2017)
  - No GSP (2020, 2022)
  - Poor GSP or inadequate implementation (2020, 2022, 2025)

- In some cases, Board intervention is triggered by DWR finding (in consultation with the Board)

- Probationary basin designations will apply to whole basin, unless a portion can demonstrate they are meeting their sustainability goal (Water Code 10735.2(e)). Meeting that sustainability goal may be difficult

Interim Plans

- Intervention may culminate in a Board written and implemented interim plan
- Every sustainability plan will need to be different in order to best respond to local needs
- State-developed interim plans will reflect the unique hydrogeology of local basins, but will differ from a locally developed plan in cost, details, and approach to sustainability

What will Board Intervention Look Like?

- Data
  - Same data needed by a GSA, but now managed by State.
  - Higher frequency (monthly minimum reporting)
- Fees
  - Fees associated with reporting
  - Board recovers cost for all intervention-related activities (monitoring plans, well construction, facilitation, technical studies, models)
- Interim plans
  - Pumping restrictions are most straight-forward
  - State developed physical solutions are unlikely

Local Challenges to SGMA Implementation

- Rush to fragmentation
- Overlapping governance
- Start-up costs
- Coordination
- Lack of funding can lead to intervention
- What will happen when the honeymoon is over?

Coordination Within Basin

- SGMA requires that basins with multiple sustainability plans coordinate with other agencies preparing plans in that same basin (Water Code 10727.6).

- Requires same data (elevation, extraction surface supply, total water use, change in storage, water budget, sustainable yield)

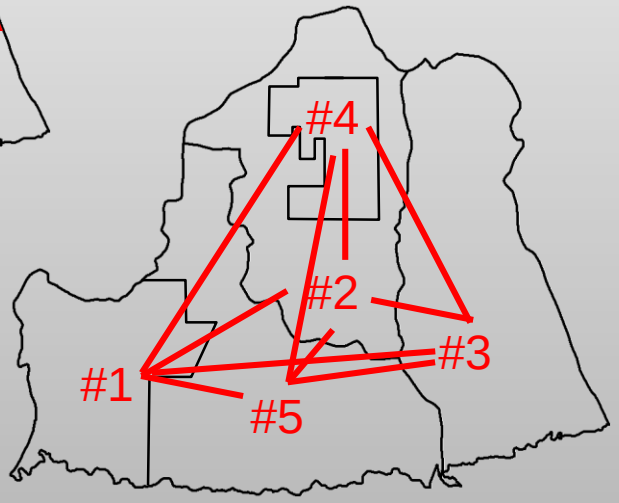
- Lack of coordination will be an indication of inadequacy (will result in Board intervention)

Rush to Form GSAs Can Lead to 'Disintegrated Regional Water Management'

One GSA
One Plan
INTEGRATED

Many GSA
One Plan
INTEGRATED

Many GSA
Many Plans



DISINTEGRATED?

PUBLIC ENGAGEMENT

Statutory Requirements and Other Good Ideas

GSA Formation & GSP Development

- Public noticing and participation opportunities throughout SGMA
- Basic requirements in SGMA, but a comprehensive and thorough engagement plan may be more productive and successful in long run
- Level of public participation will be a function of GSA's desire and efforts to engage

Required SGMA Engagement

- GSA formation
- Sustainability plan development
- Coordination between sustainability plans when there's more than one per basin

GSA Formation Requirements

SGMA Requirements (Water Code 10723-10723.8)

- Inform interested parties about the Act & GSA Formation
- Public notice
- Public hearing for GSA Formation
- An explanation of how the interests of ALL beneficial uses and users of groundwater will be *considered in the development and operation of GSA*

Potential Additional Elements

- Create baseline information materials/site
- Stakeholder assessment with eligible agencies, then interested parties
- Process to make decisions and inform interested parties
- Strategic outreach / communication plan


County Line Rd
45
1
45
Sacramento Ri
Sbacco Rd
Sacramen
Map
Google

Required Interested Parties

Comprehensive Approach Will Identify and Factor in Interested Parties' Perspectives

- All Groundwater Users
- Holders of Overlying Rights (agriculture and domestic)
- Municipal Well Operators and Public Water Systems
- Tribes
- County
- Planning Departments / Land Use
- Local Landowners
- Disadvantaged communities
- Business
- Federal Government
- Environmental Uses
- Surface Water Users (if connection between surface and ground water)

Sustainability Plan Participation Requirements

SGMA Requirements

- Public notice
- Public hearing
- Prior to initiating plan, provide written statement to public and DWR describing how interested parties can participate.
- Shall encourage the *active involvement* of diverse social, cultural, and economic elements of the population within the groundwater basin

Potential Additional Elements

- Stakeholder assessment (tune-up)
- Convening documents (charter), including decision making and how GSA will consider public input
- Strategic outreach / communication plan
- Consider Advisory Group / how GSA will be responsive to all interests
- Mutual gains approach to negotiation

Collaborating for Success

- Document by Union of Concerned Scientists, Community Water Center, and Clean Water Fund
- Describes approaches for comprehensive stakeholder engagement
  - Generally exceed SGMA requirements, but offer a thorough approach that has been successful in other arenas
- Draws on examples from across the state
- http://www.waterboards.ca.gov/water_issues/programs/gmp/docs/local_asst/sgma_stakeholderengagement_whitepaper.pdf

FINAL THOUGHTS

Wrap-up, Reminders, and Websites

Final Thoughts

- SGMA is the start of a new era in California's groundwater management
- Will present immense challenges and opportunities
- Lack of management can result in Board intervention
- A diverse set of stakeholders will strengthen the GSA and sustainability plan…
  - … with understanding that there are timelines involved

Informational Flyers and Handouts

- SGMA Timeline
- Public Participation
- Funding
- Domestic Wells
- Drought
- SGMA Basics
- Others
- Handouts available at http://www.waterboards.ca.gov/water_issues/programs/gmp/local_assistance.shtml#meetings

Thank You!

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CALIFORNIA
Water Boards
STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS

Additional Information:

www.groundwater.ca.gov

DWR – www.water.ca.gov/groundwater

State Board – http://www.waterboards.ca.gov/water_issues/programs/gmp/

Lyris email alert list: http://www.swrcb.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml

Groundwater was once out of sight, out of mind…

SGMA will open new doors.