Sustainable Groundwater Management Act
Implementation Update
December 19, 2023

Office of Research, Planning, and Performance

California Water Boards
TOPICS

1. State intervention - status
2. Updated schedule
3. Basins still under review
4. Steps to exit state intervention
DWR Determinations
Groundwater Sustainability Plans

Basins with Inadequate Plans:

1. Delta-Mendota Subbasin
2. Chowchilla Subbasin
3. Kaweah Subbasin
4. Tulare Lake Subbasin
5. Tule Subbasin
6. Kern County Subbasin
State Intervention

Tulare Lake: Schedule

2023-2024

Oct 12, ‘23
Release draft deficiencies
Notice to cities and counties

Oct 13, ‘23
Notice to all known pumpers

Nov 3 & 8, ‘23
Stakeholder meetings

Dec 11, ‘23
Public comment period ends

Mar ‘24
Release final deficiencies
Issue draft resolution

Apr 16, ‘24
Hearing
Potential probationary designation
Proposed Schedule for Holding Probationary Hearings

<table>
<thead>
<tr>
<th>Location</th>
<th>Date</th>
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<tbody>
<tr>
<td>Tulare Lake</td>
<td>Apr 16, 2024</td>
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<tr>
<td>Tule</td>
<td>Sep 2024</td>
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<tr>
<td>Kaweah</td>
<td>Nov 2024</td>
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<tr>
<td>Kern County</td>
<td>Jan 2025</td>
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<tr>
<td>Delta-Mendota</td>
<td>1st quarter 2025</td>
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<tr>
<td>Chowchilla</td>
<td>2nd quarter 2025***</td>
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*** if needed, pending State Water Board determination on updated plan submitted May 5, 2023
Tule: Potential Schedule

2024

March
- Release draft deficiencies
- Notice to all known pumpers
- Stakeholder meetings

March
- Notice to cities and counties

April
- Public comment period ends

May
- Issue draft resolution

August
- Release final deficiencies

September
- Hearing
- Potential probationary designation

Notice to all known pumpers
How to engage with the Board

- Public comment period & staff workshops
- Consultations at the request of California Native American Tribes
- Discussions, by request
- Hearing
Fees Subject to Change

- Existing fees based on 2017 assumptions
- Staff to reevaluate fees and report back to Board

- Base Annual Filing Fee (per well): $300
- Volumetric Rate (per acre-foot): $40
- Late Report Fee (per month): 25%
Basins with Inadequate Plans:

1. Delta-Mendota Subbasin
2. Chowchilla Subbasin
3. Kaweah Subbasin
4. Tulare Lake Subbasin
5. Tule Subbasin
6. Kern County Subbasin

Other basins: Incomplete Plans

- Madera: DWR’s determination anticipated soon
- Other six: Revised plans due by April 2024
  DWR may decide late 2024 or early 2025
- Some of these could be declared *inadequate* by late 2024/early 2025 or sooner
Initial Review in Progress

- DWR decisions required by Jan 2024 for 16 basins

- Decisions due later for 4 basins
- Some of these could be declared *inadequate* by spring 2025

Any incompletes: revised plans due around July 2024
STEPS to Exit State Intervention

STEP 1: GSA(s) revise plan

STEP 2: Board staff review submitted plan(s) – timelines

STEP 3: Board decides

Side note: “Good Actor” exemptions
STEPS to Exit State Intervention

- **STEP 1: GSA(s) revise plan**

  Identify for each deficiency: 1. Issue noted in previous GSP 2. New content in revision 3. Explanation on how the changes address the deficiency
**STEPS to Exit State Intervention**

- **STEP 2: Board staff review submitted plan(s) - timelines**

  Plan for **three months** for one plan, likely one additional month for each additional plan

  If inadequate time is provided before a hearing, staff will only be able to perform a **cursory review (if any)**

  - If any substantial deficiencies appear unresolved, staff will recommend **continuing with the hearing**
  - If all deficiencies appear resolved, staff will recommend a delay so staff can complete **comprehensive review and incorporate public feedback**

**Submittal of new or revised plans does not guarantee cancellation or delay of a hearing**
**STEPS to Exit State Intervention**

- **STEP 3: Board decides**

  If plan is **fixed**: hearing could be either (1) cancelled or (2) kept so staff can publicly recommend ending state intervention; any probationary basin determination will be rescinded

  If plan is **not fixed**: Any scheduled hearings will be held; probationary basin requirements will remain in place
STEPS to Exit State Intervention

- Side note: “Good Actor” exemption from probationary status:

  To qualify for this exemption, any area must have a GSA that “demonstrates compliance with the sustainability goal” for the subbasin. This means:

  - Area is covered by a GSA
  - Area has a GSP that meets the requirements of SGMA
BOARD RESOURCES

- FAQs for GSAs
- FAQs for Pumpers
- Soon: more guidance on submitting revised plans
State Water Resources Control Board
SGMA Program

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