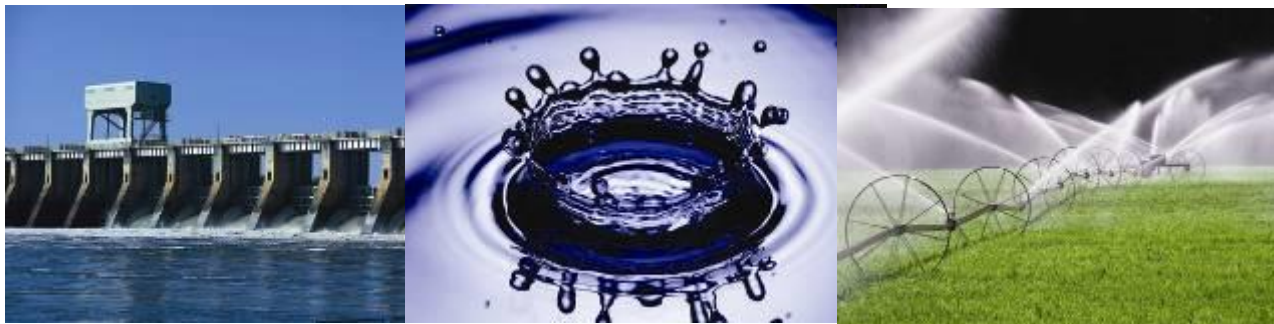


Sustainable Groundwater Management Act

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Presented By

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Introduction

- First statewide groundwater legislation
- Adjudicated basins exempt
- Groundwater Sustainability Agencies
- Groundwater Sustainability Plans
- State Involvement

GSA ELECTION

- 15 Designated GSAs
- Local agency may elect to become GSA
- A combination of local agencies may form a GSA by joint powers agreement, MOU, or other legal agreement
- Must take into account all interests in the basin
- GSAs must be formed by June 30, 2017

ROLE OF IOUs

- 10723.6 (a) A combination of local agencies may form a groundwater sustainability agency by using any of the following methods:
 - (1) A joint powers agreement.
 - (2) A memorandum of agreement or other legal agreement.
- (b) A water corporation regulated by the Public Utilities Commission may participate in a groundwater sustainability agency if the local agencies approve.

ROLE OF IOUs

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 - (1) A joint powers agreement.
 - (2) A memorandum of agreement or other legal agreement.
- (b) A water corporation regulated by the Public Utilities Commission or a mutual water company may participate in a groundwater sustainability agency if the local agencies approve. through a memorandum of agreement or other legal agreement. The authority provided by this subdivision does not confer any additional powers to a nongovernmental entity.

GSA POWERS

- Require groundwater well registration, measurement of groundwater extractions, and the filing of annual extraction reports;
- Regulate groundwater extractions by imposing well spacing requirements, limiting extractions, and establishing extraction allocations;
- Investigate and determine the sustainable yield of a groundwater basin;
- Require wells to be separated by sufficient distance to prevent well interference;
- Impose fees for groundwater management; and
- Enforce the terms of a groundwater sustainability plan.

Groundwater Sustainability Plans

- GSAs required to establish and adopt a groundwater sustainability plan
- Must provide a roadmap to groundwater sustainability
- Measurable objectives to attain sustainability within 20 years

TIMELINES

- Critically overdrafted basins must develop groundwater sustainability plans by 2020
- Other basins must develop sustainability plans by 2022
- Critically overdrafted basins must achieve sustainability by 2040
- Other basins must achieve sustainability by 2042
- DWR may grant extensions if progress toward meeting the sustainability goal is demonstrated, and the GSA adopts a feasible work plan

Sustainability Plan Elements

- Exempt from CEQA
- Include monitoring and management for the basin over a 50-year planning horizon;
- Articulate measurable objectives to be achieved every five years; and
- Establish incremental milestones every five years in order to achieve the sustainability goals identified in the plan within 20 years.

Role of State

- Water Code 113: Policy of Sustainable, Local Groundwater Management
- DWR to prioritize basins
- DWR to adopt regulations for basin boundary adjustments
- DWR to publish report estimating water available for groundwater replenishment
- DWR to adopt regulations for evaluating sustainability plans and publish sustainability best management practices
- DWR to provide technical assistance to local agencies
- DWR to review GSPs and their implementation

Role of State

- Designation of probationary status by State Water Board
- Once designated probationary, the State Water Board may adopt its own interim plan for managing the basin
- The interim plan may include restrictions on groundwater extractions, implementation of a physical solution, and guidelines for administering rights to surface waters connected to the basin

Role of State

- A basin may be designated probationary if:
- No GSA or alternative plan by June 30, 2017
- No GSP by January 31, 2020 or January 31, 2022
- GSP is inadequate or not being implemented in a way to achieve the sustainability goal
- After January 31, 2022, there is a long-term overdraft and a failure to implement a plan in an adequate manner
- After January 31, 2025, there are significant depletions of interconnected surface waters, and there is a failure to implement a plan in an adequate manner.

Role of State

- Timelines are tolled for litigation challenging a GSA or a GSP
- Notice and cure period of 180 days (or more) from finding of insufficiency, if the GSA is making substantial progress
- State Water Board must exclude from probationary status any basin (or portion) which is being managed in a sustainable manner

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