

# The Sustainable Groundwater Management Act

## California Water Association

### SGMA, GSAs and IOUs – 1 year Later Groundwater Sustainability Agency Formation

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# GSA Formation Responsibilities



## Framework

- Applicability
- Definitions

## Local's Role

- Establish GSA
- Powers & Authorities
- Sustainability Plans
- Deadlines

## State's Role

- Develop guidance or rules
- Provide Technical and Planning Assistance
- State Evaluation and Assessment
- State Intervention

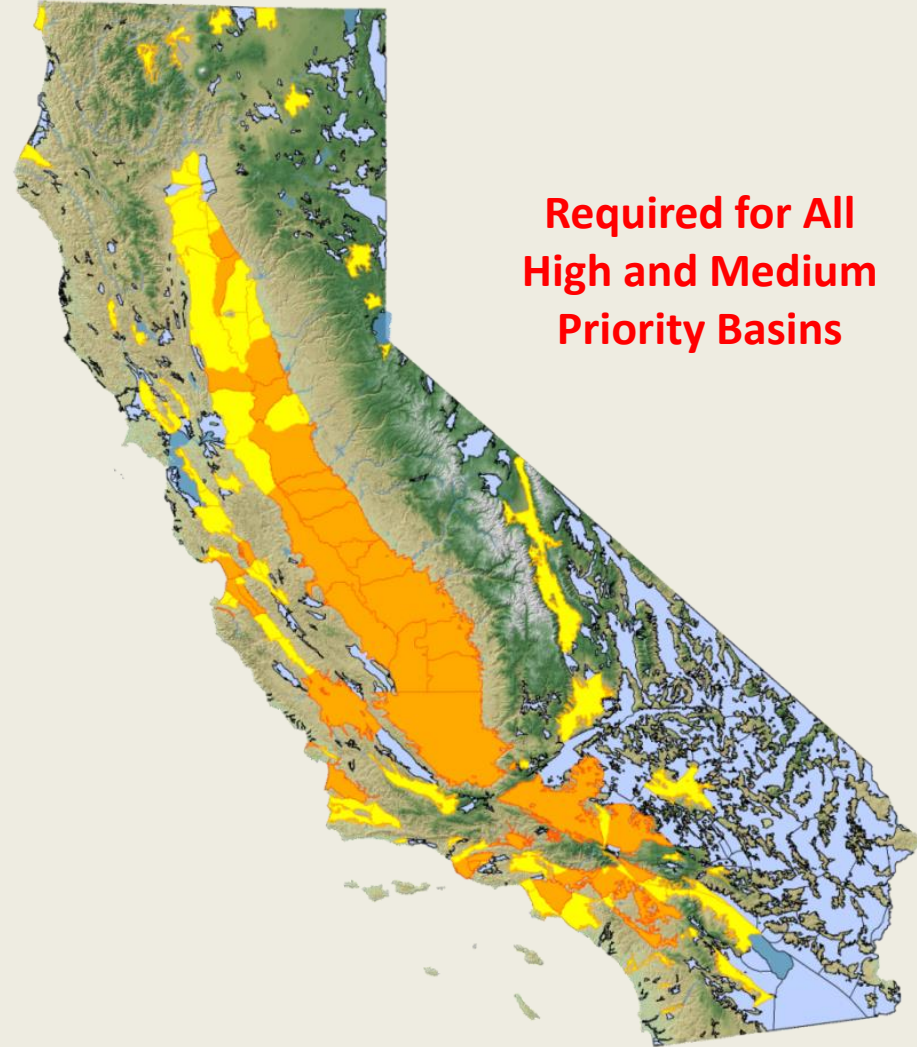
# Who is a GSA?

## Local Agency:

- 10723. (a) Except as provided in subdivision (c), any **local agency or combination of local agencies overlying a groundwater basin** may decide to become a groundwater sustainability agency for that basin
- n) "Local agency" means a local public agency that has **water supply, water management, or land use responsibilities** within a groundwater basin.

## Statute Created Exclusive Agency (15):

- (c) (1) Except as provided in paragraph (2), the following agencies created by statute to manage groundwater shall be deemed the **exclusive local agencies** within their respective statutory boundaries with powers to comply with this part:



# GSA Responsibilities

## Groundwater Sustainability Agencies

- Formation by June 30, 2017
- Only local agencies can be GSAs

## Groundwater Sustainability Plans

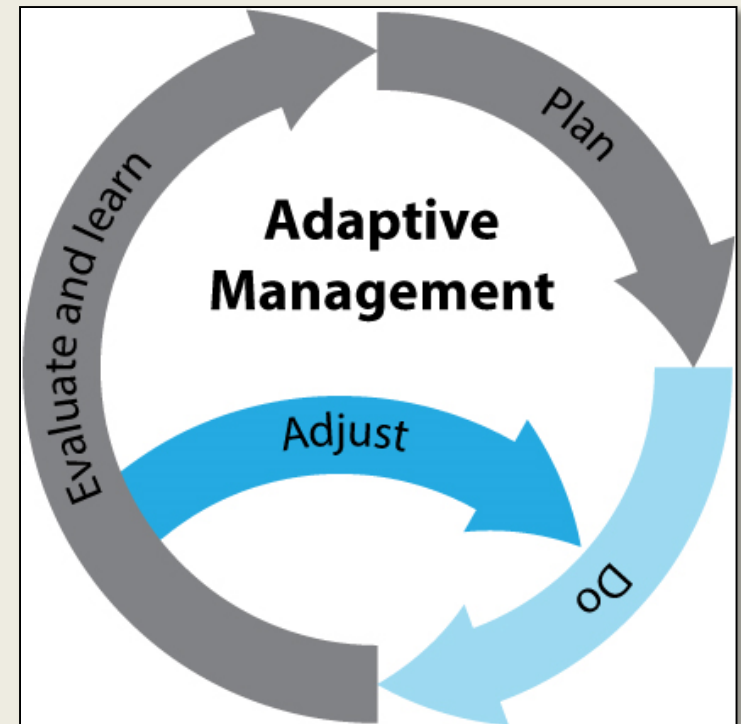
- January 31, 2020 for critically overdrafted basins
- January 31, 2022 for all other high and medium priority basins
- Multiple GSPs in a basin must coordinate

## GSA Authorities (Chapter 5 – SGMA)

- Sustainably Manage Groundwater
- Adopt rules, regulations, ordinances...
- Propose and update fees
- Require registration of GW facilities
- Require measurement and reporting of GW use
- Regulate GW extraction

## Groundwater Sustainability

- 20-year implementation period
- 50-year planning horizon



# Consequences

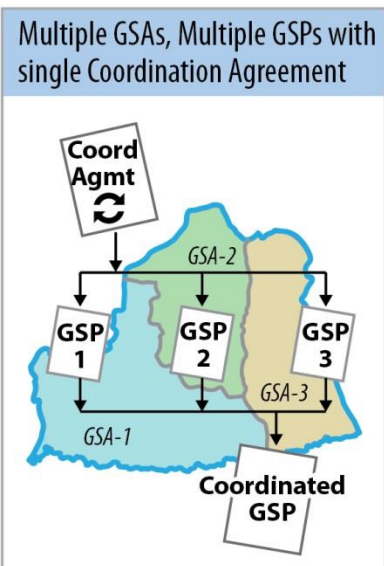
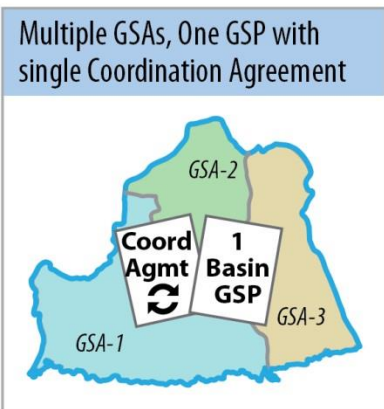
## State Water Resources Control Board Intervention

After	Cause of Intervention
June 30, 2017	No GSA
Jan. 31, 2020	In critically overdrafted basins, no GSP or GSP is inadequate
Jan. 31, 2022	In other basins, no GSP or GSP is inadequate and basin is in long-term overdraft
Jan. 31, 2025	GSP is inadequate and significant depletions of interconnected surface waters

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



# Groundwater Sustainability Agency Formation

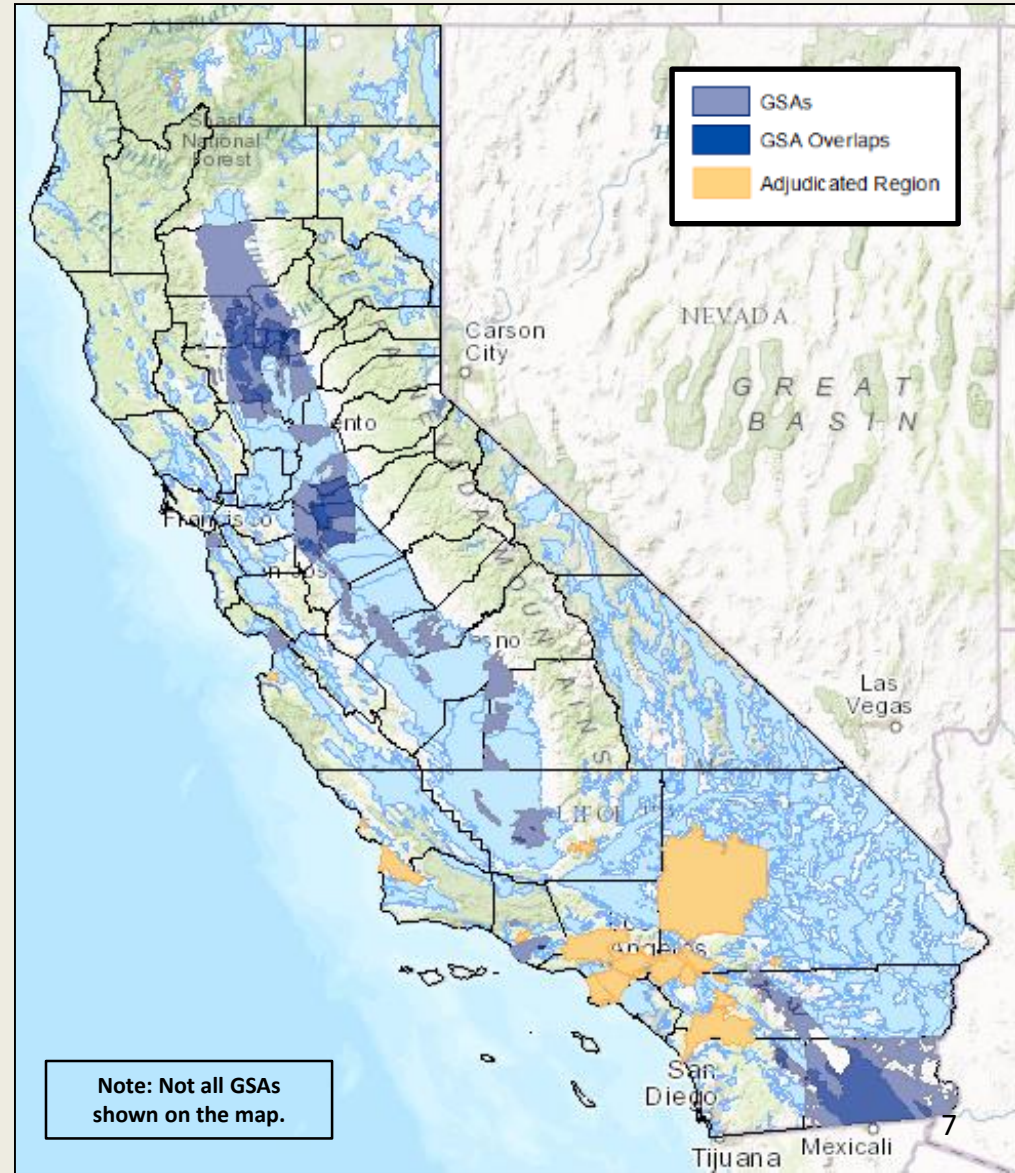


- Agreements (JPA, MOU or other agreements)
- County and City Responsibilities
- SB13 changes – Exclusive Agency and Overlap
- Adjudicated Basins
- Federal and Tribal lands
- Mutual Water Companies

# Status of GSA Formations (April 28, 2016)

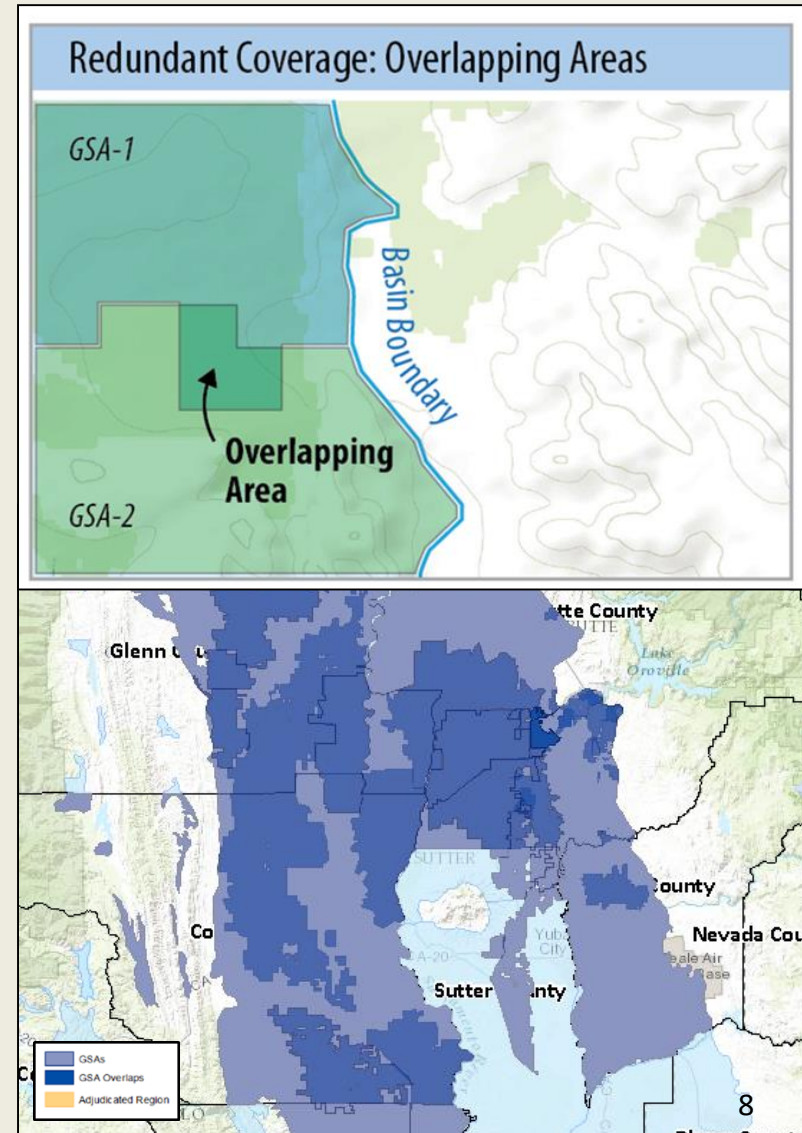
- Many GSAs have submitted for multiple basins in multiple counties
- **84** separate GSA formation notices have been submitted
  - **49** have overlap in one or more basins that must be resolved (60%)
  - **19** are “Exclusive GSAs” in one or more basins (23%)
  - **13** have an active 90-day period in one or more basins
  - **4** have been determined incomplete
  - **4** are currently being reviewed
- **69** basins have GSAs
  - **39** basins are high- or medium-priority
  - **30** basins are low- or very-low priority
- **25** counties have GSAs

<http://water.ca.gov/groundwater/sgm/gsa.cfm>



# GSA Formation Issues – Overlapping Service Area Boundaries

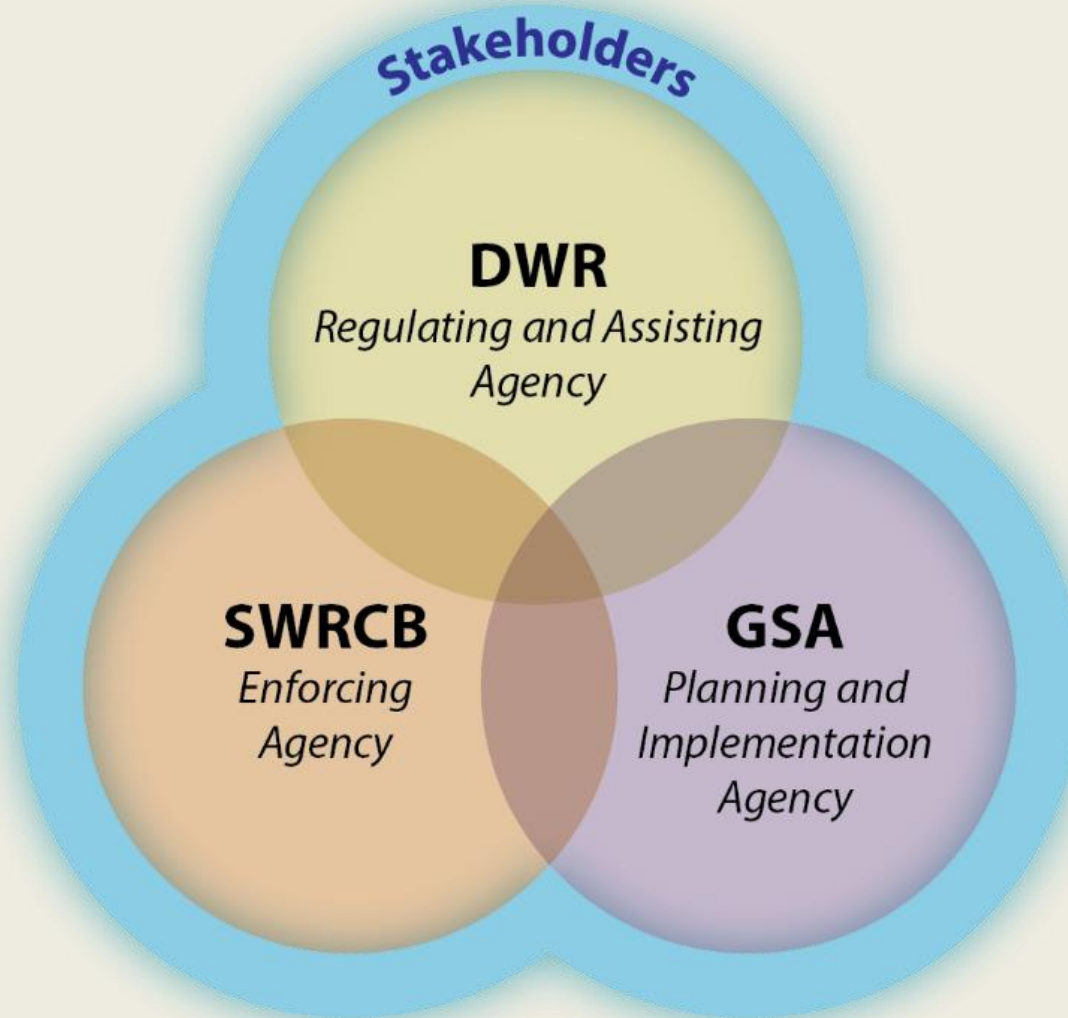
- 49 GSA notices have service area overlap in one or more basins.
  - Much of the overlap occurred prior to Senate Bill 13 being passed in 2015.
  - Many of the recent GSA formations have coordinated and do not have overlap (yet).
- A GSA does not become an “Exclusive GSA” until the overlap is resolved.
- If the GSA overlap does not get resolved by June 30, 2017, then the State Board may intervene.
  - Groundwater extraction reporting will be required in the un-managed and overlapped areas.
  - The State Board may assess fees.
- GSA notices must be withdrawn or modified to resolve the overlap.





# Sustainable Groundwater Management

## General Roles and Responsibilities



# DWR's GSA Website Information

## <http://water.ca.gov/groundwater/sgm/gsa.cfm>

### SGM Sustainable Groundwater Management

## Groundwater Sustainability Agencies

- DWR has developed GSA Frequently Asked Questions
- DWR has updated its GSA Formation Notification Guidelines for Local Agencies
- DWR has updated the GSA Formation Table

The Sustainable Groundwater Management Act (SGMA) established a new structure for managing California's groundwater resources at a local level by local agencies. SGMA requires, by June 30, 2017, the formation of locally-controlled groundwater sustainability agencies (GSAs) in the State's high- and medium-priority groundwater basins and subbasins (basins). A GSA is responsible for developing and implementing a groundwater sustainability plan (GSP) to meet the sustainability goal of the basin to ensure that it is operated within its sustainable yield, without causing undesirable results. The Department of Water Resources (DWR) is required to develop and adopt emergency regulations for evaluating GSPs, the implementation of GSPs, and coordination agreements by June 1, 2016.

A GSP may be any of the following (Water Code § 10727(b)):

- A single plan covering the entire basin developed and implemented by one GSA.
- A single plan covering the entire basin developed and implemented by multiple GSAs.
- Subject to Water Code Section 10727.6, multiple plans implemented by multiple GSAs and coordinated pursuant to a single coordination agreement that covers the entire basin.

### DWR's Role in GSA Formation

Senate Bill (SB) 13 changed DWR's role with respect to reviewing, posting, and tracking GSA formation notices. These changes relate to: notification completeness reviews; overlapping GSA boundaries; and service area boundaries. For more information see DWR's GSA Frequently Asked Questions. Also, DWR developed and has revised its GSA Formation Notification Guidelines for Local Agencies which outlines the information that must be submitted by a local agency(s) after it decides to become or form a GSA(s). DWR will use these GSA guidelines to perform completeness reviews for all GSA notices filed after January 1, 2016. Only complete GSA formation notices will be posted on DWR's GSA Formation Table and included on DWR's GSA Interactive Map. The following summarizes DWR's approach and responsibilities with respect to GSA formation:

- DWR shall post all complete GSA formation notices received on its website within 15 days of receipt. (Water Code §10723.8(b)).
- A complete GSA formation notice includes all of the following (Water Code §10723.8(a)):
- Information that clearly shows the GSA formation notice was submitted to DWR within 30 days of the decision to become or form a GSA.
- The service area boundaries, the boundaries of the basin or portion of the basin the agency intends to manage, and identification of any other agencies managing or proposing to manage groundwater within the basin.
- A copy of the resolution or legal agreement forming the new agency.
- A copy of any new bylaws, ordinances, or new authorities adopted by the local agency.
- A list of interested parties developed pursuant to Water Code §10723.2 and an explanation of how their interests will be considered in the development and operation of the GSA and the development and implementation of the agency's sustainability plan.
- DWR will not post incomplete GSA formation notices.
- If two or more local agencies separately decide to become GSAs in all or a portion of the same area of a basin and create overlap (within 90-days of the initial posted notice), then no exclusive GSA will be identified by DWR until the overlap is resolved. (Water Code §10723.8(c) and (d)).
- Only exclusive GSAs can coordinate to develop a GSP for a basin and submit that GSP to DWR for review.
- DWR has a Facilitation Support Services program that helps local agencies work through challenging institutional and technical situations.

DWR hosted a 90-minute webinar in November 2015 to address the SB 13 amendments to SGMA as they pertain to the formation of a GSA. The following information is available for use by local agencies and the public:

- GSA Formation Notification Guidelines for Local Agencies (revised 01/06/2016)

### GROUNDWATER HOME

#### SUSTAINABLE GROUNDWATER MANAGEMENT

- Basin Boundary Modifications
  - BBAT - Basin Boundary Assessment Tool
  - BBMRS - Basin Boundary Modification Request System

- Groundwater Sustainability Agencies
  - GSA Formation Table
  - GSA Interactive Map
  - GSA Notice Revisions

- Groundwater Sustainability Plan Regulations
  - Best Management Practices

- Critically Overdrafted Basins
  - Public Comments

- Initial Basin Prioritization
- Communication and Outreach
  - Advisory Groups
  - Statewide SGMA Calendar
  - Region Office Contacts
  - Subscribe for Email Updates

- Resources
  - Water Mgmt. Planning Tool
  - SGWP Grant Program
  - Facilitation Support Services
  - SGMA Definitions
  - Related Links
  - SGM Archive

### GROUNDWATER INFORMATION CENTER

- CASGEM
- BULLETIN 118



- GSA Frequently Asked Questions
- GSA Formation Guidelines
- November 2015 webinar
- Summary of:
  - DWR's role in GSA formation
  - Local agency's role
  - County's role
  - State Board intervention
- GSA Formation Table
  - Links to all GSA notices received
- GSA Interactive Map
  - Shapefiles of GSA areas
- GSA Notice Revisions