

**SACRAMENTO CENTRAL GROUNDWATER AUTHORITY  
REGULAR MEETING OF THE BOARD OF DIRECTORS**

Wednesday, November 12, 2014; 9:00 am

10060 Goethe Road

Sacramento, CA 95827

(SASD South Conference Room No. 1212 – Sunset Maple)

The Board will discuss all items on this agenda, and may take action on any of those items, including information items and continued items. The Board may also discuss other items that do not appear on this agenda, but will not act on those items unless action is urgent, and a resolution is passed by a two-thirds (2/3) vote declaring that the need for action arose after posting of this agenda.

The public shall have the opportunity to directly address the Board on any item of interest before and during the Board's consideration of that item. Public comment on items within the jurisdiction of the Board is welcomed, subject to reasonable time limitations for each speaker.

- 1. CALL TO ORDER AND ROLL CALL – 9:00 a.m.**
- 2. PUBLIC COMMENT:** Members of the public who wish to address the Board may do so at this time. Please keep your comments to less than three minutes.
- 3. CONSENT CALENDAR**
  - Minutes of September 10, 2014 Board meeting.  
*Action: Approve Consent Calendar items*
- 4. ELECTION OF OFFICERS**
  - Election of Chair and Vice Chair of the Board of Directors  
*Action: Elect Chair and Vice Chair of the Board of Directors of the Sacramento Central Groundwater Authority for calendar year 2015 in accordance with Section 3.06(a) of the Rules of Procedure.*
- 5. GROUNDWATER SUSTAINABILITY LEGISLATION**
  - Recently passed groundwater sustainability legislation.  
*Action: Information update.*
- 6. EXECUTIVE DIRECTOR'S REPORT**
  - a) SCGA Financial Reports
  - b) GAP Committee
- 7. DIRECTORS' COMMENTS**

**ADJOURNMENT**

**Upcoming meetings –**

**Next SCGA Board of Directors Meeting –** Wednesday, January 14, 2015, 9 am;  
10060 Goethe Road, South Conference Room No. 1212 (Sunset Maple).

**AGENDA ITEM 3: CONSENT CALENDER**

**BACKGROUND:**

Minutes of the September 10, 2014 SCGA Board meeting.

**STAFF RECOMMENDATION:**

*Action: Approve Consent Calendar items.*

**SACRAMENTO CENTRAL GROUNDWATER AUTHORITY (SCGA)**  
**Governing Board Meeting**  
**Draft Minutes**  
**September 11, 2014**

**LOCATION:** 10060 Goethe Road, Room 1212  
Sacramento, CA 95827  
9:00 a.m. to 11:00 a.m.

**MINUTES:**

**1. CALL TO ORDER AND ROLL CALL**

Bruce Kamilos called the meeting to order at 9:04 a.m.

The following meeting participants were in attendance:

Board Members (Primary Rep):

Rick Bettis, Conservation Landowners  
Dave Ocenosak, Sacramento Regional County Sanitation District  
Paul Schubert, Golden State Water Company  
Christine Thompson, Public Agencies Self-Supplied

Board Members (Alternate Rep):

Darren Wilson, City of Elk Grove  
Todd Eising, City of Folsom  
Britton Snipes, City of Rancho Cordova  
Forrest, Williams Jr., Sacramento County Water Agency  
Bruce Kamilos, Elk Grove Water District  
Charlotte Mitchell, Agricultural Interests  
Jose Ramirez, Sacramento Regional County Sanitation District

Staff Members:

Darrell Eck, Executive Director  
Heather Peek, Clerk  
Ping Chen, SCGA

Others in Attendance:

Mark Roberson, Water Forum  
Jim Blanke, RMC Water and Environment  
Rodney Fricke, Aerojet Corp.

Brett Ewart, City of Sacramento  
Jonathan Goetz, GEI  
Mike Wackman, OHWD  
Mike Huot, County of Sacramento, Water Resources  
Vicki Brennan, County of Sacramento, Water Resources

Member Agencies Absent

*City of Sacramento*  
*Omochumne-Hartnell Water District*  
*Agricultural-Residential*  
*Commercial/Industrial Self-Supplied*  
*Rancho Murieta Community Services District*  
*California-American Water Company*

**2. PUBLIC COMMENT**

None.

**3. CONSENT CALENDAR**

The draft meeting minutes for the July 9, 2014 Board meeting were reviewed for final approval.

*Motion/Second/Carried* – Mr. Wilson moved, seconded by Mr. Bettis, the motion carried unanimously to approve the minutes.

*Action: Approve Consent Calendar items.*

**4. GROUNDWATER MANAGEMENT LEGISLATION**

Mr. Eck provided an overview of the recent groundwater legislation passed by the State Legislature on August 29, 2014 including SB 1168, SB 1319, and AB 1739. Mr. Eck referenced new requirements called for in the bills, specifically the formation of groundwater sustainability entities, new reporting requirements of groundwater data, and coordination requirements of land use agencies. Mr. Eck mentioned that on January 1, 2015 no new 'groundwater management plans' may be adopted and that existing plans cannot be renewed in deference to the requirement to adopt a 'groundwater sustainability plan' or plan of approved alternatives. Mr. Eck then provided a review of other deadlines called out in the legislation regarding DWR's publishing of sustainability plan requirements, establishment of initial basin prioritization, re-definition of basin boundaries, and application to apply for designation of basin sustainability entity. Mr. Eck then mentioned that the Water Quality Supply and Infrastructure Improvement Act was signed by the Governor in August and was set for vote on the November 2014 State ballot.

Ms. Mitchell asked if the SCGA as an entity would stay intact given the new requirements for groundwater sustainability.

Mr. Eck replied that he believed it would remain intact even though there was a provision in the legislation that called for the County to be the default sustainability entity in the event that there was not an existing program. It was his belief that that provision might apply in the Delta portion of Sacramento County.

Mr. Kamilos asked for an explanation of the difference between the current SCGA boundary and the subbasin boundary as published in Bulletin 118.

Mr. Eck replied that the boundary was set as part of the Water Forum process and was based on criteria set up within the groundwater/surface water interface model and was therefore inclusive of areas south of the Consumnes River, which was actually in the Consumnes subbasin. There was also an area to the west of the current SCGA boundary that the Water Forum considered as part of the Delta and that according to Bulletin 118, constitutes a portion of the South American subbasin.

Mr. Eck replied with yes and that cannot adopt a new plan after that date or you can't revise your existing plan after that date, as a management plan, you've got to start going in the direction of a sustainability plan. He also said the ideally what the state would like to see is your boundary precisely overlay Bulletin 118. They've provided this ability to go in and make adjustments and if appropriate and you're convincing enough, they'll accept recommended change. There's a date where they're supposed to come up with some way to accurately present that information. January 21, 2016, DWR shall adopt regulations detailing how to revise basin boundaries. Is it worth our while to adjust the boundaries we have or work on redoing new boundaries to match with what they have?

Mr. Wackman asked about entities such as the Omochumne-Hartnell Water District which spans two basins on either side of the Consumnes River and its relationships with the corresponding management entities. Mr. Eck replied that the relationship traced back to certain decisions that were made as part of the Water Forum process and that going forward, an analysis may need to be made in order to determine if the definitions made at that time are still appropriate and in the best interest of the Groundwater Authority.

*Action: Information update.*

## **5. SCGA GROUNDWATER MANAGEMENT PROGRAM**

Mr. Chen presented an analysis of groundwater elevation and groundwater pumping data collected from Golden State Water Company (GSWC), Sacramento County Water Agency (SCWA), and Elk Grove Water District (EGWD). He explained that those systems were chosen in order to represent generally what was occurring in the basin from north to central to south. The data analyzed was recent data over the most past couple of years, 2012-2014, in an effort to determine if any effects of the on-going drought could be determined. Mr. Chen showed that groundwater pumping was at most incrementally increased in some areas while being equal, or in some cases lower, in other areas. Mr. Chen also showed that corresponding groundwater levels recorded at the production wells showed no significant declines.

Mr. Eck stated that looking at the graphs, it appeared that there was no radical drop in groundwater elevations as a result of the drought.

Mr. Bettis asked how much was being delivered from Freeport for SCWA. Mr. Williams responded about 7 MGD to 10 MGD was being delivered but that it primarily consisted of the Aerojet settlement water.

Mr. Swartz commented on the region's water supply saying that in general, customers' demands are down by over 20% and that combined with the implementation of conjunctive use and the matching up water supply to the hydrologic conditions, it is evident that the region is benefiting from effective groundwater management as demonstrated by moderate groundwater declines despite the severe drought condition. He stated that many of the region's surface water suppliers have also receive curtailment orders and thus have had to increase reliance on groundwater and that despite that, groundwater levels are not undergoing a significant decline. Mr. Swartz stated that SGA estimated groundwater declines to be around 3% in their basin. He pointed out that additionally, some of the groundwater decline could be attributed to climatic conditions, that the region is drier and therefore there is less natural recharge which would result in declining groundwater levels with or without groundwater pumping. Through implementation of conjunctive use i.e. higher reliance on surface water in wet years while using less groundwater, and increasing reliance on groundwater in dry years while lowering surface water use, the region has benefited with less severe declines in groundwater levels than would have been expected absent effective conjunctive use. The region is in a good position due to the past 10-15 years of planning.

*Action: Information update.*

## **6. EXECUTIVE DIRECTOR'S REPORT**

Mr. Eck announced the intention of the Groundwater Accounting Program (GAP) committee to reconvene on October 8<sup>th</sup>, 2014. Mr. Eck also stated that the committee had not received survey responses from all entities and that it would be a topic of discussion at the upcoming meeting.

*Action: Receive and file.*

**7. DIRECTORS' COMMENTS**

Mr. Schubert announced that Golden State Water Company was currently in the 90% design phase of a project for receiving Aerojet GET water that would be extracted from Aerojet's Carmichael facility via the pipeline under the river. Anticipated construction to commence by 2015.

**ADJOURNMENT**

**Upcoming Meetings –**

**Next SCGA Board of Directors Meeting** – Wednesday, November 12, 2014, 9 am;  
10060 Goethe Road, South Conference Room No. 1212 (Sunset Maple).

By:

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**AGENDA ITEM 4: ELECTION OF OFFICERS**

**BACKGROUND:**

Section 3.06(a) of the Groundwater Authority's Rules of Procedure provides that the Chair and Vice Chair serve for a term of one calendar year.

**STAFF RECOMMENDATION:**

*Action: Elect Chair and Vice Chair of the Board of Directors of the Sacramento Central Groundwater Authority for calendar year 2015 in accordance with Section 3.06(a) of the Rules of Procedure.*



**AGENDA ITEM 5: GROUNDWATER SUSTAINABILITY LEGISLATION**

**BACKGROUND:**

On September 16, 2014 Governor Brown signed into legislation SB 1168, SB 1319, and AB 1739 which are a package of bills intended to govern sustainable groundwater management. Staff will provide an overview of the bills and discuss with the Board paths to compliance for SCGA with the legislation.

**STAFF RECOMMENDATION:**

*Action: Information update.*



## WATER AND RESOURCE CONSERVATION

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Paul Gosselin, Director

September 23, 2014

To: Butte County Board of Supervisors

From: Paul Gosselin, Director

Re: Sustainable Groundwater Management Act

On September 16, 2014, Governor Brown signed into law a package of bills (SB1168, AB1739 and SB1319) collectively called the Sustainable Groundwater Management Act. The Sustainable Groundwater Management Act ("Act") is a comprehensive reform of groundwater management. Under the Act, the state will have direct oversight of how groundwater basins are managed at the local level and may intervene to manage basins when local agencies fail to take appropriate responsibility. Along with providing counties with groundwater management responsibilities, the Act protects local land use authority and secures county police powers related to groundwater management. Depending upon how the Act is implemented over the next several years, unintended consequences to land use, agriculture and communities could occur. The challenge will be to assure that groundwater and land use management remains at the local level and that the state does not use their new oversight authority to dictate local water resource and/or land use management decisions.

The Act is applicable to groundwater basins and sub-basins designated as medium and high priority by the Department of Water Resources (DWR). Prioritization is based on the reliance and importance of groundwater in a basin, as indicated by the California Statewide Groundwater Monitoring program, and established in Bulletin 18. In Butte County, the four sub-basins (Vina, West Butte, East Butte and North Yuba) are likely to be designated as either medium or high priority (Attachment 2). The Act allows DWR to adjust each basins priority level according to regulations.

The Act allows a local public agency, or combination of agencies, to be a Groundwater Sustainability Agency for the purpose of developing and implementing a Groundwater Sustainability Plan (Plan) for a particular groundwater basin, or sub-basin. Local public agencies

eligible to be part of a Groundwater Sustainability Agency must have either water supply, water management, or land use responsibilities. Local public agencies intending to be a Groundwater Sustainability Agency for all, or a portion, of a basin must notify DWR by June 30, 2017. If a Groundwater Sustainability Agency is not formed the state will intervene.

Local agencies have options on how they may structure their Groundwater Sustainability Agency. A local public agency, or combination of agencies, may establish a Groundwater Sustainability Agency. For example, each water district, city, and county could designate itself as a Groundwater Sustainability Agency and be responsible for their own portion of the basin; or they could join together using a joint powers/memorandum of agreement to form one Groundwater Sustainability Agency, submitting one Plan for all, or a portion, of the basin. A basin covered by more than one Groundwater Sustainability Agency must have a “Coordinated Agreement” where the agencies must coordinate and utilize the same data and methodologies (e.g., groundwater elevation data, groundwater extraction data, surface water supply, total water use, change in groundwater storage, water budget, sustainable yield) for their plan. Basins could be covered by a single plan submitted by one agency, a single plan submitted by multiple agencies, or multiple plans submitted by multiple agencies. A basin is not in compliance until all of the Groundwater Sustainability Plans are submitted for the entire basin.

DWR is responsible for providing the technical support and guidance that are foundational to successful implementation. By June 30, 2016, DWR will adopt regulations that will include the basin boundary adjustment procedure, Plan components, elements of Coordinated Agreements, and methodologies to assess whether the proposed basin can be sustainably managed. By December 31, 2016, DWR must publish the estimate on water available for replenishment in the state. By January 1, 2017, DWR will publish best management practices for the sustainable management of groundwater. DWR will be responsible for assessing the effectiveness of Plans to achieve sustainability and to assure that Plans assure inter-basin sustainability.

Groundwater Sustainability Agencies must adopt a Plan by January 31, 2020, for all medium and high priority basins that are subject to critical conditions of overdraft or by January 31, 2022, for all other medium and high priority basins. None of the subbasins in Butte County are likely to be considered in critical overdraft, so Plans for subbasins in Butte County will not have to be submitted until January 31, 2022. Plans are exempt from the California Environmental Quality Act, however, projects or actions to implement the plan are not exempt. The Plans will contain most of the same elements already included in current Butte County Groundwater Management Plans with a few additions. Some of the additional elements include the inclusion of a water budget, measurable objectives and milestones every 5 years leading to sustainability in 20 years, with progress reports to DWR and the State Water Board being made every five years. Plans must address “undesirable results” including chronic lowering of groundwater levels, significant and unreasonable reduction in groundwater storage, significant and

unreasonable degradation of water quality, significant and unreasonable land subsidence that significantly interferes with surface land uses, and surface water depletions that have significant and unreasonable adverse impacts on beneficial uses of the surface water. An annual report of the undesirable results must be submitted to DWR by April 1<sup>st</sup>. Many of the elements required under the Act are already contained in the Butte County Annual Groundwater Status Report required under Chapter 33 of the Butte County Code.

The Act requires both groundwater and land use agencies to review and consider each other's plans and to coordinate land use and water management with the intent that land use decisions should take into consideration the need to achieve sustainable groundwater targets. To achieve sustainable basin targets Groundwater Sustainability Agencies have a broad set of optional authorities available. For example, they could conduct investigations into the need for groundwater management and water rights, and conduct inspections. They could oversee water management projects such as groundwater recharge projects, waste water reclamation projects, water purchases, and programs to voluntarily fallow agricultural land. Groundwater Sustainability Agencies may collect groundwater pumping information by requiring the registration of wells, metering of well extraction, and reporting of annual groundwater extractions. Domestic wells that pump less than 2 acre feet per year are exempt.

Groundwater Sustainability Agencies are authorized to control groundwater pumping by limiting the amount that can be pumped, suspending pumping, or regulating the timing of pumping to minimize well interference. Any actions to regulate well pumping cannot conflict with County General Plans or well permit requirements. Agencies can enforce the groundwater management rules and issue penalties to those who violate locally imposed requirements. Authority is granted to Groundwater Sustainability Agencies to impose permit fees, fees on groundwater extraction, or other regulated activities to fund the Plan (preparation of the plan, adoption, amendment, investigations, inspections, compliance assistance, enforcement, and program administration).

One of the controversial aspects of the Act is the potential intervention by the state. The process outlined in the Act requires the Department of Water Resources to review Groundwater Sustainability Plans within two years of submission to assess whether the basin can achieve its sustainability goal, and whether the plan will adversely affect the ability of an adjacent basin to implement their Groundwater Sustainability Plans, or if it impedes achieving sustainability goals. As the Plans are implemented, DWR will review the progress of Groundwater Sustainability Agencies in meeting their interim five year targets and provide assessments including corrective actions to address deficiencies. The deficiencies that could trigger state intervention will be based on regulations that DWR must adopt by June 1, 2016.

After January 31, 2025, the State Water Board could intervene by designating a basin as a "probationary basin" if no Groundwater Sustainability Agency is formed, a Plan has not

been adopted, the Plan is inadequate or is not being implemented sufficiently (as determined by DWR), or if deficiencies are found. For example, if the groundwater basin is in a condition of long-term overdraft or in a condition where groundwater extractions result in significant depletions of interconnected surface waters.

When the State Water Board designates a basin as a “probationary basin”, local agencies will be given 180 days to resolve the problem. If the problem is not fixed, the State Water Board will adopt an interim plan after public notice and hearing. The interim plan will include actions that the State Water Board feels are necessary to correct the condition of long-term overdraft, a time schedule for those actions, and a description of how the actions will be monitored for effectiveness, among other requirements. Under an interim plan, anyone who pumps groundwater must report to the State Water Board. The State Water Board can issue a cease and desist order in response to a violation, or threatened violation, of any decision or order of the Board, or any extraction restriction, limitation, order, or regulation that has been adopted or issued. The State Water Board will adopt a schedule of fees in an amount sufficient to recover all costs.

Lastly, the Act includes protections and assurances that protect water rights and local land use authority. The Act preserves the authority of counties to regulate groundwater under their police powers (e.g., groundwater substitution transfer ordinances). Groundwater Sustainability Agencies cannot supersede the land use authority of cities and counties within the overlying basin, including the city or county general plan, and requires Groundwater Sustainability Plans to take into account the most recent planning assumptions stated in local general plans.

### Conclusion

The Sustainable Groundwater Management Act comprehensively reforms groundwater management in California intending to place management at the local level under state oversight. Although Butte County and the local agencies already have many of the required elements of the Act in place, the implementation could deem the current efforts insufficient and/or identify new requirements. Going forward, the Department of Water and Resource Conservation’s priority will involve tracking the development of the implementation policies, guidance and regulations. The challenge will be assuring that groundwater and land use management remains at the local level and that the state does not use their new oversight authority to dictate local management decisions. The Department will continue to report to the Water Commission on a regular basis and recommendations from the Water Commission will be considered and submitted, as appropriate, to the Board of Supervisors.

## **ATTACHMENT 1: SUSTAINABLE GROUNDWATER MANAGEMENT ACT SUMMARY**

On September 16, 2014, Governor Brown signed into law a package of bills collectively called the Sustainable Groundwater Management Act. The Sustainable Groundwater Management Act requires the adoption of a groundwater sustainability plan (GSP) by January 31, 2020, for all high or medium priority basins (Bulletin 118) that are subject to critical conditions of overdraft and by January 31, 2022, for all other high and medium priority basins unless the basin is legally adjudicated or the local agency establishes it is otherwise being sustainably managed. The Department of Water Resources (DWR) will designate high and medium priority basins and identify basins in critical conditions of overdraft.

### **Basins Requiring Plans**

- **Basin Designations** - Requires DWR, by January 31, 2015, to prioritize each basin as either a high, medium, low, or very low priority basins using factors under the California Statewide Groundwater Elevation Monitoring (CASGEM) program that include, but are not limited to:
  - population, extent of public wells;
  - overlying irrigated acreage;
  - reliance on groundwater;
  - any documented impacts upon the basin from overdraft, subsidence, saline intrusion and other water quality degradation;
  - or any other information determined to be relevant by the department, including adverse impacts on local habitat and local streamflows.
- **Basin Boundary Adjustment** – Per regulation, DWR can adjust basin boundaries based on a request from local agencies and re-prioritize low and very low basins according to criteria that include adverse impacts to habitat and surface water resources.
- **Exemptions** – GSP are not required for:
  - Basins, or portions of basins, that were subject to a groundwater adjudication; and,
  - Basins that a local agency can demonstrate are already being sustainably managed (“Alternative Process”)
- **Low and Very Low Priority Basins** - Encourages low and very low priority basins to voluntarily have a GSP and exempts them from any State compliance actions.

### **Groundwater Sustainability Agency Formation**

- **Groundwater Sustainability Agency (GSA)** - Allows any local agency or combination of agencies to establish a groundwater sustainability agency (GSA) for the purpose of developing and implementing a GSP. Local agencies can form a GSA using a joint powers agreement or memorandum of agreement.

- **“Local Agency”** means a local public agency that has water supply, water management or land use responsibilities within a groundwater basin. Allows water corporations regulated by the Public Utilities Commission to participate in a GSA if the local agencies forming the GSA approve.
- **GSA Formation Process** –
  - Local agencies interested in being a GSA must hold
    - a public hearing
    - Create a list of interested parties to inform them of plans
  - By June 30, 2017 a local agency or combination of local agencies must notify DWR of their intent to be a GSA. Notification to DWR must include
    - Proposed boundaries
    - Resolution
    - New by-laws, ordinances or authorities (if any)
    - List of interested parties.
  - DWR will post on its website the list of GSAs
  - Ninety days following posting by DWR, the GSA is presumed to be the exclusive GSA for its boundaries if no other GSA submits a notice.

#### **Interested Parties and Public Participation**

- GSA must consider the interests of all beneficial uses and users of groundwater.
- GSA must establish a list of interested parties that will receive notices regarding plan preparation, meeting notices, etc.
- GSP must describe how interested parties may participate in the development and implementation of the GSP.

#### **Groundwater Sustainability Plans (GSP)**

- **Groundwater Sustainability Plan Deadlines** -
  - January 31, 2020, for high and medium priority basins that are subject to critical conditions of overdraft;
  - January 31, 2022 for all other high and medium priority basins.
- **Groundwater Sustainability Plan Standards** -
  - Types of GSP
    - A single plan submitted by one GSA
    - A single plan submitted by multiple GSAs
    - Multiple plans submitted by multiple GSAs (Coordinated Agreement)
  - Encompass an entire basin or subbasin; and
  - Achieve sustainable groundwater management within 20 years of adoption with progress reports to DWR and the State Water Board every five years.

- **Groundwater Sustainability Plan Components**
  - Physical setting
  - Groundwater conditions (elevation, subsidence, water quality and groundwater-surface water interaction)
  - Historic and projected water demands and supplies
  - Maps (basin boundaries, agency boundaries, recharge areas)
  - Measurable objectives
  - Interim milestones (every 5 years) that will achieve sustainability over 20 years
  - Description of consideration given to the General Plans
  - If applicable, in coordination with local agencies, include
    - Control of saline intrusion
    - Wellhead protection
    - Migration of contaminated groundwater
    - Well abandonment and well destruction program
    - Replenishment of groundwater extractions
    - Conjunctive use or underground storage.
    - Groundwater cleanup, recharge, conservation, recycling
    - Efficient water management practices
    - Relationships with state and federal agencies
    - Processes to review land use plans and efforts to coordinate with land use planning agencies
    - Impacts to groundwater dependent ecosystems
  
- **Basins with Multiple GSAs/GSPs** A basin can be covered by more than one GSA that each have their own GSP. The GSAs must have a **“Coordinated Agreement”**.
  - Must coordinate and utilize the same data and methodologies for the following assumptions in the GSP:
    - Groundwater elevation data
    - Groundwater extraction data
    - Surface water supply
    - Total water use
    - Change in groundwater storage
    - Water budget
    - Sustainable yield
  - Basin is not in compliance until all the GSPs are submitted for the entire basin
  
- **“White Areas”** – Even though counties are “local agencies” that can be a GSA, there is specific language that specifies that counties are presumed to be responsible for areas that are outside the boundaries of water districts. If the county opts out and there is no other local agency, requires reporting of



groundwater extractions directly to the State Water Resources Control Board (State Water Board).

- **“Undesirable Result”** means one or more of the following:
  - Chronic lowering of groundwater levels indicating a significant and unreasonable depletion of supply if continued over the planning and implementation horizon. Overdrafting during a period of drought is insufficient to establish a chronic lowering of groundwater levels if extractions and recharge are managed as necessary to ensure that reductions in groundwater levels or storage during a period of drought are offset by increases in groundwater levels or storage during other periods.
  - Significant and unreasonable reduction in groundwater storage
  - Significant and unreasonable degradation of water quality
  - Significant and unreasonable land subsidence that significantly interferes with surface land uses
  - Surface water depletions that have significant and unreasonable adverse impacts on beneficial uses of the surface water.
  
- **Powers and Authorities** - Empowers GSAs to collect information regarding the condition of the basin and using, as the GSA chooses, powers and authorities including, but not limited to:
  - Investigation
    - Need for groundwater management
    - Water rights
    - Inspection with permission
  
  - Water Management Projects
    - Ability to acquire land and water, including but not limited to spreading, storing, retaining, percolating, transporting, or reclaiming water to recharge the basin or provide water supplies in-lieu of groundwater;
    - Voluntary fallowing of agricultural land
    - Acquire water rights, import surface water, conserve water or store water
    - Reclaim waste water
  
  - Groundwater Pumping Information
    - Registration of wells
    - Metering of well extraction
    - Reporting of annual groundwater extractions. GSAs must report on groundwater extractions, however, they can use methods other than reports from groundwater users;
    - Does not include domestic wells that pump less than 2 af/yr. (“de minimis”)

- Controlling Groundwater Extraction
  - Must be based on an investigation that may include -
  - Well spacing
  - Pumping operations to minimize interference
  - Limit or suspending groundwater pumping
  - Authorize temporary or permanent transfer of groundwater pumping allocations within a basin. Transfers are subject to applicable local ordinances
  - Establishing accounting rules for groundwater pumping
  - Cannot issue permits that conflict with county well permits
  - Cannot conflict with General Plans
- Fees
  - Authority to impose permit fees, fees on groundwater extraction or other regulated activities
  - To fund preparation of the plan, adoption, amendment, investigations, inspections, compliance assistance, enforcement, and program administration.
  - Fees are not subject to Proposition 218.
- Enforcement Authority
  - Civil penalties
- **Annual Report** - Requires a GSA to report annually to DWR by April 1<sup>st</sup>
  - groundwater elevation data
  - aggregated extraction data
  - use or availability of surface water for recharge or in-lieu supplies
  - total water use
  - change in groundwater storage.
- **General Plan Coordination** –
  - Requires prior to the adoption of or any substantial amendment of a general plan, the planning agency must review and consider the GSP.
  - Requires a planning agency to send a proposed adoption of or substantial amendment to a general plan to the GSA.
- **Other Assurances**
  - **Protection of Water Rights** - Specifies that nothing in the Act or in any GSA will alter surface water rights or groundwater rights under common law.
  - **CEQA Exemption** – The GSP is exempt from the California Environmental Quality Act but does not exempt a project or action to implement the GSP.
  - **Land Use Authority** – GSA cannot supersede the land use authority of cities and counties within the overlying basin, including the city or county

general plan, and requires a GSP to take into account the most recent planning assumptions stated in local general plans overlying the basin.

- **County Police Powers** – Preserves the authority to regulate groundwater under their police powers (e.g., groundwater substitution transfer ordinances)
- **Well Permitting** – Preserves the authority of the county to issue well permits and prohibits GSA from imposing well permitting requirements without county approval.

### **DWR Regulations**

By June 1, 2016, DWR must adopt regulations regarding:

- Basin boundary adjustment procedure
- GSP components;
- Coordinated Agreements for multiple GSPs for a basin;
- Methodologies to assess whether
  - i. the proposed basin can be sustainably managed,
  - ii. the proposed basin would limit the sustainable management of adjacent basins,
  - iii. there is a history of sustainable management in the proposed basin and assumptions for baseline conditions
- Alternative compliance, including submitting an existing plan as a functional equivalent of a GSP or submitting an analysis of basin conditions that demonstrates the basin is being sustainably managed.

### **Technical and Financial Assistance**

- DWR is directed to provide technical assistance. DWR received \$2.5 million in FY14/15 and \$5.0 million the next three years to develop guidance for sustainable groundwater management
- By December 31, 2016, DWR will publish the estimate on water available for replenishment in the state.
- By January 1, 2017 DWR will publish best management practices for the sustainable management of groundwater.
- \$100 million in the Water Bond is designated to assist in the implementation of sustainable groundwater management

### **State Evaluation and Assessment**

- **Periodic Review**
  - DWR will do an initial review of GSP within 2 years to assess whether
    - The basin can achieve its sustainability goal
    - GSP adversely affects the ability of an adjacent basin to implement their GSP or impedes achieving sustainability goals.
  - DWR will review GSP every five years
  - Assessment includes corrective actions to address deficiencies

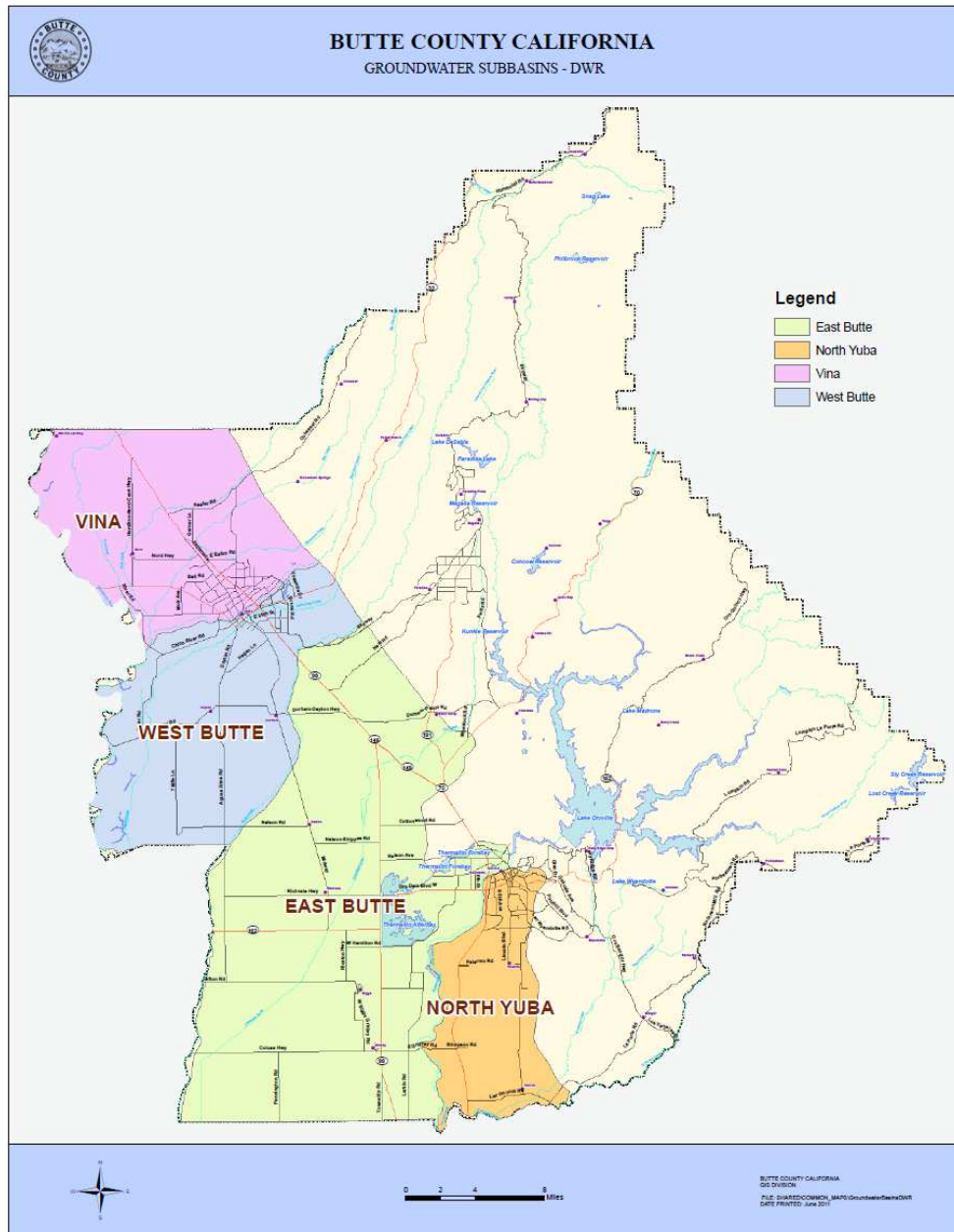
## **Backstop – State Water Resources Control Board**

- **Intervention Criteria** - Allows the State Water Resources Control Board (State Water Board) to designate a basin as "probationary" if one or more of the following occurs:
  - By June 30, 2017, no local agency or collection of local agencies has either formed a GSA or submitted an alternative form of compliance;
  - By January 31, 2020, no local agency or collection of local agencies has adopted a GSP for a high or medium priority basin in a critical condition of overdraft or DWR has not approved an alternative form of compliance;
  - By January 31, 2022, no local agency or collection of local agencies has adopted a GSP for a high or medium priority basin not in a critical condition of overdraft or DWR has not approved an alternative form of compliance;
  - After January 31, 2020, the DWR, in consultation with the Board, determines that a groundwater sustainability plan is inadequate or that the groundwater sustainability program is not being implemented in a manner that will likely achieve the sustainability goal.
  - After January 31, 2025, DWR, in consultation with the State Water Board, determines:
    - The GSP is inadequate or not being implemented in a manner that will likely achieve the sustainability goal; and,
    - The State Water Board has determined that the groundwater basin is in a condition of long-term overdraft or in a condition where groundwater extractions result in significant depletions of interconnected surface waters.
  - No intervention can occur if the deadlines are not reached due to litigation
- **Remediation–**
  - If the Board designates a basin as a “probationary basin”, local agencies will be given 180 days to remediate the deficiency.
  - The Board can stay its proceedings relating to an interim plan or rescind or amend an interim plan based on the progress made by a groundwater sustainability agency or in an adjudication action.
  - If the deficiencies are not remedied, adopt an interim plan after public notice and hearing.
- **Interim Plan**
  - Authorizes the State Water Board to develop an interim plan for a probationary basin
  - An interim plan must include:
    - an identification of the actions that are necessary to correct the condition of long-term overdraft or the condition where groundwater

extractions result in significant depletions of interconnected surface waters. Overdraft during drought periods will not establish a condition of long-term overdraft

- a time schedule for those actions
  - a description of how the actions will be monitored for effectiveness, among other requirements.
  - **Reporting Requirements** - Establishes groundwater reporting requirements for a person extracting groundwater in an area within a basin that is not within the management area of a groundwater sustainability agency or a probationary basin.
  - **Rescinding Interim Plans** - Authorizes the Board to rescind all or a portion of an interim plan if the Board determines at the request of specified petitioners that a groundwater sustainability plan or adjudication action is adequate to eliminate the condition of long-term overdraft or condition where groundwater extractions result in significant depletions of interconnected surface waters.
- **State Water Board Fees** - Requires the Board to adopt a schedule of fees in an amount sufficient to recover all costs incurred and expended from the Fund by the Board. Provides that the money in the Fund is available for expenditure, upon appropriation by the Legislature, for the purpose of Board enforcement.
  - **State Board Enforcement Authority** - Authorizes the Board to issue a cease and desist order in response to a violation or threatened violation of any decision or order of the Board or any extraction restriction, limitation, order, or regulation adopted or issued.

# ATTACHMENT 2: GROUNDWATER BASINS



**AGENDA ITEM 6: EXECUTIVE DIRECTOR'S REPORT**

- a) GAP Committee Meeting

**November 12, 2014**

**TO: SACRAMENTO CENTRAL GROUNDWATER AUTHORITY BOARD**

**FROM: DARRELL ECK**

**RE: EXECUTIVE DIRECTOR'S REPORT**

- a) **SCGA Financial Report** – The SCGA financial report for the period ending September 30, 2014 is attached.
- b) **GAP Committee** – At the October 8, 2014 GAP Committee meeting Design Features for a Groundwater Banking Program (attached) were discussed. Components include Overall Project Design, Improvement in Hydrogeologic Information, Hydrologic Assurances, Financial Assurances, Legal Assurances, Monitoring Program, and Local Participation. The committee plans to use this document to further discussions on the structure of and eventual implementation of the GAP. Staff will report back on progress made and for feedback from the Board.



**Sacramento Central Groundwater Authority  
Financial Statement  
As of September 30, 2014**

**Expenditures**

Environmental Svcs.	-
Other Professional Svcs. - Water Resources & Information Mgmt. - AB303 Grant App. Prep. & Submittal	28,611.73
Salaries	34,973.70
G/S Contract Management Services	168.66
Education/Training	405.00
Food Purchases/Service	-
Insurance - Liability	-
Office Supplies/Postage	-
Printing Svcs.	-
Accounting & Financial Svcs.	-
Legal Svcs.	-
<b>Total Expenditures</b>	<b><u><u>64,159.09</u></u></b>

**Total Expenditures SCGA** **64,159.09**

**Revenue**

Contributions from Other Agencies	236,961.83
Interest Income	-
State Aid - Other Misc.	-
<b>Total Revenue</b>	<b><u><u>236,961.83</u></u></b>

**Under/(Over) Spent** **172,802.74**