

**Colusa Groundwater Authority
Board of Directors Meeting**

Sustainable Groundwater Management Act



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Presentation Outline

- **Sustainable Groundwater Management Act (SGMA) Background**
 - Legislative Goals
 - Key Milestones
 - What is Sustainability
 - What lies ahead (120 Day Plan +/-)
 - GSA Roles and Responsibilities
- **Regulations**
 - Key Features
 - Plan Contents - Notice and Communication

SGMA Background - Legislative Goals

- Set minimum standards for sustainable groundwater management
- Give local agencies tools needed to sustainably manage groundwater
- Increase groundwater storage
- Provide opportunity for local control
- Prevent deterioration of water quality
- Preserve existing groundwater rights

SGMA Background - Key Milestones

- Target date for sustainable conditions
 - January 1, 2015
- Prop 1 Project Solicitation Package (PSP) for Groundwater Sustainability Plans (GSP)
 - November 13, 2017
- Basin Boundary Modification Round 2
 - Tentatively Early 2018

SGMA Background - Key Milestones

- Colusa Subbasin GSP
 - Completed Plan - January 31, 2022
 - Sustainability Achieved - 2042
 - Annual Reporting
 - Submitted to DWR by April 1 of each year following the adoption of the GSP. Requires significant subbasin water use, availability and storage information
 - Five-Year Evaluation
 - Written assessment provided to DWR describing whether GSP implementation is meeting the sustainability goals in the basin

SGMA Background - Sustainability

Sustainability: Manage groundwater to prevent undesirable results (significant and unreasonable):

- Chronic lowering of groundwater levels
- Reduction of groundwater storage
- Seawater intrusion (not applicable for Colusa)
- Degraded water quality
- Land subsidence
- Depletions of interconnected surface waters

SGMA Background - “120 Day Plan”

- Immediate Decision-Making
 - GSP Approach
 - GSP Schedule/Workplan
 - PSP Authoring and Fiscal Agent
 - GSA(s)Committee Formation
 - RFP Authoring
 - Technical Proposal Review

SGMA Background - “120 Day Plan”

- Immediate Decision-Making
 - Consultant Interview and Selection
 - Technical Study Review and Approval
 - GSA and Inter-Basin Coordination
 - Public Engagement Events
 - Cost Allocation and Funding Decisions

SGMA Background - After 120 Days

- Defensible characterization of Subbasin conditions
- Identification of Management Areas (if warranted)
- Develop actions to address Undesirable Results
- Ongoing public engagement with Beneficial Users
- Potential fee assessment / Prop 218

SGMA - Long-Term GSA Roles

- Outreach - Engagement - Transparency
- Compliance
- Funding
- Authorities
 - General
 - Information Gathering
 - Groundwater Extraction
 - Property Acquisition and Management
 - Enforcement
- Coordination
- Technical
- Governance

SGMA Background - Stakeholders

Beneficial Uses / Users

- 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*)

Regulatory Requirements

GSP Regulations

- Data Management
- Basin Setting and Conditions
 - Land Use
 - Water Use
 - Water Supply
 - Management Areas

Regulatory Requirements

GSP Regulations

- Sustainable Management Criteria
 - Sustainability Goals
 - Minimum Thresholds
 - Management Objectives
- Monitoring
- Projects and Management Actions

Regulatory Requirements

§ 354.10. Plan Contents - Notice and Communication

Each Plan shall include a summary of information relating to notification and communication by the Agency with other agencies and interested parties including the following:

(a) A description of the beneficial uses and users of groundwater in the basin, including the land uses and property **interests potentially affected by the use of groundwater** in the basin, the **types of parties representing those interests**, and the **nature of consultation with those parties**.

(b) A list of public meetings at which the Plan was discussed or considered by the Agency.

(c) Comments regarding the Plan received by the Agency and a summary of any responses by the Agency.

Regulatory Requirements

§ 354.10. Notice and Communication (continued)

(d) A communication section of the Plan that includes the following:

- (1) **An explanation of the Agency's decision-making process.**
- (2) Identification of opportunities for public engagement and a discussion of **how public input and response will be used.**
- (3) A description of **how the Agency encourages the active involvement of diverse social, cultural, and economic elements of the population within the basin.**
- (4) The method the Agency shall follow to inform the public about progress implementing the Plan, including the status of projects and actions.

Regulatory Requirements

- How will you describe “interests”?
- Do you know what that means and what DWR is looking for?
- Do you know who represents those interests?
 - Are you sure?
- Do you know what “the nature of consultation” means and how to describe it?
- How will you describe your decision-making process?

Regulatory Requirements

- How will public input and response be used?
 - What happens if the public input is poorly informed? How do you use it?
 - What happens if responses are inconsistent with GSA member interests?
- What is your plan to “encourage the active involvement of diverse elements in the basin”?

THANK YOU

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Outreach-Engagement-Transparency

- Consider all interests of all beneficial users and users of groundwater
- Maintain interested persons list
- Document a decision-making process and how stakeholder input and public response will be used.
- Encourage the active involvement of diverse social, cultural, and economic elements of the population within the basin.
- Operate under the Brown Act
- Provide access to information consistent with the California Public Records Act

Compliance

- Comply with local ordinances and similar
 - (e.g. land use ordinance, etc.)
- Comply with all State regulations, laws, and similar
 - (e.g. CEQA, California ESA, Porter-Cologne, etc.)
- Comply with all Federal regulations, laws and similar
 - (e.g. Federal ESA, Clean Water Act, etc.)

Funding

Establish / obtain one or more of the following:

- Regulatory fees
- Property-related fees or assessments
- Local taxes
- Local general obligation bonds
- Contributions from member agencies
- Grants from other State and federal agencies

Authorities

- **General**
 - Do anything “necessary and proper” to carry out SGMA’s purposes
 - Adopt rules, regulations, ordinances, and resolutions
 - Use any other authority allowed to the GSA to apply and enforce SGMA requirements

Authorities

- **Information Gathering**
 - Determine the need for GW management
 - Prepare and adopt a GSP
 - Require registration of groundwater extraction facilities
 - Require measurement and annual reporting of groundwater extractions
 - Conduct investigations of surface or ground water and related rights
 - Monitor the diversion of surface water to underground storage
 - Inspect property and facilities to determine compliance, upon obtaining any necessary consent or obtaining an inspection warrant

Authorities

- **Groundwater Extraction**
 - Minimize well interference by imposing well-spacing requirements on new wells and reasonable operating regulations on existing wells including requiring extractors to operate on a rotation basis.
 - Control groundwater extractions by regulating, limiting, or suspending extractions from individual groundwater wells or extractions from groundwater wells in the aggregate, construction of new groundwater wells, enlargement of existing groundwater wells, or reactivation of abandoned groundwater wells, or otherwise establishing groundwater extraction allocations

Authorities

- **Groundwater Extraction**
 - Establish groundwater extraction allocations
 - Authorize within-GSA transfers of groundwater extraction allocations
 - Impose regulatory fees on groundwater extraction or other regulated activity or property-related fees on groundwater extraction

Authorities

- **Property Acquisition and Management**
 - Acquire property, including groundwater and surface water rights
 - Make physical improvements to real property
 - Acquire, transfer, or exchange groundwater water and surface water
 - Import surface water or groundwater into the Agency, and conserve and store water within or outside the Agency including, but not limited to, the spreading, storing, retaining, or percolating into the soil

Authorities

- **Property Acquisition and Management**
 - Manage wastewater, stormwater, and seawater for subsequent use
 - Transport, reclaim, purify, desalinate, treat, or otherwise manage and control polluted water, wastewater, or other waters for subsequent use
 - Provide for a program of voluntary following of agricultural lands or validate an existing program

Authorities

- **Enforcement**
 - Sue to collect delinquent fees, interest, or penalties or order extraction stopped until delinquent fees are paid
 - Pursue civil penalties for extraction exceedences
 - Pursue civil penalties for violations of SGMA-related rules, regulations, ordinances, or resolutions

Coordination

- Coordination with adjacent subbasins / Counties
- Coordination between Management Areas / public agencies and GSA members within the Basin/Subbasin

Technical

- Access appropriate technical expertise, either in-house, through consultants, or via technical assistance from other agencies.
- Conduct and/or oversee monitoring, data collection, and reporting
- Develop a water budget and identify sustainable yield.
- Assess basin history and potential paths to sustainable management
- Remediate / oversee remediation of polluted groundwater

Governance

- Create an Agency through legal agreement or MOU
- Establish Membership including potential membership levels / roles
- Determine Member durations, replacement procedures, removal procedures, etc.
- Create a decision-making process
- Create a dispute resolution process