



CALIFORNIA DEPARTMENT OF WATER RESOURCES SUSTAINABLE GROUNDWATER MANAGEMENT OFFICE

Frequently Asked Questions: Incomplete Determinations & Next Steps

Purpose

The purpose of this document is to answer questions about groundwater sustainability plan (GSP) assessments and help guide groundwater sustainability agencies (GSAs) through the process following the issuance of an incomplete GSP determination.

Intended Audience

The intended audience of this document are GSAs in groundwater basins who received an incomplete determination for their GSPs.

1. What does an incomplete determination mean?

An incomplete determination means the deficiencies identified in a GSP were significant enough to preclude its approval. Once the incomplete determination is released, the GSAs have up to 180 days to address the deficiencies. Should the deficiencies be sufficiently corrected and the Department of Water Resources (DWR) determines the GSP approved, there may be additional recommended corrective actions to be addressed in the GSP's next periodic update.

2. Can a meeting be requested to clarify and discuss the incomplete determination?

Meetings are conducted at the request of GSAs and should follow a GSA-prepared agenda to assure that DWR staff are focused on addressing the GSA's top priorities. For those basins that chose to submit multiple GSPs covering the basin, the basin's Point of Contact should initiate meetings with DWR staff.

3. Who should the GSAs contact to set up meetings with DWR?

Each basin has a DWR Point of Contact who will assist in setting up meetings. You can find your basin's Point of Contact here: [Assistance and Engagement \(ca.gov\)](https://www.water.ca.gov/assistance-and-engagement). Please email your Point of Contact to set up a meeting with DWR staff.

4. How many meetings can a GSA request?

One or two meetings may be conducted with DWR staff to discuss the GSA's understanding of the deficiencies. These meetings are intended to allow the basin's GSAs to develop a focused scope of work to correct the deficiencies within 180 days. Following these initial meetings, GSAs may schedule one or two check-in meetings with DWR staff

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before submitting revised materials. These meetings should focus on progress and methodologies to address deficiencies and presentation of specific local challenges.

5. Will DWR let the GSAs know if their actions to modify the GSP will be sufficient?

Similar to the preparation of the submitted GSP, DWR staff will not provide a preliminary evaluation of written or revised documents intended to modify a GSP. However, DWR staff can discuss general approaches to address those deficiencies and provide feedback on the methodology used, and data relied upon, to support improved basinwide analyses.

6. How can a GSA correct the deficiencies identified in a GSP that has been determined incomplete by DWR?

The incomplete determination contains the deficiencies that DWR decided were significant enough to preclude its approval. The GSAs must address the deficiencies in a coordinated manner, consider the corrective actions, and make it clear that the corrections are part of the adopted GSP and will be incorporated into its implementation. GSAs must work locally to address the deficiencies openly and transparently. Incorporation of public input and participation is encouraged.

7. What materials does the GSA need to resubmit for DWR to review and reevaluate?

All documents provided to DWR must be uploaded to the SGMA Portal as part of the resubmission package within 180 days of the GSP's incomplete determination. The documents include, at minimum, the following:

- DWR requests both a clean version and a redline strikeout version of the corrected GSP be provided to help expedite its review of the changes and updates.
- The GSP Elements Guide should be updated and included to help DWR staff locate the changes addressing the deficiencies.
- The revised and resubmitted information should clearly state that the modifications are part of the adopted GSP and will be implemented accordingly.
- If the amended GSP has been readopted, the information supporting the readoption must also be uploaded to the SGMA Portal.
- If a coordination agreement is part of the basin's GSP and any information in that agreement has been modified, then the new coordination agreement, signed by all GSAs in the basin, must be uploaded to the SGMA Portal.

8. What is the timeline and method for submitting a corrected GSP that was initially issued an incomplete determination?

Following the release of a GSP's incomplete determination, the GSAs will have up to 180 days to submit the required information that addresses the identified deficiencies. GSAs must submit corrected GSPs to DWR on the SGMA Portal.

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9. How should the GSAs adopt a corrected GSP?

The GSA's legal counsel should consider if readoption of the GSP is necessary under the authorities granted to the GSA during the initial GSP development. If a GSP must be readopted, the GSA may do so following a public hearing held at least 90 days after providing notice to cities and counties within the GSP area (see California Water Code §10728.4). This notification can be made very early in the process in anticipation that the GSP's revisions will be adopted within the 180-day period allowed to address the GSP's deficiencies.

10. After submittal of a corrected GSP, what is the timeline for DWR to review the GSP's adequacy?

There is no specific statutory timeline for DWR to complete its review of responses to an incomplete determination. However, once the GSA submits its corrected GSP, DWR staff will work expeditiously to review the corrected GSP and determine if the GSP is either approved or inadequate. DWR will host a public comment period on the resubmitted GSP for consideration in its reevaluation and reassessment.

11. What happens if a GSA cannot correct deficiencies within 180 days?

If a GSA does not submit a corrected GSP within 180 days, or DWR determines that the corrected GSP does not sufficiently address the previously defined deficiencies, DWR will enter into consultation with the State Water Resources Control Board prior to determining a GSP inadequate. The State Water Resources Control Board can step in using a process called State intervention, which is described in detail under SGMA Chapter 11 (California Water Code §10735 *et seq.*). For additional questions on State Intervention, please contact the State Water Resources Control Board at: SGMA@waterboards.ca.gov.