

# Proposed Emergency Regulation for Groundwater Basin Boundary Revisions

*August 31<sup>st</sup> - Sacramento  
10 am to 12 Noon*

## Meeting Agenda

1. Welcome, Introductions, Meeting Details
2. Sustainable Groundwater Management Act (SGMA) Background and Basin Boundary Regulation Presentation
3. Basin Boundary Regulation Public Comments

[sgmps@water.ca.gov](mailto:sgmps@water.ca.gov)

# Convening

- We convene here today, August 31, at 10:00 am, to receive public comments on a proposed rulemaking action by the Department of Water Resources.
- Today's public meeting is scheduled to conclude at 12 noon.
- The Department has proposed changes to the California Code of Regulations, Title 23, Division 2, Chapter 1.5, commencing with Section 340.
- We will refer to this regulation as the "Basin Boundary Regulation".

# Public Meeting Details

- The attendance sheet is for everyone – both speakers and non-speakers.
- Please be sure to sign the attendance sheet.
- The Department will also make an audio recording of this public meeting.

# Exhibits

*available at the sign-in table*

- **Exhibit A** - Text of Draft Basin Boundary Emergency Regulation.
- **Supporting Information**
  - Draft Basin Boundary Emergency Regulation Technical Factsheet
  - How to Comment Factsheet
  - Other Supporting Information

The draft regulations were posted on DWR's Internet Web Site at least 30 days prior to this public meeting (Water Code 10722.2(d)).

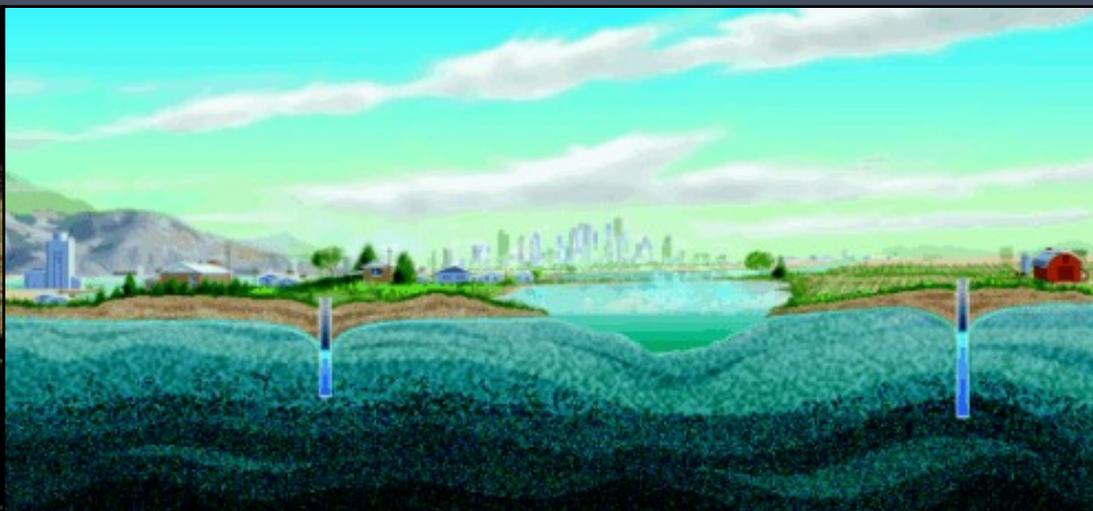
[http://www.water.ca.gov/groundwater/sgm/basin\\_boundaries.cfm](http://www.water.ca.gov/groundwater/sgm/basin_boundaries.cfm)

# Oral Comments

[sgmps@water.ca.gov](mailto:sgmps@water.ca.gov)

- Oral comments will be made in the order of submitted queue cards.
- The Department will **accept** public comment only and **will not respond** to any comments and testimonies during the public comment portion of the meeting.
- Speakers will please state their name and affiliation (if any).
- If possible, speakers will please provide the page or section numbers of the regulation to which their comments refer to.
- Oral comments should be addressed to the Department, should be relevant to the proposed regulation, should be professional, and should not be of a personal nature.
- The Department staff may impose a time limit (dependent upon the number of commenters).

# Proposed Emergency Regulation for Groundwater Basin Boundary Revisions - Background -



Public Meeting  
Sacramento  
August 31, 2015

# Overview

- **SGMA Background**
- **Draft Regulations Process**
- **Draft Regulations Summary**
- **Next Steps**

# Sustainable Groundwater Management Act

## KEY PRINCIPLES

- Groundwater best managed at the local and regional level
- Groundwater needs to be managed sustainably
- Local agencies have necessary authority & tools
- State assistance and oversight – intervention only when needed



# Sustainable Groundwater Management Act



## Framework

- Applicability
- Definitions
- Regulations

## Local's Role

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

## State's Role

- Basin Boundaries & Priorities
- Technical Assistance
- State Evaluation and Assessment
- State Intervention

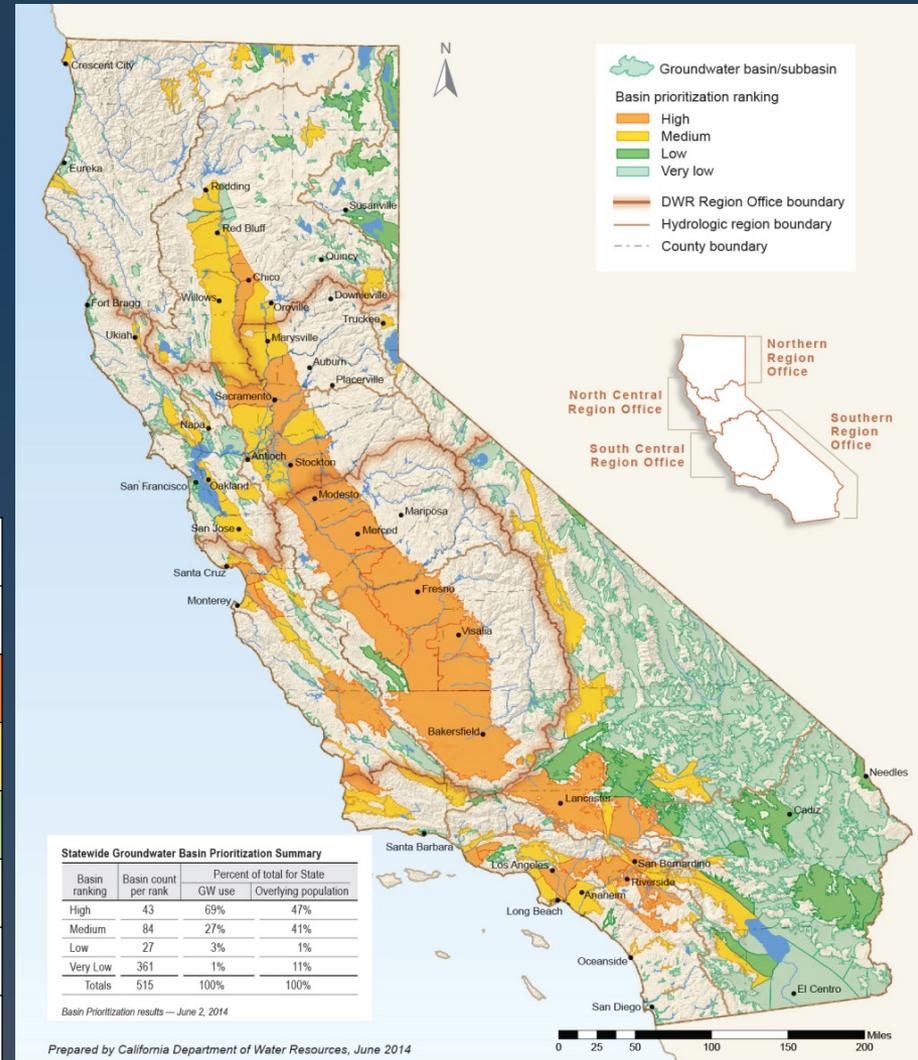
# SGMA Basin Prioritization



- 127 high & medium priority basins account for:
  - 96% of average annual GW supply
  - 88% of 2010 population overlying GW basin area
  - Required to prepare GSPs

| BASIN RANKING | BASIN COUNT | PERCENT OF TOTAL |             |
|---------------|-------------|------------------|-------------|
|               |             | GW USE           | POPULATION  |
| High          | 43          | 69%              | 47%         |
| Medium        | 84          | 27%              | 41%         |
| Low           | 27          | 3%               | 1%          |
| Very Low      | 361         | 1%               | 11%         |
| <b>Totals</b> | <b>515</b>  | <b>100%</b>      | <b>100%</b> |

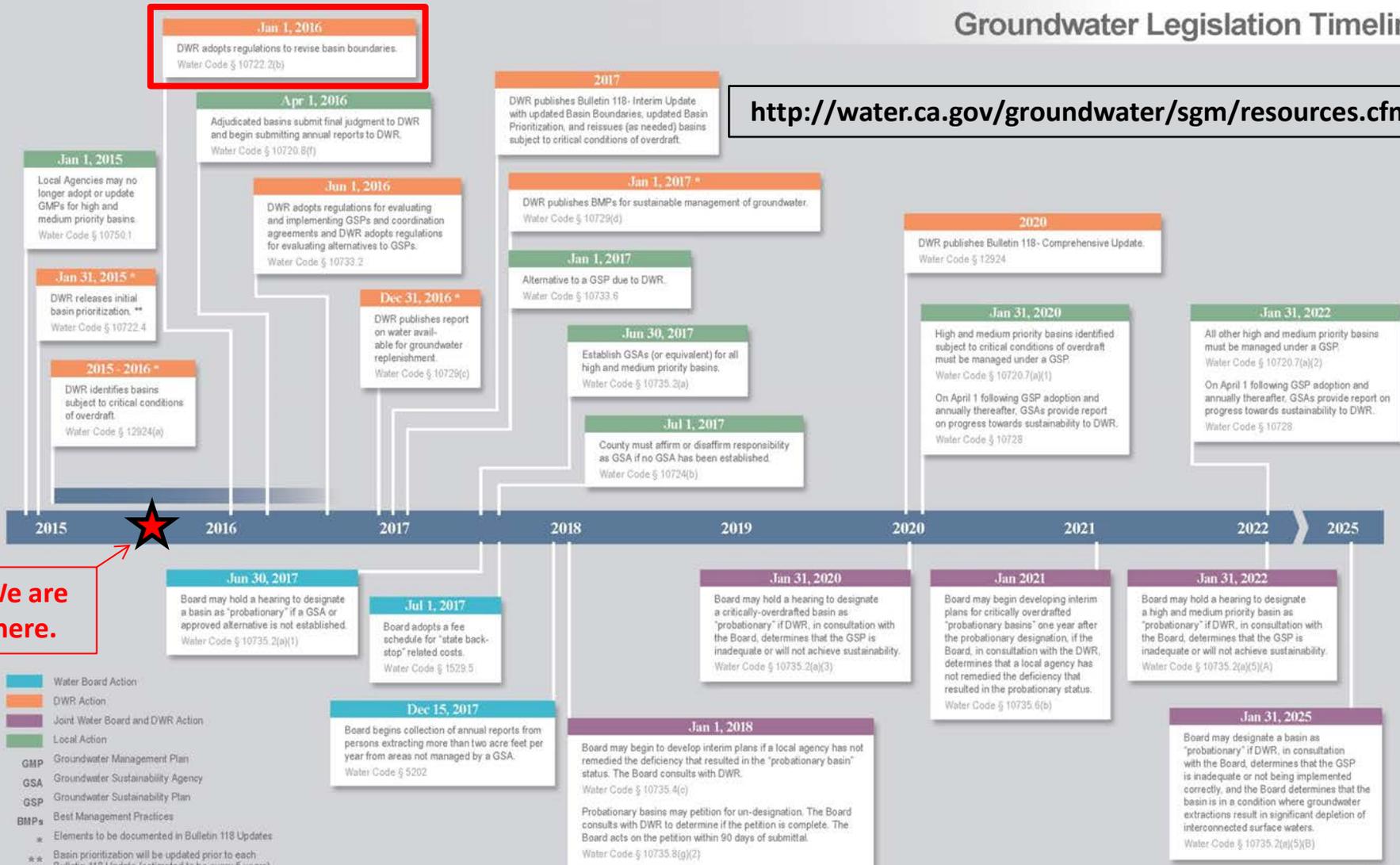
Basin Prioritization Results – June 2, 2014



# SGMA Timeline (2015-2025)

## Groundwater Legislation Timeline

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



We are here.

- Water Board Action
- DWR Action
- Joint Water Board and DWR Action
- Local Action
- GMP Groundwater Management Plan
- GSA Groundwater Sustainability Agency
- GSP Groundwater Sustainability Plan
- BMPs Best Management Practices
- \* Elements to be documented in Bulletin 118 Updates
- \*\* Basin prioritization will be updated prior to each Bulletin 118 Update (estimated to be every 5 years)

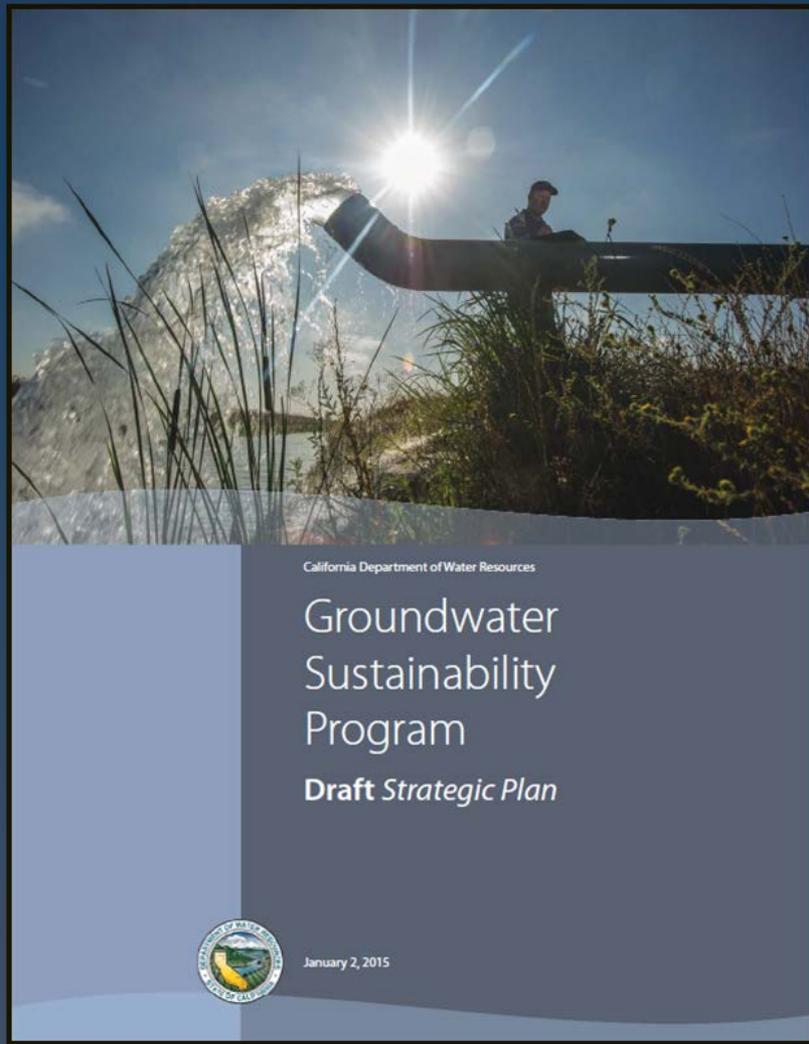
# DWR's Implementation of SGMA



## SUSTAINABLE GROUNDWATER MANAGEMENT (SGM) PROGRAM

- Describes DWR's roles and responsibilities
- Outlines actions from the California Water Action Plan
- Presents DWR's groundwater sustainability goals, objectives, and actions

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



# Draft Regulations Process

# Basin Boundary Regulations Process

Jan-April

April-May

July-Sept

Oct-Nov

## Scoping

- Notify OAL
- Collect Issues from Stakeholders
- Coordinate with SWRCB & CWC

## Draft Framework

- Public Listening Sessions
- Present and Receive Input from Advisory Groups and Public

## Draft Emergency Regulations

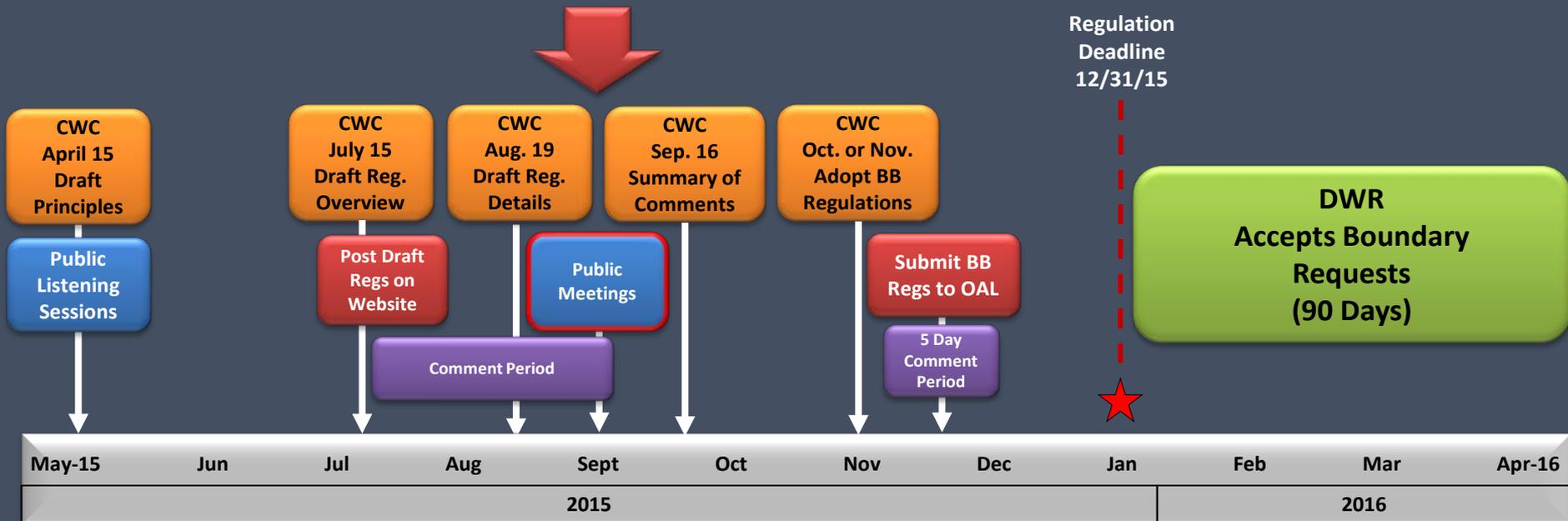
- Public Meetings
- Present and Receive Input from Advisory Groups and Public

## Adopt Emergency Regulations

- CWC Approval
- Noticing and Submittal to OAL

Input and Feedback from the CWC and SWRCB

# Basin Boundary Regulations Estimated Timeline



# How to Provide Input

- DWR Welcomes Feedback on Draft Regulations

- Email & Written Comments  
(Due 9/4)

- CWC Meetings (Sep. & Oct.)

- DWR is posting all comments on website

The screenshot shows the California Department of Water Resources (DWR) website. The header includes the CA.GOV logo, navigation links (HOME, NEWSROOM & EVENTS, ISSUES, ABOUT US), and a search bar. The main content area is titled "SGM Sustainable Groundwater Management" and "Public Comments - Basin Boundary Regulations". It includes a "How to Provide Input" section with contact information for the Sustainable Groundwater Management Section in Sacramento, CA. Below this is a table of comments received on Basin Boundary Emergency Regulations, showing 4 entries. The table columns are Commenter(s), Submitted By, and Date. The comments are from Santa Barbara County Water Agency, San Lorenzo Valley Water District, County of Inyo Water Department, and Shasta County Department of Public Works.

| Commenter(s)                             | Submitted By      | Date      |
|--|-------------------|-----------|
| Santa Barbara County Water Agency        | Matt Nartaly      | 8/20/2015 |
| San Lorenzo Valley Water District        | Brian E. Lee      | 8/07/2015 |
| County of Inyo Water Department          | Robert Harrington | 8/04/2015 |
| Shasta County Department of Public Works | Charleen Beard    | 7/22/2015 |

[http://www.water.ca.gov/groundwater/sgm/basin\\_boundaries.cfm](http://www.water.ca.gov/groundwater/sgm/basin_boundaries.cfm)

# Draft Regulations Summary

# SGMA Requirements

*WC §10722*

- **Emergency Regulations to Establish a Process For Local Agencies to Request Changes to Existing Basin Boundaries**
  - **DWR Shall Adopt by January 1, 2016**
  - **Instructions to Local Agencies on Submittal of:**
    1. Information demonstrating proposed basin can be sustainably managed
    2. Technical information on boundaries and conditions in proposed basin
    3. Consultation with interested local agencies and public water systems in the affected basins
    4. Other information DWR deems necessary to justify revision
  - **Methodology and Criteria on how to assess:**
    1. Likelihood proposed basin can be sustainably managed
    2. Whether proposed basin would limit the SGM of adjacent basins
    3. Whether there is a history of SGM of groundwater levels in the proposed basin

# Key Points

## Regulatory Intent

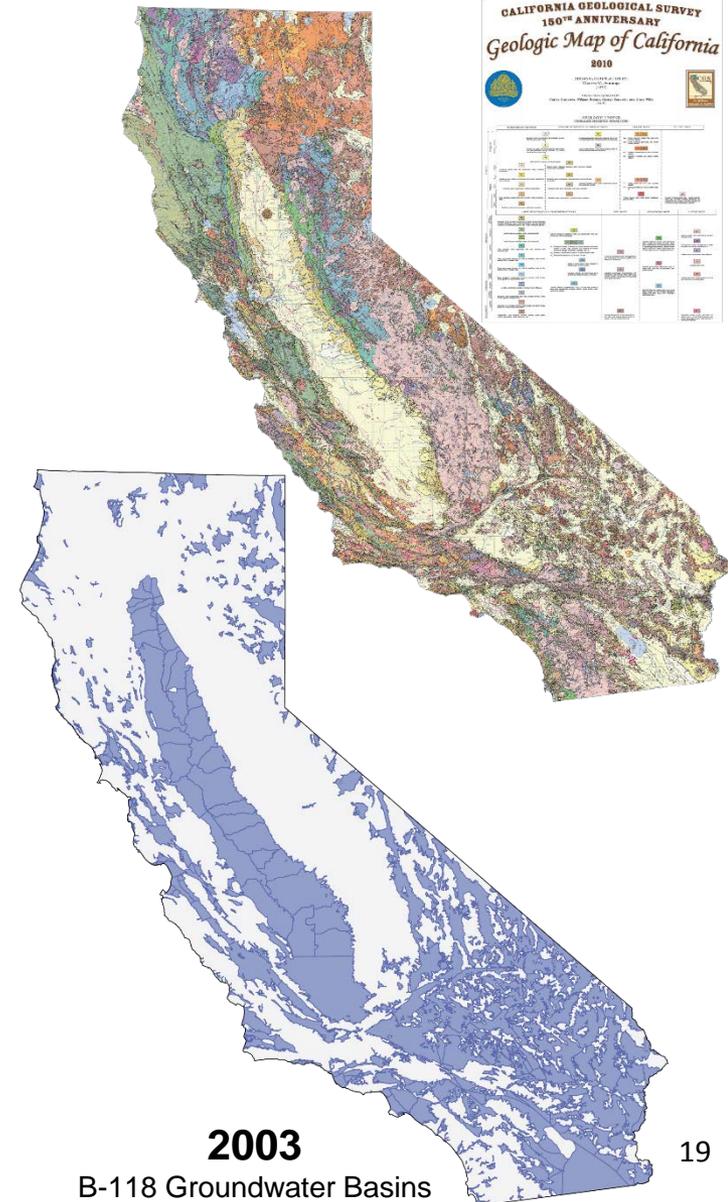
- Statewide Sustainable Groundwater Management
- Open and Transparent Process

## Technical

- Complex Statewide Hydrogeology
- Basin Boundaries Last Updated in 2003
- Previous Boundaries used for Voluntary Planning
- Varying Levels of Detail in Existing B-118 Dataset
- Results in High Variability of Potential Modifications

## Administrative

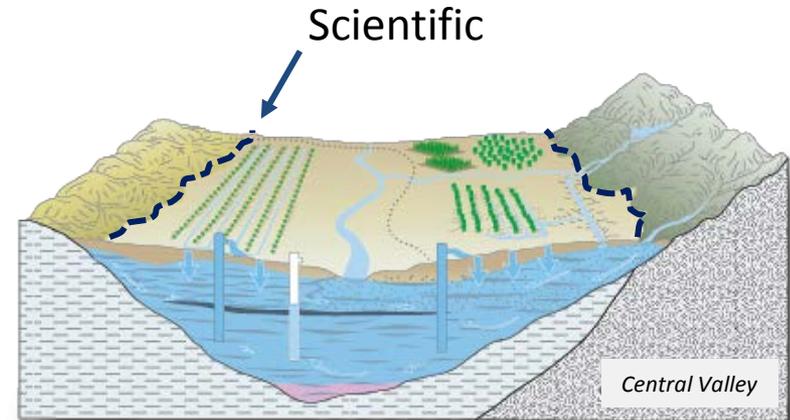
- Only Local Agencies can Request Modifications
- Local Agency Requests are Voluntary



# Key Definitions

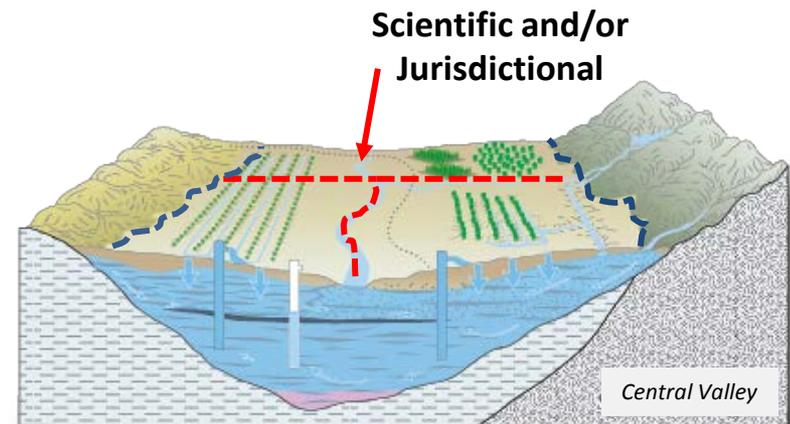
## ➤ SGMA Definitions

➤ **Groundwater Basin** – An alluvial aquifer or a stacked series of alluvial aquifers with reasonably well-defined boundaries in a lateral direction and having a definable bottom



Modified from Faunt, 2009

➤ **Groundwater Subbasin** – A subbasin is created by dividing a groundwater basin into smaller units using geologic and hydrologic barriers or institutional boundaries



Modified from Faunt, 2009 20

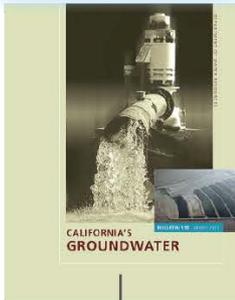
# Summary of Regulation Articles

1. **Introductory Provisions:** Provides the authority and intent of the subchapter.
2. **Definitions:** Provides definitions to key terms used in the regulations.
3. **Boundary Modification Categories:** Provides a description for characterizing the type of modification being requested.
4. **Procedures for Modification Request or Protest:** Procedures for requesting basin boundary modifications and protesting a modification request.
5. **Supporting Information:** Description of the required information to support the proposed basin modification.
6. **Methodology and Criteria:** Description of the criteria by which information provided in article 5 will be evaluated.
7. **Adoption of Boundary Modification:** Procedure for the adoption of boundary modifications by DWR.

# Basin Boundary Modification Process

## Article 1 & 2

All basins begin  
with existing Bulletin 118  
boundaries.

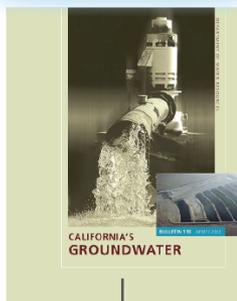


Boundary  
modification  
desired by local  
agency?

# Basin Boundary Modification Process

## Article 1 & 2

All basins begin with existing Bulletin 118 boundaries.



Boundary modification desired by local agency?

NO

GSA/GSP formed in existing basin(s)

Approved Boundaries Published in California's Groundwater **Bulletin 118** 2017 Update

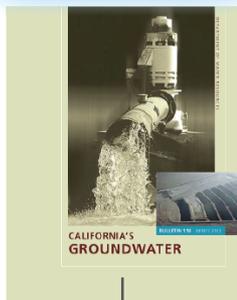
Jan 1<sup>st</sup>, 2016

23  
Q1, 2017

# Basin Boundary Modification Process

## Article 1 & 2

All basins begin with existing Bulletin 118 boundaries.



## Article 3 & 4

| Reason         | Type of Modification |
|----------------|----------------------|
| Scientific     | Hydrogeologic        |
| Jurisdictional | Internal             |
|                | Consolidation        |
|                | Subdivision          |

Local agencies may submit multiple modification types in a single request.

Boundary modification desired by local agency?

YES

NO

GSA/GSP formed in existing basin(s)

Approved Boundaries Published in *California's Groundwater Bulletin 118 2017 Update*

Jan 1<sup>st</sup>, 2016

24  
Q1, 2017

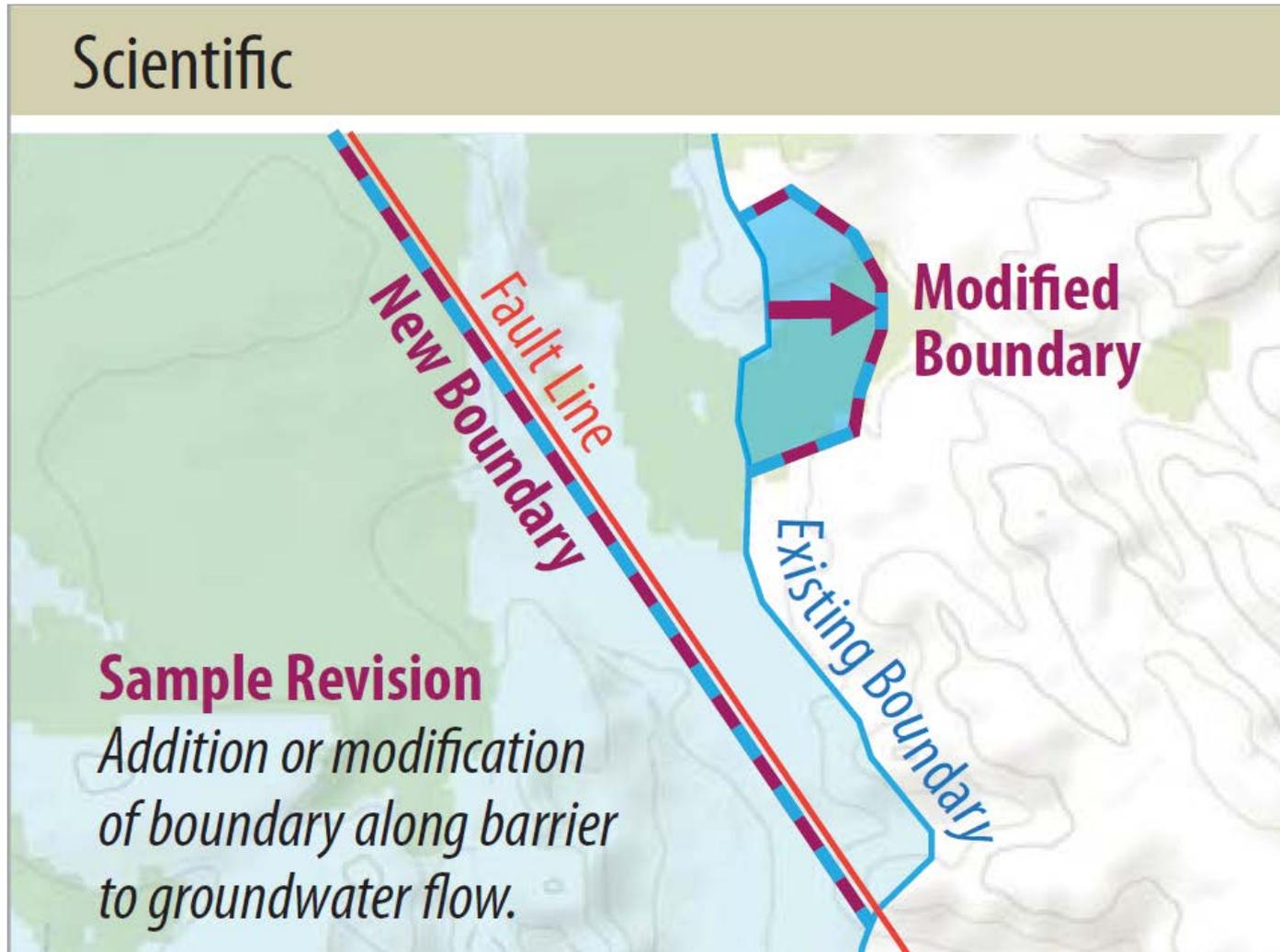
# Types of Modification

## *Article 3*

- **Scientific** - Based on Geologic or Hydrologic Conditions that Define the Basin.
- **Jurisdictional** - Promote the Adoption and Implementation of Effective Sustainable Management Plans and Enhance Local Management of Groundwater.

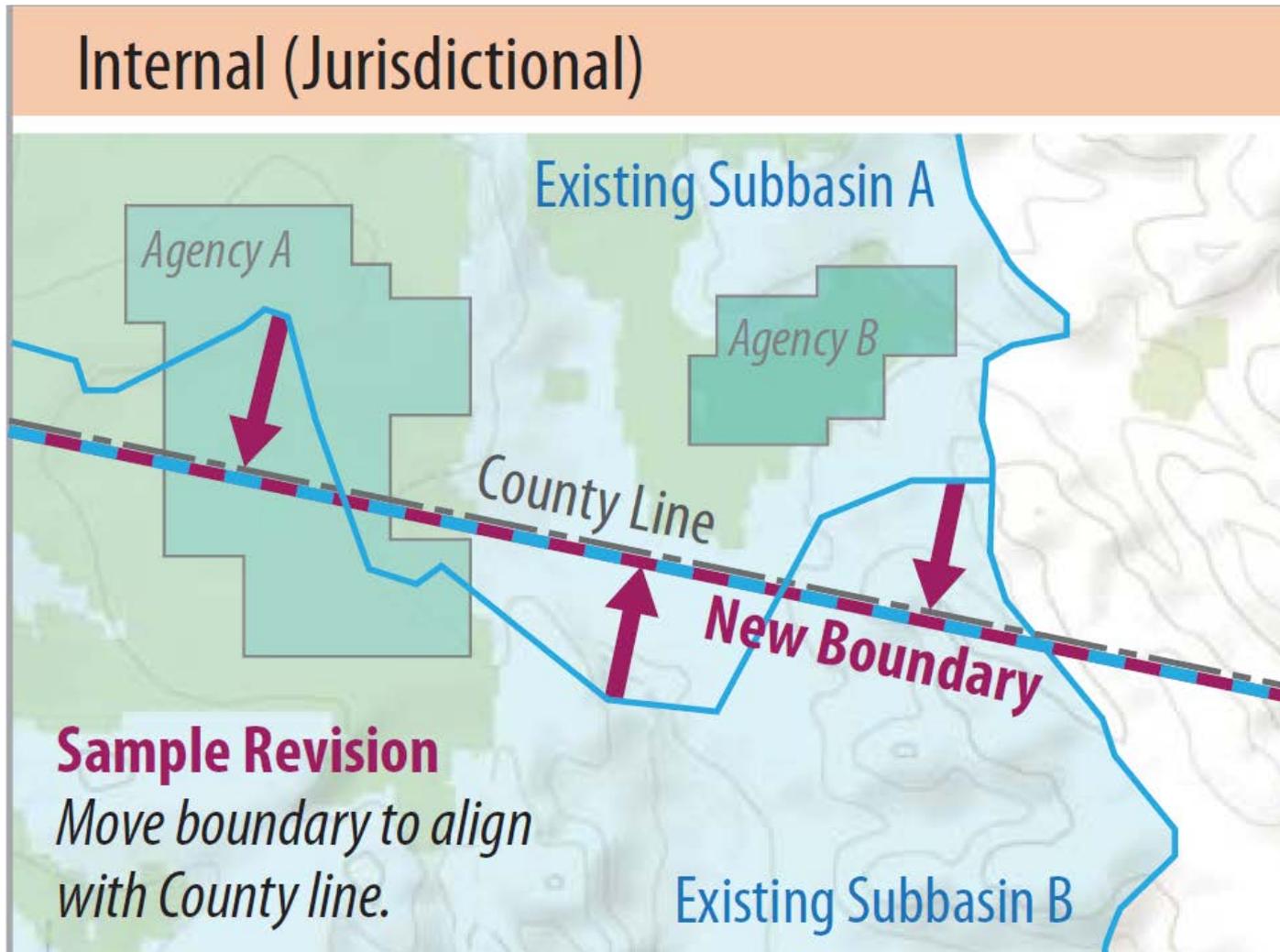
# Types of Modification

## Article 3



# Types of Modification

## Article 3



# Types of Modification

## Article 3

### Consolidation (Jurisdictional)

Existing Subbasin A

Agency B



Agency A

Agency C

Existing Subbasin B

#### **Sample Revision**

*Consolidate two or more adjacent basins by elimination of internal boundary.*

### County Consolidation (Jurisdictional)

Existing Subbasin A

Agency B



Agency A

Agency C

Existing Subbasin B

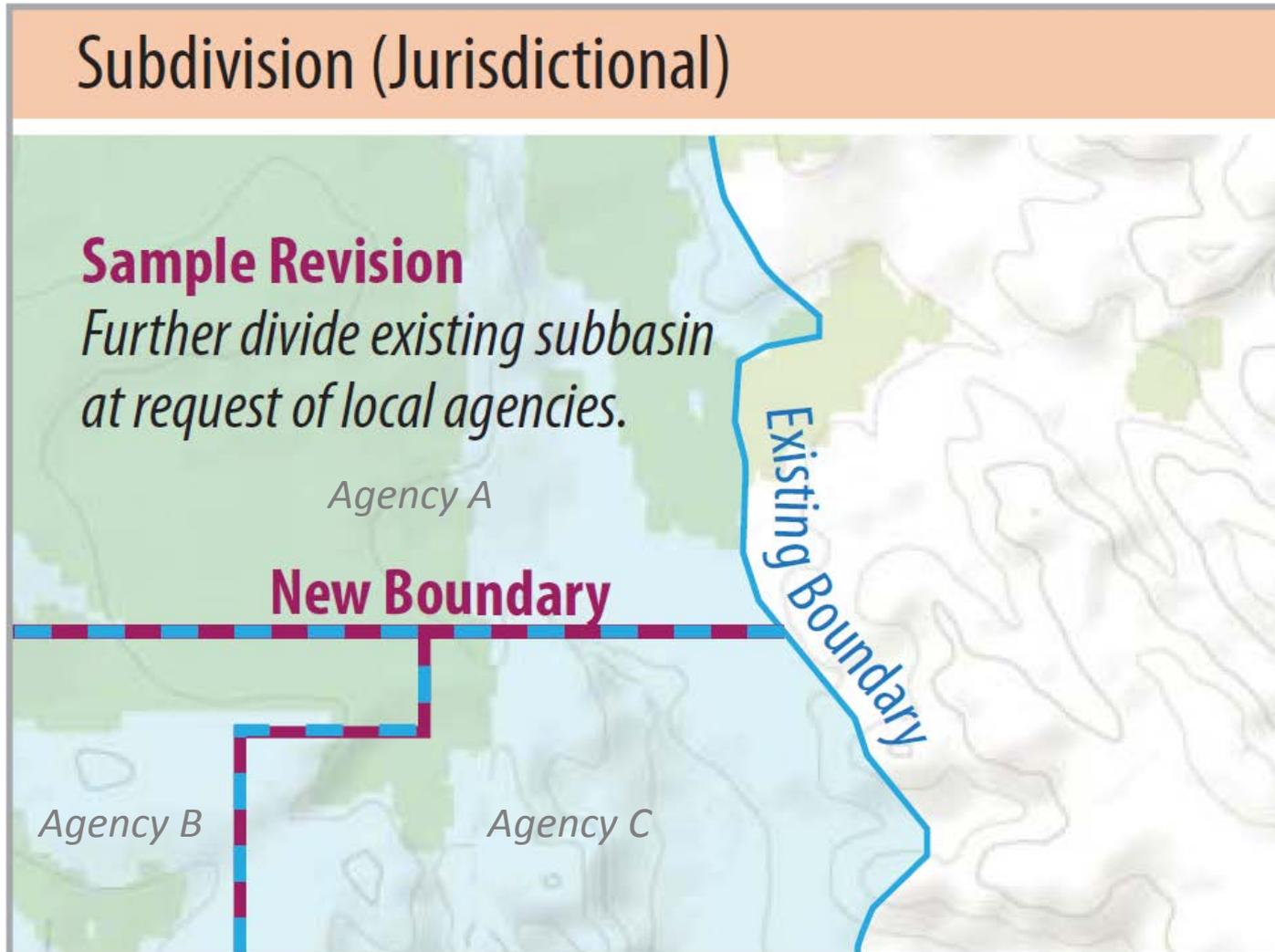
County Line

#### **Sample Revision**

*Consolidation of all contiguous basins or subbasins within a county into a single basin or subbasin.*

# Types of Modification

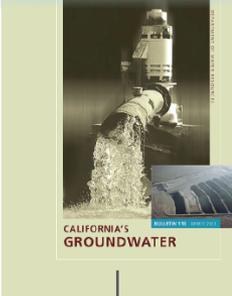
## Article 3



# Article 5 \*Draft Regulations Required Components Checklist

## Article 1 & 2

All basins begin with existing Bulletin 118 boundaries.



## Article 3 & 4

Stakeholder input opportunities shown in blue.

### Required Components of Submittal

Information required is dependent upon type of modification.

(1) Local Info

Agency Information and Resolution  
Notification & Consultation

| Reason         | Type of Modification | Agency Information and Resolution | Notification & Consultation |
|----------------|----------------------|-----------------------------------|-----------------------------|
| Scientific     | Hydrogeologic        | ✓                                 | ✓                           |
| Jurisdictional | Internal             | ✓                                 | ✓                           |
|                | Consolidation        | ✓                                 | ✓                           |
|                | Subdivision          | ✓                                 | ✓                           |

Boundary modification desired by local agency?

YES

NO

Local agencies may submit multiple modification types in a single request.

If any required components are missing, request may not be approved and original boundaries will be used.

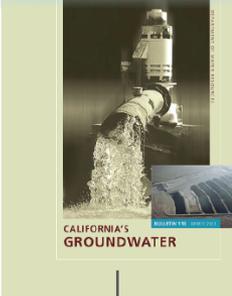
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Approved Boundaries Published in California's Groundwater Bulletin 118 2017 Update

# Article 5 \*Draft Regulations Required Components Checklist

## Article 1 & 2

All basins begin with existing Bulletin 118 boundaries.



## Article 3 & 4

Stakeholder input opportunities shown in blue.

### Required Components of Submittal

Information required is dependent upon type of modification.

(1) Local Info (2) Local Support

| Reason         | Type of Modification | Agency Information and Resolution | Notification & Consultation | Affected Agencies and Systems | Majority of Affected Agencies/Systems | All Agencies in Existing Basin |
|----------------|----------------------|-----------------------------------|-----------------------------|-------------------------------|---------------------------------------|--------------------------------|
| Scientific     | Hydrogeologic        | ✓                                 | ✓                           |                               |                                       |                                |
| Jurisdictional | Internal             | ✓                                 | ✓                           | ✓                             |                                       |                                |
|                | Consolidation        | ✓                                 | ✓                           |                               | ✓                                     |                                |
|                | Subdivision          | ✓                                 | ✓                           |                               |                                       | ✓                              |

Boundary modification desired by local agency?

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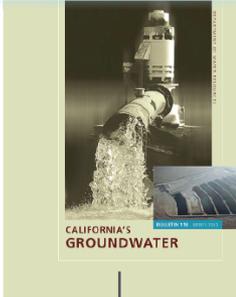
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Approved Boundaries Published in California's Groundwater Bulletin 118 2017 Update

# Article 5 \*Draft Regulations Required Components Checklist

## Article 1 & 2

All basins begin with existing Bulletin 118 boundaries.



## Article 3 & 4

Stakeholder input opportunities shown in blue.

### Required Components of Submittal

Information required is dependent upon type of modification.

(1) Local Info (2) Local Support (3) Technical Information

Request Review Process

| Reason         | Type of Modification | Agency Information and Resolution | Notification & Consultation | Affected Agencies and Systems | Majority of Affected Agencies | All Agencies in Existing Systems | Desc. of Basin Boundaries | Existing Water Management (Map, GIS data) | Hydrogeologic Management in Basin | Historic and Current Conditions | Technical Study | Opportunity for Protest 1 |
|----------------|----------------------|-----------------------------------|-----------------------------|-------------------------------|-------------------------------|----------------------------------|---------------------------|---|-----------------------------------|---------------------------------|-----------------|---------------------------|
| Scientific     | Hydrogeologic        | ✓                                 | ✓                           |                               |                               |                                  | ✓                         |   | ✓                                 |                                 | ✓               | ✓                         |
| Jurisdictional | Internal             | ✓                                 | ✓                           | ✓                             |                               |                                  | ✓                         | ✓   |                                   |                                 |                 | ✓                         |
|                | Consolidation        | ✓                                 | ✓                           |                               | ✓                             |                                  | ✓                         | ✓   | ✓                                 |                                 |                 | ✓                         |
|                | Subdivision          | ✓                                 | ✓                           |                               |                               | ✓                                | ✓                         | ✓   | ✓                                 | ✓                               |                 | ✓                         |

Local agencies may submit multiple modification types in a single request.

If any required components are missing, request may not be approved and original boundaries will be used.

Review process may determine modification is not acceptable.

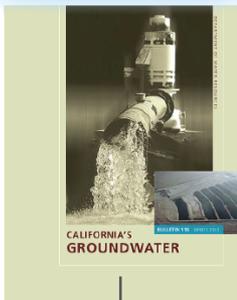
GSA/GSP formed in existing basin(s)

Approved Boundaries Published in California's Groundwater Bulletin 118 2017 Update

1. A formal protest submittal requires the same technical Information as a boundary revision request, based on type of revision.

## Article 1 & 2

All basins begin with existing Bulletin 118 boundaries.



Boundary modification desired by local agency?

NO

YES

## Article 3 & 4

Stakeholder input opportunities shown in blue.

Reason  
Type of Modification

| Reason         | Type of Modification | Required Components of Submittal |                   |                           |   |   |   |   |   |   |                               | Request Review Process |                                      |
|----------------|----------------------|----------------------------------|-------------------|---------------------------|---|---|---|---|---|---|-------------------------------|------------------------|--------------------------------------|
|                |                      | (1) Local Info                   | (2) Local Support | (3) Technical Information |   |   |   |   |   |   | (4) Opportunity for Protest 1 |                        | (5) DWR Review & Public Notification |
| Scientific     | Hydrogeologic        | ✓                                | ✓                 |                           |   |   |   |   | ✓ |   | ✓                             | ✓                      | DRAFT APPROVAL                       |
| Jurisdictional | Internal             | ✓                                | ✓                 | ✓                         |   |   |   |   | ✓ | ✓ |                               | ✓                      |                                      |
|                | Consolidation        | ✓                                | ✓                 |                           | ✓ |   |   |   | ✓ | ✓ | ✓                             | ✓                      |                                      |
|                | Subdivision          | ✓                                | ✓                 |                           |   | ✓ | ✓ | ✓ | ✓ | ✓ |                               | ✓                      |                                      |

Local agencies may submit multiple modification types in a single request.

If any required components are missing, request may not be approved and original boundaries will be used.

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GSA/GSP formed in existing basin(s)

Approved Boundaries Published in California's Groundwater Bulletin 118 2017 Update

## Article 5

## Article 6

### Required Components of Submittal

Information required is dependent upon type of modification.

Jul, 2016

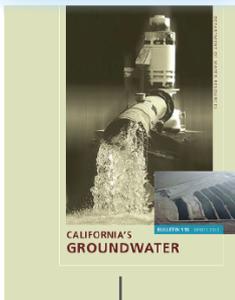
Request Review Process

Jan 1<sup>st</sup>, 2016

33  
Q1, 2017

## Article 1 & 2

All basins begin with existing Bulletin 118 boundaries.



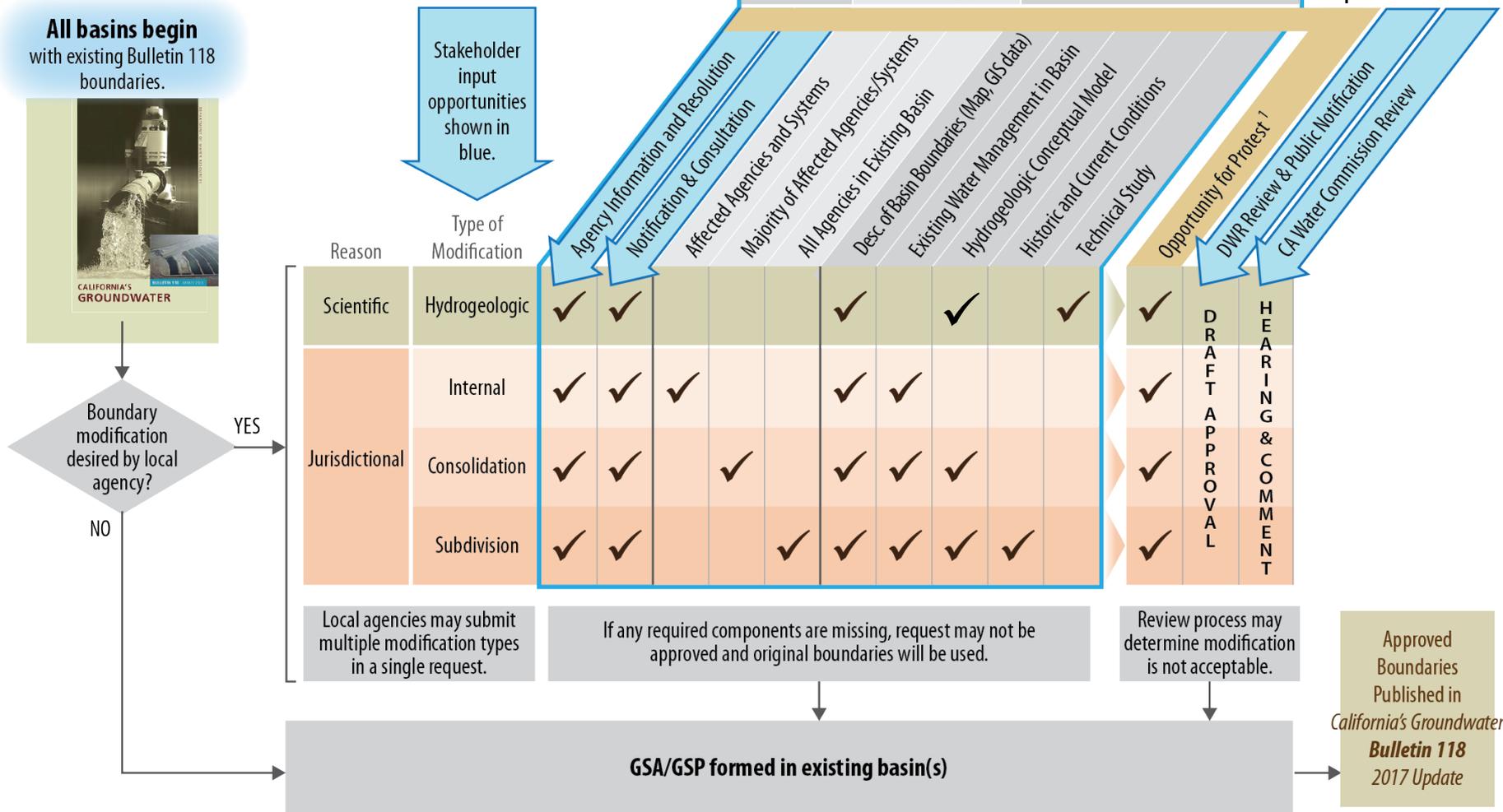
## Article 5

## Article 6

Sep, 2016

## Article 3 & 4

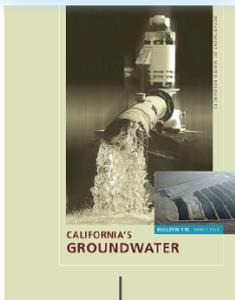
Stakeholder input opportunities shown in blue.



Jan 1<sup>st</sup>, 2016

## Article 1 & 2

All basins begin with existing Bulletin 118 boundaries.



## Article 5

## Article 6

## Article 3 & 4

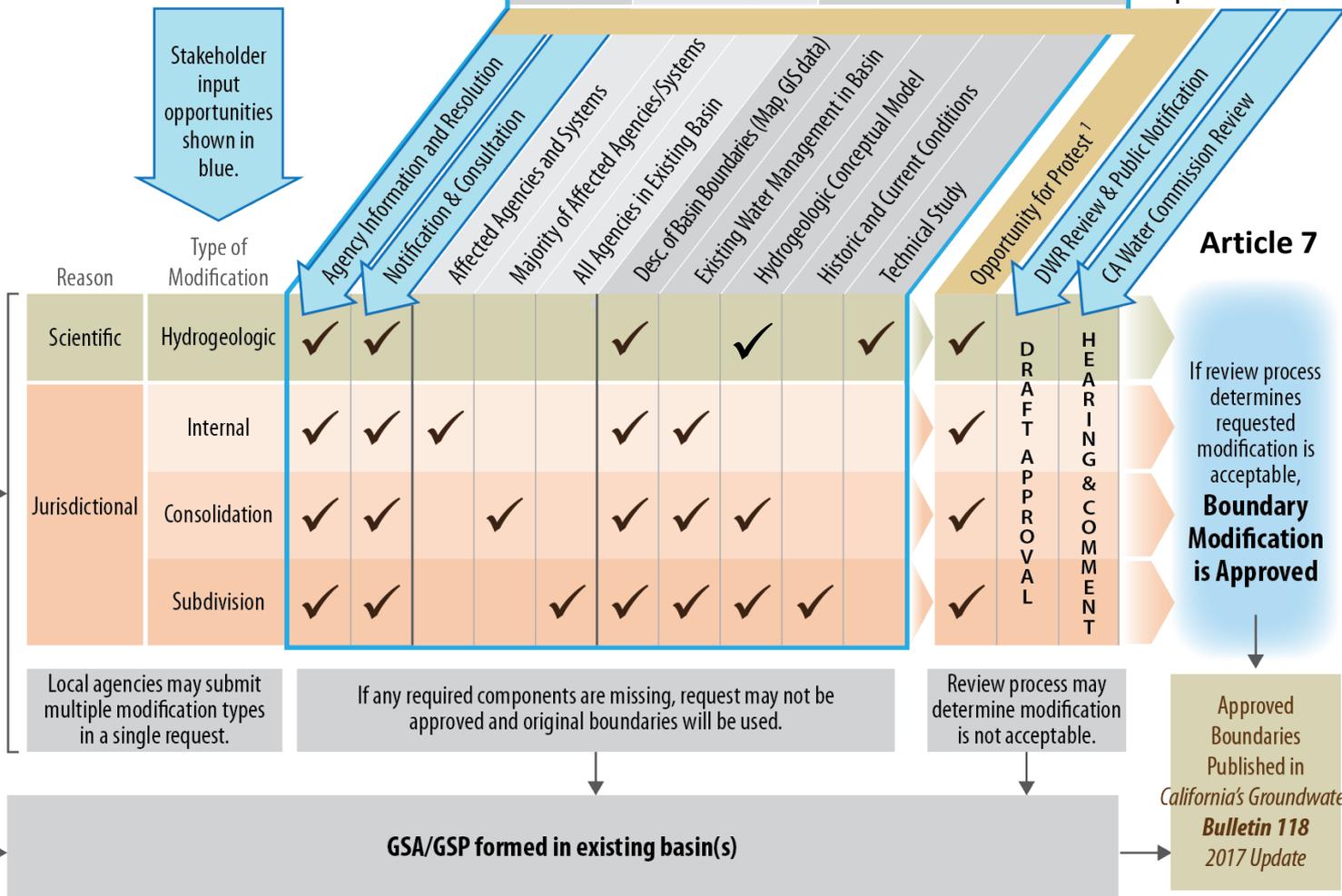
Stakeholder input opportunities shown in blue.

### Required Components of Submittal

Information required is dependent upon type of modification.

(1) Local Info (2) Local Support (3) Technical Information

Request Review Process



# Next Steps

- **September 4<sup>th</sup>** – Public Comment Period Closes.
- **September 16<sup>th</sup>** – Present Summarized Comments to CWC.
- **October 21<sup>st</sup>\*** - Present Proposed Emergency Regulations to CWC for adoption.
- **October – November** - Submit Adopted Emergency Regulations to Office of Administrative Law.
- **January 1<sup>st</sup>, 2016** – DWR Starts Accepting Boundary Modification Requests (90 day period).
- **Sep. 2016\*** – Draft Approval of Boundaries and Present to CWC.

# Thank You

- **DWR Sustainable Groundwater Management (SGM)**  
<http://www.water.ca.gov/groundwater/sgm/index.cfm>
- **Subscribe to DWR SGM Email List**  
<http://www.water.ca.gov/groundwater/sgm/subscribe.cfm>
- **DWR Basin Boundary Regulation Website**  
[http://www.water.ca.gov/groundwater/sgm/basin\\_boundaries.cfm](http://www.water.ca.gov/groundwater/sgm/basin_boundaries.cfm)
- **DWR Water Management Planning Tool**  
<https://gis.water.ca.gov/app/boundaries/>

# Questions

- Process Questions
- Clarification Questions

# Oral Comments

[sgmps@water.ca.gov](mailto:sgmps@water.ca.gov)

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- The Department will **accept** public comment only and **will not respond** to any comments and testimonies during the public comment portion of the meeting.
- Speakers will please state their name and affiliation (if any).
- If possible, speakers will please provide the page or section numbers of the regulation to which their comments refer to.
- Oral comments should be addressed to the Department, should be relevant to the proposed regulation, should be professional, and should not be of a personal nature.
- The Department staff may impose a time limit (dependent upon the number of commenters).

# Written Comments

The Department encourages the submittal of a written copy of your oral testimony and any supporting evidence.

**Must be received by September 4, 2015**

# Written Comments

**Must be received by September 4, 2015**

**Mail:**

California Department of Water Resources  
Attn: Sustainable Groundwater Management Section  
P.O. Box 942836  
Sacramento, CA 94236

**Drop off:**

California Department of Water Resources  
901 P Street,  
Sacramento, CA

**Email :**

[sgmps@water.ca.gov](mailto:sgmps@water.ca.gov)

**Or In Person:**

At the Public Meetings

# After the Public Comment Period

The written public comment period closes  
September 4, 2015

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A transcript of the public meeting and related exhibits  
or evidence will be a part of the **Department's  
Rulemaking Record** per Administrative Procedures  
Act or APA (Government Code Section 11340 et  
seq.).

# Oral Comments

[sgmps@water.ca.gov](mailto:sgmps@water.ca.gov)

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- The Department staff may impose a time limit (dependent upon the number of commenters).

# Conclusion

- Thank you for attending the public meeting on the Groundwater Basin Boundary Regulation.
- We appreciate everyone taking the time to meet here today.
- Finally, if you are not on the Department's mailing list to receive future notices, please speak with a DWR staff member or leave your business card with us.