California Department of Water Resources
Sustainable Groundwater Management Program

Sustainable Groundwater Management Program

DRAFT Groundwater Sustainability Plan (GSP) Emergency Regulations Guide

March 2016

Full text of the Draft GSP Emergency Regulations (February 18, 2016) are available at:
http://water.ca.gov/groundwater/sgm/pdfs/DRAFT_GSP_Emergency_Regulations_021816.pdf

The Department of Water Resources (DWR) Sustainable Groundwater Management Program will hold three required public meetings and a statewide webinar to solicit comment on Draft GSP Emergency Regulations. Local agencies and interested parties are encouraged to attend, listen, and provide comments.

Public Meeting Schedule		
Monday, March 21, 2016 **VISALIA** 4:00 P.M. to 6:00 P.M. Visalia Convention Center 303 E Acequia Avenue, Visalia	**Tuesday, March 22, 2016** **SANTA ANA** 1:00 P.M. to 3:00 P.M. Delhi Community Center 505 E. Central Avenue, Santa Ana	**Friday, March 25, 2016** **SACRAMENTO** 9:00 A.M. to 11:00 A.M. Secretary of State Building 1500 11th Street, Sacramento
Thursday, March 24, 2016 **ONLINE WEBINAR** 1:00 P.M. to 3:00 P.M. Please register for the webinar at: https://attendee.gotowebinar.com/register/2515354223176908292 After registering, you will receive a confirmation email containing information about joining the webinar.		

All comments related to the Draft GSP Emergency Regulations should be provided in written format. All written public comments received will be listed here:
http://water.ca.gov/groundwater/sgm/gsp_comments.cfm

The public review and comment period is from February 18, 2016, through April 1, 2016. Comments must be received electronically or postmarked on or before **April 1, 2016**.

How to Comment

Online

http://water.ca.gov/groundwater/sgm/pdfs/HowToComment_GSPRegMtgs.pdf

Email

Email with the subject "Draft GSP Emergency Regulations Public Comment" to sgmps@water.ca.gov

Postal Mail

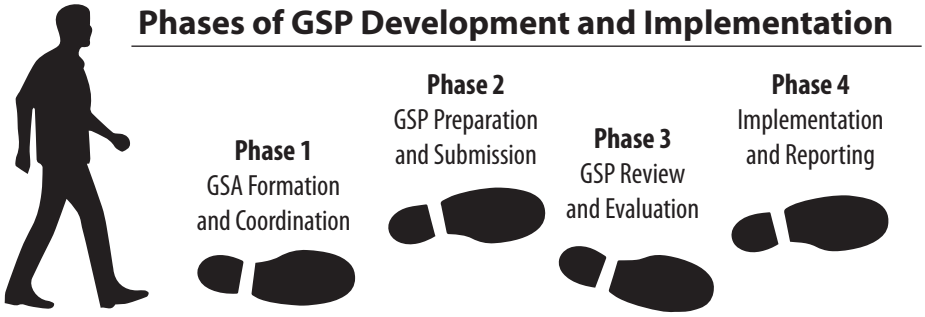
California Department of Water Resources
Attn: Lauren Bisnett, Draft GSP Emergency Regulations Public Comment
P.O. Box 942836
Sacramento, CA 94236

Purpose

The purpose of this guide is to provide information essential to understanding the Draft Groundwater Sustainability Plan (GSP) Emergency Regulations (regulations). Written for local agencies[1] and interested parties including stakeholders, this guide is organized to walk the reader through four general phases of the draft regulations beginning with the formation of groundwater sustainability agencies (GSAs) and leading up to implementation of an adopted and State approved GSP or alternative to GSP (Alternative). The intent of this guide is to explain the fundamental concepts of the regulations to the reader through four general phases of development and implementation. The regulations provide a descriptive overview of requirements for development and implementation of GSPs, Coordination Agreements, Alternatives, and DWR approval. This guide focuses on the requirements for completing GSPs and also presents the timeline for Alternatives that comply with the draft regulations. Details regarding Alternatives are described in Article 9 of the draft regulations.

It is important to note that the Draft GSP Emergency Regulations are not final and potential revisions may change the final requirements. This guide will be revised to reflect Final GSP Emergency Regulations.

This guide does not serve as a substitute for the draft regulations. Readers are strongly encouraged to read the Draft GSP Emergency Regulations.



How to Use This Guide

This guide includes a separate section for each of the four phases of GSP development and implementation. The reader should use this guide to help them understand the following:

1. Their role, either as a local agency, an interested party, stakeholder, or city or county during each of the four general phases
2. Key concepts presented in the draft regulations
3. Key considerations including potential GSP or Alternative requirements and key dates during SGMA implementation

1 Local agency means a local public agency that has water supply, water management, or land use responsibilities within a groundwater basin.

Background

On September 16, 2014, the Governor signed into law a three-bill legislative package Assembly Bill (AB) 1739 (Dickinson), Senate Bill (SB) 1168 (Pavley), and SB 1319 (Pavley). These laws are collectively known as the Sustainable Groundwater Management Act (SGMA). SGMA defines ***sustainable groundwater management*** as the "management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results". "Undesirable results" are defined in SGMA and are summarized here as any of the following effects caused by groundwater conditions occurring throughout the basin[2]:

- Chronic lowering of groundwater levels indicating a significant and unreasonable depletion of supply
- Significant and unreasonable reduction of groundwater storage
- Significant and unreasonable seawater intrusion
- Significant and unreasonable degraded water quality
- Significant and unreasonable land subsidence
- Surface water depletions that have significant and unreasonable adverse impacts on beneficial uses of the surface water

SGMA identifies the following:

- Requires critically-overdrafted high and medium priority basins to be managed under a GSP by January 31, 2020
- Requires all other groundwater basins designated as high or medium priority basins to be managed under a GSP by January 31, 2022
- Gives GSAs the financial and enforcement authority to carry out effective local sustainable groundwater management
- Does not require adjudicated basins to develop GSPs, but they are required to submit annual reports to DWR
- Provides an opportunity for local agencies to submit Alternatives to GSPs by January 1, 2017

SGMA also expands the role of DWR to support local implementation of sustainable groundwater management, and allows for intervention by the State Water Resources Control Board (SWRCB) at discrete points throughout the process if local agencies are not willing or able to manage groundwater sustainably. **Attachment 1** (page 16) summarizes the major timelines and milestones on California's path to sustainable groundwater management.

The Governor's signing message states,

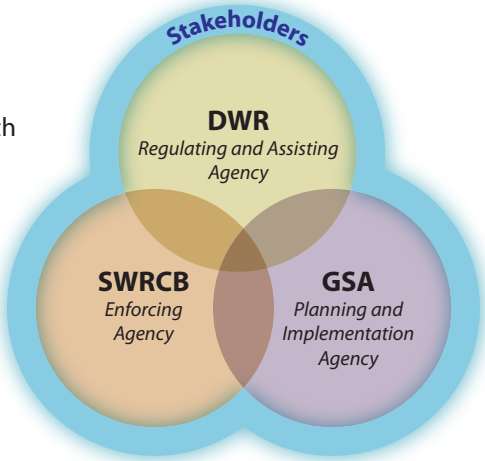
"A central feature of these bills is the recognition that groundwater management in California is best accomplished locally."

In September 2015, Governor Brown signed SB 13, by Senator Fran Pavley. The Bill makes various clarifying changes to SGMA related to GSA formation. This Bill and others went into effect in January 2016.

2 "Basin" as defined in SGMA, means a groundwater basin or subbasin identified and defined in Bulletin 118 or as modified pursuant to Chapter 3 (commencing with Section 10722 of the Water Code). Bulletin 118 will be updated as presented in the timeline shown in Attachment 1.

Implementing Agency Roles

DWR's role as the regulating and assisting agency includes both the development and implementation of two sets of regulations (Basin Boundary Regulations adopted November 2015 and GSP Regulations, currently in draft form), providing technical assistance to local agencies , and developing best management practices (BMPs). Stakeholders play an integral role in communicating with all of the agencies required by statute to implement SGMA.



GSP Emergency Regulations

By June 1, 2016, DWR is required to adopt emergency regulations per Water Code for the development and evaluation of GSPs, Alternatives, and Coordination Agreements.

The regulations will be part of the California Code of Regulations[3] and are arranged into nine articles, as shown to the right. Subchapter 1 is the regulations previously developed by DWR for basin boundary modifications. Definitions for understanding the implementation of SGMA are contained in multiple documents:

- SGMA statute (*http://www.water.ca.gov/cagroundwater/docs/2014_Sustainable_Groundwater_Management_Act_and_Related_Legislation-as_chaptered.pdf*)
- Regulations for basin boundaries (*http://water.ca.gov/groundwater/sgm/pdfs/SGMA_Basin_Boundary_Regulations.pdf*)
- Draft GSP regulations (*http://water.ca.gov/groundwater/sgm/pdfs/DRAFT_GSP_Emergency_Regulations_021816.pdf*)
- California's Groundwater Bulletin 118 (http://water.ca.gov/groundwater/bulletin118/index.cfm)

Draft GSP Emergency Regulations Articles and Subarticles

1. Introductory Provisions
2. Definitions
3. Technical and Reporting Standards
4. Procedures
5. Plan Contents
   - 1. Administrative Information
   - 2. Basin Setting
   - 3. Sustainable Management Criteria
   - 4. Monitoring Networks
   - 5. Projects and Management Actions
6. Evaluation and Assessment
7. Reports, Assessments, and Amendments
   - 1. Annual Reports
   - 2. Periodic Evaluation of Plan
   - 3. Plan Amendments
8. Coordination Agreements
9. Alternatives and Adjudicated Areas

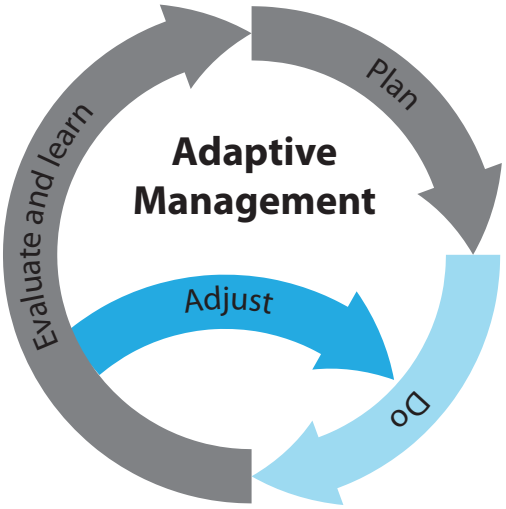
3 Title 23 – Waters, Division 2 – Department of Water Resources, Chapter 1.5 – Groundwater Management, Subchapter 2 – Groundwater Sustainability Plans and Alternatives

General Principles (Article 1)

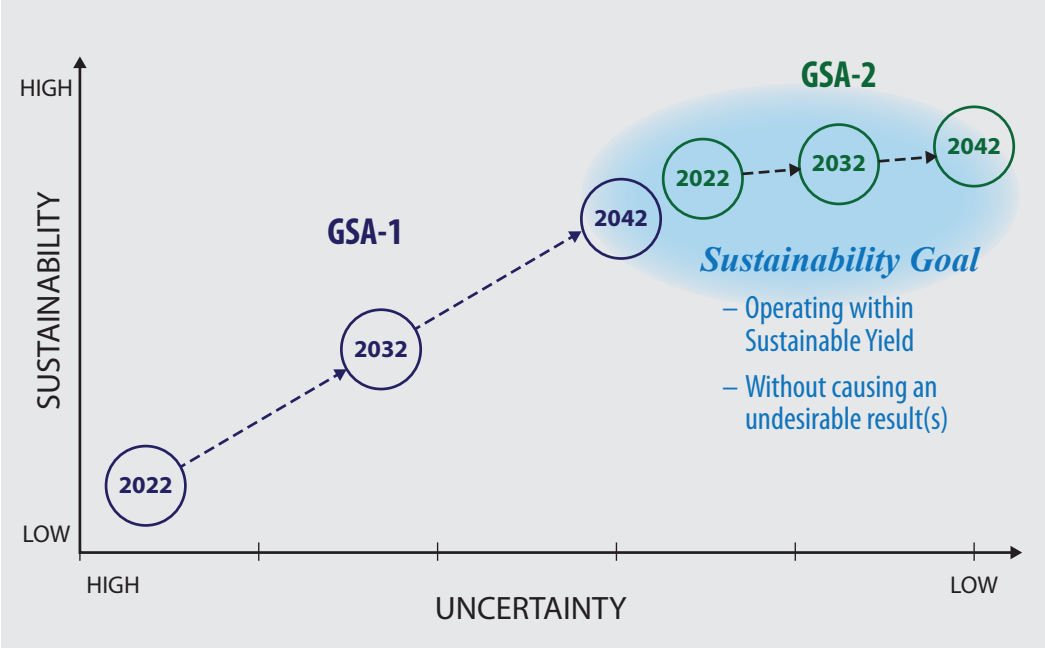
Before diving into the detailed phases of development and implementation of the GSPs it is important to understand the general principles that DWR will use to guide enforcement of the regulations. General principles guiding GSP evaluation include the following:

- Must achieve sustainability goal for the entire basin in 20 years
- Cannot adversely affect an adjacent basin
- Meet a substantial compliance standard
- Provide a description of basin-wide governance to reach sustainability
- Establish timeline and priority for filling data gaps
- Implement an adaptive management process (as necessary)

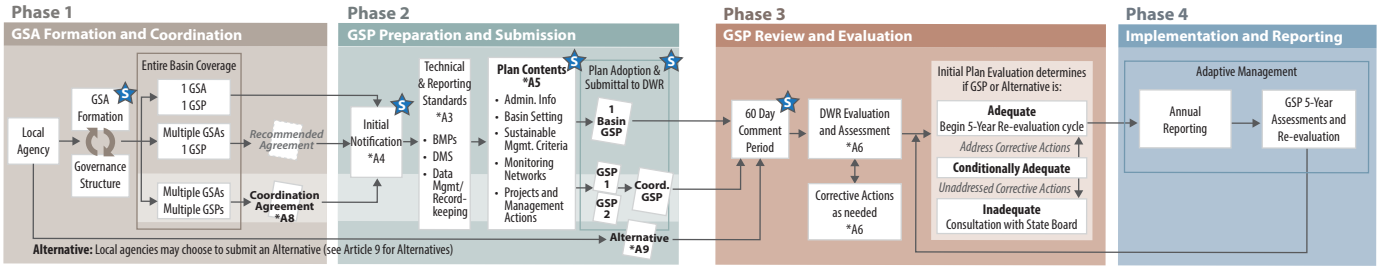
For more about the general principles of the draft regulations, see Article 1.



GSAs are provided an opportunity to amend the GSP based on new information or furthered understanding, or to incorporate corrective actions required by DWR.



Relationship between uncertainty and sustainability may track differently for GSAs throughout the state, but ultimately all GSAs must achieve their sustainability goal after 20 years of implementation.



Phases of GSP Development and Implementation

The GSP and Alternative development and implementation process can be divided into four general phases as illustrated in **Figure 1** on the following page.

- **Phase I GSA Formation and Coordination** involves realignment of basins (according to basin boundary modifications where applicable), and establishment of basin governance through formation of GSAs.
- **Phase 2 GSP Preparation and Submission** involves the development and adoption of GSPs by GSAs. Phases 1 and 2 are locally-driven activities to be completed in adherence to the statutory milestones required by SGMA. Key milestone dates are shown in the timeline illustrated in **Attachment 1**.
- **Phase 3 GSP Review and Evaluation** is a DWR-driven activity whereby DWR staff will review and evaluate GSPs to determine adequacy.
- **Phase 4 Implementation and Reporting** is locally-driven and includes development of annual reports and GSP assessments completed every five years during implementation of the GSPs.

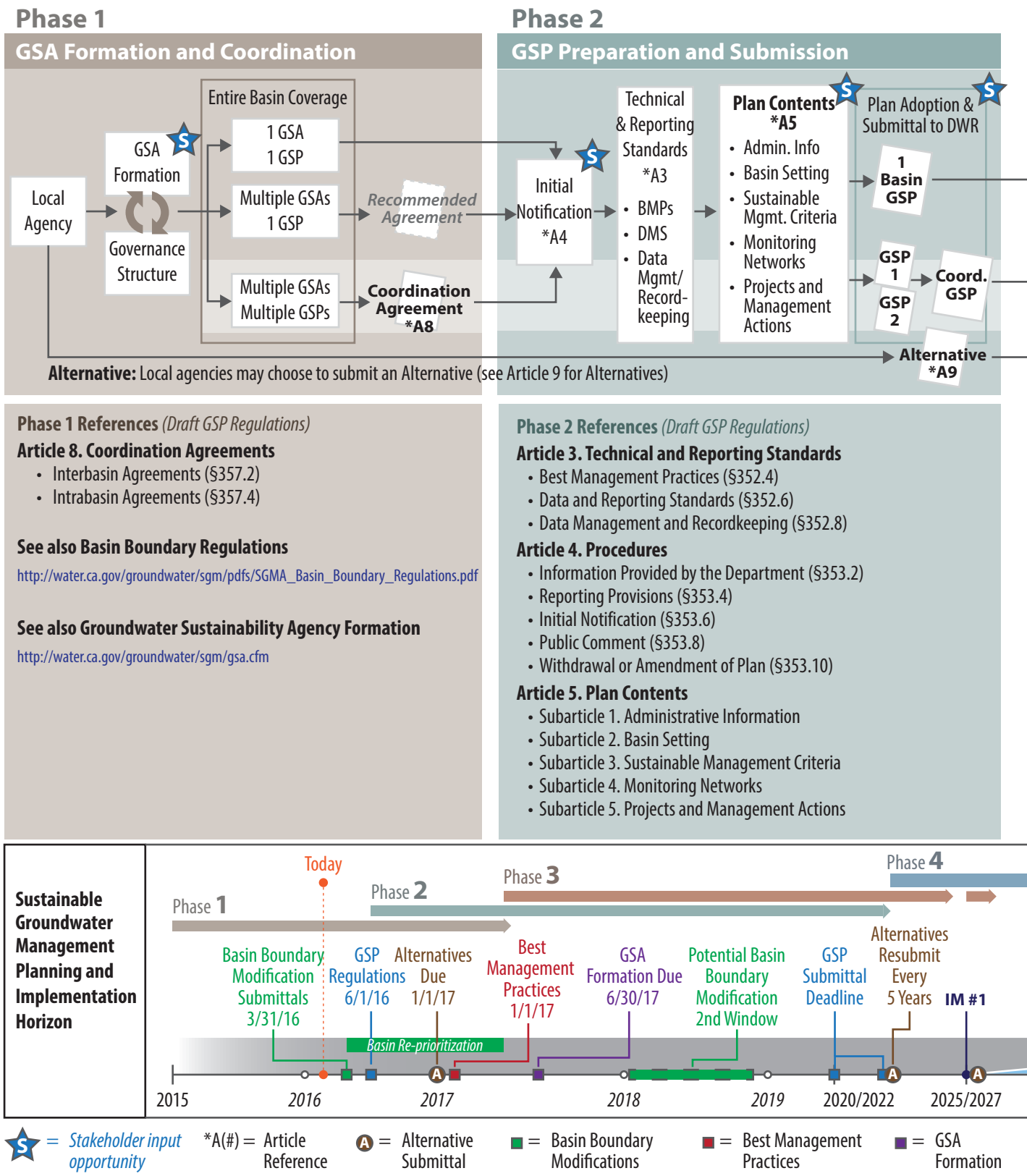
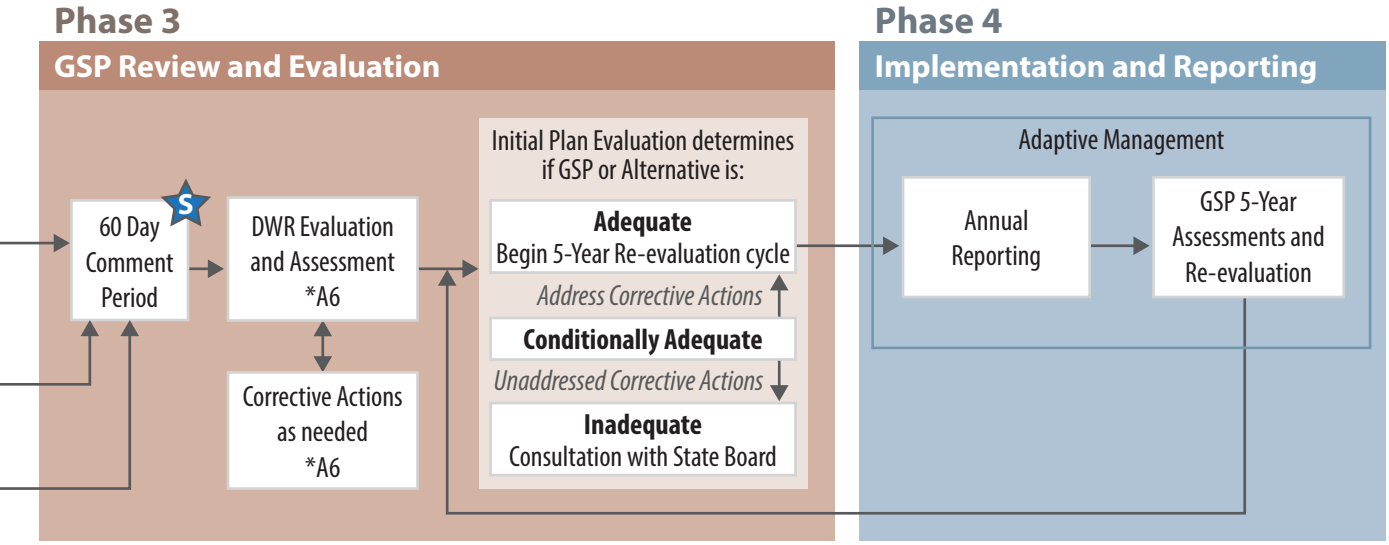


Figure 1. Phases of GSP Development and Implementation



Phase 3 References *(Draft GSP Regulations)*

Article 6. Evaluation and Assessment

- Department Review of Initial Adopted Plan (§355.2)
- Criteria for Plan Evaluation (§355.4)
- Periodic Review of Plan by Department (§355.6)
- Consultation with Board (§355.8)
- Resolution of Conflicts by Department (§355.10)

Article 9. Alternatives and Adjudicated Areas

- Adjudicated Areas (§358.2)
- Alternatives to Groundwater Sustainability Plans (§358.4)
- Department Evaluation of Plan Alternatives (§358.6)

Phase 4 References *(Draft GSP Regulations)*

Article 7. Reports, Assessments, and Amendments

Subarticle 1. Annual Reports

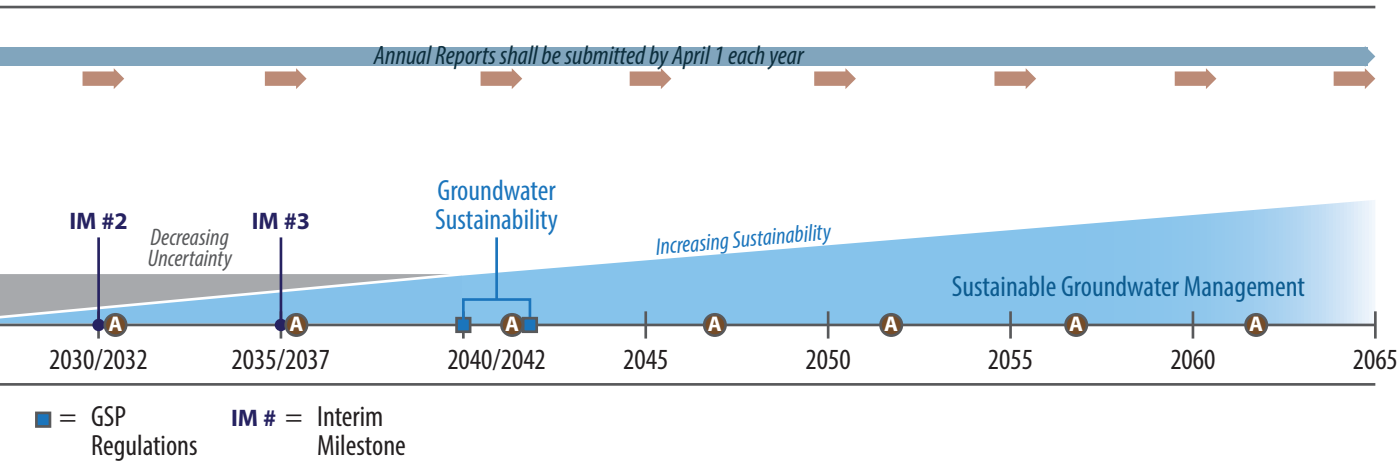
- Annual Report (§356.4)
- Department Review of Annual Reports (§356.6)

Subarticle 2. Periodic Evaluation of Plan

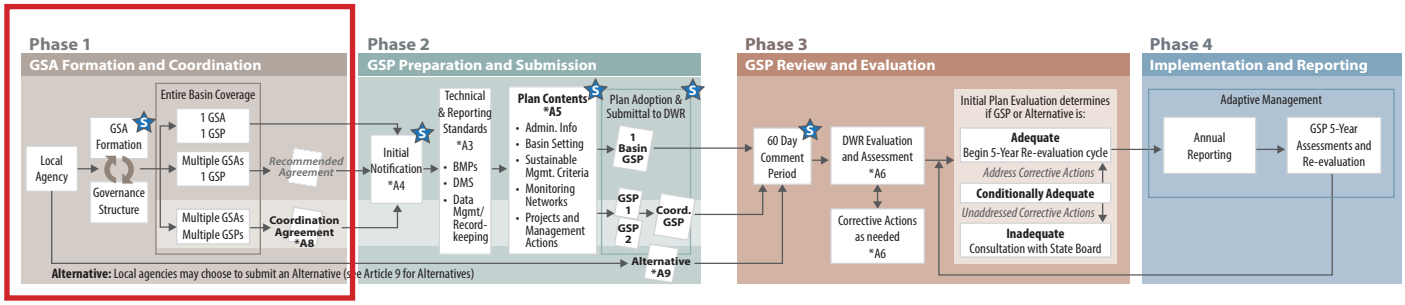
- Agency Evaluation and Assessment (§356.10)

Subarticle 3. Plan Amendments

- Amendments and Modifications to Plan (§356.12)



Phase 1: GSA Formation and Coordination



What Should Local Agencies and GSAs Consider?

SGMA provides local agencies who are interested in becoming a GSA the process and/or requirements to assess the necessary resources, level of commitment, and collaboration needed to achieve sustainable groundwater management. The regulations identify additional considerations for local agencies when organizing their governance structure and establishing coordination agreements, (as needed).

During Phase 1, local agencies should:

- Establish or identify the existing basin boundary and coordinate with other agencies within the basin
- Submit a basin boundary modification application if desired by **March 31, 2016** or future potential window. Information on basin boundary modifications are available at: **http://sgma.water.ca.gov/basinmod/**
- Establish a GSA by June 30, 2017: Information on GSA formation is available at: **http://www.water.ca.gov/groundwater/sgm/gsa.cfm**
- Establish a coordination agreement and identify a coordinating agency if required or determine if a voluntary agreement is needed

What Should Interested Parties Consider?

During this phase interested parties including stakeholders and beneficial users of groundwater should contact their local agencies to express interest in being added to the interested parties list that will be maintained by each GSA. Information regarding water agency boundaries and GSAs is available on DWR's Water Management Planning Tool or at DWR's GSA Web site at:

- **http://water.ca.gov/groundwater/boundaries.cfm**
- **http://water.ca.gov/groundwater/sgm/gsa_map.cfm**

DWR's Role

During Phase 1, DWR is receiving public input on the draft regulations and is under a statutory requirement to adopt final regulations by June 1, 2016. During this period, DWR is providing $2M in facilitation services to local agencies involved in GSA formation. During this period, DWR is also accepting basin boundary modifications and notices of GSA formation. Additionally, DWR is hosting multiple public meetings and stakeholder group meetings to present the draft regulations and answer questions.

GSA Formation and Governance Structure

Under SGMA local agencies are responsible for developing and implementing GSPs. A local agency can decide to become a GSA, or a combination of local agencies can form a GSA through a joint powers agreement (JPA) or other legal agreement.

Depending on the number of GSAs within a basin, there are three options for GSP submittals, illustrated in **Figure 2**:

- Single GSA/GSP
- Multiple GSAs and single GSP
- Multiple GSAs and multiple GSPs

Once an entire basin is covered by one or more GSAs, the first action of each GSA is to begin discussing and coordinating activities related to the development and implementation of the GSP(s).

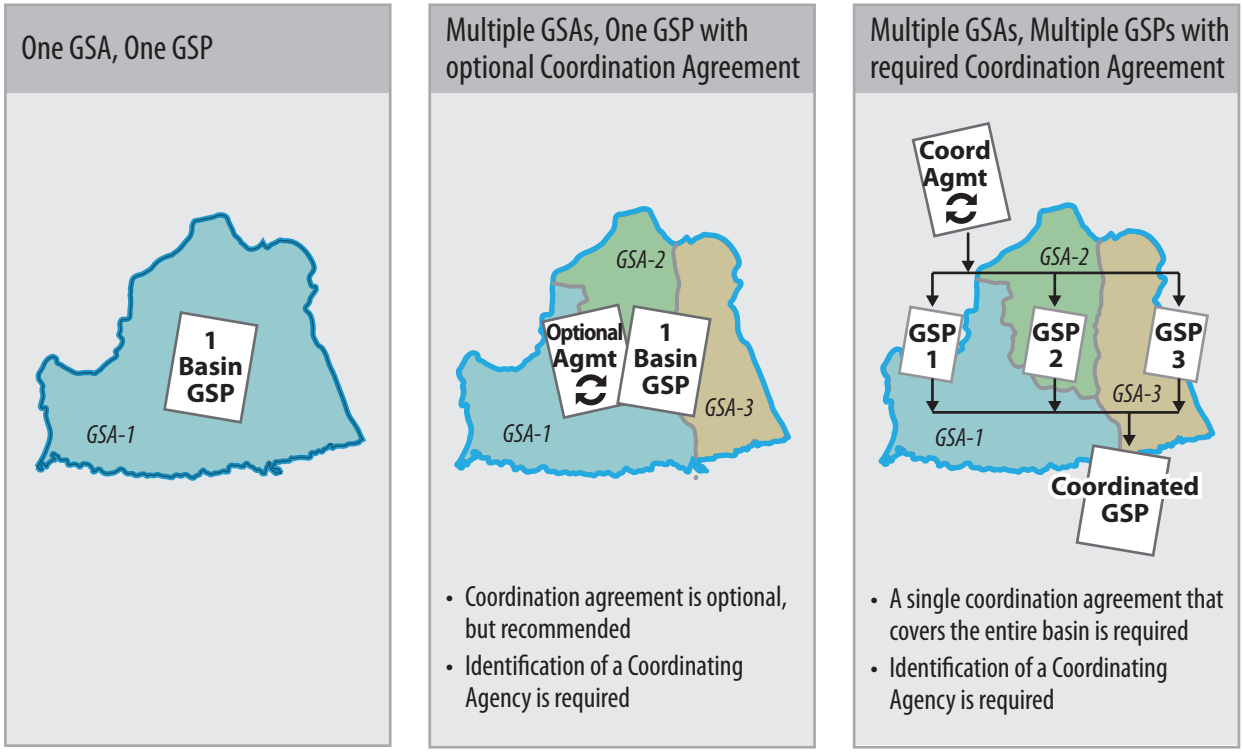


Figure 2. Three Options for GSP Submittals

Coordinated GSPs and Coordinating Agencies

As illustrated in Figure 3, in cases where GSAs develop multiple GSPs within a basin, a single document (referred to in this guide as a Coordinated GSP) must be submitted with the Coordination Agreement to DWR. This "Coordinated GSP" enables GSA's to synthesize and connect the technical and management elements from each individual GSP so that there is a consistent and orchestrated plan to sustainably manage the groundwater for the entire basin. A Coordinating Agency represents two or more GSAs for a basin and is the sole point of contact with DWR, and responsible for submitting coordinated GSP.

When there are multiple GSAs and multiple GSPs in a basin, a Coordinating Agency acts as the sole point of contact with DWR and compiles the individual GSPs into a Coordinated GSP and submits to DWR.

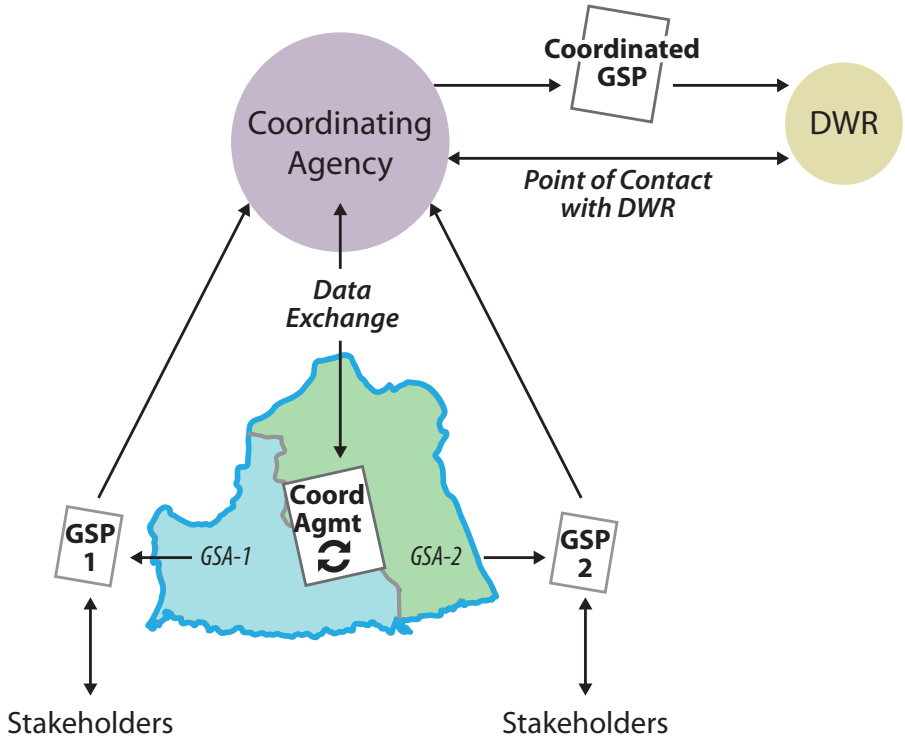


Figure 3. Coordinating Agency

Coordination Agreements (Article 8)

Coordination agreements are used to coordinate management actions and share data. There are two types of coordination agreements as illustrated in **Figure 4**: Inter-Basin, which are voluntary, and Intra-Basin, which are required.

Inter-Basin Coordination

Inter-Basin Coordination Agreements are voluntary but two or more agencies may enter into an Inter-Basin Coordination Agreement to establish compatible goals and understandings regarding fundamental elements of each GSP. Inter-Basin coordination:

- Applies to cases where hydraulic connection exists between basins
- Is an optional requirement
- Identifies all basins participating
- Shares technical information
- Provides a process for resolving conflict

Intra-Basin Coordination

An Intra-Basin Coordination Agreement is needed when multiple GSAs in one basin are submitting multiple GSPs in the form of a Coordinated GSP. Intra-Basin coordination:

- Applies to multiple GSAs within a single basin
- Requirement for multiple GSPs
- Is recommended if multiple GSAs intend to prepare a single GSP
- Identifies a Coordinating Agency that shall be the single point of contact for the entire basin
- Outlines the responsibilities of each GSA defined in the agreement

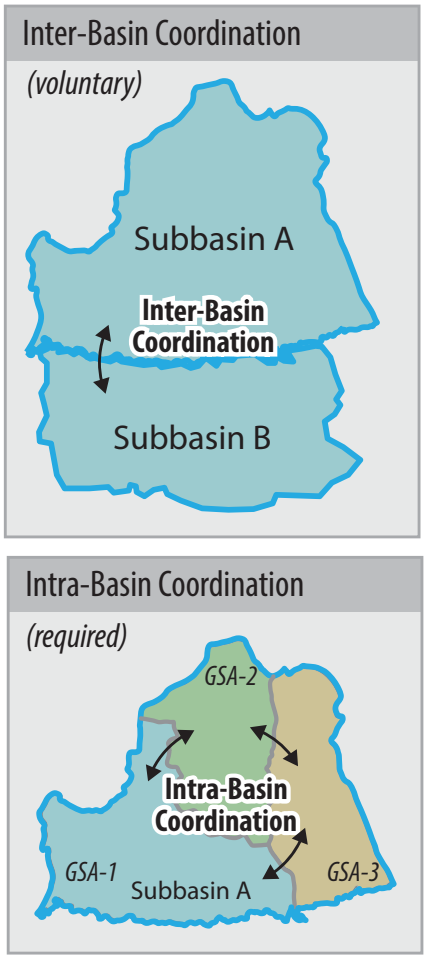


Figure 4. Two Types of Basin Coordination

Phase 1 – Key Considerations

- GSA Formation Notification must be submitted to DWR
- In accordance with SB 13, GSAs shall not be established with overlapping boundaries
- Basin Boundary Modification applications must be submitted by March 31, 2016. See *http://water.ca.gov/groundwater/sgm/basin_boundaries.cfm*
- Intra-Basin Coordination Agreements required in basins with multiple GSAs and multiple GSPs
- Coordinated GSP required in basins with multiple GSAs and multiple GSPs
- Coordinating Agency required as point of contact to DWR and to assemble Coordinated GSP

GSP Emergency Regulations References

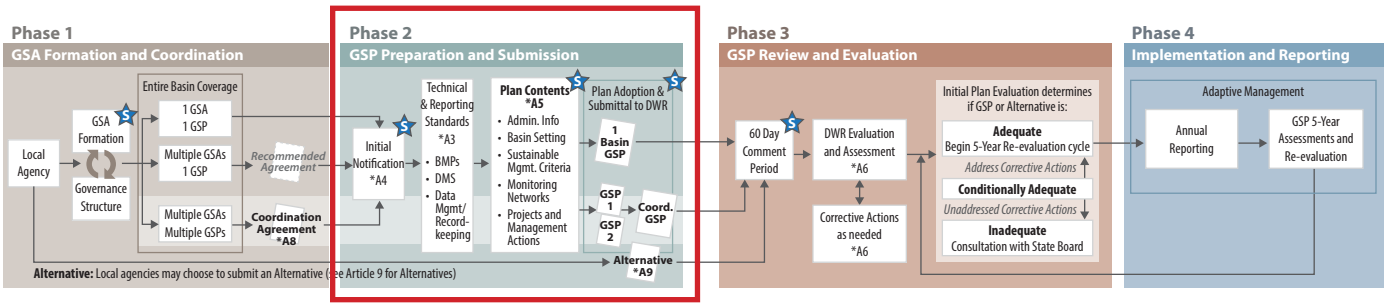
Article 8. Coordination Agreements

- Interbasin Agreements (§357.2)
- Intrabasin Agreements (§357.4)

Phase 1 Key Dates

- Basin Boundary Modifications Due 3/31/2016
- GSP Emergency Regulations Release 6/1/2016
- Alternatives Due 1/1/2017
- GSAs Formed 6/30/2017

Phase 2: GSP Preparation and Submission



What Should Local Agencies and GSAs Consider?

When a basin has complete GSA coverage, GSAs in the basin should already be coordinating with adjacent basins if a hydraulic connection exists. Laying the foundation for GSP development should happen early-on in the coordination process by closely reviewing the regulations and setting expectations based on existing data, or documents such as existing groundwater management plans, and Integrated Regional Water Management Plans. A communication plan for identifying and engaging the public stakeholders should be developed as one of the first priorities.

City and county land use agencies should consider GSPs in their basin and coordinate with local GSAs before amending or adopting general plans. Land use agencies provide land and water use projection data, and may speak on behalf of unrepresented land use sectors, de minimis pumpers, and disadvantaged communities.

What Should Interested Parties Consider?

During Phase 2, interested parties are encouraged to provide public comments to DWR and GSA after an initial notification is provided to DWR from a GSA. For additional information on the public comment process, see Article 4, Section 353.8 of the draft regulations.

DWR's Role

During Phase 2, DWR will be providing local assistance with the development of GSPs. This support will take on many forms and may include:

- **Funding Support:** DWR will be administering nearly $100M in funding to support sustainable groundwater management.
- **Facilitation:** DWR will continue to provide facilitation services to local agencies during this period.
- **Technical Support with Basin Information:** DWR will provide guidance and support in the form of a variety of datasets regarding critical parameters and other water budget components. This information in addition to the Bulletin 118 Basin descriptions and Bulletin 160 will be useful starting points.
- **Technical Support with Water Budgets:** DWR will provide the Central Valley Groundwater-Surface Water Simulation Model (C2VSIM) and the Integrated Water Flow Model (IWFM) for use by the GSAs in developing the water budget.
- **Development of Best Management Practices (BMP):** DWR has a statutory requirement to publish BMPs for sustainable management of groundwater on or before January 1, 2017, which includes an opportunity for public comment.
- **Water Supply Available for Replenishment:** DWR will publish a report summarizing water available for replenishment on or before December 31, 2016.
- **Bulletin 118 Update:** DWR will provide interim and comprehensive updates to Bulletin 118 showing basin boundary revisions, updated basin prioritization, and reissues (as needed) basins subject to conditions of critical overdraft.
- **Consultation:** DWR will be available to the extent possible to meet with GSAs to provide guidance in developing GSPs and applying BMPs in their basins.

Preparing a "Basin Setting" for the GSP (Article 5)

The "Basin Setting" includes a description of both the static physical characteristics of the basin and the dynamic conditions associated with changes in water supply, demand, and climatic conditions.

A hydrogeologic conceptual model is used to describe static conditions of a basin. The hydrogeologic conceptual model includes regional mapping of geology and structural setting, an identification of principal aquifers and aquitards, cross-sections, and maps. The hydrogeologic conceptual model provides a qualitative and quantitative understanding of the basin's physical characteristics and how the aquifers react to hydrologic stresses over time. As an informational tool, a hydrogeologic conceptual model becomes the basis for much of the stakeholder understanding of groundwater behavior and hydrogeologic cause and effect relationships occurring in the basin. As the GSP is developed, additional data will continue to reinforce and support the fundamental understanding. The breadth and level of detail of the basin conditions should be sufficient to capture long-term changes in basin behavior.

The dynamic basin conditions will be described by historical and present day basin conditions related to the undesirable results. The analysis of historical basin conditions presented in the GSP must include a description of the conditions that existed as of January 1, 2015.

The basin setting will also include a quantitative description of the water budget that provides an accounting for the total groundwater and surface water inflows to the system and outflows from the system. Baseline conditions related to supply, demand, hydrology, and surface water supply reliability will be established for the purpose of understanding future projected conditions. Understanding of the basin-wide supplies and demands are needed to identify the need for actions and projects to help reach the sustainability goal for the basin.

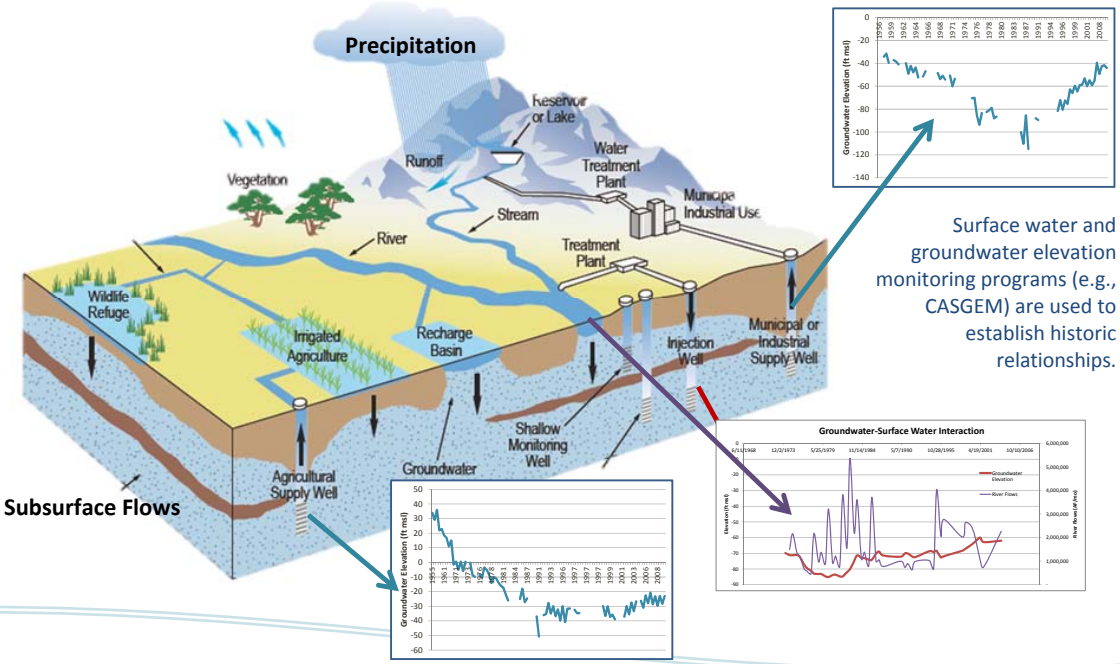
For more information about Basin Setting, see Article 5, Subarticle 2 of the draft regulations.

Public Stakeholder Process

Depending on the number of stakeholders and varying interests, the public process can include, but not be limited to, the following categories:

- Citizens Groups and General Public
- Governmental and Land Use Agencies
- Commercial and Industrial Self-Supplied
- Private and Public Water Purveyors
- Tribal Governments and Communities
- Agricultural and Aquiculture Interests
- Environmental and Ecosystem Interests
- Remediation and Groundwater Cleanup

Existing groundwater management agencies formed using well-documented interest-based stakeholder processes can continue to use current stakeholder engagement methods and document the process in a **communications plan**, in addition to any additional requirements per Article 5, Subarticle 1 of the draft regulations. Given the broad diversity of California's interested stakeholders, the draft regulations allow the GSA flexibility in deciding how the stakeholder process is conducted.



Surface water and groundwater elevation monitoring programs (e.g., CASGEM) are used to establish historic relationships.

Phase 2

Phase 2

Management Areas (Article 5)

One or more management areas may be designated within a basin. Management areas may be used to represent areas where the presence of local conditions for one or more critical parameters differ from those of the basin at large, and where the GSA has determined an area will benefit by identifying site specific conditions of water demand, water use, water source, management strategies, or other characteristics. For example, as illustrated to the right, management areas could be designated by land use type, water supply, or by monitoring density, geology, or other management variables. The designation of management areas would allow for establishing measurable objectives, minimum thresholds, and undesirable results in problematic or low groundwater demand areas to better manage the basin, as long as management is not at the expense of achieving the sustainability goal and does not create impacts to adjacent basins.

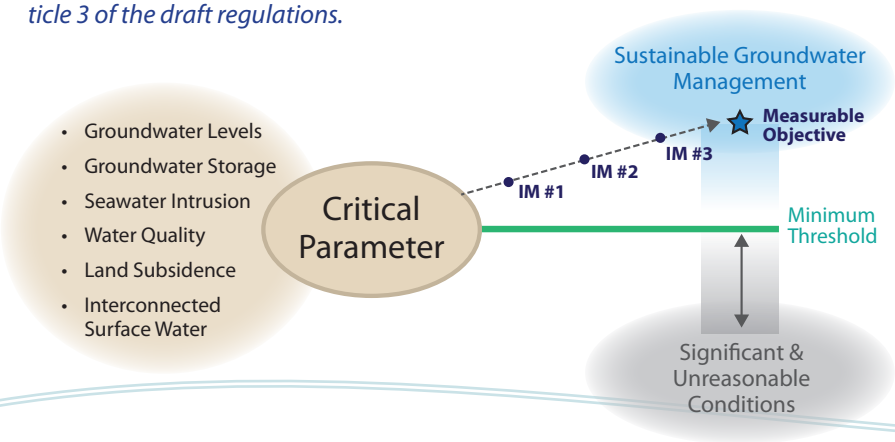
For more information on Management Areas, see Article 5, Subarticle 2 of the draft regulations.

Sustainable Management Criteria (Article 5)

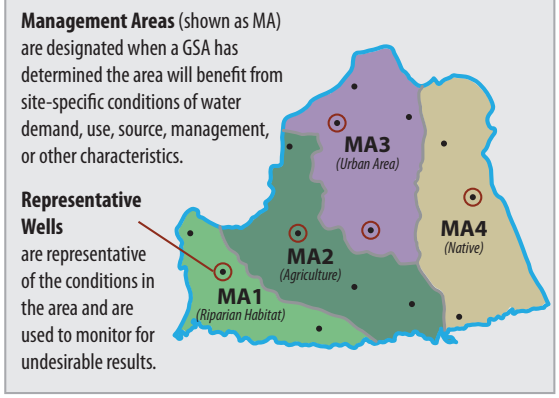
Establishing and achieving a basin's sustainability goal is accomplished through the development of sustainable management criteria. Setting of the goal occurs through a local stakeholder process with the objective of having no undesirable results in the basin within 20 years of implementation. Meeting the goal is accomplished through GSA's implementation of the GSP over the 20 year compliance period.

Each GSA is expected to establish minimum thresholds for each critical parameter to avoid undesirable results. Undesirable results may occur when one or more critical parameters shown in the illustration below experience conditions below the minimum thresholds, which are significant and unreasonable. GSPs will need to identify one or more measurable objectives for each critical parameter and establish associated interim milestones for every 5-year interval to establish or maintain groundwater conditions to avoid undesirable results. Progress towards meeting interim milestones is reported to DWR as GSPs are updated every five years. Each GSP assessment evaluates the GSP's minimum thresholds and interim milestones to inform DWR on progress towards meeting the basin's overall sustainability goal, and to adjust the minimum threshold if needed.

For more information on Sustainable Management Criteria, see Article 5, Subarticle 3 of the draft regulations.



Management Areas



Key Draft Definitions

Some new key terms introduced in the draft regulations are highlighted (defined) below.

"**Critical parameter**" refers to chronic lowering of groundwater levels indicating a depletion of supply if continued over planning and implementation horizon, reduction of groundwater storage, sea water intrusion, degraded water quality, land subsidence that substantially interferes with surface land uses, and depletions of surface water that have adverse impacts on beneficial uses of surface water that may lead to undesirable results, as described in Water Code Section 10721(x).

"**Minimum threshold**" refers to the point at which groundwater conditions for a given critical parameter are significant and unreasonable.

"**Measurable objectives**" refer to specific, quantifiable goals for the maintenance or improvement of specified groundwater conditions that have been included in an adopted Plan to achieve the sustainability goal in a basin.

"**Interim milestone**" (IM) refers to a target value for management actions or measurable groundwater conditions set by an Agency as part of Plan implementation.

"**Baseline**" or "**baseline conditions**" refer to historic information used to project future conditions for hydrology, water demand, and availability of surface water and to evaluate potential sustainable management practices of a basin.

Monitoring Network (Article 5)

Each GSP must include a detailed description of the basin-specific monitoring network for GSP implementation. A GSP may use CASGEM[1] monitoring wells or other existing monitoring programs as the initial foundation for the monitoring network to measure and track each applicable critical parameter. If impacts are occurring as a result of changes in groundwater levels, the monitoring density or frequency may need to be modified to better understand or assess how to avoid impacts. GSPs will need to describe the different types and frequency of monitoring and the protocols needed to accurately capture the cause (or source) of undesirable results. For example biannual monitoring of groundwater levels is the minimum standard to capture seasonal trends and long-term trends.

A GSA should consider the following when developing the GSP monitoring plan: may be unique for each basin, will follow minimum standards, will be tailored by local stakeholder interests based on the basin's current or potential future undesirable results.

It is anticipated that a GSP monitoring plan will group wells based on geographic and hydrogeologic conditions with one or two wells within each grouping potentially serving as representative information for a surrounding area or the basin as a whole. This is referred to as a representative monitoring site and is an option for locals in their GSP.

For more on Monitoring Networks, see Article 5, Subarticle 4 of the draft regulations.

Projects and Management Actions (Article 5)

The draft regulations identify the role of local agencies in managing their basins and achieving sustainability, which includes determining projects and management actions that are required to address problems with groundwater and help achieve sustainability in the basin. The draft regulations require GSPs to design projects and management actions, that will allow the measureable objective to be met. The projects and management actions should outline required permitting, implementation time-table, expected benefits, required legal authority, and estimated costs for implementation.

Additionally, each GSP is required to include contingency projects or management actions that will be implemented in the event groundwater conditions are not adequately responding to implementation of the GSP. These contingency projects or management actions are intended to be implemented as a last ditch effort if measurable objectives have not been met and to prevent the minimum threshold and thus significant and unreasonable undesirable results from occurring These contingency projects or management action must achieve immediate results.

Phase 2 – Key Considerations

- Initial Notification of decision to develop GSP must be submitted to DWR
- GSPs may rely on DWR's BMP or GSA may use own BMP
- GSPs follow data and reporting standards
- GSAs have coordinated data management system
- Select datasets and forms and instructions for submitting GSPs on DWR's Web site *http://water.ca.gov/groundwater/sgm/index.cfm*
- Include all required elements in GSP specified in Article 5 including applicable additional GSP elements included in Water Code Section 10727.4
- GSAs submit GSP or Alternative electronically
- GSP or Alternative submittal accompanied by transmittal letter
- Submit GSP in timeframe established by SGMA (see **Attachment 1**)

Draft GSP Emergency Regulations References

Article 3. Technical and Reporting Standards
- Best Management Practices (§352.4)
- Data and Reporting Standards (§352.6)
- Data Management and Recordkeeping (§352.8)

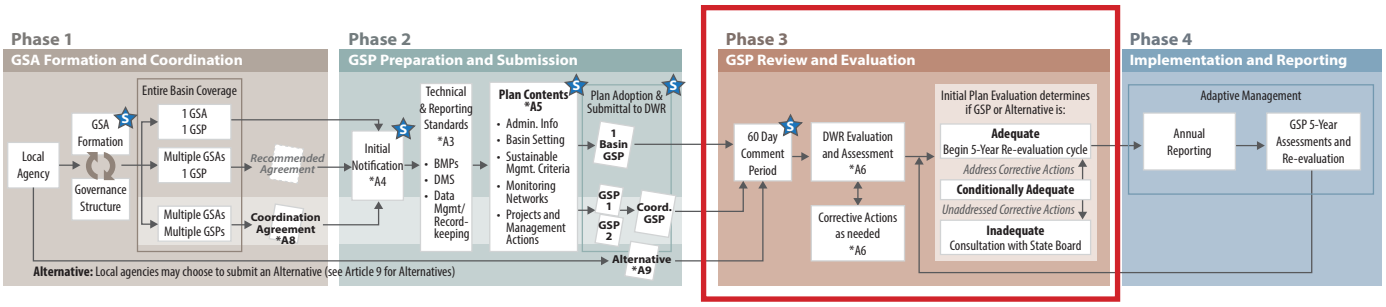
Article 4. Procedures
- Information Provided by the Department (§353.2)
- Reporting Provisions (§353.4)
- Initial Notification (§353.6)
- Public Comment (§353.8)
- Withdrawal or Amendment of Plan (§353.10)

Article 5. Plan Contents
- Subarticles 1 through 5

Phase 2 Key Dates
- GSP Regulations release: 6/1/2016
- Alternatives due: 1/1/2017
- GSAs formed: 6/30/2017
- GSP Submittal due: 2020/2022
- First Alternative Resubmittal due: 2022

1 California Statewide Groundwater Elevation Monitoring (CASGEM) program

Phase 3: GSP Review and Evaluation



What Should Local Agencies and GSAs Consider?

Each GSA will need to develop and adopt a GSP before submitting it to DWR for review and approval. Based on the degree of impacts, complexity of issues and science, and number of local public interests, the time required to complete, adopt, and have DWR review and approve a GSP can be considerable. A local agency should consider the different required elements in this process and initiate planning steps to ensure meeting the deadlines in the SGMA timeline (see Attachment 1).

What Should Interested Parties Consider?

During Phase 3, a 60-day comment period is required per SGMA for DWR to receive public comments on adopted GSPs. Interested parties may review and provide comments electronically to DWR and the GSA or local agency on the locally adopted GSP(s) or Alternative(s) in the 60-day comment period or any time after the initial notification is posted on DWR's Web site (see Phase 2). For additional information on the public comment process, see Article 4, Section 353.8 of the draft regulations.

DWR's Role

During this period, DWR will be reviewing and evaluating GSPs and Alternatives. Article 6 of the draft regulations details the methodology and criteria for evaluation and assessment of GSPs toward achieving sustainable groundwater management.

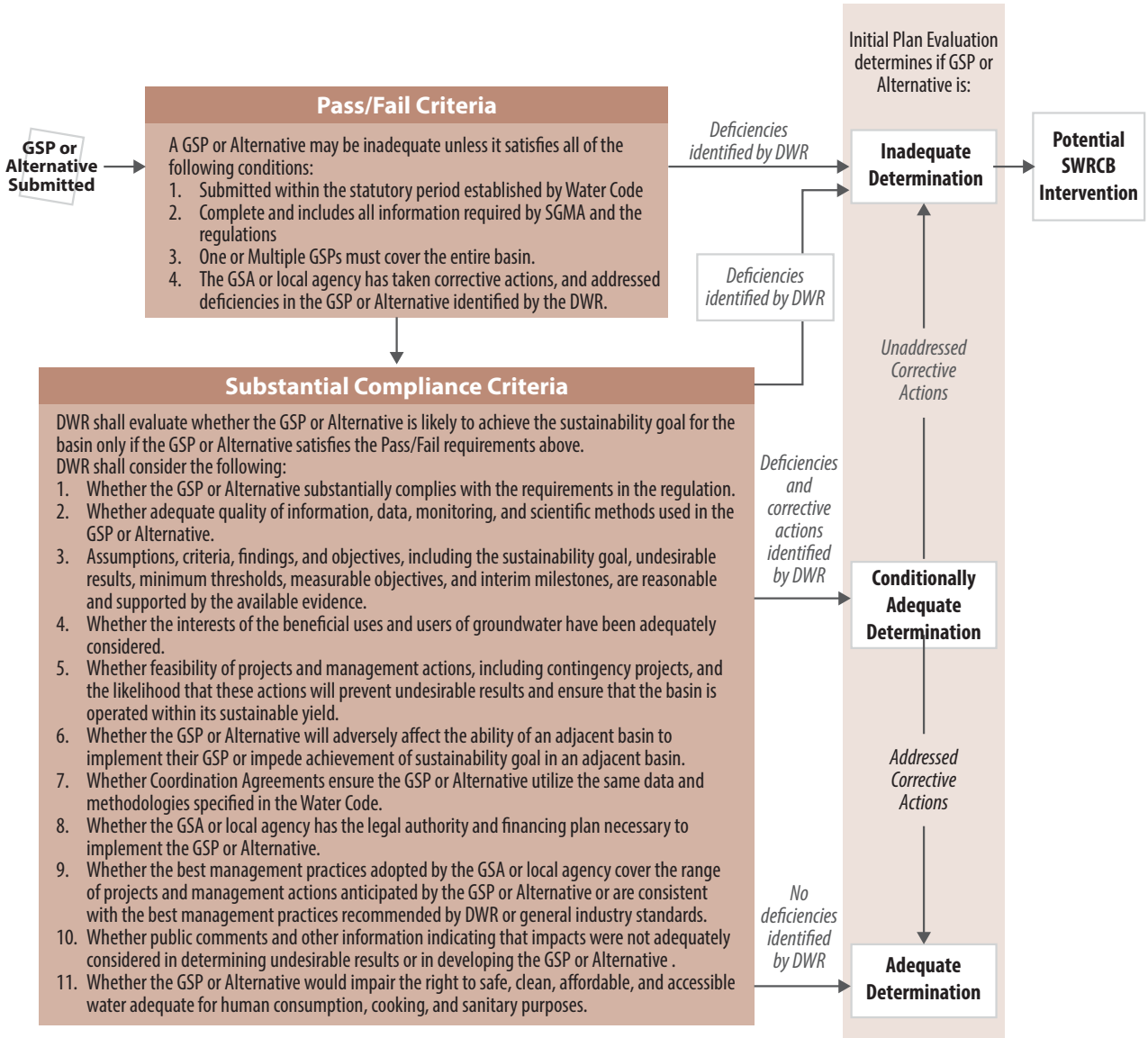
DWR will be reviewing the plans to ensure that they are in conformance with SGMA, regulations, and are likely to achieve the sustainability goal of the basin. Plans that do not contain all components required by SGMA, as identified in the regulations or that contain components not adequately addressed may be subject to consultation with SWRCB.

DWR's evaluation of a GSA's progress towards meeting the sustainability goal relies on the responsiveness of the GSA in adequately complying with the regulations, implementing their adopted GSP, reporting on their progress, and taking action when and where minimum thresholds are being exceeded. If a GSP exhibits continuous deficiencies in any one area, an inadequate determination may be made by DWR, which may trigger to SWRCB intervention in accordance with SGMA.

Evaluation and Assessment (Article 6)

DWR will be carefully assessing GSPs over the 20-year implementation period. Initial plans will be evaluated within a 2-year period. Three levels of DWR assessment can occur: (1) Adequate Plan or Adequate Progress, (2) Conditionally Adequate (Deficiencies Exist and Corrective Actions are being taken), or (3) Inadequate Determination (subject to SWRCB intervention).

This guide does not serve as a substitute for the draft regulations as it does not cover all the regulation content or provide exact language. Readers are strongly encouraged to read the Draft GSP Emergency Regulations.



Phase 3 – Key Considerations

- Address deficiencies if applicable

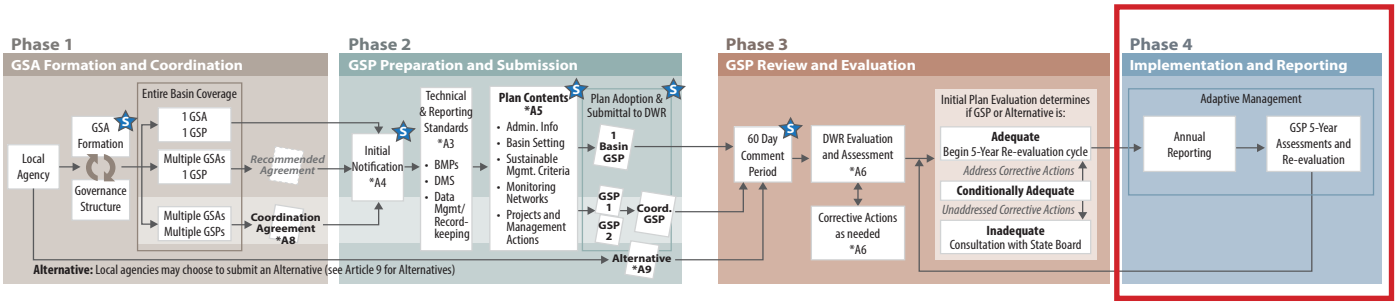
GSP Emergency Regulations References

- Article 6. Evaluation and Assessment
- Article 9. Alternatives and Adjudicated Areas

Phase 3 Key Dates

- GSP Submittal Open: 7/1/2017
- GSP Submittal due: 2020/2022
- First Alternative Resubmittal due: 2022
- Alternatives Resubmit every 5 years
- GSP Re-evaluation every 5 years after GSP Submittal
- Interim Milestones every 5 years after GSP Submittal

Phase 4: Implementation and Reporting



What Should Local Agencies or GSAs Consider?

GSA implementation and reporting activities occurring throughout a year include, but are not limited to, the following: governance at the GSA and GSP levels; engaging stakeholders and land use agencies; implementing compliance actions; implementing projects; monitoring; conducting data management; and conducting detailed analysis, which may include groundwater-surface water modeling. Annual reporting should follow a standard format and include technical information required by SGMA and the regulations. GSAs should summarize GSP implementation progress annually.

What Should Interested Parties Consider?

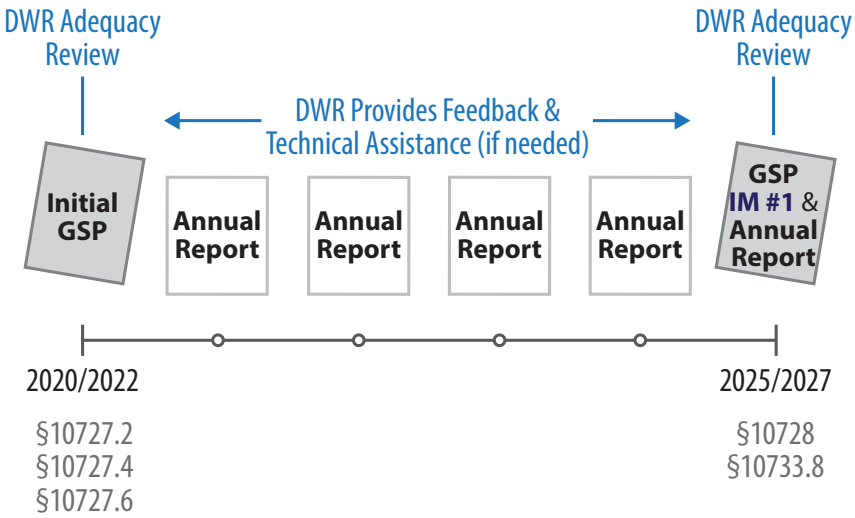
Consistent with Phase 3, during Phase 4 interested parties should review and provide comments electronically to DWR and the GSA or local agency on the locally adopted or amended GSP(s) or Alternative(s) posted on DWR's Web site. For additional information on the public comment process, see Article 4, Section 353.8.

DWR's Role

During this period, DWR will be reviewing and evaluating annual reports and GSP and Alternatives updates. Article 7 of the draft regulations describes the methodology and criteria for evaluation and assessment of these documents toward achieving sustainable groundwater management. DWR will be reviewing annual reports and GSPs to ensure that they are in conformance with SGMA, regulations, and likely to achieve the sustainability goal of the basin. Annual Reports and GSP updates that do not contain all components required by SGMA, regulations, or components not adequately addressed will be subject to consultation with SWRCB.

Five-Year and Annual Reporting (Article 7)

Five-year and annual reporting are required pursuant to SGMA. A DWR adequacy review will take place for the initial GSP development, at each annual report, and at each GSP re-evaluation throughout the 2020/2022 to 2040/2042 period. As an example, the first five years are illustrated below:



Phase 4 – Key Considerations

- Submit annual reports on or before April 1 of each year after adoption of the GSP
- Submit 5-Year Assessments

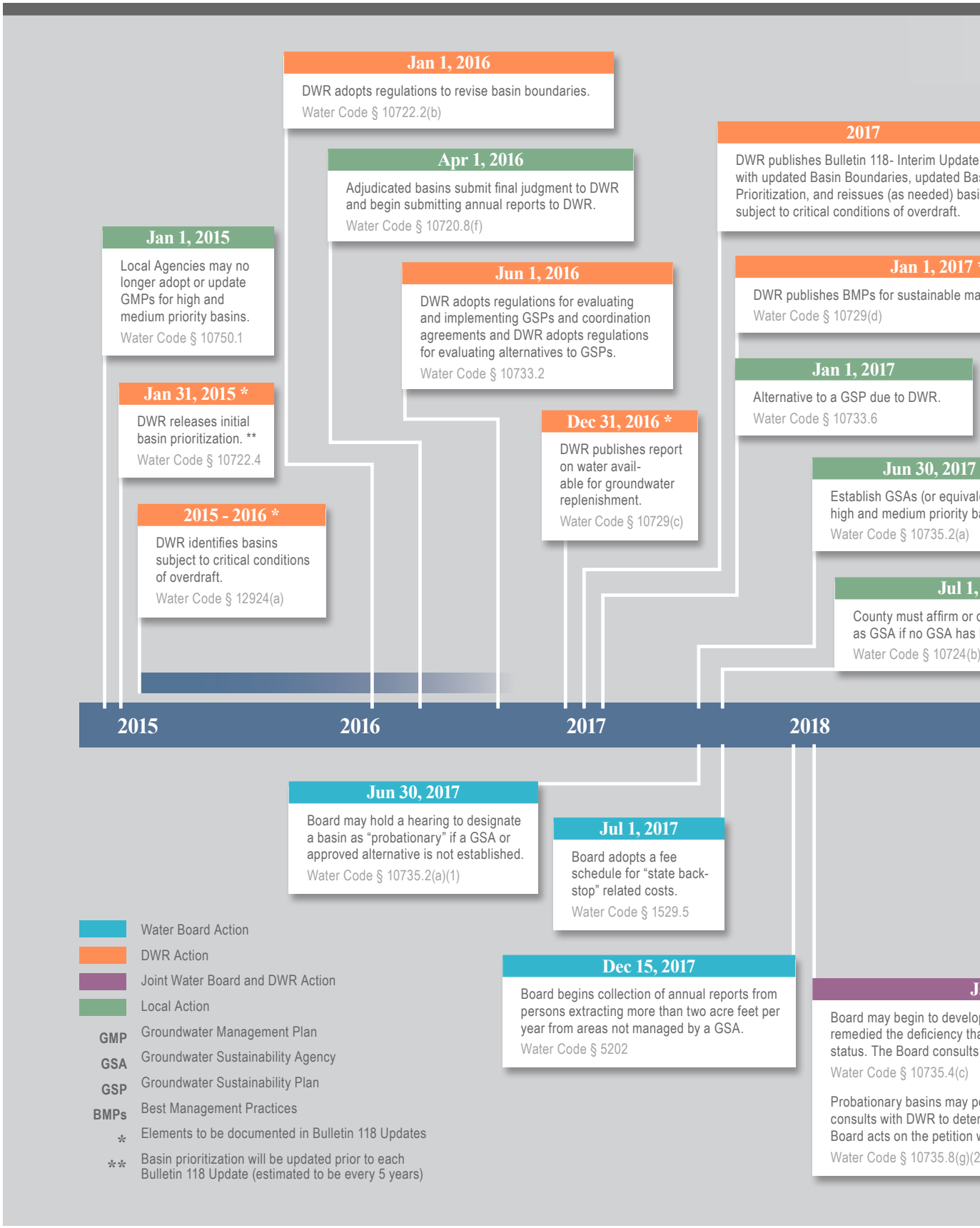
GSP Emergency Regulations References

Article 7. Reports, Assessments, and Amendments

- Subarticle 1. Annual Reports
  - Annual Report (§356.4)
  - Department Review of Annual Reports (§356.6)
- Subarticle 2. Periodic Evaluation of Plan
  - Agency Evaluation and Assessment (§356.10)
- Subarticle 3. Plan Amendments
  - Amendments and Modifications to Plan (§356.12)

Phase 4 Key Dates

- First Alternative Resubmittal due: 2022
- Alternatives resubmit every 5 years
- Interim milestones every 5 years after GSP submittal
- Annual reports submitted by April 1 each year
- Groundwater sustainability goals attained: 2040/2042



Attachment 1. Major Timeline of Key SGMA Milestones

Key SGMA Milestones

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2017
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been established.
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2020

DWR publishes Bulletin 118- Comprehensive Update.
Water Code § 12924

Jan 31, 2020

High and medium priority basins identified subject to critical conditions of overdraft must be managed under a GSP.
Water Code § 10720.7(a)(1)

On April 1 following GSP adoption and annually thereafter, GSAs provide report on progress towards sustainability to DWR.
Water Code § 10728

Jan 31, 2022

All other high and medium priority basins must be managed under a GSP.
Water Code § 10720.7(a)(2)

On April 1 following GSP adoption and annually thereafter, GSAs provide report on progress towards sustainability to DWR.
Water Code § 10728

2019 | 2020 | 2021 | 2022 | 2025

Jan 31, 2020

Board may hold a hearing to designate a critically-overdrafted basin as "probationary" if DWR, in consultation with the Board, determines that the GSP is inadequate or will not achieve sustainability.
Water Code § 10735.2(a)(3)

Jan 2021

Board may begin developing interim plans for critically overdrafted "probationary basins" one year after the probationary designation, if the Board, in consultation with the DWR, determines that a local agency has not remedied the deficiency that resulted in the probationary status.
Water Code § 10735.6(b)

Jan 31, 2022

Board may hold a hearing to designate a high and medium priority basin as "probationary" if DWR, in consultation with the Board, determines that the GSP is inadequate or will not achieve sustainability.
Water Code § 10735.2(a)(5)(A)

an 1, 2018

p interim plans if a local agency has not
at resulted in the "probationary basin"
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etition for un-designation. The Board
rmine if the petition is complete. The
within 90 days of submittal.
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Jan 31, 2025

Board may designate a basin as "probationary" if DWR, in consultation with the Board, determines that the GSP is inadequate or not being implemented correctly, and the Board determines that the basin is in a condition where groundwater extractions result in significant depletion of interconnected surface waters.
Water Code § 10735.2(a)(5)(B)

December 2014

March 2016

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P.O. Box 942836
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