

OCTOBER 2023

Frequently Asked Questions and Available Resources



FREQUENTLY ASKED QUESTIONS FOR ANNUAL REPORTS, PERIODIC EVALUATIONS, AND PLAN AMENDMENTS

This document provides commonly asked questions and answers about Annual Reports, Periodic Evaluations, and Groundwater Sustainability Plan (GSP or Plan) Amendments, to help guide groundwater sustainability agencies (GSAs or Agencies) during implementation of their GSPs consistent with the Sustainable Groundwater Management Act (SGMA) and GSP Regulations.

1. What is an Annual Report, a Periodic Evaluation, a Plan Amendment, and a Periodic Review?

An **Annual Report** is a report prepared and submitted to the Department of Water Resources (Department) by April 1 of every year, for all basins with a GSP or Alternative. The report acts as a yearly status update and presents data gathered over the previous water year for each applicable sustainability indicator and provides an analysis of that data in relation to the sustainable management criteria established in the GSP. The report also identifies any issues or data gaps that still exist in the basin and provides an implementation status update on all the projects and management actions identified in the GSP. Additionally, data associated with the Annual Report are required to be submitted via the SGMA Portal Monitoring Network Module; (see Water Code § 10728 and 23 CCR § 356.2). Also, refer to SECTION 2 of the Guide to Annual Reports, Periodic Evaluations, and Plan Amendments for additional information about Annual Reports.

A **Periodic Evaluation** is an evaluation of the implementation of an approved GSP performed by the GSA, which is described in a written assessment submitted to the Department. The periodic evaluation represents a progress report for each evaluation cycle (i.e., at least every five years after initial GSP submission). It summarizes basin conditions in relation to sustainable management criteria established in the GSP, the implementation of projects and management actions, and other information as specified in SGMA (Water Code § 10728.2) and the GSP Regulations (23 CCR § 356.4), and describes whether GSP implementation is meeting interim milestones and is on track to meeting measurable objectives and the sustainability goal for the basin. The Periodic Evaluation is a GSP implementation evaluation tool. Refer to SECTION 3 of the Guide to Annual Reports, Periodic Evaluations, and Plan Amendments for additional information about a Periodic Evaluation.

A **Plan Amendment** is a revision made by a GSA to its previously adopted GSP, often to make warranted changes to ensure the GSP reflects the most current groundwater management approaches. A GSA must submit the amended GSP to the Department, along with a Periodic Evaluation that explains and justifies the GSP Amendment. Prior to adopting the amended GSP, the GSA must hold a public hearing to adopt the amended GSP, at least 90 days after providing notice to cities and counties within the area of the proposed GSP Amendment. The GSA must review and consider comments from any city or county that receives notice and must consult with a city or county that requests consultation within 30 days of receipt of the notice. Refer to SECTION 4 of the Guide to Annual Reports, Periodic Evaluations, and Plan Amendments for additional information.

A **Periodic Review** of a GSP is an evaluation and assessment of an approved GSP performed by the Department at least every five years. When performing a Periodic Review, the Department ensures the GSP, as implemented, remains compliant with SGMA, in substantial compliance with the GSP

Regulations, and is being implemented in a manner that will likely achieve the sustainability goal. The Department may rely on Annual Reports and Periodic Evaluations prepared and submitted by the GSA as well as other available information when performing Periodic Reviews. The Department will issue a written assessment reporting the results of its Periodic Reviews, which includes a determination of the status of the GSP and its implementation (i.e., Approved, Incomplete, or Inadequate). Refer to Section 3.5 of the Guide to Annual Reports, Periodic Evaluations, and Plan Amendments for additional information (and Water Code § 10733.8 and 23 CCR § 355.6).

2. What is a GSP Update, Five-Year Update, Periodic Update, and GSP Assessment?

GSP Update, Five-Year Update, and Periodic Update are terms that the Department realizes have been used, sometimes interchangeably, to refer to a Periodic Evaluation and/or Amendment of a GSP. To be consistent with the GSP Regulations, the terms Periodic Evaluation and Amendment should be used instead and as appropriate. Descriptions of a Periodic Evaluation and an Amendment and GSAs' roles in relation to these efforts, are provided in SECTION 3 and SECTION 4, respectively, of the Guide to Annual Reports, Periodic Evaluations, and Plan Amendments.

GSP Assessment - the Department is required to evaluate and assess adopted GSPs and amended GSPs submitted by GSAs and issue written assessments that include a determination of the status of the GSP or amended GSP and its implementation if applicable, as Approved, Incomplete, or Inadequate. For an Approved GSP, both the GSA and the Department are required to periodically evaluate and assess the GSP; the GSA's evaluation and assessment of its approved GSP is referred to as a Periodic Evaluation and the Department's evaluation and assessment of an approved GSP is referred to as a Periodic Review. The Department does not conduct a Periodic Review of a GSP that it has determined to be Inadequate and has referred to the State Water Resources Control Board unless additional assessment of an Inadequate GSP is requested by the State Water Resources Control Board under Water Code § 10735.2(b).

3. Must GSAs submit an Annual Report the same year that the Periodic Evaluation is due?

Yes. Annual Reports serve a different purpose than Periodic Evaluations (see FAQ #1, including SECTION 2 and SECTION 3 of the Guide to Annual Reports, Periodic Evaluations, and Plan Amendments); (also see Water Code § 10728 and 23 CCR § 356.2 for Annual Reports; and Water Code § 10728.2 and 23 CCR § 356.4 for Periodic Evaluations).

4. How frequently should a Periodic Evaluation of a GSP be performed?

A Periodic Evaluation should be performed by a GSA at least every five years, and whenever the GSA amends its GSP (see 23 CCR § 356.4). Below are some common scenarios:

Scenario 1: If the Department has determined a GSP to be Inadequate, is the GSA required to submit a Periodic Evaluation?

No. If the Department has declared a Plan to be Inadequate, evaluation of SGMA compliance for that Plan shifts to the State Water Resources Control Board. As a result, Periodic Evaluations are not required for GSPs the Department has determined to be Inadequate; **Periodic Evaluations are required only for GSPs the Department has previously approved.** GSAs with Inadequate GSPs

should coordinate with the State Water Resources Control Board on steps necessary to retain local control and avoid state intervention; in the meantime, however, the GSA must continue to submit Annual Reports and associated data for the basin/subbasin to the Department for review.

Scenario 2: If a GSA revised and resubmitted its GSP in response to the Department's Incomplete determination on the initial GSP and the revised GSP received an Approved determination, when is the first Periodic Evaluation due?

A Periodic Evaluation is due for an Approved plan at least every five years from the date the Plan was initially submitted which can be found on the Department's SGMA Portal. That deadline remains unchanged by modifications to the Plan to address deficiencies that render the Plan incomplete. Also note that the 'due by date' for the first Periodic Evaluation and associated Periodic Review by the Department will be indicated on the cover letter accompanying the Department's Approved determination. For this scenario, the Periodic Evaluation will be due by a specific date in the year 2025 (for a critically overdrafted basin), or by a specific date in the year 2027 (for a non-critically overdrafted basin).

Scenario 3: If a GSA amends its GSP a few months after submitting a Periodic Evaluation, should the GSA still submit another Periodic Evaluation along with the amended GSP?

Yes, the GSP Regulations (23 CCR § 356.4) require a GSA to evaluate its GSP whenever the GSP is amended and provide a written assessment to the Department. The Periodic Evaluation should indicate the components of the Plan that were amended. The Department does not have the authority to waive the requirement for submitting a Periodic Evaluation when a GSP is amended, even if a GSA amends its GSP shortly after submitting a Periodic Evaluation. Accordingly, and in the interests of efficiency, GSAs may want to consider timing GSP Amendments to align with the **due date of their Periodic Evaluations**.

5. If a GSA amends its GSP, can it be considered a Periodic Evaluation?

No, a GSP Amendment is not a Periodic Evaluation. However, a Periodic Evaluation must be performed by a GSA whenever it amends its GSP. The Periodic Evaluation must be submitted to the Department along with the amended GSP. For additional information about a Periodic Evaluation and GSP Amendment, refer to SECTION 3 and SECTION 4, respectively, of the Guide to Annual Reports, Periodic Evaluations, and Plan Amendments.

6. Does a Periodic Evaluation need to be submitted for each subbasin?

Each subbasin that has an approved GSP or approved Alternative to a GSP (see FAQ #7) is required to submit a Periodic Evaluation at least every five years, and whenever an approved Plan is amended.

7. Is a basin with an approved Alternative to a GSP required to perform a Periodic Evaluation?

Yes, a basin with an approved Alternative is required to resubmit the Alternative every five years to the Department as specified by Water Code §10733.6(c) and 23 CCR § 358.2(b), which essentially serves as the functional equivalent of a Periodic Evaluation. The Department will conduct Periodic Reviews of approved Alternatives in order to determine if implementation is still likely to achieve basin sustainability goals on SGMA timelines and whether recommended corrective actions are being addressed.

8. Will the Department evaluate and assess the Periodic Evaluation? Will the Department issue a determination and recommended corrective actions on submitted GSP Periodic Evaluations?

The Department is required to periodically review an approved GSP and issue an assessment at least every five years. During this process, the Department relies on information and data provided in Annual Reports and Periodic Evaluations prepared and submitted by a GSA, and other available information. As part of its Periodic Review, the Department will issue a written assessment that includes a determination of the status of the GSP (i.e., Approved, Incomplete, or Inadequate). The Department's Periodic Reviews may also issue recommended corrective actions to ensure that GSP implementation remains likely to achieve basin sustainability goals on SGMA timelines. Also see SECTION 3.5 of the Guide to Annual Reports, Periodic Evaluations, and Plan Amendments (including Water Code §§ 10733(a), 10733.8; and 23 CCR § 355.6).

9. Will the Department evaluate and assess the amendments made to a GSP? Will the Department issue a determination and recommended corrective actions on an amended GSP?

Yes, the Department will evaluate the amended portions of an Approved GSP, the accompanying Periodic Evaluation prepared by the GSA, and any new information that is relevant to the amendments or other Plan elements. The Department will issue a written assessment that includes a determination of the status of the amended GSP as Approved, Incomplete, or Inadequate (see 23 CCR 23 § 355.10). For GSPs that the Department has previously found inadequate and have therefore been referred to the State Water Resources Control Board, the Department will conduct assessments of subsequent GSP amendments only when requested by the State Water Resources Control Board under Water Code § 10735.2(b).

10. For a basin/subbasin with multiple GSPs, should multiple Periodic Evaluations be submitted to the Department? Does a coordination agreement need to be resubmitted?

GSAs in a basin/subbasin with multiple GSPs may submit a Periodic Evaluation for each respective GSP or a single Periodic Evaluation for the entire basin/subbasin. Coordination agreements should be reviewed as part of the Periodic Evaluation, revised as necessary, signed by all parties (if revised), and submitted to the Department. The Department will issue one written assessment for the entire basin/subbasin in its Periodic Review.

11. How do GSAs submit their Periodic Evaluations? Are data submissions required in addition to the written assessment?

The GSA's appointed plan manager should submit the Periodic Evaluation via the SGMA Portal (see SECTION 3.4 of the Guide to Annual Reports, Periodic Evaluations, and Plan Amendments for additional information). At this time, no additional data or information is required to be included with the written assessment. However, the Department may request GSAs to provide additional information that it believes may be necessary to evaluate the progress toward achieving the sustainability goal or the potential for adverse effects on adjacent basins (23 CCR § 355.6(e)). For example, the Department may request agencies to provide additional information related to the development and implementation of projects and management actions. It should be noted that Annual Reports largely act as the basis for submitting data to the Department.

12. How do GSAs submit a GSP Amendment?

The GSA's appointed plan manager should submit a GSP Amendment via the SGMA Portal (see SECTION 4.3 of the Guide to Annual Reports, Periodic Evaluations, and Plan Amendments for additional information), accompanied by a written Periodic Evaluation assessment.

13. Can a GSA submit a combined Periodic Evaluation and Plan Amendment (i.e., as a single document)?

No, a GSP Amendment and Periodic Evaluation are separate documents that serve different purposes and therefore, should be submitted as separate documents (also see SECTION 3 and SECTION 4 of the Guide to Annual Reports, Periodic Evaluations, and Plan Amendments for additional information).

14. Do any new data, descriptions, evaluations, and/or elements in the written assessment of the GSP Periodic Evaluation warrant doing a GSP Amendment, or at what point is an Amendment warranted?

GSP Amendments are made at the discretion of the GSA. The GSA assesses and determines whether the new information or data it provides in the written assessment of its Periodic Evaluation warrants a GSP Amendment. As part of the GSP Periodic Evaluation, the GSP Regulations require GSAs to provide descriptions of significant new information that have been made available since the GSP was adopted (or amended, or since the last Periodic Evaluation), which should include the GSAs' assessment of whether the new information warrants amendments to their GSP. Refer to SECTION 4 of the Guide to Annual Reports, Periodic Evaluations, and Plan Amendments for additional information on GSP Amendments.

15. Does a GSP Amendment need to update and reproduce the full GSP, or can an Amendment only reproduce the parts of the GSP that are updated?

An amended GSP should be a stand-alone document that meets the requirements of SGMA and the GSP Regulations, and should therefore, be a full GSP containing both the amended portions and the portions from the original GSP that have not been amended. The Department will evaluate the amended portions of the GSP and any new information that is relevant to the Amendment or other Plan elements. Portions of the Plan that have not been amended will not be evaluated unless the Department determines the proposed Amendment may result in changes to other areas or to other aspects of the Plan. The Periodic Evaluation that accompanies an amendment should clearly describe the portions of the Plan that were amended and the rationale for the changes. To expediate review of the changes made in the Plan, the Department requests that GSAs submit both a clean version and a redline strikethrough version of the amended Plan. For the redline strikethrough version, the GSA may submit only the portions of the GSP that were revised rather than the GSP in its entirety.

16. Does a GSA need to amend the GSP to identify a new representative monitoring site or establish sustainable management criteria for new monitoring points, if it will be using the same approach for the new sites as the GSP describes for existing sites?

A GSA may not need to amend its GSP if the only change is to identify a new representative monitoring site or establish sustainable management criteria for new monitoring sites using a consistent approach already used for the other sites. However, the GSA should clearly document any such changes in a Periodic Evaluation and Annual Report submitted to the Department for review. Ultimately, the decision to amend a GSP is at the discretion of the GSA and must be explained and justified. Also see SECTION 4.2 of the Guide to Annual Reports, Periodic Evaluations, and Plan Amendments for additional information.

17. What is the Department's expectation for information to be included in the first Periodic Evaluation relating to depletions of interconnected surface water due to groundwater extractions?

The Department expects that by the first Periodic Evaluation (i.e., in years 2025 or 2027), GSAs would have improved their overall understanding of depletions of interconnected surface water as more information and improved methodologies have become available, including any guidance the Department may issue. At a minimum, the Department expects the first Periodic Evaluation to discuss progress made toward addressing recommended corrective actions including how data gaps have been filled or are planned to be filled, describe method(s) that will be used or have been used to quantify the rate, timing, and volume of depletions of interconnected surface water due to groundwater extractions, and include revised sustainable manage criteria as appropriate.

18. Is a GSA required to review and respond to public comments received on or prior to developing Periodic Evaluations?

While the GSP Regulations do not have specific requirements with respect to public comments on Periodic Evaluations, a GSA may want to respond to public comments to address and resolve public questions or concerns pertaining to GSP implementation activities. In general, the Department interprets SGMA to foster and, in specific instances, require GSAs to consider all interested parties including the interests of all beneficial uses and users of groundwater in the establishment and operation of the GSA and the development and implementation of the agency's GSP (see e.g., Water Code § 10723.2, 10723.8(a)(4)). If a GSA elects to respond to public comments, the Department suggests that copies of those responses be provided to the Department so that they may be available for consideration by the Department, along with the comments themselves, during review of the Periodic Evaluation.

19. Will the Department hold a public comment period after GSAs submit a Periodic Evaluation or Amendment?

The GSP Regulations do not have specific requirements with respect to public comments on a Periodic Evaluation. However, the GSP Amendment process is subject to the same requirements as the initially submitted GSP (under Water Code 10733.4 and 23 CCR § 353.8). Therefore, the Department will provide a public comment period for a GSP Amendment.
public drinking water systems.

AVAILABLE RESOURCES

1. News, Updates, and Upcoming Events

- water.ca.gov/

2. SGMA Webpage

- water.ca.gov/Programs/Groundwater-Management/SGMA-Groundwater-Management

3. Best Management Practices for Sustainable Groundwater Management

- [Monitoring Protocols, Standards, and Sites](#)
- [Monitoring Networks and Identification of Data Gaps](#)
- [Hydrogeologic Conceptual Model](#)
- [Water Budget](#)
- [Modeling](#)
- [Sustainable Management Criteria](#)

4. Guidance Documents for Sustainable Groundwater Management

- [Drinking Water Well Impact Guidance](#)
- [Stakeholder Communication and Engagement](#)
- [Engagement with Tribal Governments](#)
- [GSP Annotated Outline](#)
- [Resource Guide for Climate Change Data and Guidance](#)

5. Data and Tools

- SGMA Portal
 - [Monitoring Sites](#)
 - [GSPs](#)
 - [Annual Reports](#)
 - [Periodic Evaluations](#)
 - [Alternative Plans](#)
 - [Resources](#)
- California's Groundwater Live
 - [Current Conditions](#)
 - [Groundwater Levels](#)
 - [Well Infrastructure Information](#)
 - [Land Subsidence](#)
- [SGMA Data Viewer](#)
- [Groundwater Monitoring \(CASGEM\)](#)
- [Online System for Well Completion Reports \(OSWCR\)](#)
- [Dry Well Reporting System](#)

6. Assistance and Engagement

- [Communication and Engagement](#)
- [Technical Support Services \(TSS\)](#)
- [Facilitation Support Services \(FSS\)](#)
- [Written Translation Services \(WTS\)](#)
- [Sustainable Groundwater Management Grant Program](#)