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Groundwater Sustainability Plan Implementation:

A Guide to Annual Reports, Periodic Evaluations, & Plan Amendments



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Purpose of this document

This document provides guidance to groundwater sustainability agencies (GSAs) preparing Annual Reports, Periodic Evaluations, and Groundwater Sustainability Plan (GSP or Plan) Amendments under the Sustainable Groundwater Management Act (SGMA or Act) and the GSP Regulations. This guidance document does not create any new requirements or obligations for GSAs but is intended to clarify the necessary content of the documents already required by SGMA and the GSP Regulations. This document does not prescribe specific methods GSAs must use, but rather provides guidance regarding approaches to consider that showcase progress made during SGMA implementation. The use of mandatory language in this document reflects unambiguous requirements of SGMA or the GSP Regulations, and any ambiguity would be resolved by reference to SGMA or the Regulations. GSAs are encouraged to consider this guidance and its applicability to their reporting obligations for management of their basins; however, conformance with specific approaches in this document will not guarantee Department of Water Resources (DWR or the Department) approval of Plan implementation or continued compliance with SGMA. Conversely, while the Department believes the approaches presented here likely have broad and general value when describing management of basins under SGMA, a GSA need not conform or limit its approaches to those contained in this document in order to maintain GSP approval during the Department's Periodic Reviews. Depending on circumstances in particular basins, approaches other than those presented here may be appropriate. To further assist GSAs, this document provides links to applicable resources and other materials for GSAs to reference as they continue to implement SGMA to reach groundwater sustainability in their basins.

This guidance document is not a substitute for a complete review of SGMA or the GSP Regulations. SGMA in its entirety can be found in Division 6, Part 2.74, of the California Water Code Section 10720. The GSP Regulations are found in Subchapter 2 of Chapter 1.5, Division 2 of Title 23 of the California Code of Regulations (CCR). References to specific sections of SGMA and GSP Regulations that relate to Annual Reports, Periodic Evaluations, and Plan Amendments are provided throughout this guidance.



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SECTION 1: INTRODUCTION

Implementation of a GSP, or an alternative to a GSP (Alternative),¹ is a key component of SGMA. Once a GSP is adopted and submitted, SGMA and the GSP Regulations impose requirements on GSAs to demonstrate GSP implementation to the Department and interested parties. Annual Reports,² Periodic Evaluations,³ and Plan Amendments⁴ are all methods for GSAs to demonstrate GSP implementation and progress towards sustainability. In turn, the Department conducts Periodic Reviews⁵ of approved GSPs, Annual Reports, Periodic Evaluations, and any Plan Amendments to determine whether the GSP continues to comply with SGMA and the GSP Regulations.

This document provides guidance on preparing Annual Reports, Periodic Evaluations, and Plan Amendments. Each guidance section includes the purpose of each aspect of implementation, considerations for preparing the submittals, and instructions for submitting the materials to the Department. Annotated outlines are provided for Annual Reports and Periodic Evaluations to encourage consistency for each submittal; however, as indicated in the Purpose of this Document section, this document does not prescribe specific methods that GSAs must use. Annual Reports, Periodic Evaluations, and Plan Amendments each result in their own deliverable and contain important differences, which this document discusses and clarifies for GSAs.

Each GSA deliverable demonstrates different aspects of GSP implementation:

Annual Report: a report documenting current groundwater conditions, data gathering and monitoring efforts, activities to fill data gaps, water year comparisons, and GSP implementation progress (due by April 1 each year) - this is a progress tracking tool.

Periodic Evaluation: an evaluation and written assessment of an approved GSP to occur at least every five years and when a Plan is amended (due no later than five years after initial GSP submittal) – this is an implementation evaluation tool.

Plan Amendment: a revised GSP that necessitates going through the Plan adoption process and submission to the Department for review (an agency may amend their GSP at any time; a Periodic Evaluation is required with every Plan Amendment) – this is an adaptive management tool.

An Annual Report is due by April 1 of every year for each basin with a GSP or Alternative. The Annual Report is a yearly status update provided through a data driven summary of the physical conditions in the basin that requires the GSA to compile and analyze data gathered over the previous water year. The data are used to assess annual conditions for each applicable sustainability indicator, compare

2 23 CCR § 356.2.

3 23 CCR § 356.4.

¹ SGMA allows for basins to be managed under approved Alternatives instead of GSPs. While basins with approved Alternatives are not subject to the Periodic Evaluation requirements, Alternative basins must submit Annual Reports every year and the Alternative Plan must be resubmitted to the Department every five years for review and assessment. As with GSPs, Alternatives are subject to Periodic Reviews in which the Department will issue an assessment evaluating the progress toward achieving the sustainability goal within the basin. Water Code § 10733.6; 23 CCR §§ 358.2 and 358.4.

⁴ 23 CCR § 355.10.

⁵ 23 CCR § 355.6.

those conditions to the sustainable management criteria, identify any issues or data gaps that still exist, and provide an implementation status update on projects and management actions identified in the GSP. GSAs are also required to submit data via the SGMA Portal Monitoring Network Module.

A Periodic Evaluation is due at least every five years after initial GSP submission for each basin with an <u>approved</u> GSP. The Periodic Evaluation requires the GSA to conduct a more thorough assessment of how the Plan is performing and whether modifications are necessary. A Periodic Evaluation should describe whether implementation of the GSP is meeting the sustainability goal for the basin. Additionally, the GSA's written assessment documenting the Periodic Evaluation is required to compare current groundwater conditions over the evaluation cycle with relevant sustainable management criteria, and provide an evaluation of the extent to which progress made in implementing projects and management actions show a GSA is on track to meet the GSP sustainability goal. In addition, it includes an assessment of monitoring networks, and a discussion of any other GSP topics that have changed during implementation of the GSP. The GSA's written assessment of its Periodic Evaluation is submitted to the Department for review. The Department is required to issue an assessment of its Periodic Reviews at least every five years.

A Plan Amendment is a process available to GSAs to formally revise their GSPs as deemed necessary by the GSAs. This guidance document covers information GSAs may consider when they decide to amend their GSPs. As with a GSP, an Amendment must follow public noticing requirements, be adopted by the Board, and be submitted to the Department for review.⁶ In addition, a Periodic Evaluation must accompany an Amendment to describe why, what, and how adjustments were made in the Amendment. GSAs should provide transparent messaging to interested parties when changes are being considered to Plan implementation, including amending the Plan. Further discussion of how an Amendment and Periodic Evaluation complement each other is included in <u>SECTION 3</u> and <u>SECTION 4</u> of this document.

The Department notes that, at times, the terms "GSP Update" or "Revised GSP" have been used by GSAs when a Plan has been amended or in discussing potential Plan Amendments. The Department encourages GSAs to use terminology consistent with SGMA and the GSP Regulations, which refer to a **Plan Amendment**, to avoid confusion on reporting and deliverable requirements.

REMINDER:

When a Periodic Evaluation is prepared in conjunction with a Plan Amendment, duplication should be avoided between the two documents; the Periodic Evaluation in such circumstances serves primarily to justify and explain the reasons for the Plan Amendment not simply to repeat the same text and information contained in the Amendment.

⁶ Water Code § 10728.4.

Figure 1 shows the deliverables and timing for which a GSA should plan, depending on the Department's review process and determination of the GSP.

GSP IMPLEMENTATION REPORTING



Figure 1: Summary of Implementation Deliverables for each Basin Determination Type

Water Code § 10733, § 10733.8, and Article 6 of the GSP Regulations describe requirements for the Department's review of GSP implementation reporting materials submitted by the GSA, including:

- Review and evaluation of adopted Plans
- Periodic Review of approved Plans
- Review of Annual Reports
- Review of Periodic Evaluations
- Review and evaluation of Plan Amendments

An approval of a basin's previous GSP does not guarantee an automatic approval of a GSA's implementation of that GSP. If progress on implementation is deemed insufficient, or GSP changes no longer comply with SGMA and the GSP Regulations, the Department may determine a GSP incomplete or inadequate during the Periodic Review.

GSP implementation follows an adaptive management process that was initiated by the adoption of a Plan by the GSA Board and approval by the Department. The adaptive management process continues with annual reporting, monitoring conditions, project implementation, and periodic evaluation to reach and maintain sustainability during the planning and implementation horizon (i.e., 50 years).⁷ Figure 2 provides a graphical representation of the plan implementation adaptive management approach.



Figure 2: GSP Implementation Adaptive Management Approach

This document includes two attachments to assist GSAs with GSP implementation reporting:

- Attachment 1 provides answers to frequently asked questions regarding GSP reporting requirements.
- Attachment 2 provides links to online resources available from the Department for GSAs to use during GSP implementation.

⁷ Water Code § 10721(r).

SECTION 2: ANNUAL REPORT GUIDANCE

Annual Reports are intended to be a compilation and analysis of data in the basin from the previous water year and a summary of GSP implementation progress. This guidance section describes the requirements of SGMA and the GSP Regulations and provides an overview of Annual Reports and an example Annual Report annotated outline. This section also includes instructions on submitting the Annual Report and associated data to the Department and review by the Department.

2.1 GSA Requirements

GSAs are required to develop Annual Reports every water year to track whether their Plans are being implemented in a manner that will likely achieve the sustainability goal for their respective basins. The Annual Report is the mechanism for the GSAs to convey critical information and data to their boards, local stakeholders, interested parties, the general public, and the Department on changing groundwater conditions, groundwater management efforts, and next steps for GSP implementation. The GSP Regulations require an Annual Report to:

- Compile and transmit groundwater conditions data collected from established monitoring networks during the previous water year.
- Assess conditions relative to the sustainable management criteria established in the GSP.
- Summarize total water use including groundwater extraction, total surface water received, and the volume of surface water used for recharge efforts.
- Estimate annual change in groundwater storage for each principal aquifer
- Describe progress made on GSP projects, management actions, and other implementation efforts such as continued outreach and engagement. Discuss how those efforts help the basin achieve their measurable objectives and sustainability goal.

The Annual Report process should emphasize the successes and most pressing challenges the GSAs are facing during Plan implementation. The Annual Report should also outline actions necessary to advance sustainable groundwater management solutions. As indicated, the Annual Report is a way to convey data and information on a yearly basis to interested parties and the Department. With that, the Annual Report should not be used to make substantial changes to the Plan but rather provide foundational information needed to assess whether the Plan is being implemented successfully and whether Plan amendments are necessary. Water Code Section 10728 identifies the Annual Report criteria, and Section 356.2 of the GSP Regulations further details required Annual Report components.

Water Code § 10728.

On the April 1 following the adoption of a groundwater sustainability plan and annually thereafter, a groundwater sustainability agency shall submit a report to the department containing the following information about the basin managed in the groundwater sustainability plan:

- a) Groundwater elevation data.
- **b)** Annual aggregated data identifying groundwater extraction for the preceding water year.
- c) Surface water supply used for or available for use for groundwater recharge or in-lieu use.
- d) Total water use.
- e) Change in groundwater storage

GSP Regulations § 356.2. Annual Reports

Each Agency shall submit an annual report to the Department by April 1 of each year following the adoption of the Plan. The annual report shall include the following components for the preceding water year:

- a) General information, including an executive summary and a location map depicting the basin covered by the report.
- **b)** A detailed description and graphical representation of the following conditions of the basin managed in the Plan:
 - **1.** Groundwater elevation data from monitoring wells identified in the monitoring network shall be analyzed and displayed as follows:
 - **A)** Groundwater elevation contour maps for each principal aquifer in the basin illustrating, at a minimum, the seasonal high and seasonal low groundwater conditions.
 - **B)** Hydrographs of groundwater elevations and water year type using historical data to the greatest extent available, including from January 1, 2015, to current reporting year.
 - 2. Groundwater extraction for the preceding water year. Data shall be collected using the best available measurement methods and shall be presented in a table that summarizes groundwater extractions by water use sector, and identifies the method of measurement (direct or estimate) and accuracy of measurements, and a map that illustrates the general location and volume of groundwater extractions.
 - **3.** Surface water supply used or available for use, for groundwater recharge or in-lieu use shall be reported based on quantitative data that describes the annual volume and sources for the preceding water year.
 - 4. Total water use shall be collected using the best available measurement methods and shall be reported in a table that summarizes total water use by water use sector, water source type, and identifies the method of measurement (direct or estimate) and accuracy of measurements. Existing water use data from the most recent Urban Water Management Plans or Agricultural Water Management Plans within the basin may be used, as long as the data are reported by water year.
 - 5. Change in groundwater in storage shall include the following:A) Change in groundwater in storage maps for each principal aquifer in the basin.
 - B) A graph depicting water year type, groundwater use, the annual change in groundwater in storage, and the cumulative change in groundwater in storage for the basin based on historical data to the greatest extent available, including from January 1, 2015, to the current reporting year.
- c) A description of progress towards implementing the Plan, including achieving interim milestones, and implementation of projects or management actions since the previous annual report.

2.2 Annual Report Document Overview

The following section includes a suggested Annual Report annotated outline intended to streamline the preparation of Annual Reports. The annotated outline highlights the GSP Regulation requirements for Annual Reports, summarizes information and context the Department recommends be included, and provides a consistent format for developing Annual Reports by the GSAs. The Annual Report annotated outline is only intended to be a guide. GSAs have the option of using this information as they compile and evaluate their data and prepare their Annual Reports; however, GSAs must include, at a minimum, the information required by the GSP Regulations. GSAs are encouraged to review Attachment 1 of this document for Department answers to frequently asked questions regarding Annual Reports.

2.3 Suggested Annual Report Annotated Outline

EXECUTIVE SUMMARY

The executive summary[®] should summarize key information presented in the Annual Report, including the water year covered and a map(s) depicting the basin, GSA boundaries, and management areas, if applicable. It should reiterate the Plan's sustainability goal, indicate if minimum thresholds have been exceeded for any of the applicable sustainability indicators, and explain if undesirable results are occurring. It should briefly summarize current conditions in the basin, annual water use, change in storage, GSP implementation activities, and other progress made toward achieving the basin's sustainability goal during the prior water year.

DATA ANALYSIS SUMMARY

Groundwater levels, changes in groundwater storage, and water use data collected during the preceding water year must be presented in the Annual Report and uploaded to the Department's SGMA Portal as part of the Annual Report submittal. Data submittal requirements are described in <u>Section 2.4</u>.

Groundwater Elevation

The Annual Report must include a section on groundwater elevation data collected during the preceding water year⁹ and a description of the hydrologic conditions and water year type. This section should present the groundwater level monitoring sites and any new information or changes to the monitoring network that are provisional pending evaluation by the Department. Changes to the representative monitoring network should be explained, provided in a tabular format, and reconciled with the Department's SGMA Portal Monitoring Network Module.

The groundwater elevation section should discuss current groundwater level conditions and recent trends, including a comparison to previous water years. Groundwater elevation contour maps should be provided for each principal aquifer for at least the seasonal high and seasonal low groundwater conditions during the previous water year. Hydrographs depicting historical groundwater level conditions to the greatest extent possible and at least from January 1, 2015, to the current water year should be provided for all monitoring wells in the current monitoring network. The hydrographs for representative monitoring sites should indicate where the minimum thresholds, interim milestones, and measurable objectives are set relative to current groundwater level conditions and recent trends. The location of each monitoring site should be clearly identified

^{8 23} CCR § 356.2(a).

^{9 23} CCR § 356.2(b)(1).

in a tabular format, on the hydrographs, and identified on a monitoring network map in the Annual Report. Hydrographs for each GSP monitoring well can be generated from the Department's SGMA Data Viewer web application by selecting GSP monitoring network wells in the water levels dropdown menu. An example representative monitoring well hydrograph from the SGMA Data Viewer is shown on Figure 3.



Figure 3. Example Representative Monitoring Well Hydrograph Compiled from <u>SGMA Data Viewer</u>

Groundwater Extraction

A summary of groundwater extraction data for the preceding water year must be accompanied by the measurement method(s), whether direct measurement or estimate, the rationale for those methods, method accuracy, and discussion of any new or improved measurement methods (e.g., metering, estimating evapotranspiration).¹⁰ The groundwater extraction data should be described for the various water use sectors (e.g., urban, industrial, agricultural, managed wetland, managed recharge, and native vegetation). Other water use sectors that

^{10 23} CCR § 356.2(b)(2).

might be applicable in some basins should also be reported, including remediation using groundwater extraction and treatment systems and de minimis pumping for domestic or small water systems. The report should discuss how the reported groundwater extraction volumes for each principal aquifer compare to the sustainable yield volumes for the Basin defined in the GSP.

Maps should be generated showing locations and volumes of groundwater extraction. The maps may be broken out by water use sectors and may show where the water was applied. Tables should present the total groundwater extraction volumes, the water use sector associated with those extraction volumes, measurement methods, and accuracy or uncertainty associated with the measurements (Table 1 and Table 2).

Groundwater Extraction Sector	Water Use (Acre-feet)
Urban	
Industrial	
Agricultural	
Managed Wetland	
Managed Recharge	
Native Vegetation	
Other	
TOTAL	

Table 1. Example Groundwater Extraction by Sector Table

Groundwater Extraction Volume (acre-feet)	Measurement Type	Method Description Accuracy		Accuracy Description	

Table 2. Example Groundwater Extraction Volume Measurement Methods and Accuracy Table

Surface Water Supply

Surface water supplies used, or available for use, for groundwater recharge or in-lieu use in the basin must be described and tabulated. The Annual Report should include a detailed description and graphical representation of the basin's surface water supply, for the preceding water year, associated with managed recharge or in-lieu recharge.¹¹ The tabulated data should include the volume of surface water from each water source type¹² and a description of the methods used to quantify the volume of surface water (Table 3).

The Annual Report should include a discussion related to the volume and sources of surface water supplies that the GSAs used to recharge groundwater (e.g., existing and new recharge projects, Flood-MAR activities, and other processes).

^{11 23} CCR § 356.2 (b)(3)

^{12 23} CCR § 351 (ak)

Surface Water Supply Sector	Water Use (Acre-feet)	Methods Used to Determine
Central Valley Project		
State Water Project		
Colorado River Project		
Managed Local Supplies		
Local Imported Supplies		
Recycled Water		
Desalination		
Other		
TOTAL		

Table 3. Example Surface Water Supply by Sector Table

Total Water Use

Total water use in the basin, by water use sector and water source type, must be described, tabulated, and graphed. Total water use data must be collected using the best available measurement methods. The Annual Report should include a detailed description and graphical representation of the basin's total water use by water use sector and water source type, separately. The Annual Report should include graphical representations of the volume of total water use by water use sector and water source type, GSAs may consider including graphical representations of total water use from each water use sector and water source type¹³ and a description of the methods used to quantify the volume of surface water (Table 4 and Table 5). For the tabulated data, the GSAs should use the managed recharge water use sector to provide the total volume of water GSA used for groundwater recharge in the basin for the preceding water year (Table 5).

Water Source Type	Water Use (Acre-feet)	Methods Used to Determine
Groundwater		
Surface Water		
Recycled Water		
Reused Water		
Other		
TOTAL		

Table 4. Example Total Water Use by Source Type Table

13 23 CCR § 351 (ak)

Water Use Sector	Water Use (Acre-feet)	Methods Used to Determine
Urban		
Industrial		
Agricultural		
Managed Wetlands		
Managed Recharge		
Native Vegetation		
Other		
Total		

Table 5. Example Total Water Use by Sector Table

Change in Storage

The magnitude of the change of groundwater in storage during the preceding water year must be described for each principal aquifer and in total for the basin.¹⁴ A graph(s) showing annual change of groundwater in storage, water year type, cumulative change of groundwater in storage, and groundwater extraction in the basin from at least 2015, should be provided (Table 6). Maps showing the change of groundwater in storage geographically for each principal aquifer should also be provided. The GSA boundaries and representative monitoring wells may be shown on the maps, as necessary. The section should include a narrative assessment and interpretation of the tabulated, graphical, and mapped data. Change of groundwater in storage related to previous water years should be discussed, including an assessment of why those changes may have been realized. Although tabular change in storage data is not required for the Annual Report submittal by regulation, the SGMA Portal requires tabular change in storage data for each principal aquifer with Annual Report submittal (Table 6).

Principal Aquifer Name	Change in Storage (acre-feet)	Calculation Method
TOTAL		

Table 6. Example Change of Groundwater in Storage Table

PROGRESS TOWARD IMPLEMENTATION

The Annual Report must include a description of progress on GSP implementation during the preceding water year, including comparison of current conditions to sustainable management criteria of each sustainability indicator, updates on projects and management actions, and progress on addressing recommended corrective actions for approved Plans.¹⁵

Current Conditions for Each Sustainability Indicator

The GSA should describe, tabulate, and provide graphical representation of how current sustainability indicator conditions compare to minimum thresholds, interim milestones, and measurable objectives identified in the Plan. The Annual Report should present current

14 23 CCR § 356.2(b)(5).

^{15 23} CCR § 356.2(c).

information for each sustainability indicator applicable to the basin. The GSA should evaluate whether minimum threshold exceedances have occurred and determine if those exceedances constitute an undesirable result in the basin, for each applicable sustainability indicator. It would be useful to include the definition of what constitutes an undesirable result in the basin for each sustainability indicator.

In particular, the following information should be provided for each sustainability indicator with applicable monitoring and data collected during the previous water year (GSAs may consider providing this information in a tabular format or some other organized format that works best for their data reporting):

- Definition of significant and unreasonable conditions
- Description of sustainable management criteria (minimum threshold, measurable objective and interim milestones, undesirable results)
- Representative monitoring site information (e.g., name and location of well or subsidence InSAR mapping data)
- Measurement information and monitoring methods
- Comparison of measurement to sustainable management criteria
- Discussion of results and potential causes of observed conditions

The GSA should consider assessing whether impacts to beneficial users from changes in groundwater conditions have occurred during the preceding water year such as:

- Dry wells
- Subsidence-related infrastructure damage
- Groundwater dependent ecosystem health
- Emergency water shortages
- Changes in water quality
- Extent of seawater intrusion

The GSA should provide updates in the Annual Report on implemented, planned, or proposed actions to address observed impacts.

The current conditions for each sustainability indicator section should also include a description of efforts to fill data gaps during the preceding water year and how new data and information are being applied to improve basin understanding and reduce management uncertainty identified in the Plan. New information obtained from existing wells in the monitoring network during the preceding water year, such as well video surveys, reference elevation surveys, and geophysical data can also be described and used to update the understanding of the basin and the SGMA Portal Monitoring Network Module.

Projects and Management Actions

Progress toward implementing projects and management actions should be described and summarized. GSAs may choose to provide this information in tabular format. The description and table(s) should include the status of the various projects proposed in the GSP (e.g., active, pre planning, conceptual, inactive), the benefits observed from active projects and management

actions, expected schedule for projects and management actions in planning stages, and descriptions of anticipated benefits to occur within the next water year, to be reported on in the next Annual Report. The section could include an assessment of projects and management actions necessary to respond to hydrologic or climate conditions and the response of those activities on achieving the sustainability goal for the basin. The projects and management actions section should also provide a brief evaluation of whether the implementation of projects and management actions are resulting in adverse impacts to the various sustainability indicators, adjacent groundwater basins, or beneficial uses and users. Additionally, the GSA should describe the methods and processes that occurred during the water year to publicly notice and engage interested parties concerning the status and implementation of projects and management actions.

Progress Made on Addressing Recommended Corrective Actions in the Department's GSP Determination (for approved Plans)

Per the GSP determinations, it is expected that the Department's recommended corrective actions be reconciled or progressed by the Plan's first Periodic Evaluation. The Annual Report should describe what actions have been taken during the preceding water year to address recommended corrective actions. The Annual Report should also provide proposed plans and an updated schedule for addressing recommended corrective actions.

In particular, the following information should be provided for each recommended corrective action to show progress to the Department:

- A summary of the recommended corrective action and what portion of the GSP it refers to (e.g., data collection and filling data gaps, sustainable management criteria, stakeholder outreach, etc.)
- The GSA's approach for addressing each recommended corrective action
- A status update on progress to address recommended corrective actions and a timeline to evaluate or complete the approach

Other Information on Implementation Progress

The GSA should summarize any agency outreach and engagement during the preceding water year to inform the public of the status of GSP implementation, such as committee meetings, stakeholder engagement, public outreach events, coordination efforts with state and federal agencies, local well permitting and land use planning agencies, and neighboring GSAs. The GSA should also summarize any public comments, feedback, or concerns the GSA has received related to plan implementation over the previous water year, in writing or during public meetings, and how the GSA has considered those comments. The GSA should also provide any additional information or accomplishments related to implementation efforts that it is using to achieve the sustainability goal for the basin, such as obtaining additional funding. Finally, the GSA should outline anticipated implementation activities and efforts to occur in the upcoming water year, such as planned data gap filling efforts or project and management action implementation.

Reporting Monitoring Data as Appendices

It is important that the GSAs provide all monitoring data for each sustainability indicator applicable to the basin for adequate reporting and review of the Annual Report information. Some of the monitoring data may be extensive and can be incorporated into the Annual Report as appendices. For example, all annual groundwater quality data collected for each constituent of concern at each GSP water quality monitoring network site should be included in the Annual Report; however, these monitoring data could be provided as an appendix to the Annual Report and summarized in the report. The Department encourages the use of SGMA Portal data export functions, as they become available, to generate content for Annual Reports.

2.4 Annual Report Submittal Requirements

The Annual Report must be submitted to the Department by an authorized Plan representative via the SGMA Portal online submittal platform by April 1 of each year. The following steps should be taken to upload the Annual Report to SGMA Portal:

- 1. Upload a PDF of the Annual Report with filename using the Basin Number_Water Year format (Ex. #-###_WY_20XX).
- 2. Upload the Annual Report Elements Guide.
- 3. Upload required data in the templates provided by the Department on the SGMA Portal.

GSP Regulations § 354.40. Reporting Monitoring Data to the Department

Monitoring data shall be stored in the data management system developed pursuant to Section 352.6. A copy of the monitoring data shall be included in the Annual Report and submitted electronically on forms provided by the Department.

During Annual Report submittal the GSA should verify that for each monitoring well a minimum of two groundwater level measurements during the preceding water year have been submitted to the monitoring network module. In addition, the GSA should verify that other monitoring network data for the other applicable sustainability indicators are measured and reported in sufficient frequency, as determined in the GSP, and are current and accurate. The GSA should verify that all general site data (e.g., subsidence elevation station, extensometers, streamflow gages) are submitted to the monitoring network module annually. The GSA should also confirm that existing sites are still found at links provided in the monitoring network module and that a copy of monitoring data collected from existing sites is provided in the Annual Report.

2.5 Review by Department

The GSP Regulations describe the Department's responsibilities related to submitted Annual Reports.¹⁶ The Department will confirm receipt of Annual Reports and check completeness of information provided. The Department will review the Annual Reports each year and if it is determined additional information is required, the Department will provide a written response to plan managers. The Department will also utilize the Annual Reports when it conducts the Periodic Review of Plans¹⁷ as further described in <u>Section 3.5</u> of this document.

The Department may conduct a Periodic Review of a GSP and associated reporting materials at any time to determine whether the Plan is consistent with the objectives of SGMA and continues to be in substantial compliance with the GSP Regulations. The Department may rely on information it has received at that time, including the Annual Reports, and may request any information it deems necessary to evaluate the GSA's progress towards achieving the basin's sustainability goal. During a Periodic Review, the Department is required to determine if a Plan should remain approved, or if the Plan should be considered incomplete or inadequate.

¹⁶ 23 CCR § 355.8. **17** 23 CCR § 355.6.

GSP Regulations § 355.8. Department Review of Annual Reports

The Department shall review annual reports as follows:

- a) The Department shall acknowledge the receipt of annual reports by written notice and post the report and related materials on the Department's website within 20 days of receipt.
- **b)** The Department shall provide written notice to the Agency if additional information is required.
- c) The Department shall review information contained in the annual report to determine whether the Plan is being implemented in a manner that will likely achieve the sustainability goal for the basin, pursuant to Section 355.6.

SECTION 3: PERIODIC EVALUATION GUIDANCE

The Periodic Evaluation is a GSA's written assessment of its GSP implementation. The assessment is meant to evaluate whether their groundwater sustainability program is meeting the basin's sustainability goal and continues to meet the requirements of SGMA and the GSP Regulations. This guidance section provides GSAs with the following information:

- A summary of requirements described in SGMA and the GSP Regulations
- An overview of what a Periodic Evaluation is
- An example annotated outline to assist in the development of a Periodic Evaluation
- Information and context the Department recommends be included
- Instructions on how to submit the Periodic Evaluation
- Insight into the Department's Periodic Review process

3.1 GSA Requirements

A key component of demonstrating the GSA's implementation of their GSP is through the Periodic Evaluation of their Plan. SGMA requires GSAs to provide a written assessment evaluating their basin's GSP at least every five years. The written assessment is submitted to the Department for review. Water Code Section 10728.2 identifies the criteria that GSAs should consider when conducting their GSP evaluation and Section 356.4 of the GSP Regulations further details the components of a Periodic Evaluation, including Section 357.4 for basins with multiple GSPs.

Water Code § 10728.2.

A groundwater sustainability agency shall periodically evaluate its groundwater sustainability plan, assess changing conditions in the basin that may warrant modification of the plan or management objectives, and may adjust components in the plan. An evaluation of the plan shall focus on determining whether the actions under the plan are meeting the plan's management objectives and whether those objectives are meeting the sustainability goal in the basin.

GSP Regulations § 356.4. Periodic Evaluation by Agency.

Each Agency shall evaluate its Plan at least every five years and whenever the Plan is amended, and provide a written assessment to the Department. The assessment shall describe whether the Plan implementation, including implementation of projects and management actions, are meeting the sustainability goal in the basin.

- a) A description of current groundwater conditions for each applicable sustainability indicator relative to measurable objectives, interim milestones and minimum thresholds.
- **b)** A description of the implementation of any projects or management actions, and the effect on groundwater conditions resulting from those projects or management actions.
- c) Elements of the Plan, including the basin setting, management areas, or the identification of undesirable results and the setting of minimum thresholds and measurable objectives, shall be reconsidered and revisions proposed, if necessary.
- d) An evaluation of the basin setting in light of significant new information or changes in water use, and an explanation of any significant changes. If the Agency's evaluation shows that the basin is experiencing overdraft conditions, the Agency shall include an assessment of measures to mitigate that overdraft.
- e) A description of the monitoring network within the basin, including whether data gaps exist, or any areas within the basin are represented by data that does not satisfy the requirements of Sections 352.4 and 354.34(c). The description shall include the following:
 - 1) An assessment of monitoring network function with an analysis of data collected to date, identification of data gaps, and the actions necessary to improve the monitoring network, consistent with the requirements of Section 354.38.
 - 2) If the Agency identifies data gaps, the Plan shall describe a program for the acquisition of additional data sources, including an estimate of the timing of that acquisition, and for incorporation of newly obtained information into the Plan.
 - **3)** The Plan shall prioritize the installation of new data collection facilities and analysis of new data based on the needs of the basin.
- f) A description of significant new information that has been made available since Plan adoption or Amendment, or the last five-year assessment. The description shall also include whether new information warrants changes to any aspect of the Plan, including the evaluation of the basin setting, measurable objectives, minimum thresholds, or the criteria defining undesirable results.
- **g)** A description of relevant actions taken by the Agency, including a summary of regulations or ordinances related to the Plan.
- **h)** Information describing any enforcement or legal actions taken by the Agency in furtherance of the sustainability goal for the basin.
- i) A description of completed or proposed Plan Amendments.
- **j)** Where appropriate, a summary of coordination that occurred between multiple Agencies in a single basin, Agencies in hydrologically connected basins, and land use agencies.
- **k)** Other information the Agency deems appropriate, along with any information required by the Department to conduct a periodic review as required by Water Code Section 10733.

GSP Regulations § 357.4 Coordination Agreement (For Basins with Multiple GSPs)

i) Coordination agreements shall be reviewed as part of the five-year assessment, revised as necessary, dated, and signed by all parties.

3.2 Periodic Evaluation Document Overview

A Periodic Evaluation is an opportunity for GSAs with <u>an approved GSP</u>¹⁸ to convey to the Department, interested parties, and the public progress on GSP implementation. The Periodic Evaluation should provide the status of groundwater conditions and progress toward meeting interim milestones and measurable objectives. The Periodic Evaluation should also describe the advancement of projects and management actions over the evaluation cycle including the associated quantified cumulative benefits. The Periodic Evaluation should explain how those cumulative benefits are contributing to the basin achieving its sustainability goal and operating within its sustainable yield. Conversely, the Periodic Evaluation should describe any unforeseen challenges encountered with the development or implementation of certain projects and management actions and the outcome of responding to those challenges. With the requirement that a GSA conduct a Periodic Evaluation at least every five years from the initial GSP submittal, the GSA's written assessment is a reflection on GSP implementation and adaptive management for that particular evaluation cycle. The GSA should utilize the Periodic Evaluation to explain trends seen in data collected for previously submitted Annual Reports.

REMINDER:

The cover letter of the Department's GSP determination includes the date that initiates the first Periodic Review of the Plan by the Department and the effective due date of the first Periodic Evaluation by the GSA (i.e., 5 years from the submittal of the initial GSP - this date can be found on the SGMA Portal). Periodic Evaluations will be due every five years thereafter.

The Periodic Evaluation also acts as the document where a GSA articulates whether a Plan Amendment is needed. The Periodic Evaluation will be part of the GSP record and will be included in a determination from the Department during the Periodic Review. Additionally, if a GSA submits a Plan Amendment at any time, a Periodic Evaluation must accompany that submittal. The Periodic Evaluation should be used to provide a high-level description of the amended sections of the Plan, including an explanation of the rational for the Amendment, which is further described in the suggested Periodic Evaluation annotated outline section below. Amended sections of a Plan should not be copied and pasted into a Periodic Evaluation; however, providing redline strikethrough text highlighting where changes were made in the Amended Plan may be appropriate. If a GSA intends to amend their Plan, it may be beneficial to coordinate the Amendment with a Periodic Evaluation cycle.

REMINDER - Recommended Corrective Actions:

GSAs are expected to provide a detailed discussion of how the recommended corrective actions are being addressed or were addressed for each of the Plan elements and sections below, as applicable. When the recommended corrective actions warrant a Plan Amendment the Periodic Evaluation should describe the amended components of the Plan.

¹⁸ Periodic Evaluations are not required for a GSP that the Department has determined to be Inadequate and has referred to the State Water Resources Control Board. The Department does not conduct a Periodic Review of an Inadequate GSP or any revisions or amendments to an Inadequate GSP unless the State Water Resources Control Board formally relinquishes responsibility for the Basin to the Department or requests additional assessment of the Plan under Water Code § 10735.2(b).

The Periodic Evaluation should be the GSAs' honest and detailed interpretation of how implementation is taking place, what successes and challenges have been encountered, and how the challenges have been, or are proposed to be, overcome. The more details and feedback provided to the Department in the Periodic Evaluation, the better the Department can assist GSAs with their implementation efforts. Ultimately, the goal of the Periodic Evaluation is for GSAs to assess how Plan implementation is progressing and to provide an explanation and proposed management adjustments if implementation is not achieving the goals and milestones as originally anticipated.

The suggested Periodic Evaluation annotated outline has been developed to provide GSAs with an example of a written assessment approach. The annotated outline is based on the GSP Regulations requirements and provides a consistent format for developing written assessments for the GSAs. The annotated outline is intended to be a guide, and use of the outline does not guarantee a continued approval determination from the Department. As GSAs prepare their Periodic Evaluations, it is important to clearly articulate changes made to the Plan, the justification and explanation for decisions, and the evidence that supports implementation is achieving the sustainability goal for the basin. GSAs are encouraged to review Attachment 1 of this document for Department answers to frequently asked questions regarding Periodic Evaluations.

The following questions can help with the organization and development of the written assessment. In particular, GSAs should provide the following information for each key GSP section discussed below:

- What new information has been collected?
- What is the status of the components of this section? Describe any changes.
- Was there a recommended corrective action associated with this section? Explain how it was addressed.
- How have actions taken in this section informed changes in basin management?
- Is there a need to change a section of the GSP that would lead to a Plan Amendment? Which section has or will be revised in the Plan Amendment?

3.3 Suggested Periodic Evaluation Annotated Outline

EXECUTIVE SUMMARY

The executive summary of the Periodic Evaluation's written assessment is intended to provide a highlevel overview of GSP implementation activities, address whether implementation is on track for reaching the basin's sustainability goal and provide an overview of significant new information received and included in the assessment.

Content to consider for inclusion in the executive summary:

- Period of time the Periodic Evaluation covers (evaluation cycle).
- Is the Periodic Evaluation accompanied by an amended Plan? If yes, identify the month and year the Plan was amended (e.g., January 2025) and describe the Plan re-adoption process, if applicable.
- Updated GSA information:
 - o Modifications to GSAs and their member agencies.
 - o Changes to governance structure.

- If there were recommended corrective actions provided by the Department in the most recent determination of the Plan, summarize what they were, whether they were addressed and whether they led to a Plan Amendment.
- Describe the basin's sustainability goal and whether the implementation of the GSP is on track to meet the basin's sustainability goal.
- Include a general statement on how GSA activities are progressing within the basin, which should be supported by the content presented in the written assessment.
- Summarize any significant new information and data that were acquired during the evaluation cycle and present how that information or those data were used in preparing the Periodic Evaluation.
- Describe the efforts taken to engage with interested parties. Provide a high-level summary of public comments received during GSP implementation or while preparing the Periodic Evaluation

NEW INFORMATION COLLECTED¹⁹

The Periodic Evaluation should provide a description of any new information, including significant new data, that the GSA has acquired during the evaluation cycle. The discussion should include whether new information warrants changes to any aspect of the Plan, including the evaluation of the basin setting, measurable objectives, minimum thresholds, or the criteria defining undesirable results. Additionally, this section should evaluate whether those changes associated with the new information led to a Plan Amendment.

Table 7 below provides an example of a method of summarizing the types of significant new information collected and how to reference that information in the applicable sections. Table 7 is meant to summarize information that has become available since the last Periodic Evaluation (or Plan Adoption or Plan Amendment) which has informed the GSA's decisions and approaches to implement its GSP. Table 7 should indicate whether the new information warrants changes to any aspect of the Plan.

Significant New Information (e.g., new monitoring data, reports, coordination with other agencies, data provided by the Department)	Description	Aspects of Plan Affected (e.g., Basin Setting, Sustainable Management Criteria, Projects and Management Actions, Monitoring Network, Coordination Agreement)	Warrant Change to Any Aspects of the Plan (Yes/No) If yes, include section of the Plan

Note: GSAs will need to fill in the blanks for information they consider significant new information.

Table 7. Summary of New Information Since Periodic Evaluation

GROUNDWATER CONDITIONS RELATIVE TO SUSTAINABLE MANAGEMENT CRITERIA²⁰

This section sets the stage for evaluating the GSAs' progress towards achieving groundwater sustainability in their basin. The GSA should evaluate current groundwater conditions for each applicable sustainability indicator relative to sustainable management criteria established in the GSP (i.e., measurable objectives, interim milestones, minimum thresholds, and undesirable results) and

¹⁹ 23 CCR § 356.4. (f)

^{20 23} CCR § 356.4. (a)

describe, with supporting data, whether implementation of the GSP is effective. If the evaluation indicates that GSP implementation has not been effective in making progress toward achieving the sustainability goal, this section should include an explanation of the potential reasons and provide a description of how the GSA intends to get the basin back on track to achieving sustainability. The written assessment should also forecast the likelihood of achieving interim milestones or measurable objectives within the next evaluation cycle. This section may include discussion of hydrologic or climatic extremes and how the associated conditions and/or emergencies have impacted GSP implementation, as well as the adaptive management strategies used to keep the basin on track, or to get the basin back on track, to achieving sustainability.

If the Department provided recommended corrective actions related to sustainable management criteria, the GSA should include a discussion of how those were addressed. If the recommended corrective actions were addressed with a Plan Amendment, the GSA should provide that explanation and indicate where the changes can be found in the amended GSP.

For each applicable sustainability indicator, consider the following discussion points:

- Did the previous determination of the Plan by the Department include a recommended corrective action related to this sustainability indicator? How was it resolved?
- Describe current conditions relative to the minimum thresholds, interim milestones, and measurable objectives.
- Are the current conditions in the basin achieving the interim milestones?
- Describe if undesirable results are occurring or have occurred over the evaluation cycle. Were there minimum threshold exceedances that did not constitute undesirable results as quantitatively defined in the GSP?
- Evaluate progress made (including challenges encountered, if applicable), describe any adaptive management approaches employed to address minimum threshold exceedances, whether GSP implementation is effective thus far, and any other pertinent information related to progress towards achieving sustainability.
- Have basin conditions and GSP implementation affected beneficial uses and users? For example, were there any reported dry wells during the evaluation cycle?
- Are other sustainability indicators being impacted?
- If significant new information is leading to a change in sustainable management criteria, describe these changes and compare the previous sustainable management criteria to the adjusted management criteria.
- If changes are made, did they warrant a Plan Amendment?

STATUS OF PROJECTS AND MANAGEMENT ACTIONS²¹

The purpose of this section is to summarize the GSA implementation activities related to projects and management actions that took place over the course of the evaluation cycle. The summary should include descriptions of ongoing projects that have carried over during the evaluation cycle and projects that broke ground but have not become operational. In addition, significant new information should be discussed, such as whether a GSP project was considered no longer necessary and was dropped, a new project was added, or a project has been delayed. New information that affects project development, such as hydrologic changes relative to a drought or wet year should

^{21 23} CCR § 356.4. (b) & (f).

be described. The description should include anticipated projects to be developed over the next evaluation cycle(s). The discussion of the projects should include evaluations and reporting on the quantified benefits of each project and anticipated benefits of the projects that broke ground or were completed during the evaluation cycle.

A GSA should summarize how it is tracking and administering the various projects and management actions within its basin. The summary should describe interactions with the project proponents and member agencies implementing the projects. Table 8 shows an example of this summary.

Project or Management Action Name	Project or Management Action Description	Targeted Sustainability Indicator	Project Status	Expected Schedule	Benefits Observed to Date or Anticipated Benefits	Estimated Accrued Benefits at Completion



A GSA should assess the projects and management actions outlined in the original GSP and explain whether those are still relevant and feasible, including estimates of cost and potential funding sources and whether permitting and CEQA requirements need to be met. The Periodic Evaluation should describe if there is a need to revisit or re-evaluate the priority of certain projects. Additionally, for the various projects and management actions outlined in the GSP, the GSA should describe the process for public notice and engagement of interested parties.

For projects and management actions that are currently ongoing or have already been completed, the Periodic Evaluation should provide an evaluation and status update including realized benefits, expected benefits, and benefits and impacts to beneficial uses and users. The description should include how these projects and management actions are helping the basin achieve sustainability through the assessment of the groundwater conditions in relation to the measurable objectives for the relevant sustainability indicators. A description of the monitoring network and data related to projects and management actions that are showing progress toward sustainability, and documentation that the project is not impacting nearby beneficial users, should be included.

For projects and management actions that have yet to begin or are still conceptual, assess the need for those based on the current conditions and expected outcomes of the existing projects and management actions. Describe the potential timeline to get those projects and management actions implemented or what may be needed to take them from the conceptual or as-needed phase to the "shovel ready" phase.

The GSA should describe the challenges or setbacks that have prevented or delayed implementation of projects and management actions. If a planned project is not going to be implemented, the GSA should consider re-evaluating projected water budgets and groundwater conditions without the project.

BASIN SETTING BASED ON NEW INFORMATION OR CHANGES IN WATER USE²²

This section provides an evaluation of the basin setting based on new information or changes in basin water use. GSAs should explain the major cause of any significant new changes in the understanding of the basin setting, such as changes attributed to water use and supply, climate variations, successes and failures of projects and management actions, or significant new information and data that causes changes in model assumptions and results. A suggested outline to discuss the basin setting is provided below:

Hydrogeologic Conceptual Model

- Summarize any new applicable data and analysis and how it informs a revised understanding of the basin's hydrogeologic conceptual model (e.g., Airborne Electromagnetic surveys and other basin characterization and data gap filling actions)
- o If the previously identified data gaps were not filled, discuss why or what prevented these from being filled and discuss what is required to fill these data gaps

Groundwater Conditions

- o Indicate new understanding of regional groundwater conditions based on new sources, applications, or tools such as California Groundwater Live, InSAR, Dry Well Reporting System, etc.
- o Include new information that affects evaluation of groundwater quality such as:
 - Changes to regulatory water quality standards affecting sustainable management criteria
 - New constituents of concern or emerging contaminants that may become apparent in the basin
- o Include new information on interconnected surface water and groundwater dependent ecosystems.

• Water Use Changes and Associated Water Budget

- o Describe water use for the evaluation cycle, compared to historical, current, and projected water budgets in GSP.
- o Describe changes to land use or cropping patterns that could affect water use.
- o Describe whether changes to surface water supply reliability will affect water budget assumptions.
- o Provide updated current and projected water budgets.
- o Describe updates to the sustainable yield and changes in storage.
- If basin is experiencing overdraft, describe the evaluation and quantification of those conditions. Provide an assessment of measures to mitigate the overdraft including how the projects and management actions described in the Periodic Evaluation may affect overdraft.

• Model Updates

- o Briefly describe if and how the model was updated for the water budget development.
- o How has GSP implementation informed model revisions, if any?
- o Note that model updates may indicate where more monitoring is needed, and the quality of the existing monitoring informs the model revisions.

^{22 23} CCR § 356.4(d).

MONITORING NETWORKS²³

The purpose of this section is to provide an assessment of the GSP's monitoring network for each applicable sustainability indicator. GSAs submitting an amended GSP with their Periodic Evaluation should include any discussions related to the assessment and improvement of the GSP's monitoring network in the amended GSP. GSAs should reference the sections of the amended GSP in the Periodic Evaluation rather than replicating the same information in the Periodic Evaluation.

As a reminder, the requirements of the GSP Regulations (23 CCR § 354.38) are provided below:

GSP Regulations § 354.38. Assessment and Improvement of Monitoring Network

- a) Each Agency shall review the monitoring network and include an evaluation in the Plan and each five-year assessment, including a determination of uncertainty and whether there are data gaps that could affect the ability of the Plan to achieve the sustainability goal for the basin.
- **b)** Each Agency shall identify data gaps wherever the basin does not contain a sufficient number of monitoring sites, does not monitor sites at a sufficient frequency, or utilizes monitoring sites that are unreliable, including those that do not satisfy minimum standards of the monitoring network adopted by the Agency.
- c) If the monitoring network contains data gaps, the Plan shall include a description of the following:
 - 1. The location and reason for data gaps in the monitoring network.
 - 2. Local issues and circumstances that limit or prevent monitoring.
- d) Each Agency shall describe steps that will be taken to fill data gaps before the next five-year assessment, including the location and purpose of newly added or installed monitoring sites.
- e) Each Agency shall adjust the monitoring frequency and density of monitoring sites to provide an adequate level of detail about site-specific surface water and groundwater conditions and to assess the effectiveness of management actions under circumstances that include the following:
 - 1. Minimum threshold exceedances
 - 2. Highly variable spatial or temporal conditions
 - 3. Adverse impacts to beneficial uses and users of groundwater
 - **4.** The potential to adversely affect the ability of an adjacent basin to implement its Plan or impede achievement of sustainability goals in an adjacent basin

^{23 23} CCR § 356.4(e).

This section should include the GSA's findings from the evaluation of the GSP's monitoring networks for each sustainability indicator. It is suggested that this section includes the following topics, information, and data:

- Provide an overall summary of changes to monitoring networks since the last GSP or Periodic Evaluation.
- Describe whether identified monitoring network data gaps have been filled. If the previously identified data gaps were not filled, explain why or what prevented these from being filled and discuss what is required to fill these data gaps.
- Discuss any new data gaps that have been identified since the previous GSP.
- Assess the functionality of the water level monitoring network and whether any existing GSP monitoring network locations are no longer viable. The following information should be included and referred to in this section of the evaluation:
 - o Identify each monitoring location on a map including the wells used to monitor each specific principal aquifer.
 - o If a well is damaged or dry, determine whether the site is necessary to evaluate basin conditions, and if so, propose a plan to replace it.
 - o Review sustainable management criteria relative to well construction, and if the monitoring point is not capable of measuring the sustainable management criteria (i.e., is not deep enough), propose an alternative monitoring approach or well replacement plan.
- For other sustainability indicators, perform a similar monitoring network functionality assessment in light or appropriateness of location of sites, accessibility and viability of sites, and any corrections needed.
- Describe remaining actions necessary to improve the monitoring networks.
- Summarize any adjustments made to monitoring frequency and density of monitoring sites.
- Summarize any changes to the GSP's monitoring network as highlighted in the Periodic Evaluation or Plan Amendment.
- Verify that any updates to the GSP's monitoring network are reflected in the Monitoring Network Module²⁴

GSA AUTHORITIES AND ENFORCEMENT ACTIONS²⁵

The Periodic Evaluation should describe any new authorities the basin's GSAs have gained, established, or exercised since the last GSP submittal and summarize what has been implemented to advance groundwater sustainability. Authorities could pertain to relevant actions related to regulations and ordinances applicable to the Plan. In addition, GSAs should provide information describing any enforcement or legal actions taken in the basin to further the sustainability goal. This could include any new significant information such as funding and fee actions, installing volumetric measuring devices on wells (i.e., flow meters), or collecting other data related to allocation programs and pumping reductions. Demonstrating how these components of GSP implementation will help GSAs reach sustainability is important.

²⁴ During the evaluation cycle and while preparing a Periodic Evaluation, GSAs should visit the Department's SGMA Portal resources page to understand any changes and improvements to the Portal, including the Monitoring Network Module. https://sgma.water.ca.gov/portal/resources burned to the Portal, including the Monitoring Network Module. https://sgma.water.ca.gov/portal/resources burned to the Portal, including the Monitoring Network Module. https://sgma.water.ca.gov/portal/resources burned to the Portal of the

^{25 23} CCR § 356.4. (g) and (h)

Some considerations for this section are listed below:

- Provide a summary of GSA regulations or ordinances related to the Plan [Water Code 10725, • 10726, 10730, and 10731].
- Describe GSA enforcement or legal actions [Water Code 10725.4, 10730, and 10732]. •
- Describe activities advancing other regulations and orders outside of SGMA that are related to SGMA implementation, if applicable (e.g., legislation such as Senate Bill 552²⁶ [Drought Planning] for Small Water Suppliers and Rural Communities], well moratoriums, and land use zoning).
- Describe how Plan implementation has been affected by external regulatory requirements or • executive orders issued by the Governor, if applicable.

OUTREACH, ENGAGEMENT, AND COORDINATION WITH OTHER AGENCIES²⁷

During GSP implementation it is important to continue to build on the outreach, engagement, and communication efforts established during initial Plan development across multiple entities. GSAs should notice and engage the public on the draft Periodic Evaluation in a manner similar to initial Plan adoption. This section should describe, as appropriate, the coordination efforts and activities that occurred between multiple GSAs in a single basin, GSAs in hydrologically connected basins, and land use agencies, as well as federal, state, and local agency coordination that was related to SGMA implementation. Specifically, GSAs should consider the various audiences they need to communicate and interact with during GSP implementation activities.

Outreach and Engagement

GSAs are responsible for engaging interested parties, the public, and beneficial users to provide updates on basin conditions during annual reporting, regularly share groundwater management information, solicit feedback on projects and management actions prior to and during implementation, and collect public comments during Periodic Evaluation and Plan Amendment drafting. GSAs should demonstrate these responsibilities in the following ways:

- Provide an assessment of public comments submitted to the GSA after the initial Plan submittal or during evaluation cycle. The assessment should include a discussion of how the GSA responded to the comments and implemented relevant changes (i.e., incorporating components into the Periodic Evaluation or Plan Amendment).
- Describe public engagement efforts including activities that help the implementation of project • and management actions, such as project siting and construction, water conservation, and participation in recharge, recycled water use, land repurposing, or domestic well monitoring and reporting programs. Identify and describe how the GSA will address potential impacts on beneficial users documented through these public engagement efforts.
- Evaluate and verify that the methods described in the Plan for outreach and engagement activities are relevant to implementation and are being maintained and updated.

Responsibilities of GSA Boards

Keeping GSA board members engaged and ensuring they understand GSA responsibilities for Periodic Evaluation development and decisions on Plan Amendment needs is crucial to ensure a

²⁶ https://water.ca.gov/Programs/Water-Use-And-Efficiency/SB-552 27 23 CCR § 356.4. (j)

successful implementation program. The Periodic Evaluation should provide a summary of GSA board, technical advisory committee, and other related meetings since the last Periodic Evaluation, including notifications to the list of interested persons [23 CCR § 351(p); Water Code § 10723.4, 10723.2, 10723.8, and 10727.8].

Coordination with Other Agencies

Multiple layers of inter-agency coordination are needed periodically during GSP implementation, such as:

- Coordinating with other agencies in the same basin or county during implementation efforts that have land use, well permitting and water management responsibilities (e.g., neighboring GSAs in same basin).
- Coordinating with GSAs in hydrologically connected basins to understand implementation activities and potential effects across basin boundaries, and to share data.
- Reaching out to tribal, federal, state, and other local agencies, as needed, to facilitate implementation activities.
- Indicate if any new inter-agency agreements and efforts are under way.
- Provide a summary of inter-agency coordination efforts, coordination with local well permitting and land use planning agencies, state and federal agencies, and non-governmental organizations (e.g., coordination efforts related to impacts to drinking water wells, mitigating subsidence before infrastructure damage, or water quality impairment). Document if any changes were made to the GSP in response to new local requirements by these agencies.
- Discuss any changes to the GSA Coordination Agreement (for basins with multiple GSPs)
 - o Review the initial Coordination Agreement to ensure the agreement is still applicable or if the agreement needs to be updated or revisited.
 - o If changes are made, summarize those changes.

OTHER INFORMATION²⁸

GSAs may decide to include any additional information in the Periodic Evaluation that helps describe progress made toward achieving the sustainability goal for the basin. The Department also has the authority to request supplemental information from a GSA to conduct the Periodic Review, as necessary. A list of potential additional information is provided below.

Consideration of Adjacent Basins

The GSP Regulations require the Department to review the potential impacts a Plan may have on adjacent basins (23 CCR § 355.4(b)(7)). Other sections in the GSP Regulations request this information from the GSAs (23 § CCR 354.38). Therefore, it is important to provide that information in the Periodic Evaluation to give the Department a complete overview, such as:

- Describe relevant interbasin coordination efforts.
- Discuss how the proposed management of the Basin (including minimum thresholds and measurable objectives) aligns with the management of adjacent basins.
- Describe potential impacts from adjacent basins and/or to adjacent basins due to Plan implementation.
- Assess whether Plan implementation is affecting the ability of an adjacent basin to achieve its sustainability goal.

^{28 23} CCR § 356.4(k).

Challenges Not Previously Discussed

The Periodic Evaluation process provides the GSAs with an important opportunity to highlight technical and financial challenges the Department should be aware of. Allowing the Department to understand these challenges may inform future assistance and services. Below are a few example items that could be added to the Periodic Evaluation:

- Identify the most significant challenges and assistance needs for the GSA and Plan implementation.
- Assess how the Plan or amended Plan may affect relevant city and county general plans related to water resources management or other natural resources and land use planning programs.²⁹
- Other general considerations include technical and financial resource limitations, Proposition 218 and other funding stream efforts, shifts in Joint Powers Authority agreements or other aspects of basin governance.

Legal Challenges

GSAs should consider providing a discussion on legal matters, especially if GSP implementation is affected or may be affected by any legal challenge or adjudication.

SUMMARY OF PROPOSED OR COMPLETED REVISIONS TO PLAN ELEMENTS³⁰

This section summarizes the key take-aways from the Periodic Evaluation. In addition, this section should end with a brief overview of next steps and how the GSAs intend to use this evaluation to continue moving the basin towards their sustainability goal.

Proposed Revisions to Plan Elements³¹

If the GSA decides a Plan Amendment is necessary, the GSA should describe proposed revisions to relevant Plan elements. This section should also provide the rationale for developing a Plan Amendment and the necessary actions the GSA will take to complete the amendment, including outreach and engagement to interested parties.

REMINDER:

For Periodic Evaluations that accompany a Plan Amendment, GSAs must ensure the Periodic Evaluation is not:

- A copy/paste of the GSP sections that were revised or amended.
- A simple: "See Section X."

The Periodic Evaluation must provide specific explanations of what was amended, why, and the effects of those amendments on the implementation of the Plan (e.g., adapting the management program, adjusting projects and management actions).

²⁹ Water Code § 10727.2(g); Water Code § 10727.4(k)(I).

^{30 23} CCR § 356.4. (c) and (i)

³¹ 23 CCR § 356.4. (i)

3.4 Periodic Evaluation Submittal Requirements

The Periodic Evaluation of approved GSPs shall be submitted to the Department by an authorized Plan representative via the SGMA Portal online submittal platform at a minimum every five years following the initial GSP submittal and whenever the Plan is amended. The following steps should be taken to upload the Periodic Evaluation to the SGMA Portal:

- 1. Upload a PDF of the Periodic Evaluation with filename using the Basin Number_Periodic_ Evaluation_Year format (Ex. #-###_Periodic_Evaluation_WY_20XX)
- 2. Upload the Periodic Evaluation Elements Guide

3.5 Periodic Review by the Department

The Department's Periodic Review will occur at least every five years with the first Periodic Review being initiated five years after submittal of the initial GSP. The Periodic Review involves evaluating the Plan, Annual Reports, and Periodic Evaluations. The Periodic Review will result in the Department providing an assessment of the basin's GSP implementation progress and issuing a determination of approved, incomplete, or inadequate. Note that the approval of a previously submitted GSP does not guarantee continued approval by the Department during the implementation period.

REMINDER:

The Department will use Annual Reports and Periodic Evaluations submitted by the GSAs for their Periodic Review and assessment of progress made toward achieving sustainability in each basin.

Water Code § 10733.

- a) The department shall periodically review the groundwater sustainability plans developed by groundwater sustainability agencies pursuant to this part to evaluate whether a plan conforms with Sections 10727.2 and 10727.4 and is likely to achieve the sustainability goal for the basin covered by the groundwater sustainability plan.
- b) If a groundwater sustainability agency develops multiple groundwater sustainability plans for a basin, the department shall evaluate whether the plans conform with Sections 10727.2, 10727.4, and 10727.6 and are together likely to achieve the sustainability goal for the basin covered by the groundwater sustainability plans.
- c) The department shall evaluate whether a groundwater sustainability plan adversely affects the ability of an adjacent basin to implement their groundwater sustainability plan or impedes achievement of sustainability goals in an adjacent basin.

Water Code § 10733.8.

At least every five years after initial submission of a plan pursuant to Section 10733.4, the department shall review any available groundwater sustainability plan or alternative submitted in accordance with Section 10733.6, and the implementation of the corresponding groundwater sustainability program for consistency with this part, including achieving the sustainability goal. The department shall issue an assessment for each basin for which a plan or alternative has been submitted in accordance with this chapter, with an emphasis on assessing progress in achieving the sustainability goal within the basin. The assessment may include recommended corrective actions to address any deficiencies identified by the department.

GSP Regulations § 355.6. Periodic Review of Plan by Department

- a) The Department shall periodically review an approved Plan to ensure the Plan, as implemented, remains consistent with the Act and in substantial compliance with this Subchapter, and is being implemented in a manner that will likely achieve the sustainability goal for the basin.
- **b)** The Department shall evaluate approved Plans and issue an assessment at least every five years. The Department review shall be based on information provided in the annual reports and the periodic evaluation of the Plan prepared and submitted by the Agency.
- c) The Department shall consider the following in determining whether a Plan and its implementation remain consistent with the Act:
 - 1. Whether the exceedances of any minimum thresholds or failure to meet any interim milestones are likely to affect the ability of the Agency to achieve the sustainability goal for the basin
 - 2. Whether the Agency is implementing projects and management actions consistent with the Plan, or that the Agency has demonstrated that actions described in the Plan have been rendered unnecessary based on changing basin conditions or an improved understanding of basin conditions.
 - **3.** Whether the Agency is addressing data gaps and reducing the levels of uncertainty identified in the Plan.
 - **4.** Whether the Plan continues to satisfy the criteria described in Section 355.4.[Criteria for Plan Evaluation]
- **d)** The Department shall issue a written assessment of the review of the Plan, which shall be posted on the Department's website. The assessment shall include a determination of the status of the Plan, as follows:
 - 1. Approved. The Department shall approve the implementation of a Plan that remains in conformance with the requirements of the Act and is in substantial compliance with this Subchapter, based on the criteria described in this Section.
 - 2. Incomplete. The Department has determined that the Plan as implemented has one or more deficiencies that preclude approval, but which may be capable of being corrected by the Agency in a timely manner. An incomplete Plan may be completed and resubmitted to the Department for evaluation as follows:
 - A) The Department shall identify deficiencies in the Plan as implemented, and may recommend corrective actions to address those deficiencies.
 - B) The Department may consult with the Agency to determine the amount of time needed by the Agency to propose projects or management actions to address any deficiencies, not to exceed 180 days from the date the Department issues its assessment.
 - **3.** Inadequate. The Department shall disapprove the implementation of a Plan if the Department, after consultation with the board, determines that a Plan is inadequate in accordance with Section 355.2.
- e) The Department may request from the Agency any information the Department deems necessary to evaluate the progress toward achieving the sustainability goal and the potential for adverse effects on adjacent basins.
- f) The Department may evaluate the implementation of a Plan at any time to determine whether the Plan is consistent with the objectives of the Act and in substantial compliance with this Subchapter.

SECTION 4: PLAN AMENDMENT GUIDANCE

Plan Amendments allow for GSAs to formalize changes to a GSP, ensure a GSP is up to date with the basin's latest groundwater sustainability program, and continue to engage interested parties on the implementation of the GSP. This guidance considers factors that support amending a Plan, provides a roadmap for developing a Plan Amendment that complies with SGMA and GSP Regulations, and outlines Amendment submittal instructions and the Department's role in Amendment review.

4.1 Requirements of a Plan Amendment

While SGMA and the GSP Regulations do not mandate when or how a GSP is amended, it is likely that many GSPs will eventually be amended. Should a GSA elect to amend its GSP, it is important to be aware of the requirements for Plan Amendments.

Water Code § 10728.4.

A groundwater sustainability agency may adopt or amend a groundwater sustainability plan after a public hearing, held at least 90 days after providing notice to a city or county within the area of the proposed Plan or Amendment. The groundwater sustainability agency shall review and consider comments from any city or county that receives notice pursuant to this section and shall consult with a city or county that requests consultation within 30 days of receipt of the notice. Nothing in this section is intended to preclude an agency and a city or county from otherwise consulting or commenting regarding the adoption or Amendment of a Plan.

GSP Regulations § 353.10. Withdrawal or Amendment of Plan.

An Agency may withdraw a Plan at any time by providing written notice to the Department, and may amend a Plan at any time pursuant to the requirements of Section 355.10.

GSP Regulations § 356.4. Periodic Evaluation by Agency.

Each Agency shall evaluate its Plan at least every five years and whenever the Plan is amended, and provide a written assessment to the Department. (see Section 3.1 of this guidance document for the remainder of 356.4)

When considering the development of a Plan Amendment, all requirements of the GSP Regulations (Article 5 - Plan Contents) apply. In addition, the following actions apply to a Plan Amendment:

- Outreach and engagement, including notification to the list of interested persons.
- Proper public notice (90 days) and address comments and requests for consultation.
- Adoption by a governing board (proof of adoption needs to be submitted).

For further guidance on general GSP information, GSAs may refer to the GSP Regulations and previously developed guidance by the Department, such as the Preparation Checklist for GSP Submittal which is also listed in Attachment 2 – Available Resources.

REMINDER:

Plan Amendments are not required per the GSP Regulations or SGMA and are at the discretion of the GSAs and their governing boards.

However, when a GSP Amendment is planned and prepared, regulatory requirements must be followed, as described in this section. The regulatory requirements include submitting a Periodic Evaluation with the amended Plan.

4.2 Plan Amendment Considerations

Plan Amendments are completed at the discretion of the GSAs. SGMA and the GSP Regulations do not establish when an amendment is required, nor do they describe what components of the Plan should be amended. In general, however, the more significant or material a change to a GSP or its implementation, the more likely a Plan Amendment is warranted. Furthermore, a GSA may determine to amend a Plan to incorporate changes or additions that are desirable or necessary to comply with public disclosure and stakeholder engagement requirements or policies. A GSA may also amend a Plan to ensure the Plan describes adequate funding, enforcement, or implementation of GSA activities including projects and management actions that may allow the GSA to potentially qualify for grants, loans, permit streamlining, or other benefits available for adopted GSPs. If requested, Department staff may assist GSAs in considering factors regarding Plan Amendments. Regardless of whether a GSA ultimately decides to formally amend its Plan, the GSA should ensure that it has in some form documented any changes to a Plan or its implementation and alerted the Department to those changes. Below, the Department provides general considerations of components of the Plan that, if significant or material changes were made, may warrant a Plan Amendment; however, the Department recommends a GSA thoroughly evaluate and discuss the potential need for an amendment with their legal counsel and stakeholders. Elements of the GSP that may warrant a Plan Amendment if significant or material changes were made:

- Changes made to the overall management of the basin, including sustainable management criteria, sustainability goal, addition or removal of management areas, or wholesale modifications to the representative monitoring sites network.
- Revisions made to projects and management actions, including addition or removal of projects or management actions that could affect the projected water budget, sustainable yield, or achievement of measurable objectives, or impact the ability to mitigate overdraft.
- Modifications made to the administrative management of the basin, including addition or removal of GSAs, or the addition or removal of a GSP from a basin, etc.

In summary, to determine whether a Plan Amendment is warranted or justified, the Department suggests GSAs conduct a thorough review of any proposed modifications to GSPs or their implementation, including the details of the specific changes, how those changes affect the broader Plan, to what extent the changes may require public disclosure, notice, and engagement, and other factors relevant to the desirability or need to have specific changes explicitly identified and made part of the GSP itself.

REMINDER:

Plan Amendments are only to be submitted for approved GSPs. An amendment cannot be submitted to the Department for inadequate GSPs or while a basin is subject to State Intervention.³²

4.3 Plan Amendment Submittal Requirements

GSAs must submit Plan Amendments via the SGMA Portal. When preparing for a submittal, GSAs should confirm the following:

- The person submitting the Amendment has permission to upload the files via the SGMA Portal. • To verify, log into the SGMA Portal, and if you have questions, contact <u>gspsubmittal@water.ca.gov.</u>
- Validation of GSP re-adoption is ready to upload.
- The Periodic Evaluation, which is required to accompany the Plan Amendment, has been completed.
- The basin's monitoring network has been updated to reconcile the information in the SGMA Portal with that of the amended GSP.

REMINDER:

A Periodic Evaluation must be submitted at least every 5 years, with or without a Plan Amendment. A Plan Amendment, when submitted, always needs to be accompanied by a Periodic Evaluation.

4.4 Review by Department

The GSP Regulations establish criteria for the Department when reviewing amended GSPs. In particular, the Department will focus its review on the portions of the amended GSP that have been revised (and as described in the accompanying Periodic Evaluation written assessment), rather than invariably reviewing the Plan in its entirety. To expediate the review process, the Department requests that GSAs submit both a clean version and a redline strikethrough version of the amended GSP. For the redline strikethrough version, the GSAs may submit only the portions of the GSP that were revised rather than the GSP in its entirety.

The review of a Plan Amendment will focus on the components of the Plan that were amended and assess whether those amended components are substantially compliant with the relevant sections of the GSP Regulations. In comparison, the Periodic Review conducted by the Department at least every five years provides a determination on whether the Plan and Plan implementation are still on a path to achieve the sustainability goal for the basin. While the Department is reviewing the Plan Amendment, GSAs should continue implementing their GSPs, submitting Annual Reports, and conducting outreach and engagement activities. The Department will review the amended portions of the Plan within two years of submittal and respond to the Plan Manager in writing indicating whether the proposed Plan Amendment is approved or if additional information is needed.

³² Water Code § 10735

GSP Regulations § 355.10. Plan Amendments

- a) Any amendment to a Plan shall be evaluated by the Department for consistency with the requirements of the Act and of this Subchapter.
- **b)** An Agency may amend a Plan at any time, and submit the amended Plan to the Department for evaluation pursuant to the requirements of this Subchapter.
- c) The Department shall evaluate the amended portions of the Plan and any new information that is relevant to the amendments 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 changed conditions to other areas or to other aspects of the Plan.
- d) An amendment to a Plan shall be evaluated by the Department as follows:
 - An amended Plan that has been submitted, but not yet approved by the Department, shall be evaluated during the initial evaluation period, in accordance with Sections 355.2 and 355.4.
 - 2. An amended Plan that has been approved by the Department, but determined to be incomplete or inadequate as a result of a periodic assessment pursuant to Section 355.6, shall be evaluated in accordance with Sections 355.2 and 355.4.
 - **3.** An amendment to a Plan that has been approved by the Department shall be evaluated in accordance with Section 355.6, except that if the Department does not approve the amendment, the Agency may revise and resubmit another amendment at any time, provided that the status of the Plan remains unchanged.



ATTACHMENT 1: FREQUENTLY ASKED QUESTIONS FOR ANNUAL REPORTS, PERIODIC EVALUATIONS, AND PLAN AMENDMENTS

This attachment 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 <u>SECTION 2</u> 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 tool. Refer to <u>SECTION 3</u> 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 <u>SECTION 4</u> 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 <u>SECTION 3</u> and <u>SECTION 4</u>, 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 unless additional assessment of an Inadequate GSP is requested by the State Water Resources Control Board unless additional assessment of an Inadequate GSP is requested by the State Water Resources Control Board unless additional assessment of an Inadequate GSP is requested by the State Water Resources Control Board unless additional assessment of an Inadequate GSP is requested by the State Water Resources Control Board unless additional assessment of an Inadequate GSP is requested by the State Water Resources Control Board unless additional assessment of an Inadequate GSP is requested by the State Water Resources Control Board unless additional assessment of an Inadequate GSP is requested by the State Water Resources Control Board unless additional assessment of an Inadequate GSP is requested by the State Water Resources Control Board unless additional assessment of an Inadequate GSP is requested by the State Water Resources Control Board unless 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 <u>SECTION 2</u> and <u>SECTION 3</u> 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 noncritically 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 <u>SECTION 3</u> and <u>SECTION 4</u>, 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 <u>SECTION 3.5</u> 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 <u>SECTION 3.4</u> 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 <u>SECTION 4.3</u> 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 <u>SECTION 3</u> and <u>SECTION 4</u> 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 <u>SECTION</u> 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 <u>SECTION 4.2</u> 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.

ATTACHMENT 2: AVAILABLE RESOURCES

1. News, Updates, and Upcoming Events

• <u>water.ca.gov/</u>

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
 - <u>Modeling</u>
 - Sustainable Management Criteria

4. Guidance Documents for Sustainable Groundwater Management

- Drinking Water Well Impact Guidance
- <u>Stakeholder Communication and Engagement</u>
- Engagement with Tribal Governments
- GSP Annotated Outline
- <u>Resource Guide for Climate Change Data and Guidance</u>

5. Data and Tools

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

6. Assistance and Engagement

- <u>Communication and Engagement</u>
- Technical Support Services (TSS)
- Facilitation Support Services (FSS)
- Written Translation Services (WTS)
- <u>Sustainable Groundwater Management Grant Program</u>