



Groundwater Resources Association *of* California

The Sustainable Groundwater Management Act, Part 2
Forming Groundwater Sustainability Agencies

Thank you for signing in early.

The GRACast will begin at 12:00 pm, Pacific Daylight Time.

We may be muted. Moderator will do sound checks at 3 minutes and 1 minute before 12pm.



Moderator
Carl Hauge



1st Speaker
Kevin O'Brien
Downey Brand



2nd Speaker
Gina Bartlett
Consensus Building
Institute



3rd Speaker
Trevor Joseph
Department of Water
Resources



4th Speaker
Erik Ekdahl
Water Resources
Control Board

PDF slides available online... www.grac.org/gm2.pdf



Groundwater Resources Association of California

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MWH®

Solving complex
environmental
challenges in **water** and
natural resources

Yung-Hsin.Sun@mwhglobal.com
Thomas.McCarthy@mwhglobal.com

Cooperating Organizations





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Join GRA Today

- Become a part of the largest and most engaged state groundwater organization in the US
- Get involved with a large community of groundwater industry leaders
- Support GRA's Mission to Protect and Improve Groundwater

More information at www.grac.org/membership.asp



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AGENDA

- i. **GRACast Introduction and Overview (10 min)**
Carl Hauge, former Chief Hydrogeologist, Department of Water Resources
- ii. **Kevin O'Brien (15 min)**
Attorney & Partner, Downey Brand LLP
- iii. **Gina Bartlett (15 min)**
Senior Mediator, Consensus Building Institute
- iv. **Questions and Answers (15 min)**
- v. **Trevor Joseph (10 min)**
Supervising Engineering Geologist, Department of Water Resources
- vi. **Erik Ekdahl (10 min)**
Senior Engineering Geologist, State Water Resources Control Board
- vii. **Questions and Answers (15 min)**

PDF slides available online... www.grac.org/gm2.pdf



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Submit text questions via the Q&A panel at any time.
Ask: All Panelists

Q&A

All (0)

Type and send questions at any time using the Q&A panel.

Ask: All Panelists

Ask: All Panelists

Select a participant in the ask menu first and type your question here. There is a 256 character limit.

Send



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“Raise your hand” to ask verbal questions during the Q&A sessions.
Please lower your hand after you have been called on to speak.

▼ Participants (2) ×

Speaking:

▼ Panelists: 1

Rebecca Deane-Alviso (Host)

▼ Attendees: 1 (1 displayed)

Click the hand icon to ask verbal questions during the Q&A sessions.

Hand icon



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Chat disabled for submitting questions (use Q&A panel instead).
Leave chat panel open to see questions submitted by other attendees.

The screenshot shows a chat window titled "Chat" with a close button (X) in the top right corner. The window contains two prominent messages: a yellow one that says "Leave chat panel open to see questions submitted by other attendees." and a red one that says "Chat function disabled for submitting questions. Use Q&A panel instead." Below these messages is a "Send to:" dropdown menu currently set to "All Panelists". A text input field is present, but it is overlaid with a large, red, italicized "Disabled" stamp. To the right of the input field is a "Send" button.



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Upcoming GRACasts on SGM Act:

- **Part 3- February 25:** Groundwater Sustainability Agency Examples
- **Part 4- March 18:** GSA Basin Boundary Issues and Rational for Change
- **Part 5- April 15:** GSA Legal Agreements
- **Part 6- May 13:** GSA Stakeholder Involvement
- **Part 7- June 17:** GSA Formation Progress

Other Upcoming GRACasts:

- **February 11, 2015- Hydraulic Fracturing, Part 2**

More information on upcoming events at www.grac.org



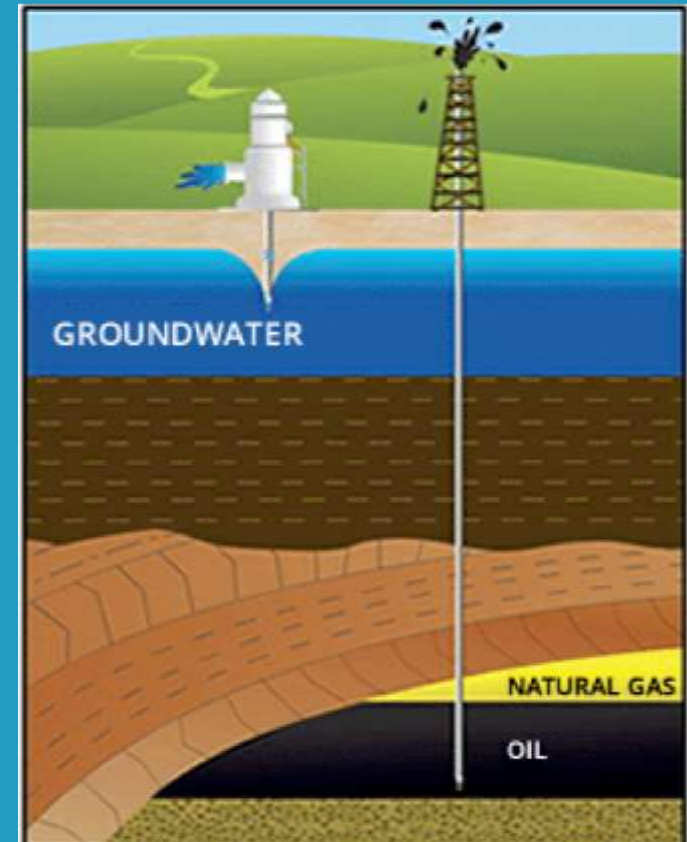
Groundwater Resources Association of California

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The Groundwater Resources Association of California and
Los Angeles Basin Geological Society

**Oil, Gas, and Groundwater in California:
Wise Production and Protection of
Our Valuable Natural Resources**

February 18-19, 2015 – Long Beach, CA





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Dr. John Cherry:

**GRA is, in my view, by far the best
groundwater professional
organization in North America.”**

November 12, 2014

More information on membership at www.grac.org/membership.asp



Groundwater Resources Association *of* California

The Sustainable Groundwater Management Act, Part 2
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Kevin O'Brien

Attorney & Partner at Downey Brand LLP

California's 2014 Groundwater Legislation

Kevin O'Brien

*Groundwater Resources Association
Webinar*

January 21, 2015

Overview of Presentation

- Fundamental Principles underlying the Legislation
- Key Provisions of the Legislation
- Opportunities and Challenges
- Frequently Asked Questions

Timeline

June 1, 2016

DWR adopts regulations for evaluating Groundwater Sustainability Plans

January 1, 2017

DWR publishes best management practices for the sustainable management of groundwater

July 1, 2017

State may designate basin as probationary basin

January 31, 2022

Groundwater Sustainability Plans are adopted and implementation under way for basins not in overdraft

January 31, 2015

DWR prioritizes basins

December 31, 2016

DWR publishes report on water available for replenishment of groundwater in the state

June 30, 2017

Groundwater Sustainability Agencies are formed

January 31, 2020

Groundwater Sustainability Plans are adopted and implementation under way for basins in critical overdraft

Timeline

Plans are submitted to DWR for adequacy review upon adoption

Interim milestones are reviewed by DWR every five years

January 31, 2042

Groundwater Sustainability Agencies in basins are not in overdraft achieve sustainability goal

Plans are submitted to DWR for adequacy review upon adoption

Interim milestones are reviewed by DWR every five years

January 31, 2040

Groundwater Sustainability Agencies in critically overdrafted basins achieve sustainability goal

Fundamental Principles

Local Primacy

Local agencies and counties have primacy with respect to the development and implementation of groundwater sustainability plans. However, if local agencies or counties fail to act or take inadequate action, the State of California may intervene.

Fundamental Principles

Sustainability

Groundwater basins must be managed for long-term reliability and multiple economic, social and environmental benefits for current and future beneficial uses.

Fundamental Principles

Sustainable yield

"[T]he maximum quantity of water, calculated over a base period representative of long-term conditions in the basin and including any temporary surplus, that can be withdrawn annually from a groundwater supply without causing an undesirable result." (§ 10721(v))

Fundamental Principles

Undesirable Result

One or more of the following (must be significant and unreasonable): (1) chronic lowering of groundwater levels; (2) reduction of groundwater storage; (3) seawater intrusion; (4) degraded water quality; (5) land subsidence that substantially interferes with surface land uses; and (6) surface water depletions that have significant and unreasonable adverse impacts on beneficial uses of the surface water.

(§ 10721(w))

Fundamental Principles

No Alteration of Water Rights

"Nothing in this part, or in any groundwater management plan adopted pursuant to this part, determines or alters surface water rights or groundwater rights under common law or any provision of law that determines or grants surface water rights." (§ 10720.5(b)) (However, rights will be subject to more regulation.)

Key Requirements

"By January 31, 2020, all basins designated high-or medium-priority basins by the department. . . as basins that are subject to critical conditions of overdraft shall be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans pursuant to this part." (§ 10720.7(a)(1))

Key Requirements (cont.)

"By January 31, 2022, all basins designated high-or medium-priority basins by the department that are not subject to paragraph 1 [*i.e.*, are not subject to critical conditions of overdraft] shall be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans pursuant to this part." (§ 10720.7(a)(2))

Basin Designation

- "Basin" means a basin or subbasin identified and defined in DWR Bulletin 118 (§ 10721(b))
- A local agency may request that DWR revise the boundaries of a basin, including the establishment of new subbasins. (§ 10722.2 (a))

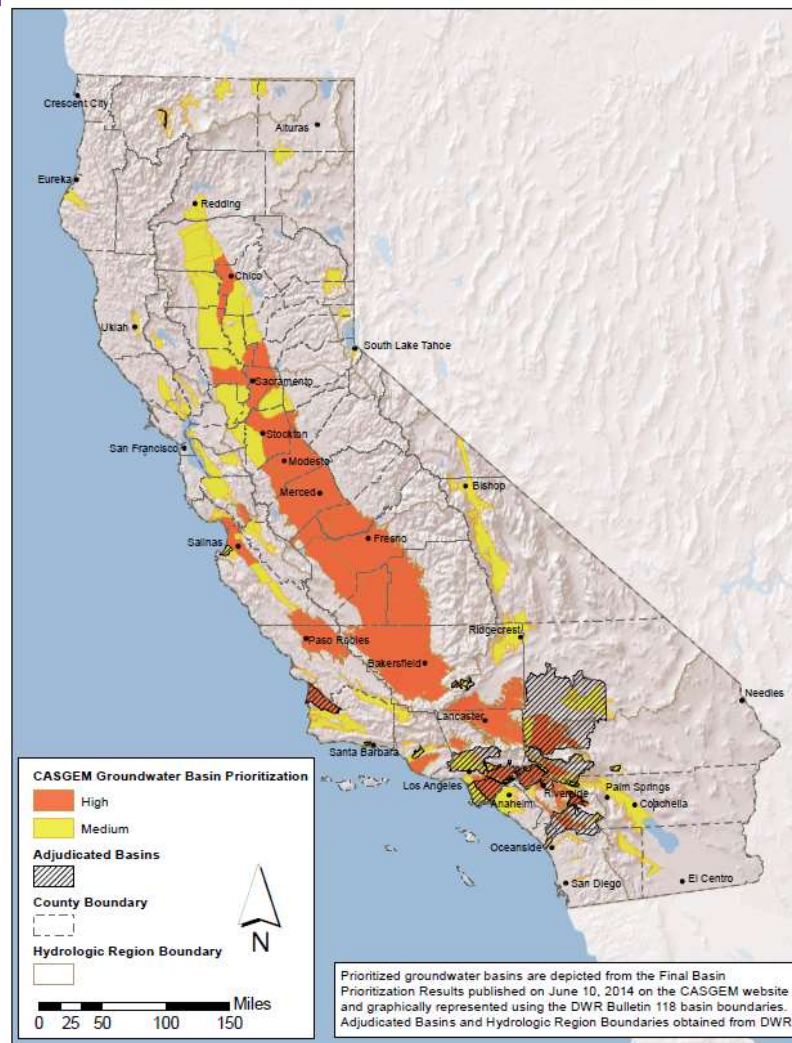
Basin Prioritization

- DWR shall categorize each basin as one of the following: high, medium, low or very low priority. (§ 10722.4(a)). The initial priority for each basin shall be established no later than January 31, 2015. (§ 10722.4(b))
- Plan requirements apply to medium and high priority basins only. With limited exceptions, Act does not apply to specified adjudicated basins. (§ 10720.8)

Basin Plan Requirements

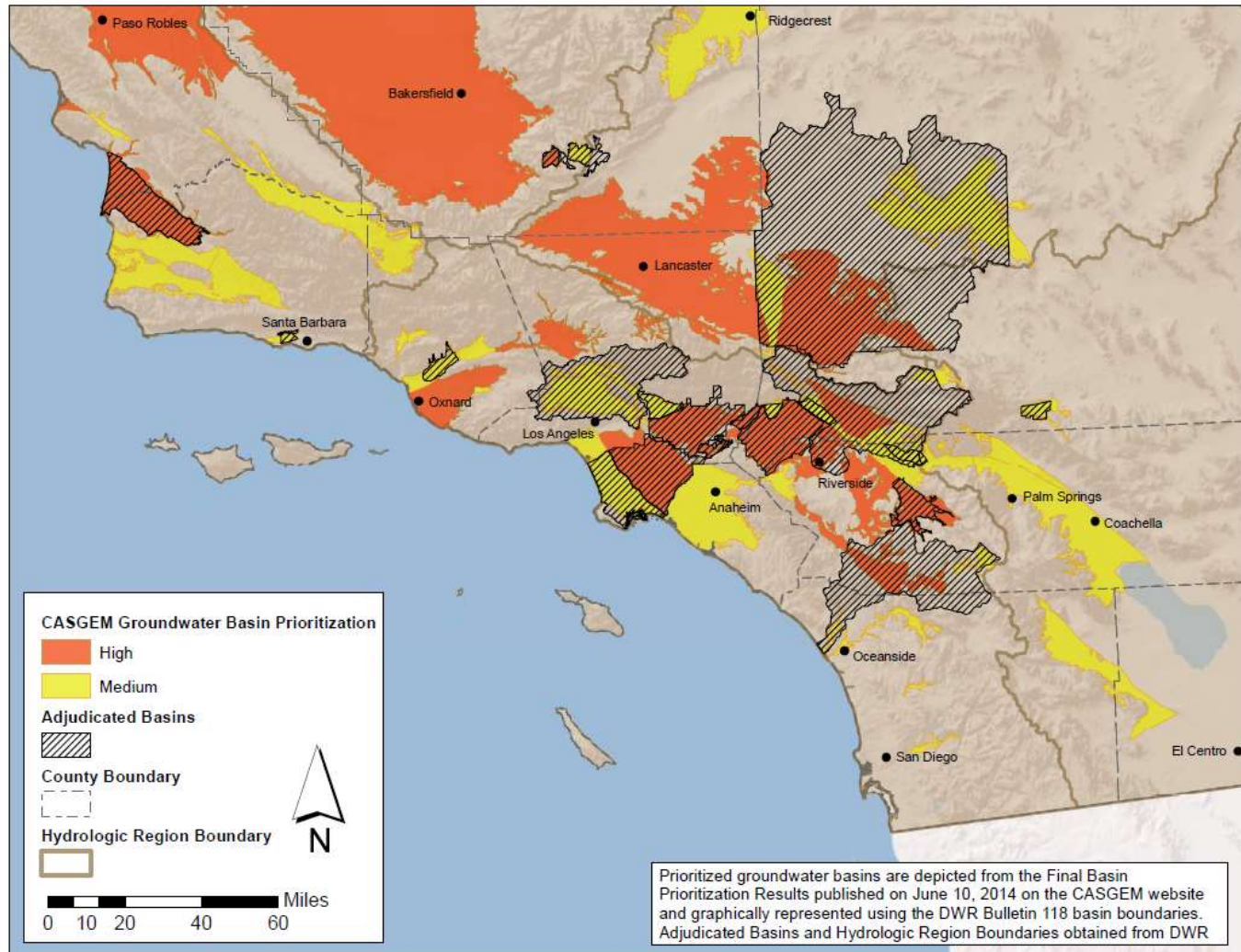
- Plan requirements apply to medium and high priority basins only. With limited exceptions, Act does not apply to specified adjudicated basins. (§ 10720.8)

California Basins



ACWA, 2014

California Basins



ACWA, 2014

GSA's

- With some exceptions, any local agency or combination of local agencies overlying a groundwater basin may elect to be a groundwater sustainability agency (GSA) for that basin. (§ 10723(a))
- A local agency or combination of agencies that elects to be the GSA shall submit a notice of intent to DWR. The notice shall include a description of the proposed boundaries of the basin that the local agency intends to manage. (§ 10723(d))

GSA's

- Before electing to be a GSA, the local agency shall hold a public hearing in the county or counties overlying the basin.
- If there is an area within a basin that is not within the management area of a GSA, "the county within which that unmanaged area lies will be presumed to be the [GSA] for the area." (§ 10724(a))

Authority of GSAs

- GSA may require that every groundwater extraction facility be measured by a device satisfactory to the GSA (§10725.9(a))
- GSA may impose spacing requirements on new groundwater well construction and impose "reasonable operating regulations on existing groundwater wells to minimize well interference, including requiring extractors to operate on a rotation basis." (§10726.4(a)(1))

Authority of GSAs

GSA may "control groundwater extractions by regulating, limiting or suspending extractions from individual groundwater wells or extractions from groundwater wells in the aggregate, construction of new groundwater wells, enlargement of existing groundwater wells, or reactivation of abandoned groundwater wells, or otherwise establishing groundwater extraction allocations."
(§10726.4(a)(2))

Groundwater Sustainability Plans

- GSP "shall be developed and implemented for each medium- or high-priority basin by a groundwater sustainability agency to meet the sustainability goal established pursuant to this part." (§10727(a))
- GSP may be a single plan developed by one GSA, a single plan developed by multiple GSAs, or multiple plans implemented by multiple GSAs pursuant to a coordination agreement. (§10727(b))

Groundwater Sustainability Plans

- Where multiple GSPs developed for same basin, GSAs "shall coordinate with other agencies preparing a groundwater sustainability plan within the basin to ensure that the plans utilize the same data and methodologies [for specified parameters]." (§10727.6)
- GSPs must include, among other things, "[m]easurable objectives, as well as interim milestones in increments of five years, to achieve the sustainability goal in the basin within 20 years of the implementation of the plan." (§10727.2(b)(1))

State Intervention

SWRCB, after notice and a public hearing, may designate a basin as a "probationary basin" in various situations as specified in Section 10735.2(a). The SWRCB "shall exclude from probationary status any portion of a basin for which a groundwater sustainability agency demonstrates compliance with the sustainability goal."
(§10735.2(e))

State Intervention

- GSA not formed by June 30, 2017
- Plan not adopted by the required time
- DWR (together with the SWRCB) determines plan for basin in critical overdraft is inadequate or not being implemented to achieve sustainability
- For basins with an inadequate plan or implementation, SWRCB determines that a basin is in a condition of long-term overdraft or where groundwater extractions results in significant depletions of interconnected surface waters
- (§10735.2(a)(1-5))

State Intervention

- DWR to adopt regulations by June 1, 2016 to evaluate and monitor the development and implementation of plans.
- DWR will also publish best management practices for groundwater sustainability by January 1, 2017

State Intervention

SWRCB, after notice and hearing, may adopt an interim plan for a probationary basin. The interim plan shall include specified elements including "[i]dentification of the actions that are necessary to correct a condition of long-term overdraft or a condition where groundwater extractions result in significant depletions of interconnected surface waters, . ." (§10735.8(b)).

It may include "[r]estrictions on groundwater extractions." (§10735.8(c)(a))

Opportunities

- Act provides local agencies with more tools/authority to effectively manage groundwater
- If Proposition 1 (water bond) is approved, approximately \$100 million will be available for sustainability plan development

Challenges

- In some cases, counties and local agencies lack technical expertise in groundwater and groundwater management
- Potential conflict/competition among local agencies for GSA role; no dispute resolution mechanism
- Cost of development and implementation

Challenges

- Potential state involvement in basins where groundwater extractions result in significant depletions of interconnected surface waters (regardless of whether critical conditions of overdraft exists)
- Act may trigger groundwater adjudications in some areas ("let the courts decide")

Frequently Asked Questions

- If multiple local agencies are in competition to be the GSA for one basin or portion of a basin, how will the conflict be resolved?
- Under what circumstances may the SWRCB regulate pumping from a basin where pumping is causing significant depletions of interconnected surface waters?

Frequently Asked Questions

- Is the adoption or implementation of a Groundwater Sustainability Plan subject to the requirements of the California Environmental Quality Act?
- Is state funding available for the development and implementation of GSPs?



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Gina Bartlett

Senior Mediator,
Consensus Building Institute

+ Better negotiations.
Better decision making.
Better results.



Consensus Building Institute

Engaging Interested Parties: Sustainable Groundwater Management Act

Groundwater Resources Association of California

Webinar: 21 January 2015

Gina Bartlett, Senior Mediator, San Francisco



+

SGMA & GSA

Sustainable Groundwater Management Act

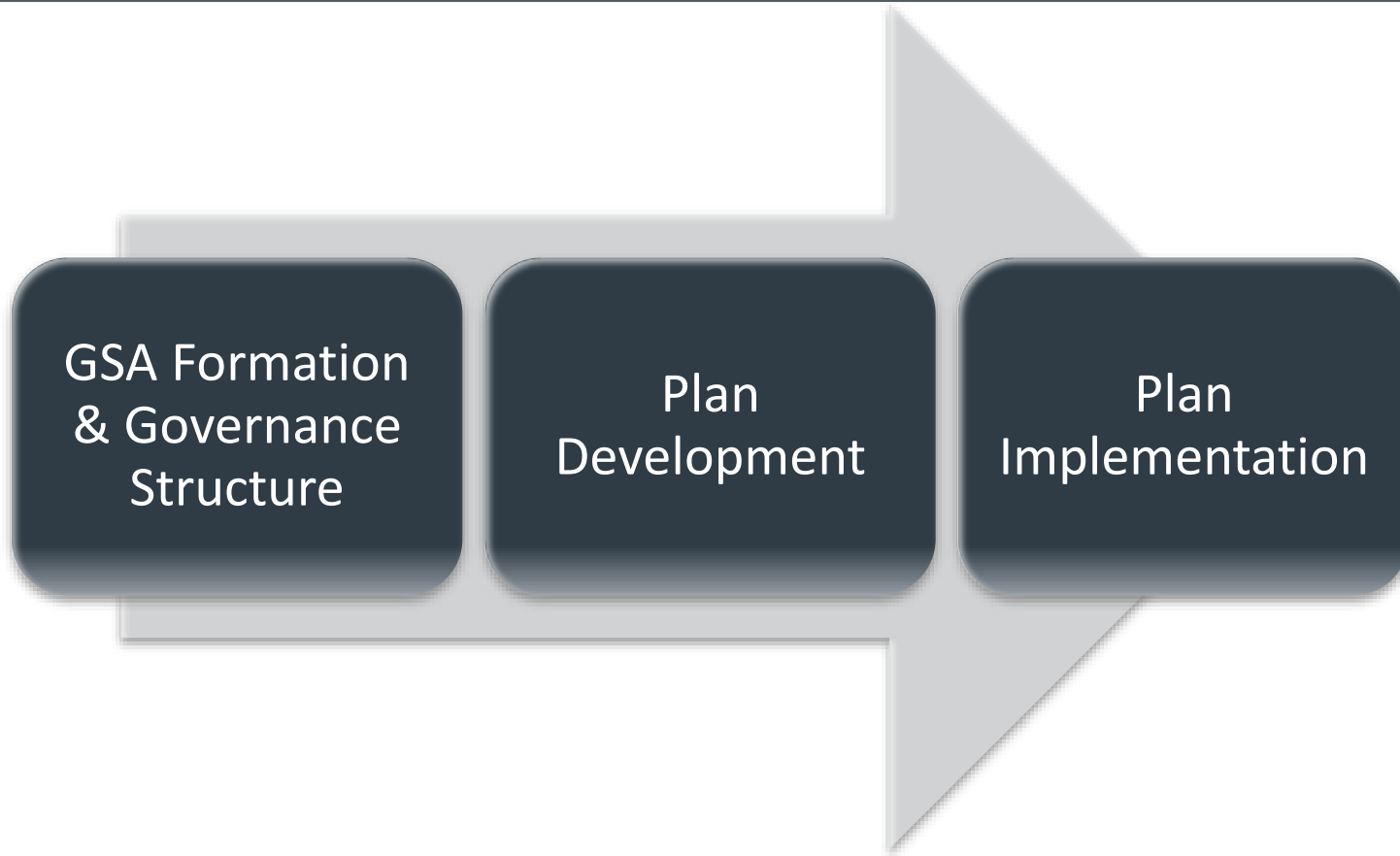
Groundwater Sustainability Agency



Terms

- Interested Party: Stake in groundwater management and use. Could be an agency, organization or individual

+ Key Points in Time for Engaging Interested Parties



Goal: Build Consensus and Proactively Manage Potential Conflict



+

NEGOTIATION #1

Groundwater Sustainability Agency

Formation REQUIRED



Eligible Public Agencies

- Decide if and how to participate
- Educate boards (and interested parties) on Act
- Identify basin boundary that agency will operate in
- Formally consider Tribal Government (if present)
- **Identify interested parties & inform them about public participation opportunities**
- Explore options for shared governance where multiple agencies eligible
- Form legal entity and submit intent to DWR
- **Hold Public Hearing**
- 90 Days later, become GSA and continue public participation



Recommended Tool for Negotiating a Groundwater Sustainability Agency



Assessment

- Identify Interests, Concerns, Opportunities & Common Ground
- Anticipate & Manage Conflict
- Confirm Level of Interest in Participating
- No Assumptions!
- Eligible Agencies (first) and then Interested Parties



Decision-Making Considerations

- Based on local agencies and stakeholders' interests, **craft selection criteria** for Groundwater Sustainability Agency
 - ❖ Eligibility
 - ❖ Technical capacity
 - ❖ Necessary resources (staff, funding, etc.) for management
 - ❖ Basin boundary
 - ❖ Credibility and acceptability with interested parties
 - ❖ Willingness
 - ❖ ETC.
- Develop framework for **decision making** on GSA formation
 - ❖ Who decides?
 - ❖ How? Consensus?
 - ❖ How do we engage other interested parties in decision making on GSA?
- **Negotiate GSA structure** (one agency, Joint Powers Authority, Memorandum of Agreement) and vet with local boards and stakeholders



Challenge

What happens if entities don't agree?

Agencies Must Establish GSA

- Form GSA by **June 30, 2017**, in all high and medium priority basins
- Alternative to Agreeing Locally: State Water Resources Control Board



SGMA on Interested Parties

10723.2. The groundwater sustainability agency shall **consider the interests of all beneficial uses and users of groundwater**, as well as those responsible for implementing groundwater sustainability plans.

10723.4 ...agency shall establish and **maintain a list of persons** interested in receiving notices regarding plan preparation, meeting announcements, availability of draft plans, maps and other relevant documents. Any person may request...to be placed on the list...

+ Engaging Interested Parties Requirements

- ❑ Establish & maintain list of interested parties
- ❑ Inform interested parties: about the Act & GSA Formation
- ❑ Consider ALL interests



“Sometimes I think the collaborative process would work better without you.”



Required Interested Parties



Recommend: Identify and Factor in Interested Parties' Perspectives

- All Groundwater Users
- Holders of Overlying Rights (agriculture and **domestic**)
- Municipal Well Operators and Public Water Systems
- Tribes
- County
- **Planning Departments / Land Use**
- Local Landowners
- **Disadvantaged communities**
- Business
- Federal Government
- Environmental Uses
- Surface Water Users (if connection between surface and ground water)



Santa Rosa Plain Groundwater Management Planning Communication and Outreach Plan

Purpose and Outcomes

The purpose of the Basin Advisory Panel (Panel) is to develop a Groundwater Management Plan for the Santa Rosa Plain that has widespread support of the public, elected officials, panel members, and other interested parties.

The desired outcomes for this communication and outreach plan are to establish shared meaning on communication and outreach activities for the Panel. The goals of Panel communication and outreach are to solicit feedback and comments on work products at each project milestone stage, ultimately resulting in a consensus-based plan with widespread support.

Tool:

Public Participation Plan

Outline all Activities

Develop in Consultation with Interested Parties

Tie to Milestones & Requirements

Leads to Transparency, Routine Communication & Information Sharing

Track / Document Engagement

Communication Overview

	Milestone 1 Basin Management Objectives	Milestone 2 & 3 Monitoring & Management Components/ Implementation	Milestone 4 Review Draft Groundwater Management Plan
Tools	Summer 2012	July 2013	Spring 2014
AB 3030 Mandated Public Meeting for Board Resolution	X		
Basin Advisory Committee Meetings (open to public)	X	X	X
Monthly Meeting Update sent to Email List	X	X	X
Constituent Briefing	X	X	X
Local Elected Official Briefings	X	X	X
Interested Party Briefings	X	X	X
Briefing Packets	X	X	X
Newspaper Articles	X	X	X
Press Release	X	X	X
Website	X	X	X



Tools for Information Sharing with Interested Parties



- ✓ Email / Mailing List (required)
- ✓ Meetings & hearings
- ✓ Briefings
- ✓ Web sites, social media
- ✓ Innovative web-based tools to inform, solicit input, brainstorm, and problem solve





SGMA Requirements



Written Statement – how to engage

Public Hearings for GSA Formation & Developing
Groundwater Sustainability Plan



GSA Governance Structure

As part of GSA Authority, Consider Intent with Interested Parties



10727.8 Public Notification and Participation; Advisory Committee

- "The groundwater sustainability agency may appoint and consult with an advisory committee consisting of interested parties for the purposes of developing and implementing a groundwater sustainability plan. The groundwater sustainability agency shall encourage the active involvement of diverse social, cultural, and economic elements of the population within the groundwater basin prior to and during the development and implementation of the groundwater sustainability plan."



Intent – Engagement Continuum

	EXPLORE/INFORM	CONSULT	ADVISE	DECIDE	IMPLEMENT
Outcomes ²	<ul style="list-style-type: none"> • Improved understanding of issues, process, etc. • Lists of concerns • Information needs identified • Explore differing perspectives • Build relationships 	<ul style="list-style-type: none"> • Comments on draft policies • Suggestions for approaches • Priority concerns/issues • Discussion of options • Call for action 	<ul style="list-style-type: none"> • Consensus or majority recommendations, on options, proposals or actions, often directed to public entities 	<ul style="list-style-type: none"> • Consensus-based agreements among agencies and constituent groups on policies, lawsuits or rules 	<ul style="list-style-type: none"> • Multi-party agreements to implement collaborative action and strategic plans
Sample Processes	<ul style="list-style-type: none"> • Focus Groups • Conferences • Open houses • Dialogues • Roundtable Discussions • Forums • Summits 	<ul style="list-style-type: none"> • Public meetings • Workshops • Charettes • Town Hall Meetings (w & w/o deliberative polls) • Community Visioning • Scoping meetings • Public Hearings • Dialogues 	<ul style="list-style-type: none"> • Advisory Committees • Task Forces • Citizen Advisory Boards • Work Groups • Policy Dialogues • Visioning Processes 	<ul style="list-style-type: none"> • Regulatory Negotiation • Negotiated settlement of lawsuits, permits, cleanup plans, etc. • Consensus meetings • Mediated negotiations 	<ul style="list-style-type: none"> • Collaborative Planning processes • Partnerships for Action • Strategic Planning Committees • Implementation Committees

Sustainable Groundwater Management Act

Continuum of Interested Parties Engagement

Increasing Level of Interested Parties Impact

	INFORM (Act Requires 10723.2 & 10723.4)	ADVISE (Act Allows 10727.8)	ADVISE or DECIDE	DECIDE (Act Allows)
Option	Public Information & Input Stakeholders informed and provide input. No commitment to incorporate feedback	Advisory Committee Representative stakeholders make recommendations on groundwater planning • GW Sustainability Agency participates in Advisory Group deliberation • GSA retains authority	Local Commission Appointed by elected body to advise or make decisions on water resources	Negotiated Decision Making Representative Stakeholders (GW Sustainability Agency & interested parties) agree on process and directly negotiate issues, policies, or plans • GSA retains authority
Tools	Public Meetings • Dialogues Open Houses Email Blasts • Web Site Email List / Mailings Assessment	Meetings Consensus Recommendations Charter / Clear Decision Making Representation tied to Interests Public Information Component	Public Meetings County Stipulates Process Rules	Iterative Consensus Meetings Mediated Negotiations Charter / Clear Decision Making Representation tied to Interests Public Information Component
Examples		Sonoma Valley and Santa Rosa Plain Groundwater Management Plans IRWMP Advisory Groups	Butte County Water Commission Glen County Water Advisory Commission	Sacramento Water Forum led to formation of Sacramento Groundwater Authority

**Technical Foundation - Data - Physical & Political Conditions
Inform the Groundwater Plan**

* Developed by Gina Bartlett, Consensus Building Institute, gina@cbuilding.org



Tools for Engaging Interested Parties Effectively



Convening Documents - Charters

- Be clear and explicit about that intent (inform, advise, decide)
- How will input be used
- Roles and responsibilities
- Clarify decision making
- State the “rules of the game”



CHARTER

Purpose and Goals: The purpose of the Basin Advisory Panel is to develop a Groundwater Management Plan for the Santa Rosa Plain. The Panel will recommend the plan for implementing organizations to adopt.

Panel Decision-Making

Consensus as the Fundamental Principle: The Panel shall strive for consensus (agreement among all participants) in all of its decision-making. Working toward consensus is a fundamental principle.

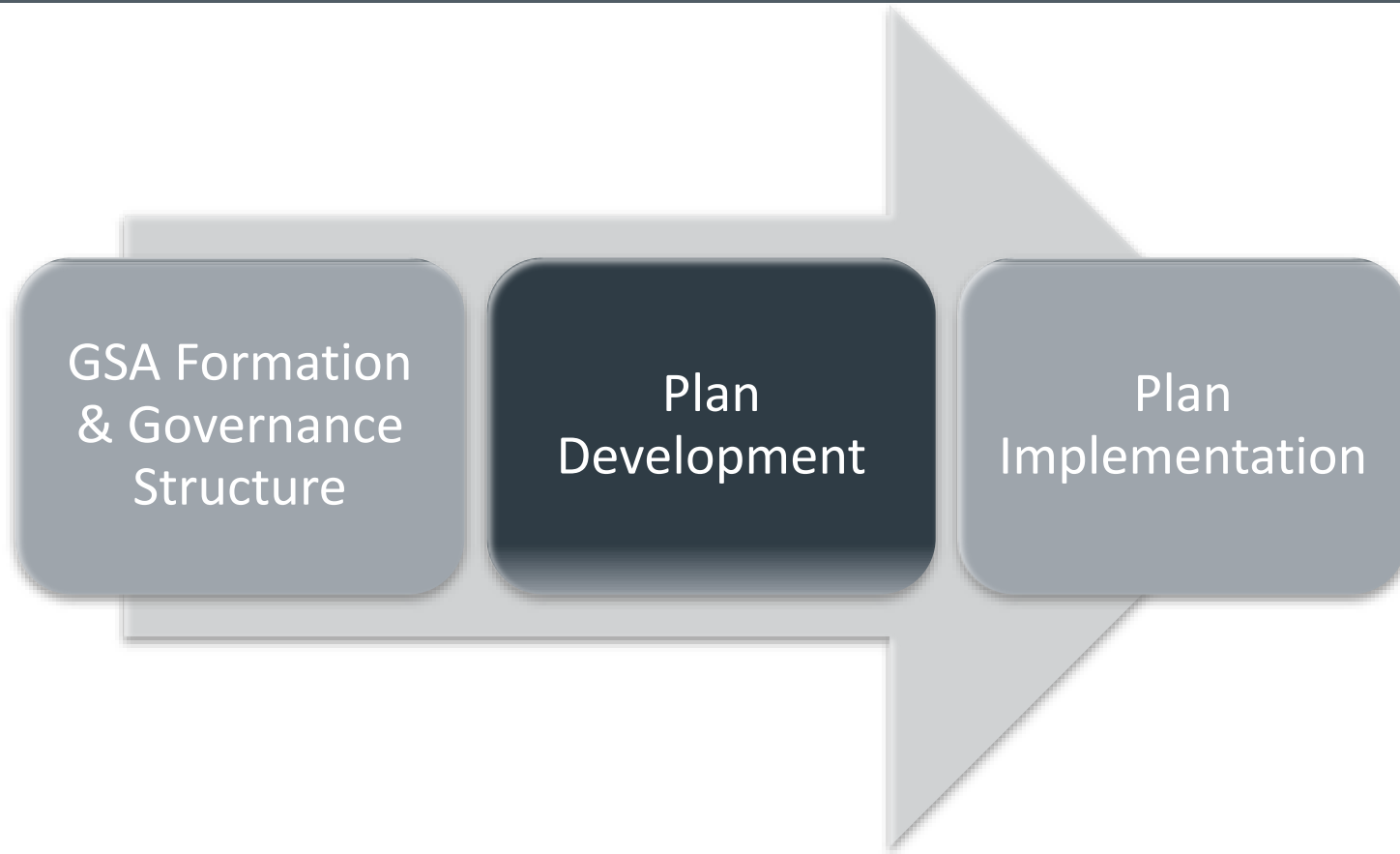
Definition of “Consensus”: Consensus means that all group members either fully support or can live with the decision or overall plan and believe that their constituents can as well. In reaching consensus, some Panel members may strongly endorse a particular proposal while others may accept it as "workable." Others may be only able to “live with it.” Still others may choose to “stand aside” by verbally noting a disagreement, yet allowing the group to reach a consensus without them. Any of these actions still constitutes consensus.

Less than 100% Consensus Decision Making:

Voting Protocols

Etc.

+ Negotiation #3 to 1000



Goal: Build Consensus and Proactively Manage Potential Conflict

+ SGMA on Interested Parties & Plan Development

10727.8. (a) **Prior to initiating the development of a groundwater sustainability plan, the groundwater sustainability agency shall make available to the public and the department a written statement describing the manner in which interested parties may participate in the development and implementation of the groundwater sustainability plan. The groundwater sustainability agency shall provide the written statement to the legislative body of any city, county, or city and county located within the geographic area to be covered by the plan.**

+ Tools for Developing Plan & Conflict over Groundwater



"I sure hope the negotiations go well."

Mutual Gains Approach to Negotiation

Skilled Mediation

- Negotiation Structure
- Normalize Conflict
- Not just running a polite meeting



Summary

Engaging Interested Parties to Build Consensus

REQUIREMENTS

- Maintain interested parties list
- Public hearing for GSA Formation
- Consider the interests of ALL beneficial uses and users of groundwater
- Provide written statement...parties may participate in development and implementation...
- Public hearing for plan adoption or amendment





Summary

Engaging Interested Parties to Build Consensus



RECOMMENDED TOOLS

- Assessment with Eligible Agencies and then Interested Parties
- Public Participation Plan (as written statement)
- Charter / Convening Documents
- Interest-based Negotiation



Gina Bartlett

Senior Mediator



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Questions & Answers

Submit text questions using the **Q&A panel**. Send to **All Panelists**.

Q&A

All (0)

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Ask: All Panelists

Ask: All Panelists

Select a participant in the ask menu first and type your question here. There is a

Send

Click the **hand icon** in the **Participants panel** to ask a verbal question. Lower hand after you have been called on.

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Hand icon

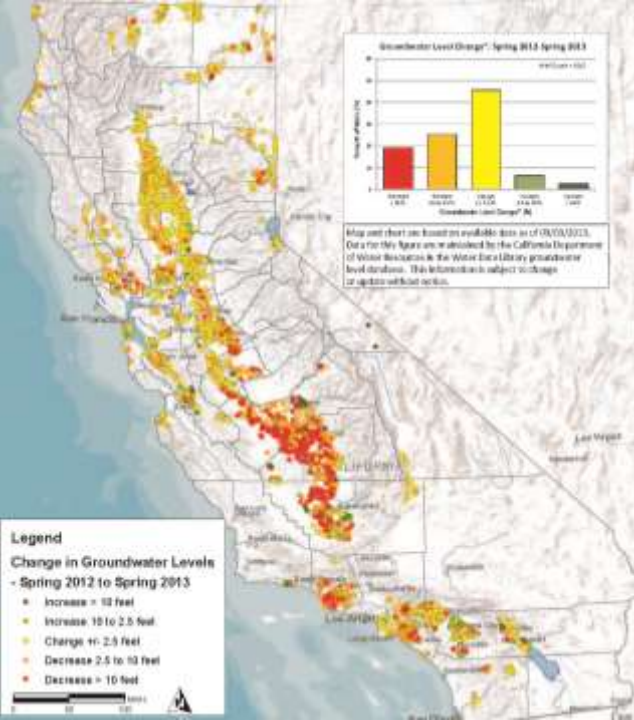


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Trevor Joseph

Supervising Engineering Geologist,
California Department of Water Resources



Sustainable Groundwater Management Implementation

California Department of Water Resources

Trevor Joseph, P.G., C.HG.

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Trevor.Joseph@water.ca.gov

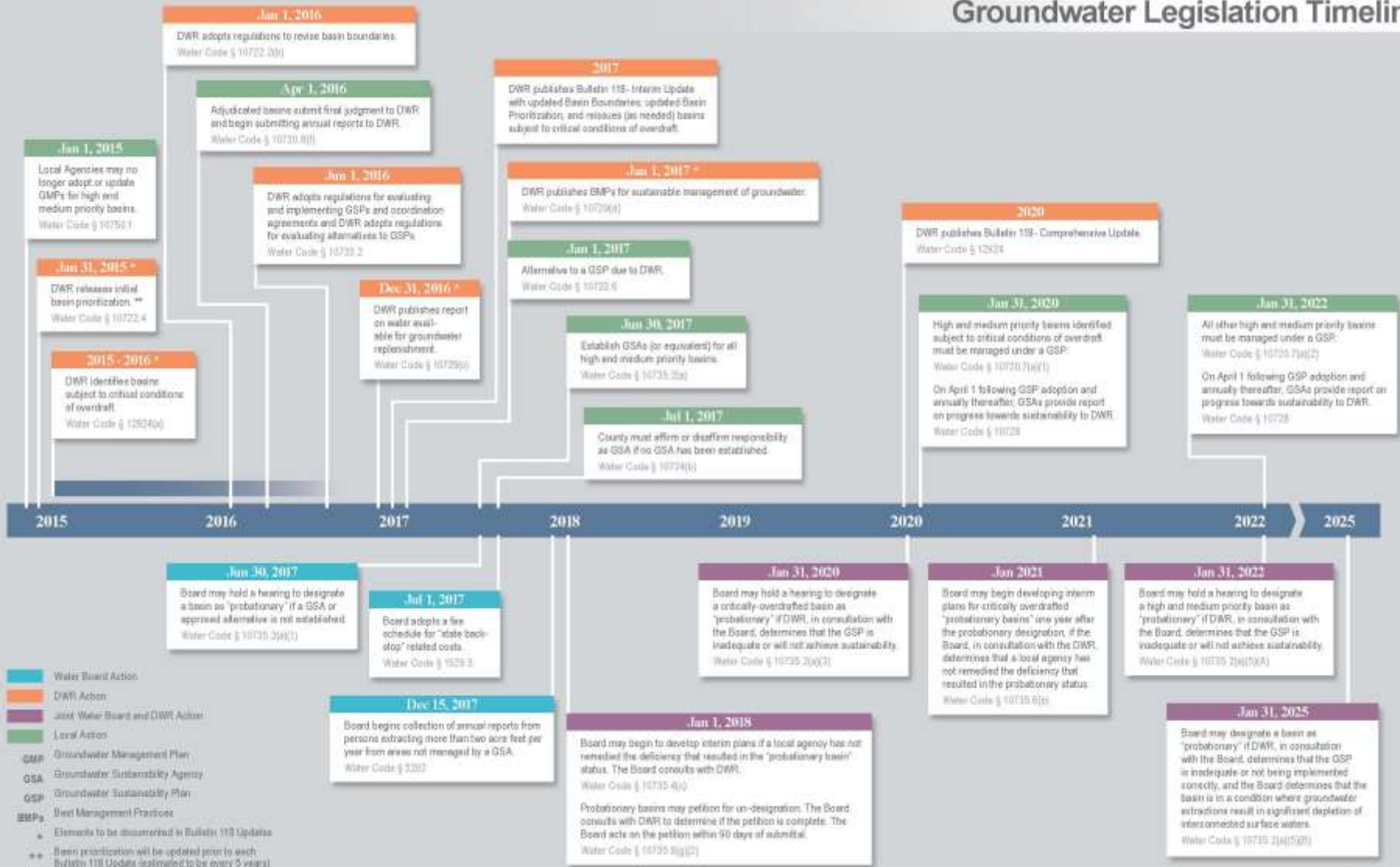


Presentation Outline

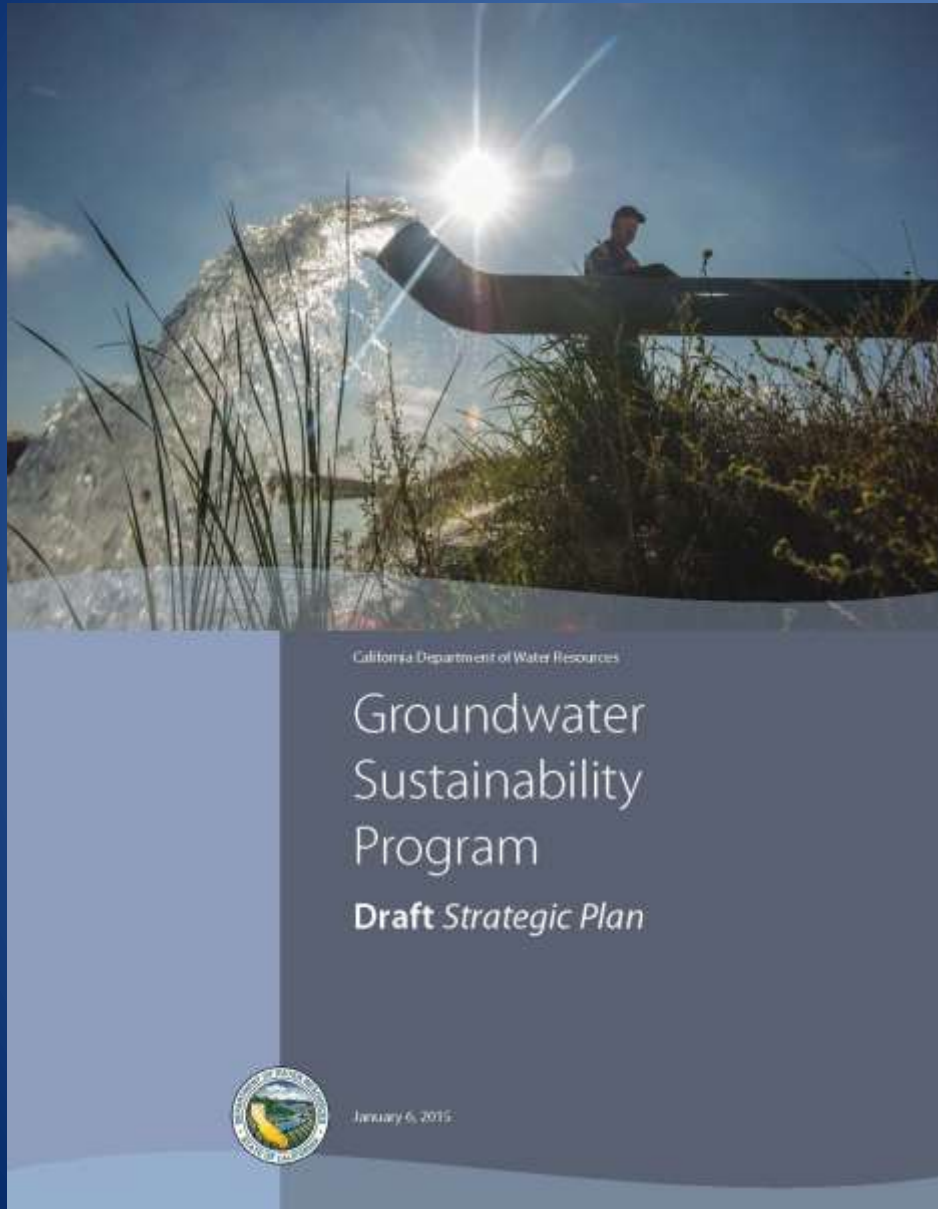
- DWR's SGM Strategic Plan
- Establishing Groundwater Sustainability Agencies (GSAs)
- SGM Projects – Status Update
 - Basin Boundary Regulations
 - Basin Prioritization
- DWR's SGM Website

SGM Timeline

Groundwater Legislation Timeline



DWR's SGM Strategic Plan



DWR's strategy to:

- Help implement SGM
- Share information to stakeholders
- Describe the structure through which DWR implements specific actions in coordination with stakeholders and partners

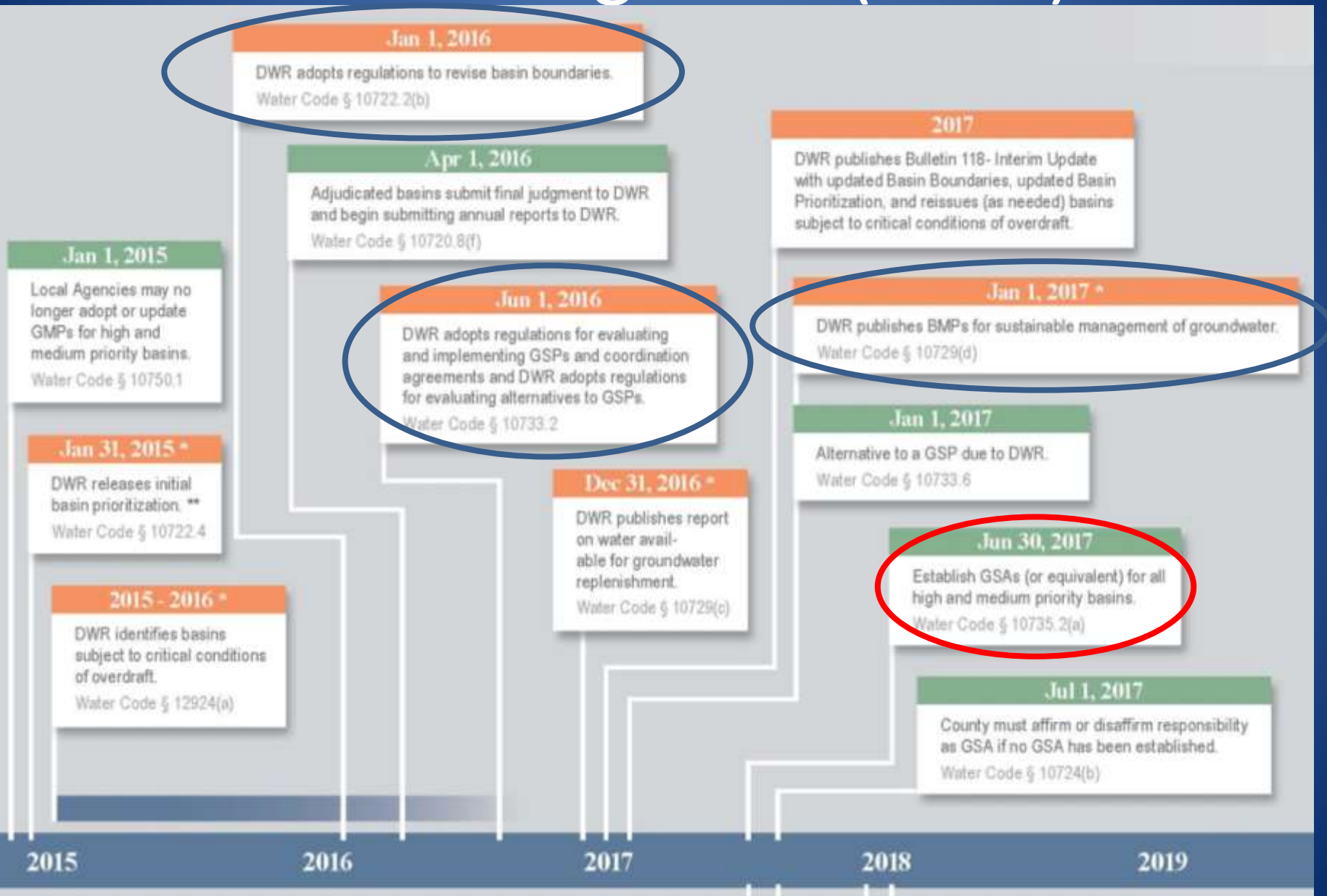
DWR's Strategic Plan (cont.) - Communication/Outreach Plan

- Document stakeholder's specific issues
- Document tools to aid future GSAs develop GSPs
- Stress importance of CASGEM compliance and collaborate to obtain full compliance in all areas
- Gain understanding of how GSA formulation is progressing
- Seek input on the value of DWR offering facilitation services

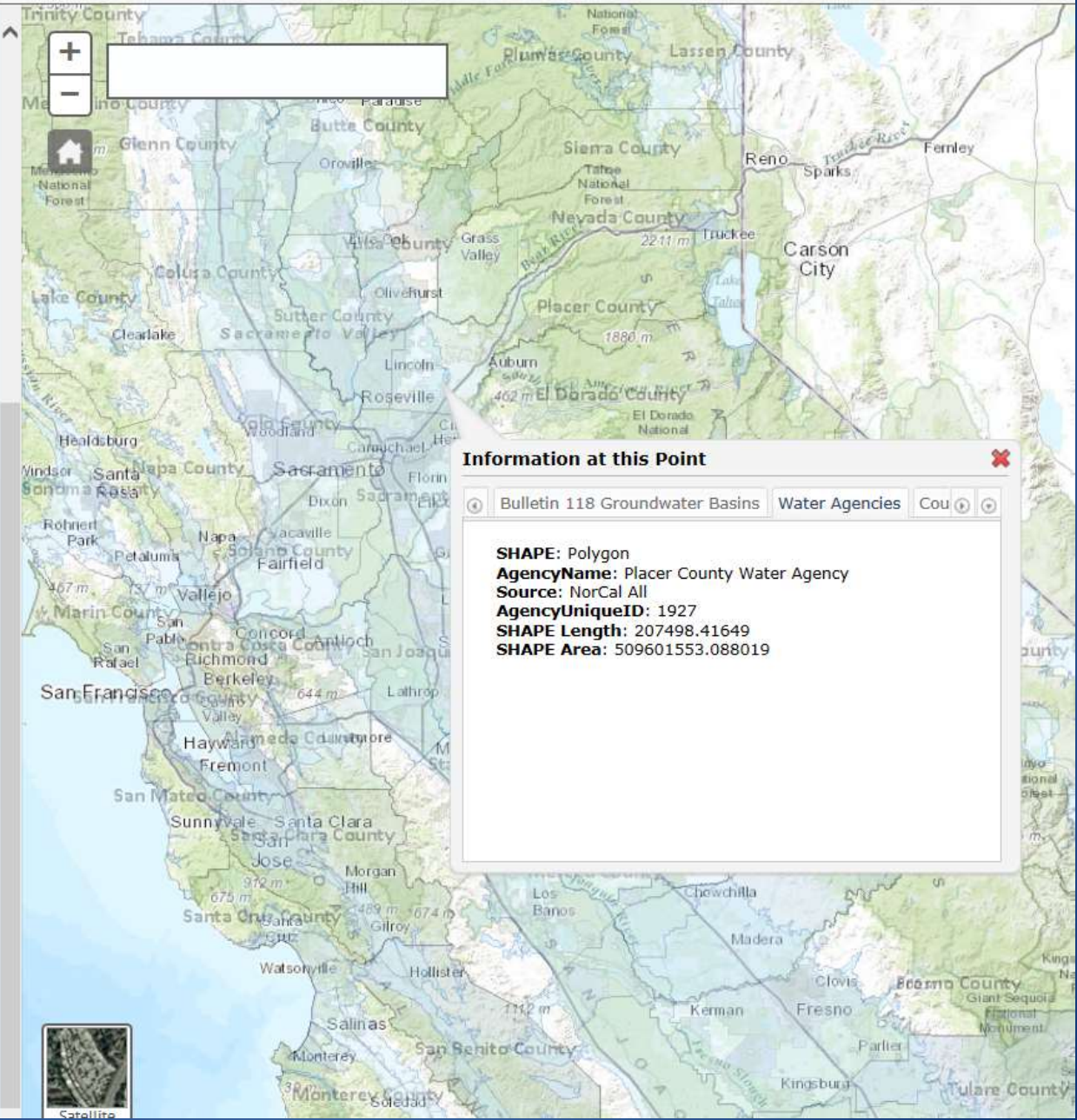
Establishing GSAs

- Local Agency or combination of Local Agencies
 - Single GSA, Single GSP
 - Multiple GSAs, Single GSP
 - Multiple GSAs, Multiple GSPs with “Coordination Agreement”
- Publication of Notice and Public Hearings
- “Exclusive” local agencies within statutory boundary
- Notice of Intent to DWR with proposed boundaries
- Consider all interests of beneficial uses and users of groundwater (specific information identified in act)
- Maintain Interested Persons List

Establishing GSAs (cont.)



- Regional Flood Planning Boundaries
 - Area of Local Interest
 - Regional Flood Planning Area
- CASGEM Groundwater Basin Prioritization
 - CASGEM GW Basin Priority
 - High
 - Medium
 - Low
 - Very Low
- Groundwater Management Plans
 - Groundwater Management Plan Type
 - AB 369
 - SB 1936
 - AB 3030
- Bulletin 118 Groundwater Basins
 - Bulletin 118 Groundwater Basins
 - Bulletin 118 Groundwater Basins
- IRWM Groups
 - IRWM Groups
- County Boundary
 - County Boundary
 - County Boundary
- Water Agencies
 - Water Agencies
- Adjudicated Groundwater Basins
 - Adjudicated Region
 - Adjudicated Region



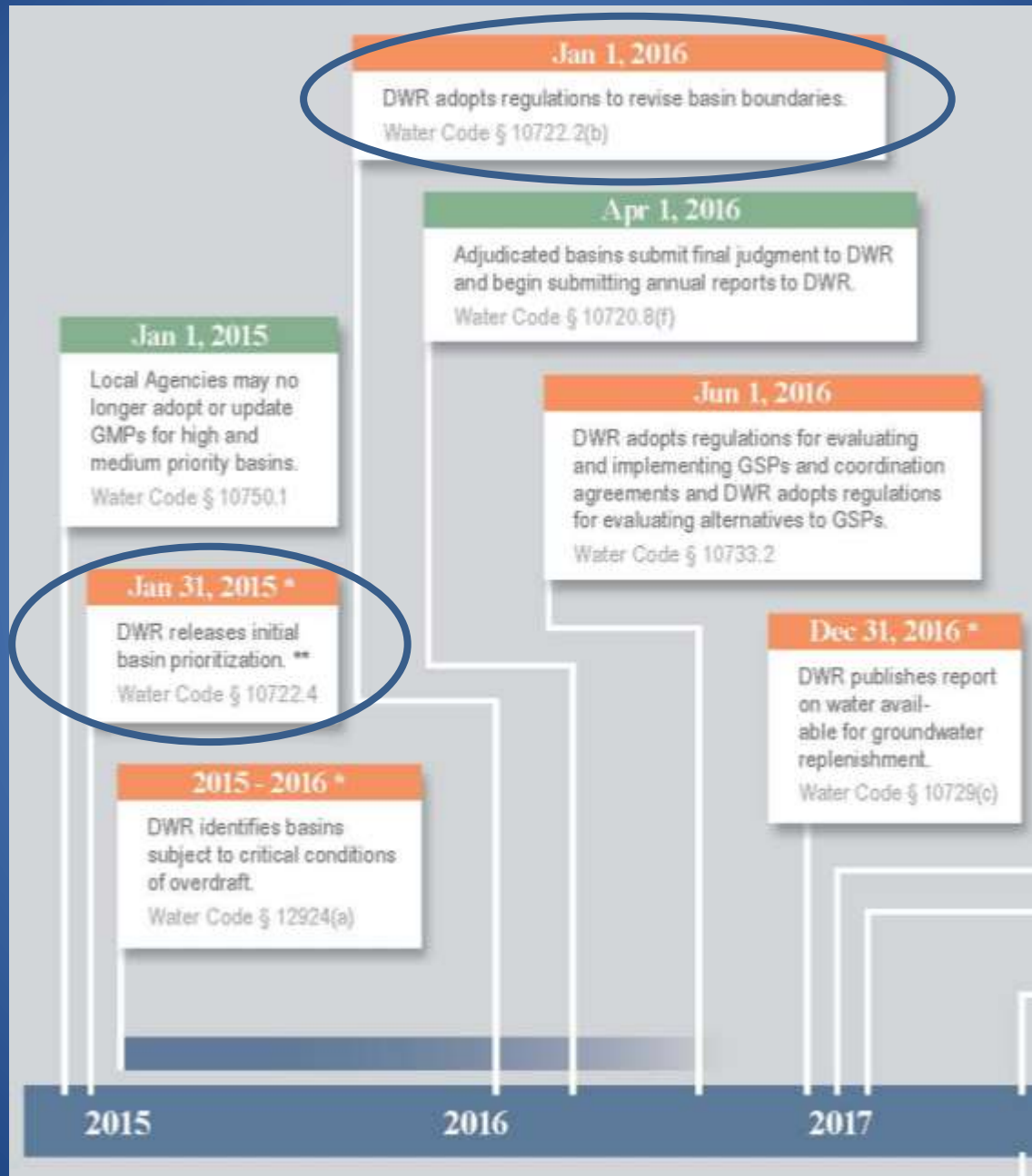
Information at this Point

Bulletin 118 Groundwater Basins | Water Agencies | Cou

SHAPE: Polygon
AgencyName: Placer County Water Agency
Source: NorCal All
AgencyUniqueID: 1927
SHAPE Length: 207498.41649
SHAPE Area: 509601553.088019



SGM Project – Status Update

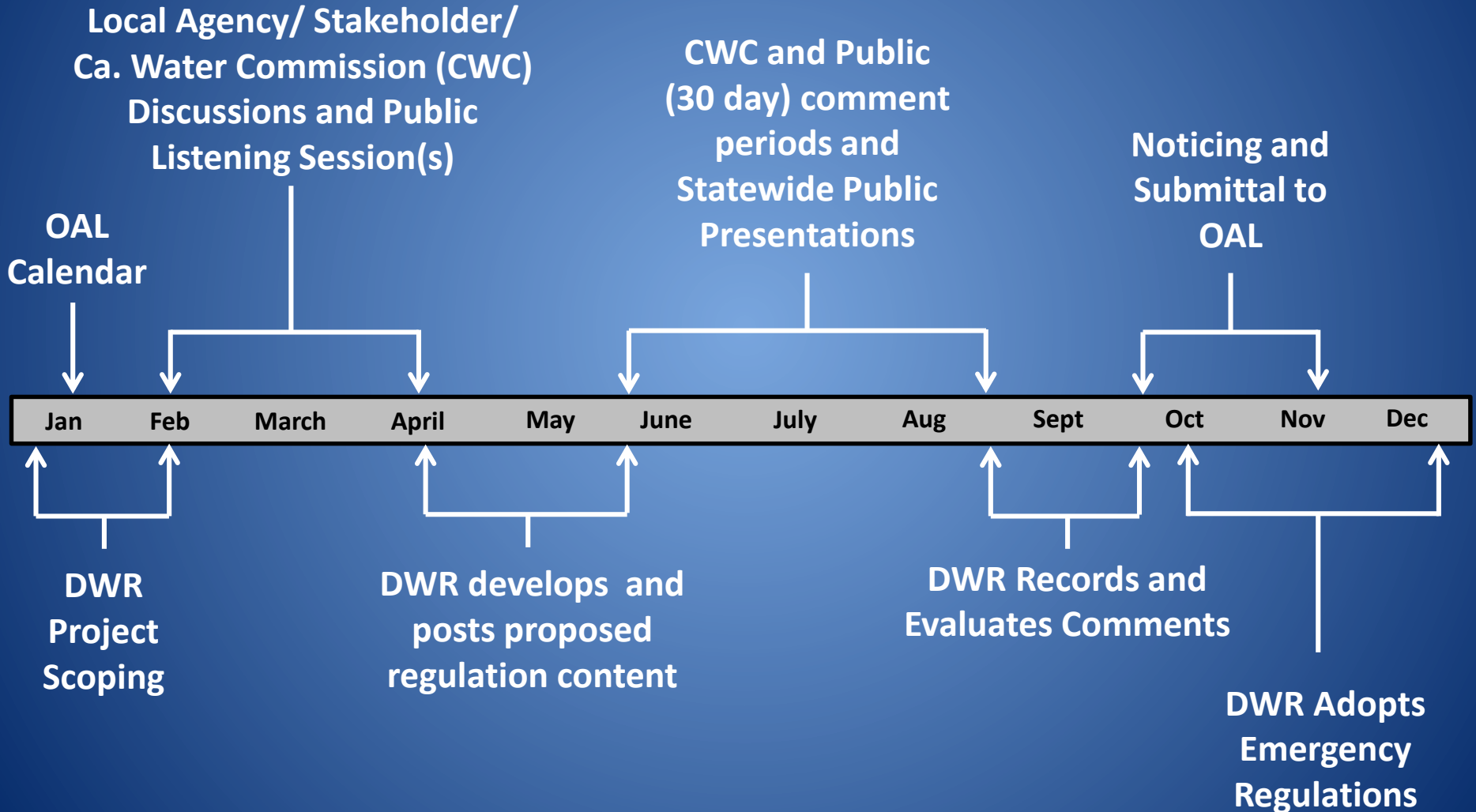


Basin Boundary Regulations

- Emergency Regulations for Process to Request and Potentially Approve Bulletin 118 Basin Boundary Revisions
 - DWR shall adopt by January 1, 2016
 - Instructions on submittal of:
 - Technical information
 - Consultation with interested parties
 - Other information DWR deems necessary to justify revision
 - Methodology and Criteria on how to assess:
 - Likelihood proposed basin can be sustainably managed
 - Whether proposed basin would limit the SGM of adjacent basin
 - Whether there is a history of SGM of groundwater levels in the proposed basin

Basin Boundary Regulations (cont.)

Estimated Project Timeline



Initial Basin Prioritization

- SGMA requires DWR develop the initial groundwater basin priority by January 31, 2015
- DWR concluded June 2014 basin prioritization under CASGEM will be the initial prioritization
- DWR has begun to compile the habitat and streamflow data and is developing a revised process to consider new information
- Basin prioritization could change at a later date due to:
 - local habitat and local streamflows impacts
 - basin boundaries changes (2016)
- Update process will include public meetings to solicit data not available to DWR and input on the process

Groundwater

Introduction

Groundwater resources play a vital role in maintaining California's economic and environmental sustainability. During an average year, California's 515 alluvial groundwater basins and subbasins contribute approximately 38 percent toward the State's total water supply. During dry years, groundwater contributes up to 46 percent (or more) of the statewide annual supply, and serves as a critical buffer against the impacts of drought and climate change. Many municipal, agricultural, and disadvantaged communities rely on groundwater for up to 100 percent of their water supply needs. Groundwater extraction in excess of natural and managed recharge has caused historically-low groundwater elevations in many regions of California.

DWR has a long-standing history of collecting and analyzing groundwater data, investigating and reporting groundwater conditions, implementing local groundwater assistance grants, encouraging integrated water management, and providing the technical expertise needed to improve statewide groundwater management practices. In addition, DWR is responsible for implementing the Sustainable Groundwater Management Act (SGMA), the California Statewide Groundwater Elevation Monitoring (CASGEM) program, and characterizing California's groundwater basins through updates to Bulletin 118.

The Sustainable Groundwater Management (SGM) Program

To implement the increased responsibilities given to DWR by the 2014 Sustainable Groundwater Management Act (SGMA), DWR has expanded its existing local assistance programs in the Division of Integrated Regional Water Management (DIRWM) and has developed a Strategic Plan for the Sustainable Groundwater Management (SGM) program. [More info...](#)

Groundwater Information Center (GIC)

The Groundwater Information Center (GIC) is DWR's portal for groundwater basics, technical groundwater information, groundwater management plans, water well basics, and statewide reports, maps, and figures. [More info...](#)

California Statewide Groundwater Elevation Monitoring (CASGEM) Program

Senate Bill X7 6 (SBX7 6) in 2009 added provisions for groundwater monitoring to the California Water Code and authorized DWR to establish permanent and locally-managed groundwater elevation monitoring and reporting in all of California's 515 alluvial groundwater basins. To implement SBX7 6, DWR developed the California Statewide Groundwater Elevation Monitoring (CASGEM) program. [More info...](#)

Bulletin 118

The DWR has long recognized the need for collection, summary, and evaluation of groundwater data as essential tools in planning for the optimal use of the groundwater resource. An example of this is DWR's Bulletin 118 series, which presents the results of groundwater basin evaluations and defines the boundaries of California's 515 alluvial groundwater basins. [More info...](#)

GROUNDWATER HOME

- » SUSTAINABLE GROUNDWATER MANAGEMENT
- » GROUNDWATER INFORMATION CENTER
- » CASGEM
- » BULLETIN 118

Highlights

- » Sustainable Groundwater Management Timeline
- » Initial Basin Prioritization for SGM
- » Public Update for Drought Response, November 2014
- » Drought News
- » Interactive Map Application





SGM Sustainable Groundwater Management

Introduction

The Department of Water Resources (DWR) has developed a Strategic Plan for its Sustainable Groundwater Management (SGM) Program. DWR's SGM Program will implement the new and expanded responsibilities identified in the 2014 Sustainable Groundwater Management Act (SGMA). Some of these expanded responsibilities include: (1) developing regulations to revise groundwater basin boundaries; (2) adopting regulations for evaluating and implementing Groundwater Sustainability Plans (GSPs) and coordination agreements; (3) identifying basins subject to critical conditions of overdraft; (4) identifying water available for groundwater replenishment; and (5) publishing best management practices for the sustainable management of groundwater.

Announcements

NEW GSA notification recieved

DWR has recieved a notification of formation of a Groundwater Sustainability Agency. View the notification [here](#).

NEW Sustainable Groundwater Management Timeline

Timeline of relevant activites outlined in the Sustainable Groundwater Management Act is available [here](#).

The Sustainable Groundwater Management Act (SGMA)

The SGMA is a three-bill package that collectively establishes a new structure for managing California's groundwater. A central feature of the SGMA is the recognition that groundwater management in California is best accomplished locally. The SGMA was signed by Governor Edmund G. Brown Jr. on September 16, 2014, and includes the provisions of Senate Bill (SB) 1168, Assembly Bill (AB) 1739, and SB 1319. The SGMA builds upon the existing groundwater management provisions established by AB 3030 (1992), SB 1938 (2002), and AB 359 (2011), as well as SBX7 6 (2009) which established the California Statewide Groundwater Elevation Monitoring (CASGEM) Program.

GROUNDWATER HOME

» SUSTAINABLE GROUNDWATER MANAGEMENT

- » Groundwater Sustainability Agencies
- » Initial Basin Prioritization

» GROUNDWATER INFORMATION CENTER

- » CASGEM
- » BULLETIN 118





Groundwater Resources Association *of* California

The Sustainable Groundwater Management Act, Part 2
Forming Groundwater Sustainability Agencies

Erik Ekdahl

Senior Engineering Geologist,
State Water Resources Control Board

State Water Board's Backstop Role in Sustainable Groundwater Management



Erik Ekdahl

State Water Resources Control Board

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

- Governor Edmund G. Brown Jr., in signing statement accompanying new groundwater legislation.

Presentation Outline

- When does the backstop kick in?
 - Board roles differ depending on local response and timing
- How will the state version of groundwater management differ from locally-driven efforts?
 - Fees
 - Implementation

Backstop Basics

- In every circumstance, State Board can only step in when local efforts fail
- Timing and role of State Board intervention depends on how locals fail
- Numerous off-ramps for locals to avoid management by the state

The “Backstop” State Board Intervention

After	Cause of Intervention
June 30, 2017	No GSA
Jan. 31, 2020	In critically overdrafted basins, no GSP or GSP is inadequate
Jan. 31, 2022	In other basins, no GSP or GSP is inadequate and basin is in long-term overdraft
Jan. 31, 2025	GSP is inadequate and significant depletions of interconnected surface waters

In all triggering events, intervention is the result of failure by locals to create a GSA or adopt and implement a GSP

Role as Data Manager: Potentially Un-Managed Areas (PUMAs)

- First backstop role for Board is data collection
- July 1, 2017
- Groundwater users in PUMAs report to State Board (§5203)
 - Place of extraction
 - Monthly records of volume of extractions
 - Purpose of use
 - *Any other info required pursuant to Section 10735.2(c)(3)*

Reporting System Needs

- Board must develop electronic reporting system to collect PUMA data
- Data need for interim plans
- Track fees
- Public interface
- Tentative Timeline:
 - Fully functional by July 1, 2017
 - Beta testing: January 1, 2017
 - System development: Summer/Fall 2016
 - Stakeholder outreach/scoping: Winter 2016

Data Integration

- DWR and Board have significant data management needs
 - DWR will require electronic submittals for their reporting requirements
- Points to need for an integrated data solution
- Board and DWR are coordinating, with tentative goal to develop a seamless submittal process

Role as Basin Manager

- Designation of probationary basins
- Probationary basins lead to Board-developed interim sustainability plans
- Interim plans manage basin until local efforts come up to speed

Probationary Basins and Interim Plans

- Probationary Basin designations no sooner than:
 - No GSA (2017)
 - No GSP (2020, 2022)
 - Poor GSP or inadequate implementation (2020, 2022, 2025)
- Requires consultation with DWR.
- Board and DWR are coordinating on how the consultation will work. Considering including as part of DWR's regulations on sustainability plan requirements.

Board Plans vs. Local Plans

- Every sustainability plan will need to be different in order to best respond to local needs
- State-developed interim plans will reflect the unique hydrogeology of local basins, but will differ from a locally developed plan in cost, details, and approach to sustainability

Fees: Reporting and Planning

- Water Code §1529.5
- Cover all costs related to backstop
 - Facilitation, investigation, monitoring, hearings, enforcement, and admin when implementing backstop
- Can also include
 - Fee for participation as a petitioner or party to an adjudicative proceeding (e.g., a Board hearing)
 - Fee for PUMA reporting (Water Code §5200)

Fees: Timeline

- Fees need to be developed at same time as reporting requirements
 - Finalized by mid-2017
 - May revise prior to 2020 and 2022
- Timeline:
 - Stakeholder meetings: Winter 2016
 - Draft Fee Schedule: Winter 2017
 - Adopt fee schedule by July 1, 2017

Interim Plans

- Shall include:
 - Actions needed to correct long-term overdraft or condition where extractions cause depletion of surface water
 - Time schedule
 - Monitoring plan
- May Include
 - Restrictions on groundwater extractions
 - A physical solution
 - Principles and guidelines for administration of rights to surface waters connected to the basin

What will Board Intervention Look Like?

- Data
 - Same data needed by a GSA, but now managed by State. Plus...
- Fees
 - ... your data management will be more \$\$\$
- Interim plans
 - Pumping restrictions are most straight-forward
 - State developed physical solutions are unlikely

The best way to avoid state intervention:

Due Date	Action	
6/30/2017	Form your GSA	<input checked="" type="checkbox"/>
1/31/2020	Complete your GSP if in a critically overdrafted basins	<input checked="" type="checkbox"/>
1/31/2022	Complete your GSP if in any other high/medium priority basins	<input checked="" type="checkbox"/>
20-year implementation period	Successfully implement your GSPs under local management	<input checked="" type="checkbox"/>

Checking these boxes shields local water users from state intervention



Groundwater Resources Association of California

The Sustainable Groundwater Management Act, Part 2 Forming Groundwater Sustainability Agencies

Questions & Answers

Submit text questions using the **Q&A panel**. Send to **All Panelists**.

Q&A

All (0)

Submit text questions at any time using the Q&A panel.

Ask: All Panelists

Ask: All Panelists

Select a participant in the ask menu first and type your question here. There is a

Send

Click the **hand icon** in the **Participants panel** to ask a verbal question. Lower hand after you have been called on.

Participants (2)

Speaking:

Panelists: 1

Rebecca Deane-Alviso (Host)

Attendees: 1 (1 displayed)

Click the hand icon if you want to "raise your hand" to ask a verbal question.

Hand icon



Groundwater Resources Association *of* California
The Sustainable Groundwater Management Act, Part 2
Forming Groundwater Sustainability Agencies

Thank You!

Please complete the feedback survey that appears when you exit the meeting.

[Next GRACast on SGMA](#)

SGMA, Part 3

Sustainable Groundwater Management Agency Examples

Wednesday, February 25, 2015