

# MEETING AGENDA



CALIFORNIA DEPARTMENT OF  
**WATER RESOURCES**

## Sustainable Groundwater Management Program (SGMP) SGMA Tribal Advisory Group

**March 17, 2023, 1:00 p.m. – 3:00 p.m.**

Via Microsoft Teams: [Click here to join the meeting](#)  
Or call in (audio only): [+1 916-573-2034,,323889703#](#)  
Phone Conference 323 889 703#  
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### Meeting Objectives

- Updates on SGMP and State Water Resources Control Board (SWRCB) Activities
- General Tribal Updates and Participation in Groundwater Sustainability Agencies (GSAs) and Groundwater Sustainability Plan (GSP) Implementation
- Regional Spotlights from Tribes and DWR’s Northern Region Office (NRO) Tribal Liaisons

TIME	ITEM	PRESENTERS
1:00 p.m. 15 mins	<b>Welcome &amp; Introductions</b> <ul style="list-style-type: none"> <li>• Introductions and Opening Remarks</li> <li>• Meeting Goals and Desired Outcomes</li> </ul>	<b>Anecita Agustinez</b> , DWR Tribal Policy Advisor <b>Paul Gosselin</b> , Deputy Director, DWR SGMP <b>Bo Mazzetti</b> , Chairman, Rincon Band of Luiseno Indians
1:15 p.m. 30 mins	<b>SGMP and SWRCB Updates</b> <ul style="list-style-type: none"> <li>• SGMP Updates – <i>see Att.1 for more information</i></li> <li>• SWRCB State Intervention and Associated Tribal Engagement – <i>see Att.2 for more information</i></li> </ul> <p><i>See Att.4 for general SGMP info and resources</i></p>	<b>Paul Gosselin</b> <b>Natalie Stork</b> , Manager, SWRCB Groundwater Management Program and Discussion Questions by <b>Kelsey Thompson-Briggs</b> , Drought Engagement Coordinator, SWRCB Office of Public Participation
1:45 p.m. 30 mins	<b>General Tribal Updates and Participation in GSAs and GSP Implementation, Open Discussion</b>	Facilitated by <b>Anecita Agustinez</b>
2:15 p.m. 45 mins	<b>Regional Spotlights</b> <ul style="list-style-type: none"> <li>• Big Valley Band of Pomo Indians, Lake County</li> <li>• Karuk Tribe, Siskiyou County, Shasta Valley</li> <li>• NRO Staff and Tribal Liaisons – <i>see Att.3 for more information</i></li> </ul>	<b>Sarah Ryan</b> , Environmental Director/ Emergency Management Director, Big Valley Band of Pomo Indians <b>Grant Johnson</b> , Water Quality Scientist, Karuk Tribe Facilitated by <b>Tito Cervantes</b> , DWR NRO
3:00 p.m.	<b>Adjourn</b>	Facilitated by <b>Anecita Agustinez</b>



## ATTACHMENT 1 – BACKGROUND ON STATE ACTIONS TO PROTECT WATER SUPPLIES AND MITIGATE IMPACTS FROM DROUGHT AND FLOODS

### California’s Water Supply Strategy Document

The [California’s Water Supply Strategy document](#) outlines California’s strategy and priority actions to adapt and protect water supplies in an era of rising temperatures.

### Drought Executive Order N-7-22, Action 13

On March 28, 2022, the Governor issued [Executive Order N-7-22](#), to help mitigate drought impacts by suspending California Environmental Quality Act (CEQA) and expediting the process to construct groundwater recharge projects that have State grant funding or technical assistance support, so as to increase the ability to capture high flows when available.

More information and resources about Action 13 can be found on [DWR’s Drought website](#), under the ‘CEQA Suspensions on Groundwater Recharge Projects’ accordion dropdown.

### Flood Water Recharge Executive Order N-4-23

On March 10, 2023, the Governor issued [Executive Order N-4-23](#) to enable local water agencies and other water users to capture water from the latest round of storms to recharge state groundwater supplies.

More information and resources about Executive Order N-4-23 can be found on the [Office of Governor Gavin Newsom news website](#).



## ATTACHMENT 2 – SWRCB STATE INTERVENTION AND ASSOCIATED TRIBAL ENGAGEMENT

### Frequently Asked Questions: Groundwater, the Sustainable Groundwater Management Act, and State Intervention

The SWRCB has developed frequently asked questions regarding groundwater and SGMA. See this 11-page FAQ document on the following pages.

### Fact Sheet: Probationary Designation and Groundwater Regulation by the State Water Board

This five-page fact sheet offers summary information regarding how the state will regulate groundwater use if local management is found to be inadequate under SGMA. See this fact sheet on the following pages.

More information and resources can be found on the SWRCB's Groundwater Management Program webpage, here: [https://www.waterboards.ca.gov/water\\_issues/programs/gmp/index.html](https://www.waterboards.ca.gov/water_issues/programs/gmp/index.html).

For more information, email [SGMA@waterboards.ca.gov](mailto:SGMA@waterboards.ca.gov) or call (916) 322-6508.





# SUSTAINABLE GROUNDWATER MANAGEMENT ACT

## Frequently Asked Questions

### Groundwater, the Sustainable Groundwater Management Act, and State Intervention

#### What is groundwater?

*Groundwater* is water found beneath the Earth's surface. When rain falls to the ground, some of it flows along the surface in streams and rivers; some of it is used by plants; some of it evaporates and returns to the air; and some of it sinks into the ground and becomes groundwater. Groundwater makes up a significant portion of the Earth's fresh water.

Groundwater exists in - and slowly moves through - *aquifers*. Aquifers are made of layers of gravel, sand, sandstone, fractured rock, or other types of sediment. Large amounts of water can accumulate in aquifers. One or more aquifers can make up a groundwater basin.

To learn more about groundwater, visit this [United States Geological Survey website](#).

#### Why protect groundwater?

Groundwater is one of California's greatest natural resources, making up a significant portion of the state's water supply. The state relies heavily on groundwater for its drinking water supply: approximately 80 percent of Californians use groundwater for drinking or other household uses. People in small, rural, and disadvantaged communities are often [even more dependent on groundwater](#). Groundwater also replenishes streams, creeks, rivers, and wetlands that support wildlife and is an important resource for crop irrigation in agriculture.



In drier years, when surface water is less available, groundwater can be used to make up for some of the lack of surface water: during typical years, groundwater makes up approximately 40 percent of California’s total water supply but during dry years, approximately 60 percent of water used is groundwater.

## **What are current groundwater conditions in California? What are the consequences of depleted groundwater basins?**

Some groundwater is replenished each year, due to rain, but this recharge varies by basin and depends on local precipitation amounts. Excessive groundwater pumping can overdraft aquifers, removing water faster than precipitation can recharge it.

In many basins, groundwater has been used for decades at rates that cannot be sustained because groundwater is less easily accounted for than surface water. Some groundwater basins in California are now [critically overdrafted](#) and groundwater levels have dropped below the depths many existing wells reach. This makes it harder to use groundwater for drinking water and irrigation. Overdraft can also cause streams and rivers to go dry, seawater to enter aquifers in coastal areas, water quality to degrade, and the land to subside, which reduces the space in the basin that can be recharged and causes significant and expensive harms to infrastructure.

More about basin conditions throughout the state can be found at [the Department of Water Resources' California Groundwater Live website](#).

## **What is SGMA? What are its goals?**

Overdraft has been occurring in many of California’s groundwater basins for decades, causing infrastructure damage and causing wells to go dry in many places, including in rural, largely disadvantaged communities, and harming wildlife and ecosystems. In 2014, the state took action to halt overdraft and bring basins into balanced levels of pumping and recharge through the [Sustainable Groundwater Management Act \(SGMA\)](#), a state law composed of [AB 1739 \(Dickinson\)](#), [SB 1168 \(Pavley\)](#), and [SB 1319 \(Pavley\)](#).

The goal of SGMA is to achieve long-term sustainability in California’s groundwater basins. SGMA required local agencies to adopt groundwater sustainability plans

for [high-priority and medium-priority](#) groundwater basins. Local agencies must report annually, meet five year milestones, and reach sustainability within 20 years.

## What are the benefits of long-term groundwater basin sustainability?

All Californians benefit when groundwater is managed sustainably. If more groundwater was left in the ground, local economies, ecosystems, and communities would benefit in the following ways:

- **Economies would be more resilient to drought.** Maintaining higher groundwater levels and more groundwater in storage underground keeps groundwater accessible and gives irrigators more of a buffer against uncertain surface water supplies.
- **Drinking water systems would be better able to comply with water quality requirements.** When groundwater levels drop, water with contaminants can flow into wells, requiring water systems to drill new wells or increase treatment. Many small, rural, disadvantaged communities rely on groundwater for their drinking water supply and cannot afford the costs of additional treatment or well-drilling, where appropriate. As a result, their water systems may fall out of compliance with water quality requirements; stable groundwater levels help protect access to safe drinking water for these communities. It should be noted that, even if communities could afford to do so, drilling more wells is generally not a sustainable solution for safe drinking water. The [State Water Board's Safe and Affordable Funding for Equity and Resilience \(SAFER\)](#) drinking water program aims to foster more sustainable solutions for disadvantaged communities reliant on groundwater, especially through consolidations.
- **Infrastructure replacement and maintenance costs would be lower.** Preventing subsidence reduces private, local, and state costs, such as the costs of maintaining canal capacity or levees.
- **Pumping groundwater would be more affordable for agriculture and other uses.** Maintaining higher groundwater levels keeps pumping costs lower, well yields higher, and water treatment costs lower.
- **Groundwater would support more ecosystems and contribute to greater surface water flows.** Where groundwater and surface water resources are hydrologically connected, maintaining higher groundwater levels can benefit public trust resources, support tribal cultural uses of water, support recreation, and improve commercial fishing and subsistence fishing. Cold groundwater flowing into streams can be particularly important for salmon and other cold-

water species in summer and fall when surface water flows are lower and warmer.

## How does SGMA work?

Historically, counties, courts, and irrigation districts have had authorities to manage groundwater. In 2014, the SGMA established a new framework for how groundwater will be managed locally to achieve long-term sustainability. SGMA requires local [groundwater sustainability agencies](#) (GSAs) – which can be local agencies like counties or other entities with authority –, that are in [high-and medium-priority groundwater basins](#), to develop and implement [groundwater sustainability plans](#) (GSPs) for their groundwater basins. GSAs are responsible for achieving long-term sustainable management of their groundwater basins within 20 years of adopting their GSPs.

## What is a Groundwater Sustainability Plan? What makes a successful plan?

Groundwater sustainability plans (GSPs) outline how groundwater will be sustainably used and managed to avoid the following six undesirable results in the basins: significant and unreasonable declines in groundwater levels, reductions in groundwater storage, intrusion of seawater, degradation of water quality, subsidence of land, and depletions of interconnected surface waters.

GSPs must address the overuse and excessive groundwater pumping that causes overdraft in the basins and achieve balanced levels of groundwater use to reach long-term sustainability. For groundwater basins experiencing the most severe overdraft, categorized by the Department of Water Resources (DWR) as [critically overdrafted basins](#), groundwater sustainability must be achieved by 2040. For the remaining [high-priority and medium-priority basins](#), groundwater sustainability must be achieved 2042.

## Who implements SGMA?

SGMA is implemented by local entities, known as [groundwater sustainability agencies](#) (GSAs), the [California Department of Water Resources](#) (DWR) and the [State Water Resources Control Board](#). SGMA prioritizes local management and empowers GSAs

with the tools necessary to sustainably manage their groundwater basins, including the authority to charge fees. SGMA assigns DWR and the State Water Board distinct roles and authorities to ensure local groundwater management achieves SGMA's goals.

## What is the role of GSAs?

Local agencies, such as water districts, counties, irrigation districts, cities, and other local government entities, formed GSAs in their basins to manage groundwater sustainably at the local level. GSAs are responsible for developing and implementing GSPs that detail how groundwater will be sustainably managed and used. A GSA can be formed by a single local agency or a combination of local agencies.

## What is the role of the Department of Water Resources (DWR)?

DWR is the primary state technical assistance and oversight agency in SGMA. DWR is responsible for assessing and evaluating GSPs for compliance with SGMA. DWR conducts these assessments every five years. DWR provides ongoing assistance to local agencies through: [best management practices and guidance documents](#) to assist GSAs in developing GSPs; [assistance and engagement](#), including facilitation support and written translation; providing access to a variety of [data and tools](#) including data libraries and dataset viewers; and providing financial assistance via its [Sustainable Groundwater Management Grant Program](#).

## What is the role of the State Water Board?

The State Water Board acts when necessary to ensure SGMA is implemented successfully. It will temporarily intervene in groundwater management when the proposed management of a groundwater basin is deemed inadequate due to deficiencies in the groundwater sustainability plan (GSP) or GSPs (if there are more than one) for the basin. The process of state intervention begins after the board receives referrals from DWR for those basins whose plans are not compliant with SGMA.

During this process, the GSA (or GSAs, if there are more than one) must coordinate their ongoing management of the basin with the board, which will work directly with the

GSA or GSAs to resolve failures. The board also works directly with people who pump groundwater to learn more about the basin, and, after a year or more, to determine whether deficiencies have been addressed or whether additional steps are necessary, including the board potentially managing groundwater directly. If deficiencies are resolved, state intervention ends, and GSAs continue managing their basins at the local level without outside help.

## What is state intervention?

When local sustainability efforts are inadequate, the State Water Board will temporarily intervene in the management of a groundwater basin in a process called *state intervention*. During this process, GSAs must coordinate their ongoing management of the basin with the board, which works directly with the GSAs to resolve deficiencies in their plans or efforts. Once deficiencies are resolved, state intervention will end, and GSAs will continue managing their basins at the local level without outside help.

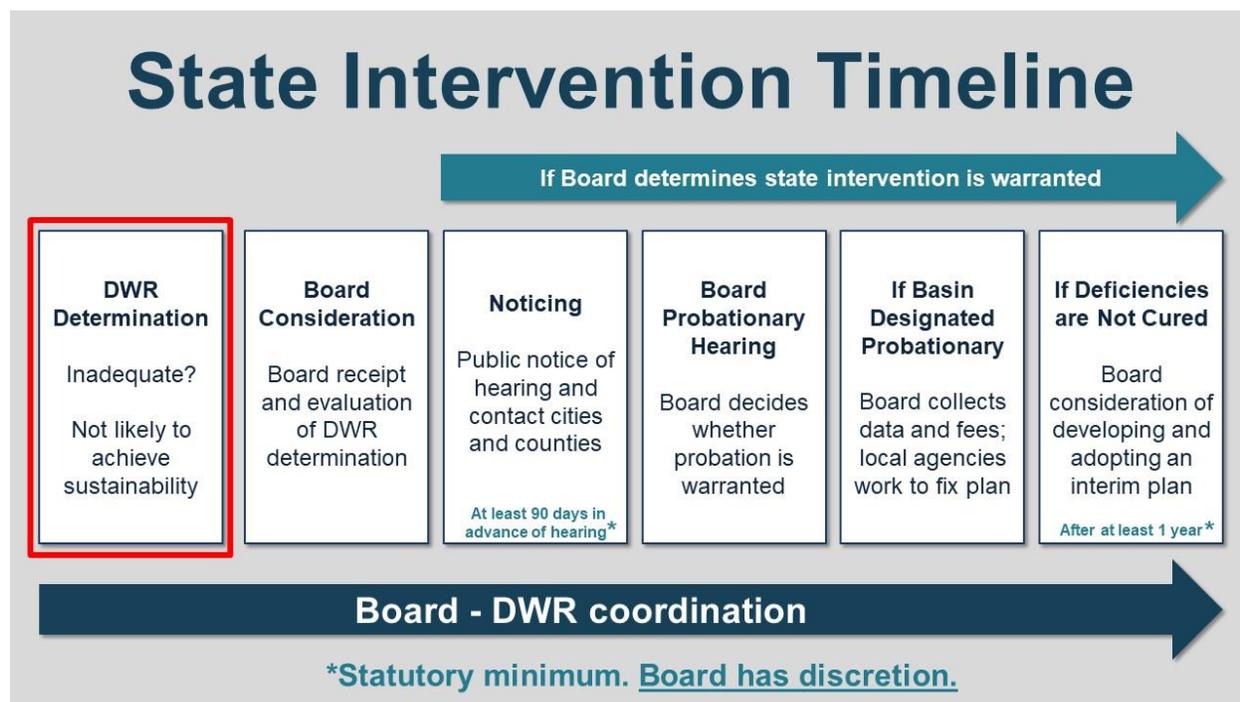
State intervention has two phases.

1. After consideration, the board may hold a public hearing and decide to place a groundwater basin in **probation**.
2. In the second phase, after another public hearing, the State Water Board may implement an **interim plan** for the basin.

If GSAs address the deficiencies, the state intervention process can end at any point before or during these phases, following a board decision.

## What are the timelines for the two phases (probation and interim plan) in the state intervention process?

The pace of state intervention in a basin is contingent on many factors, including the complexity and urgency of the groundwater issues in the basin, GSA resource constraints and the level of public engagement. The following graphic outlines the steps for the two phases of state intervention, including the required public notice period:



## What is probation?

Probation is the first phase of state intervention, *but it is not automatic for all basins referred to the board and does not begin immediately.*

Following the referral of a groundwater basin, the State Water Board must first review the information it receives from DWR and evaluate whether a probationary hearing is warranted. If it is, the board will provide at least 90-days' notice to cities and counties, and at least 60-days' notice to all known well owners, before it holds the probationary hearing.

At the hearing, the board may place a basin in probation if it finds that the GSA fails to sustainably manage its groundwater. Under probation, the board will work with GSAs to resolve failures and will require most groundwater pumpers in the basin to report information about their groundwater use.

Given that the board's efforts to provide groundwater management for the basin involve assessment, planning and enforcement costs, most groundwater pumpers will be required to pay fees to cover these costs, though exceptions will likely be made for small domestic users and disadvantaged communities.

The overall goal of probation is to gather information to inform and help local GSAs address deficiencies in their plans so they can sustainably manage their groundwater resources as soon as possible without outside help.

## What is an interim plan?

An interim plan is the second phase of state intervention. If the GSA or GSAs have not achieved sustainable local management of their groundwater basin during probation, the State Water Board may adopt an interim plan that allows the board to implement the actions necessary to sustainably manage the basin's groundwater. An interim plan must include corrective actions to stop overdraft, a schedule for the corrective actions, and a monitoring plan. The board's interim plan may incorporate a GSP (in a basin with multiple GSPs) or portions of an existing GSP if that will help achieve sustainable management.

An interim plan may implement the following two types of actions to help protect groundwater. The first is called *demand management*. Demand management refers to actions that decrease the amount of water being pumped from the aquifer. The most direct example of demand management is enforcing a groundwater extraction allocation, which sets how much water each well owner is allowed to pump from the aquifer and limits them to that amount only. Groundwater extraction allocations would likely not apply to people who extract groundwater for household purposes only, as they are intended to reduce the extraction of groundwater for reasons other than human health and sanitation.

The other type of action is the development of *physical solutions*. A physical solution is infrastructure that is used to help manage groundwater. Engineered basins that allow water to percolate into an aquifer, known as recharge basins, are an example of a physical solution. Physical solutions can be used to help increase the supply of groundwater.

## When does the State Water Board implement an interim plan for a basin?

The State Water Board must wait at least one year after a basin is placed in probation before it may begin providing notice of an interim plan adoption hearing.

Interim plans are likely to be used **only** when probation is not enough to help local GSAs sustainably manage their groundwater basins.

## Which basins are being referred to the State Water Board, and why?

On March 2, 2023, DWR referred six basins to the board for state intervention after determining that their GSPs were inadequate, meaning that the plans would not bring their basins into sustainable groundwater management by 2040. Consistent with the law, the GSAs for these basins were provided substantial technical assistance and reasonable time to develop their basin plans and fix the problems DWR identified after the plans were initially submitted. Comprehensive information about the plans and process can be found on [DWR's SGMA Portal](#). Here is a list of the basins and summaries of their plan determinations:

Chowchilla Subbasin – Broadly, the GSP was found to lack adequate management criteria for multiple elements of sustainability, including groundwater levels and subsidence.

Delta-Mendota Subbasin – This is a large basin with 23 GSAs. Some components of the GSPs for the basin do not have coordinated data, methodologies, definitions of undesirable results or sustainable management criteria, and some documents contradict others. A common approach to these plan components is necessary for sustainable management.

Kaweah Subbasin –The GSPs did not set adequate management criteria for groundwater levels or subsidence in a manner required by SGMA and GSP regulations.

Kern County Subbasin – This is a large basin with 17 GSAs. The GSPs submitted for these management areas do not establish consistent definitions for undesirable results, and lack adequate and coordinated sustainable

management criteria for the chronic lowering of groundwater levels and subsidence.

Tulare Lake Subbasin – The GSP does not adequately define undesirable results or management criteria for groundwater levels or subsidence and does not sufficiently explain how GSAs will manage water quality.

Tule Subbasin – The GSPs do not justify their management criteria for chronic lowering of groundwater levels and subsidence.

## What will happen to the basins that have been referred, and when?

Following the referral of basins to the State Water Board, the board will examine each referral and decide whether to move forward with probation in each case. For those basins where the board decides to move forward, a separate public hearing will be held for each basin. To set a hearing, the board must issue a 90-day notice to cities and counties for the basin, and a 60-day notice to all well owners.

Based on noticing requirements set by statute, should the board choose to move forward with probationary hearings related to any of the six basins referred in early March 2023, the earliest the board could hold a probationary hearing would be late summer 2023.

## Do I have a say in the state intervention process?

Yes. The decision to place a basin in probation or on in interim plan is not one the State Water Board will take lightly, and it seeks public input on all aspects of these decisions, including the conditions of probation and, if later deemed necessary, the content of interim plans. A few examples of the conditions that the board may determine include:

- What deficiencies must GSAs resolve to end probation.
- If any extractors besides *de minimis* users (those who use less than 2 acre-feet per year) should be exempt from reporting information and paying fees.
- If any GSAs within a basin are sustainably managing their groundwater and should therefore be exempted from probation.

The board makes its decisions only after holding public hearings, during which it can hear directly from people in the basin and others affected by water management.

The primary intent of SGMA is to protect people who live in the basins from the devastating consequences of losing access to groundwater, so the board is eager to hear their concerns and understand their perspectives before making decisions that affect them directly.

All probationary plan hearings for groundwater basins during the state intervention process, or later, if deemed necessary, interim plan hearings, will be publicly noticed at least 60 days in advance. Hearings may be attended in person or remotely, and anyone may provide public comment.

To hear about opportunities to participate in the process and make your voice heard, register to receive notifications at this website, [https://www.waterboards.ca.gov/water\\_issues/programs/sgma/](https://www.waterboards.ca.gov/water_issues/programs/sgma/), under “Stay Informed.”

For more information, email [SGMA@waterboards.ca.gov](mailto:SGMA@waterboards.ca.gov) or call (916) 322-6508.

Revised March 1, 2023



# SUSTAINABLE GROUNDWATER MANAGEMENT ACT

## Probationary Designation and Groundwater Regulation by the State Water Board

This fact sheet offers summary information regarding how the state will regulate groundwater use if local management is found to be inadequate under the Sustainable Groundwater Management Act (SGMA). This fact sheet, and others, are available at the State Water Board's [Groundwater Management Program webpage \(www.waterboards.ca.gov/gmp\)](http://www.waterboards.ca.gov/gmp).

Groundwater is a limited natural resource that Californians use for many purposes. In the state's high- and medium- priority groundwater basins, SGMA requires local groundwater sustainability agencies (GSAs) to develop and implement groundwater sustainability plans (plans) so that these uses can continue in the future.

If GSAs do not sustainably manage groundwater use in their basin, the State Water Resources Control Board (State Water Board or Board) can step in to manage the basin in a process called "state intervention." State intervention is SGMA's guarantee that sustainability goals are met. But state intervention may be costly for groundwater extractors and give them little influence over how the state regulates their groundwater extraction. The Board, the Department of Water Resources (DWR), and other organizations may be able to work with GSAs, groundwater extractors, and others to avoid state intervention. Please reach out if interested in assistance.

## Steps in the Intervention Process

### Triggers

The state will evaluate GSA efforts and basin conditions. During evaluation, lack of plans, lack of coordination, inadequate plans, or inadequate implementation can trigger the state intervention process for a high- or medium-priority basin. The specific state intervention triggers are listed in the table on the following page.<sup>1</sup>

<sup>1</sup> Please refer to the Act regarding triggers if you are in a region covered by an alternative plan submitted to the DWR.



**Any one of these conditions makes the state intervention process possible**

<b>Triggering Condition</b>	<b>If After</b>
Basin is not covered by a GSA(s) Water code section 10735.2(a)(1)	June 30, 2017
Basin is in critical overdraft (DWR finding) <i>and</i> basin is not covered by plan(s) or plans in basin are not coordinated 10735.2(a)(2)	Jan. 31, 2020
Basin is in critical overdraft (DWR finding) <i>and</i> DWR, in consultation with the Board, fails a plan or determines a plan is not being implemented in a manner likely to achieve sustainability 10735.2(a)(2) and 10735.2(a)(3)	Jan. 31, 2020
Basin is not in critical overdraft (DWR finding) <i>and</i> basin is not covered by plan(s) or plans in basin are not coordinated 10735.2(a)(4)	Jan. 31, 2022
Basin is not in critical overdraft (DWR finding) but is in long-term overdraft (Board determination) <i>and</i> DWR, in consultation with the Board, fails a plan or determines a plan is not being implemented in a manner likely to achieve sustainability 10735.2(a)(4) and 10735.2(a)(5)(A)	Jan. 31, 2022
Basin is not in critical overdraft (DWR finding) nor long-term overdraft (Board finding) but there are significant depletions of interconnected surface waters (Board determination) <i>and</i> DWR, in consultation with the Board, fails a plan or determines a plan is not being implemented in a manner likely to achieve sustainability 10735.2(a)(5)(B)	Jan. 31, 2025

**Hearing**

After a triggering condition occurs, the State Water Board may designate a basin probationary after providing notice and holding a public hearing. At the hearing, interested parties will have the opportunity to address the Board. A probationary designation will identify the deficiencies that led to intervention and potential actions to remedy the deficiencies.

**Probation**

Once a basin has been designated probationary, the Board may require groundwater extractors to install meters, measure and report all groundwater extractions, and pay fees to cover the cost of Board activities. The Board may also conduct investigations and gather data necessary for sustainable groundwater management.

## Opportunity to End State Intervention

Local efforts will have the opportunity to fix the deficiencies that resulted in designation of the basin as probationary. Deficiencies may include lack of an agreement among GSAs in the basin to coordinate multiple plans, data gaps in the plans, or insufficient groundwater management efforts to achieve the sustainability goal. Groundwater extractors will be given a limited time (perhaps as short as 180 days) to address deficiencies before the Board may develop an “interim plan.”

## State Water Board Imposition of Interim Plan

The Board may develop and implement an interim plan for a probationary basin if the Board determines that a local agency has not fixed the deficiencies that resulted in the probationary designation. The Board will adopt the interim plan through a hearing process, similar to the probationary designation. An interim plan is intended to be a temporary measure to protect groundwater until effective local management is in place.

An interim plan will include corrective actions, a schedule for those actions, monitoring, and enforcement. An interim plan will likely focus on reducing groundwater use in the basin to sustainable levels as soon as practical. An interim plan may include elements of an existing plan or adjudication that the Board finds would help meet the basin’s sustainability goal.

## End of State Water Board Management

To end State Water Board management of groundwater, GSAs will have to demonstrate to the Board (which will consult with DWR) their ability and willingness to manage groundwater sustainably and address the issues that caused state intervention. This may require changes to the groundwater sustainability plans, revision of coordination agreements among the GSAs, pumping restrictions, or other measures to provide assurances that ongoing local management will be effective.

## Adjudication Proceedings: A Detour with the Same Destination

The Board has authority to act if a triggering event occurs, regardless of whether the basin is going through an adjudication. Filing an adjudication will not delay or avoid the SGMA process and will not prevent state intervention. Courts must manage any groundwater adjudication proceeding in a manner consistent with the attainment of sustainable groundwater management within the timeframes set by SGMA. Any judgment entered in an adjudication action must not impair the ability of the basin’s GSAs to comply with SGMA.

## Reporting Requirements Require Comprehensive and Accurate Data

Probationary designation and interim plans may require pumpers to submit groundwater extraction reports. These reports must be submitted by well owners or operators (or their agents) to the State Water Board electronically. Reporters are required to provide extraction volumes, well details, well locations, the locations of parcels where groundwater is used, and

other information deemed necessary by the Board. Extractions must be measured by a method satisfactory to the Board.

[More information on reporting](#)

[https://www.waterboards.ca.gov/water\\_issues/programs/sgma/reporting\\_and\\_fees.html](https://www.waterboards.ca.gov/water_issues/programs/sgma/reporting_and_fees.html).

## Required Fees

The Board is required to set fees to recover the cost of probation and intervention activities. The amount of the fees depends on factors such as costs associated with data gathering, enforcement activities, and California Environmental Quality Act (CEQA) compliance. The current annual fee for groundwater extractions in a probationary basin is a base fee of \$300 per well and \$40 per acre-foot of water extracted. Fees are collected with each annual groundwater extraction report. Late reporters are subject to late fees and may be subject to additional administrative liability or misdemeanor penalties.

[More information on fees](#)

[https://www.waterboards.ca.gov/water\\_issues/programs/sgma/reporting\\_and\\_fees.html](https://www.waterboards.ca.gov/water_issues/programs/sgma/reporting_and_fees.html).

## Sustainability is at the Basin Scale

The intent of SGMA is to reach groundwater sustainability at the basin scale. Close coordination at the local level will help. While the Board may focus probation and interim plan efforts in specific parts of basins, the Board must consider the entire basin when deciding on a course of action. Reasons for a basin-scale approach include:

- ✓ Pumping volumes must be made consistent with sustainable yield, which is defined at the basin scale.
- ✓ The Board's interim plan must be consistent with water right priorities, which typically requires consideration of all rights to extract groundwater at the basin scale.
- ✓ Basin-wide data collection is necessary to determine where efforts should be focused or if efforts should be basin-wide.

## SGMA's Interaction with State and Regional Board Authorities

SGMA does not supersede any existing State Water Board or Regional Water Quality Control Board authorities nor do these other authorities supersede SGMA. The Board will take other legal and policy priorities into account when weighing how to proceed with state intervention. Intervention planning may include consideration of the effects of groundwater extraction on public trust resources, drinking water needs of disadvantaged communities, and the human right to water.<sup>2</sup>

<sup>2</sup> [Information on human right to water](#)

[https://www.waterboards.ca.gov/water\\_issues/programs/hr2w/](https://www.waterboards.ca.gov/water_issues/programs/hr2w/).

GSAAs may find value in harmonizing their activities under SGMA with other efforts (of the GSAAs or other parties) to meet requirements of other state or local regulatory programs. Contact the State Water Board's SGMA program at [SGMA@waterboards.ca.gov](mailto:SGMA@waterboards.ca.gov) to learn more about how SGMA can be coordinated with other programs at the State and Regional Water Boards.

## For More Information

This fact sheet and additional information on SGMA are available at the: [State Water Board Website \(www.waterboards.ca.gov/gmp\)](http://www.waterboards.ca.gov/gmp).

The Board's SGMA program can be contacted at [SGMA@waterboards.ca.gov](mailto:SGMA@waterboards.ca.gov) or 916-322-6508.

These online resources may be updated. Parties interested in updates are encouraged to subscribe to the State Water Board's [Groundwater Management email list in the General Interests section](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html) ([https://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.html](https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html)).

[Additional SGMA information from DWR \(www.water.ca.gov/SGMA\)](http://www.water.ca.gov/SGMA).

*Last updated: November 2022*

## ATTACHMENT 3 – BACKGROUND INFORMATION ON DWR’S NRO LOCAL ASSISTANCE

### Meet Your Northern Region Office Tribal Liaisons and Staff

Tribal Liaisons and staff in DWR’s regions can provide information and help local agencies and interested parties connect with DWR and locate resources, including guidance on communication and engagement and assistance services such as technical support, facilitation support, written translation, and financial assistance.

The program(s) that each NRO Tribal Liaison covers, and their contact information can be seen below. More information about the programs and work that these staff do can be found in the last attachment of this agenda package.



#### Tito Cervantes

- Land and Water Use
- Tito.Cervantes@water.ca
- 530-529-7389



#### Jessica Boyt

- Grants
- Jessica.Boyt@water.ca.gov
- 530-529-7390



#### Tara George

- Land and Water Use
- Tara.George@water.ca.gov
- 530-528-7423



#### Pat Vellines

- SGMA and IRWM
- Patricia.Vellines@water.ca.gov
- 530-945-9233

**Northern Region Office Location:** 2440 Main Street, Red Bluff, CA

NRO staff in general collect and analyze groundwater data, investigate and report groundwater conditions, provide grants and technical expertise, assist locals in implementing SGMA and the California Statewide Groundwater Elevation Monitoring (CASGEM) Program, work on Bulletin 118 updates, collect land-use data and develop water-use estimates for a variety of statewide water planning efforts, assist in drought resiliency and monitoring efforts, and more.



## ATTACHMENT 4 – DWR’S SGMA ASSISTANCE, DWR’S DROUGHT TOOLS, SGMA TAG AND OTHER DWR WEBSITES AND EVENTS

### Statewide Groundwater Management Assistance

DWR will continue to provide [assistance](#) and guidance to locals throughout plan implementation under SGMA.

#### Planning Assistance

- **Basin Points of Contact/Regional Coordinators:** Each high- and medium- priority basins are assigned a Point of Contact (POC) and a Regional Coordinator (RC) from DWR Region Offices. POCs and RCs assist GSAs and stakeholders in the basin to [connect with DWR](#) and locate resources for assistance.
- **Facilitation Support Services (FSS):** Provides professional facilitators to help GSAs foster discussions among diverse water management interest groups. GSAs or other groups coordinating with the GSAs to develop and implement GSPs, are eligible to apply on a continuous basis using the following [link](#).
- **Written Translation Services (WTS):** Available to help GSAs, or other groups assisting in local SGMA implementation efforts, to communicate the groundwater planning activities with their non-English speaking constituents. GSAs or other groups coordinating with the GSAs to develop GSPs, are eligible to apply on a continuous basis using the following [link](#).
- **Communication and Engagement Toolkits:** [Available](#) to help the GSAs communicate and educate the public and interested parties in their basins about groundwater and SGMA.

#### Technical Assistance

- **Data and Tools:** Statewide datasets and models have been developed to assist GSAs and the public by providing information to help with the development of GSP elements. The following datasets and tools have been made available:
  - Online interactive maps for the public to view and download SGMA datasets, now on CalGW Live: <https://sgma.water.ca.gov/CalGWLive/> and also on the [SGMA Data Viewer](#), including groundwater levels, wells, environmental, land use and subsidence data.
    - [InSAR Subsidence Dataset](#) has been updated through October 1, 2022.
    - [2020 Statewide Land Use Dataset](#) has been updated as of March 2023.
  - California’s Groundwater Conditions Semi-Annual Update: [March 2023 report](#).
  - [Sacramento Valley Surface-Groundwater Interaction Model \(SVSim\)](#) update is available on Open Data.
  - For Central Valley basins, a [water resources management and planning model](#) that simulates groundwater, surface water, stream-groundwater interaction (C2VSim-FG) is available.
  - [Aerial electromagnetic \(AEM\) surveys](#) flown by helicopter over basins provides data to understand basin conditions and inform where water can be applied to recharge the basin.
- **Guidance and Education:**
  - Six [Best Management Practices \(BMPs\) and five Guidance Documents](#) to provide clarification, guidance, and examples to help GSAs develop elements of a GSP.
  - [California’s Groundwater Update](#): State’s official publication on the occurrence and nature of groundwater in California.



## Financial Assistance

**Sustainable Groundwater Management (SGM) Grant Program**: provides funds to develop and implement sustainable groundwater planning and projects.

- DWR released Guidelines and Proposal Solicitation Package (GL/PSP) in December 2021 for at least two rounds of grant funding.
  - Round 1 provided approx. \$150.5 million (M) to support 119 individual projects across 20 critically overdrafted (COD) groundwater basins, in May 2022, for planning and implementation projects to help comply with SGMA.
  - Round 2 will provide over \$200M available to high and medium priority basins for planning and implementation projects to help comply with SGMA. The solicitation for this round closed on December 16, 2022, and DWR is currently in the process of reviewing and scoring applications.
- In addition to the grant solicitations, DWR is providing additional support through its **Underrepresented Community Technical Assistance Program (URC TA Program)** that helps identify the needs, risks, and vulnerabilities of these communities with respect to SGMA implementation.
- For questions, please contact DWR's Financial Assistance Branch at [SGWP@water.ca.gov](mailto:SGWP@water.ca.gov).

**LandFlex Program**: provides immediate drought relief to drinking water wells in drought-stricken communities and limit unsustainable groundwater pumping in critically overdrafted basins.

- DWR, in coordination with the California Department of Food and Agriculture, awarded \$25M on February 23, 2023 to three GSAs to help preserve critical groundwater supplies in Central Valley communities. The three GSAs and award amounts are:
  - Madera County GSA - \$9.3M
  - Greater Kaweah GSA - \$7.0M
  - Eastern Tule GSA - \$7.0M
- For questions, please contact DWR's Financial Assistance Branch at [SGWP@water.ca.gov](mailto:SGWP@water.ca.gov).

**Integrated Regional Water Management (IRWM) Implementation Grant Program**: provides funding for projects and programs that implement an IRWM Plan, including groundwater management projects.

- In Round 2 Cycle 1, DWR awarded \$57.13M to 16 IRWM Regions from seven Funding Areas, finalizing awards on February 6, 2023.
- On February 23, 2023, \$15M in grant funding was awarded to support local water projects in the San Joaquin Valley, via DWR's IRWM Program.
- For questions, please contact DWR's Financial Assistance Branch at [dwr\\_irwm@water.ca.gov](mailto:dwr_irwm@water.ca.gov).

**2021 Urban and Multibenefit Drought Relief Funding**: provides financial assistance to address drought impacts through implementation of projects with multiple benefits.

- DWR released the final GL/PSP on October 28, 2021, to open the solicitation for approximately \$190M grant funds. Phase 1 awards were released on December 23, 2021, totaling \$8.74M for Disadvantaged Communities and Tribal Set Aside and \$44.9M in general drought relief funding.
- For questions, please contact the program at [urbandrought@water.ca.gov](mailto:urbandrought@water.ca.gov).



**2022 Urban Community Drought Relief Grant Program:** provides financial assistance to address drought impacts through implementation of projects with multiple benefits.

- This program provides nearly \$300M for Urban Communities, Conservation for Urban Suppliers, and Turf Replacement funding and is a separate program from the 2021 Urban and Multibenefit Drought Relief Solicitation. An initial phase of awards was released on February 2, 2023.
- For questions, please contact the program at [urbandrought@water.ca.gov](mailto:urbandrought@water.ca.gov).

**Small Community Drought Relief Program:** provides immediate and near-term financial and technical assistance to small communities facing water supply challenges because of the current drought.

- This program offers \$200M in funding to support small communities facing water supply challenges due to the current drought, available on a first come, first serve basis until all funds have been expended.
- For questions, please contact (916) 803-9251 or by email at [SmallCommunityDrought@water.ca.gov](mailto:SmallCommunityDrought@water.ca.gov).

### DWR Grants Best Practices and Tips for Success

This webpage is an attempt to reduce roadblocks in the grant application process by walking through each step of the process and identifying helpful tips and best practices, as well as providing other resources that may be beneficial. These tips are for under-resourced communities who are unfamiliar with the DWR grants process or do not have the capacity to hire a consultant. However, these steps can be useful for anyone who is applying for or administering a DWR grant.

The website includes a flowchart of a typical DWR grant program cycle that can help you determine which step of the grant process you are in. The flowchart shows steps at the **pre-application**, **application**, and **administration** phases. There are also seven steps with information about each step of the grant process, which also include some tips for success.

More information and resources can be found on the Grants Best Practices webpage, here: <https://water.ca.gov/Work-With-Us/Grants-And-Loans/Grants-Best-Practices>.

### DWR Region Office SGMA Points of Contact (POCs)

DWR's four Region Office SGMA POC maps and contact information are subject to change and can be found here:

- [Northern Region](#)
- [North Central Region](#)
- [South Central Region](#)
- [Southern Region](#)



## DROUGHT TOOLS

### Dry Domestic Well Susceptibility Tool

DWR, in coordination with the State Water Resources Control Board, has developed an interactive dashboard, called the Dry Domestic Well Susceptibility within Groundwater Basins Dashboard (Dry Well Susceptibility Dashboard and tool), to identify areas within groundwater basins throughout the State that may be prone to water supply shortages due to domestic drinking water wells going dry. The dashboard identifies the density of "susceptible" domestic wells per square mile based on recent groundwater level measurements and modeled future depth to water. If the modeled future depth to water falls below the dry well depth of a domestic well, the well is labelled susceptible.

The Dry Well Susceptibility Dashboard is housed on the [California's Groundwater Live](#) web-based platform which contains the latest information and data on groundwater conditions across the State. The State, local agencies, and well owners can use this dashboard to anticipate where wells may be susceptible to inform drought preparedness decision-making and resource allocation. To use this tool, navigate to California's Groundwater Live website and click the [Dry Domestic Well Susceptibility](#) tab.

### Dry Well Reporting System

The [Dry Well Reporting System](#) is a user-friendly online form, available in English and Spanish, for reporting when a domestic water well goes dry. DWR manages the Dry Well Reporting System to help centralize and disseminate information statewide when well outages are reported. This centralized reporting system helps ensure that local and State agencies are quickly notified and can respond to provide available resources such as interim water supplies or appropriate funding sources to help address the issues.

**For Well Owners:** To report a dry well in this system, navigate to the Dry Well Reporting System website and click **Submit Report (Enviar Reporte)**. This will begin the online form process where basic information about the dry well can be reported to state and county officials managing drought emergency response assistance.

Information added to this site is intended to inform state and local agencies on drought impacts on household and certain agricultural water supplies. Collection of data is not to be construed as application for local, state or federal assistance. Individuals interested in assistance should visit the State's [Drought Assistance web page](#). Information submitted through this site, except well owner name, contact information and personal address, will be visible to the public.

The Dry Domestic Well Susceptibility and Reporting Fact Sheet can also be found [online, here](#).

Please contact [sgmps@water.ca.gov](mailto:sgmps@water.ca.gov) with any questions. To find more information about the State's Drought Response and Assistance, please visit [drought.ca.gov](http://drought.ca.gov).

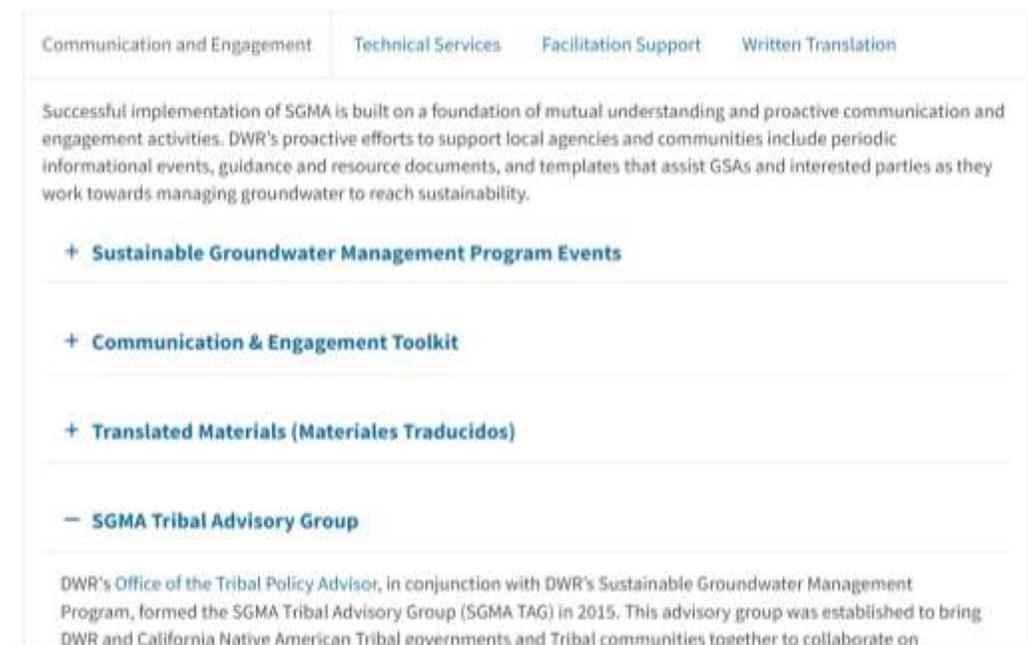


## WEBSITES AND UPCOMING EVENTS

DWR's [Office of the Tribal Policy Advisor](#) is the central point of coordinated communication and consultation with California Native American tribes to ensure proactive and meaningful consultation.

### SGMA TAG Meetings and Materials, SGMA Outreach and Engagement

The historic passage of SGMA in 2014 set forth a statewide framework to help protect groundwater resources over the long-term. DWR promotes engagement with Tribes by providing outreach and engagement guidance to local agencies implementing SGMA and holds SGMA Tribal Advisory meetings to collaborate with Tribes. SGMA TAG meeting information and materials can be found on the SGMA Assistance and Engagement webpage, <https://water.ca.gov/Programs/Groundwater-Management/Assistance-and-Engagement>, under the 'Communication and Engagement' tab, 'SGMA Tribal Advisory Group' accordion, as seen below:



The screenshot shows a webpage with four tabs: 'Communication and Engagement', 'Technical Services', 'Facilitation Support', and 'Written Translation'. The 'Communication and Engagement' tab is active. Below the tabs, there is a paragraph of text: 'Successful implementation of SGMA is built on a foundation of mutual understanding and proactive communication and engagement activities. DWR's proactive efforts to support local agencies and communities include periodic informational events, guidance and resource documents, and templates that assist GSAs and interested parties as they work towards managing groundwater to reach sustainability.' Below this text are four expandable sections: '+ Sustainable Groundwater Management Program Events', '+ Communication & Engagement Toolkit', '+ Translated Materials (Materiales Traducidos)', and '- SGMA Tribal Advisory Group'. The '- SGMA Tribal Advisory Group' section is expanded, showing a paragraph: 'DWR's Office of the Tribal Policy Advisor, in conjunction with DWR's Sustainable Groundwater Management Program, formed the SGMA Tribal Advisory Group (SGMA TAG) in 2015. This advisory group was established to bring DWR and California Native American Tribal governments and Tribal communities together to collaborate on

DWR also engages with Tribes who have Tribal trust lands in medium- and high-priority groundwater basins with an invitation to elect to join the [airborne electromagnetic \(AEM\) survey project](#) in California's high- and medium-priority groundwater basins, where data collection is feasible, to assist local water managers as they implement SGMA to manage groundwater for long term sustainability.

### Tribal Water Summit – Past and Future

The next Tribal Water Summit will take place on April 11-13, 2023, in Sacramento, which will convene Tribal, State, and Federal leaders to discuss water issues and strategies towards watershed resilience of California's sacred waters. 2023 Tribal Water Summit materials and updates can be found on the Tribal Water Summit webpage, here: <https://water.ca.gov/Programs/California-Water-Plan/Water-Plan-Participation/Tribal-Water-Summit>. The Save the Date Flyer can also be found [online, here](#).

