The Sustainable Groundwater Management Act in Colusa County

Governance Workgroup Meeting 1
January 19, 2016
Meeting Outline

I. SGMA Background
II. Colusa SGMA Process
III. GSA Roles and Responsibilities
IV. GSA / Stakeholder Interests
V. Basin Boundary Modifications
Comprehensive statewide legislation that creates a framework for sustainable groundwater management

- Became law on January 1, 2015
- All medium and high priority basins managed sustainably
- Emphasis on local control with State oversight
- Requires Groundwater Sustainability Agencies
- Requires Groundwater Sustainability Plans
SGMA Background

Key Definitions (to be discussed later)

- “Any local agency or combination of local agencies overlying a groundwater basin may decide to become a groundwater sustainability agency for that basin.” (Water Code § 10721)

- “Local agency” means a local public agency that has water supply, water management, or land use responsibilities within a groundwater basin.” (Water Code § 10721)
Colusa SGMA Process – Proposed Approach

The Center for Collaborative Policy will:

- Coordinate and facilitate public meetings about governance and SGMA implementation
- Coordinate and facilitate meetings of GSA eligible agencies and other interested parties (e.g. Governance Workgroup)
- Conduct meetings with individual GSA eligible agencies and others (e.g. TBD County advisory group)
- Organize and facilitate SGMA coordination meetings between Subbasins and Counties
Colusa SGMA Process – Proposed Schedule

- Initial Public Meeting – January 11
- Governance Workgroup Meeting 1 – January 19
  - Individual Eligible Agency Meetings – Late Jan – Late Feb.
- Governance Workgroup Meeting 2 – Early March
  - Individual Eligible Agency Meetings – Early March – Early April
- Governance Workgroup Meeting 3 – Early - Mid April

*Governance Work Group meetings every 4-6 weeks for a total not to exceed 8 meetings.*
Colusa SGMA Process – Proposed Topics

• Governance Workgroup Meeting 1
  • Proposed Process / Schedule
  • GSA Roles / Responsibilities / Requirements
  • Stakeholder Interests / Common Principles
  • Potential Approaches to Governance.

• Governance Workgroup Meeting 2
  • Initial Governance Options
  • Common Principles
  • Governance Option Screening

• Governance Workgroup Meeting 3
  • Continued Governance Discussion
  • Initial Chartering Discussion

• Future Meeting Topics / Schedule To Be Determined
Colusa SGMA Process – Proposed Outcomes

No Expectations Beyond the Following:

- One or more GSAs must be formed
- Multi-Agency GSA(s) must create governance decisions / documents
- Two or more GSAs must prepare a Coordination Agreement (a legal agreement) between them. (Water Code § 10721, 10727)(b)(3), etc.)
- County represents / manages all groundwater conditions outside another managed area (Water Code § 10724)
Open Discussion / Q&A
SGMA Background – GSA Formation

Groundwater Sustainability Agencies (GSAs)

- “Any local agency or combination of local agencies overlying a groundwater basin may decide to become a groundwater sustainability agency for that basin.” (Water Code § 10721)

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  - e.g. - counties, cities, water agencies, irrigation districts, PUDs, or similar
**Groundwater Sustainability Agencies (GSAs)**

- SGMA requires formation of GSAs to implement SGMA at the local level
- GSA may include one or more local public / eligible agencies
- May include a single GSA or multiple GSAs per basin
- Multiple GSAs must coordinate planning efforts through Coordination Agreements
SGMA Background – GSA Formation

GSA Formation Process and Deadlines
*Effective January 1st, 2016, eligible agencies must…*

- Submit GSA formation notice within 30 days of decision (e.g. resolution or legal agreement)
- Include map and accompanying narrative indicating:
  1. Local agency service area boundaries
  2. Boundaries the local agency intends to manage
  3. Any other agencies managing or proposing to manage groundwater in the basin
GSA Formation Process and Deadlines

*Effective January 1st, 2016, eligible agencies must...*

- Submit a copy of the resolution or legal agreement forming the local agency
- A copy of any new bylaws, ordinances or new authorities developed by the local agencies
- A list of interested parties and explanation of how their interests will be considered
- New steps reflect passage of SB13
SGMA Background – GSA Formation

GSA Roles and Responsibilities (Water Code § 10725)

At their discretion, GSAs may…

- Adopt rules, regulations and ordinances
- Conduct groundwater studies / investigations
- Register and monitor wells
- Require reports of groundwater extraction
- Implement capital projects to meet goals
- Assess fees to cover management costs
SGMA Background – GSA Formation

GSA Roles and Responsibilities

*Interested parties must be included in SGMA planning:*

- 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)
SGMA Background – GSA Formation

Basinwide Planning Considerations

Protecting a common resource

- Inter-county coordination
- Coordination with adjacent subbasins
- Single GSP or multiple GSPs covering entire basin
- Addressing unique interests while managing the basin as a whole
Passage of SB 13
*Interpreted by DWR as retroactive*

- Removed the Notice of Intent to be a GSA
- Allows a mutual water company to be part of a GSA through a legal agreement
- Prohibits overlap of service area boundaries
- Prohibits local agencies from imposing fees or reg. requirements on entities outside their boundaries
- Requires DWR to post all “complete” notices within 15 days of receipt
Recent SGMA Activities

**GSA Notifications in Colusa County To-Date**

- Provident Irrigation District and Princeton-Codora-Glenn Irrigation District
- Glenn-Colusa Irrigation District
- Colusa County Water District
- Reclamation District 1004
- Reclamation District 108
- County of Colusa
Open Discussion / Q&A
SGMA in Colusa County – Current Interests

- GSA Assessments - Late Summer / Late Fall 2015
  - Interviewed noticed GSAs
  - Used Standardized Questions
  - Combined all responses
  - No Attribution

- Public Meeting – January 11

- Direct Feedback from private / public interests
SGMA in Colusa County – Current Interests

GSA Assessments – Outcomes

• 6 Agencies have different understanding of the law, implications, roles and responsibilities, costs, etc.

• Common Perspectives / Conditions:
  • Feel the need to protect interests
  • Uncertain about County role and capabilities
  • Concerned about future surface water access / rights
  • Generally view SGMA as positive and needed
  • Believe sustainable GW = sustainable economy
  • Generally good relationships with other agencies
SGMA in Colusa County – Current Interests

GSA Assessments – Outcomes

• Common Perspectives / Conditions (cont.):
  • Concern about enforcement equity
  • Outreach and education is difficult
  • Private well owners are not informed
  • Support facilitated approach / support
  • Uncertain what happens if GSAs are not successful
  • Do not support / want State intervention
  • Committed to work with other GSAs including the County
SGMA in Colusa County – Current Interests

GSA Assessments – Outcomes

• Diverse Perspectives / Conditions
  • Role and capabilities of County
  • Role of County Groundwater Commission
  • Well Moratorium process / outcomes
  • Role / intentions / capabilities of neighboring counties
  • Use and value of existing GW Mngt Plans
  • SGMA implementation steps so far / next steps
SGMA in Colusa County – Current Interests

Stakeholder Input – Public Meeting / Post Meeting

• Diverse Perspectives / Conditions
  • County Role
    • Not capable…OR…Needs to be involved
  • State intervention
    • Bad…OR…Good
• Enforcement
  • Everyone equal…OR…Focus on problem areas
• Concern about GSAs that manage GW and can sell SW. Not everyone has that option.
Basin Boundary Modifications

**Passage of emergency regulation**

- Existing groundwater basins or subbasins defined in DWR’s Bulletin 118
- Local agencies may request boundary modifications
- May include scientific or jurisdictional modifications
- Starting January 1, 2016: 90 day window for local agencies to submit requests for DWR consideration
Basin Boundary Modifications

Process for submitting requests

• Review basin boundary modification regulations

• Submit notification within 15 days of exploring a modification

• Determine appropriate documents and actions to comply with regulations

• Submit basin boundary modification request: 90 day window starting January 1, 2016 to submit for DWR consideration
Open Discussion / Q&A
Colusa SGMA – Common Principles

Purpose – Identify common statements / principles that eligible GSAs can support as a starting point.

• Reflect common themes

• Hold collectively accountable to common commitments

• Avoid misunderstandings / misconceptions

• Create focused messages for all County stakeholders and neighboring areas
Open Discussion / Q&A
Extra Slides to Reference as Needed
How are domestic well owners affected by SGMA?

- Referred to in SGMA as “de minimis” users IF…
  - Use 2 acre-feet per year or less for domestic purposes

- De minimis users are subject to SGMA, depending on local needs
  - GSAs will decide how de minimis users are addressed
  - GSAs can decide to exclude or include
  - GSAs can decide on fees but cannot require metering
  - May be subject to reporting / fees to State if intervention occurs

- Domestic wells can also be regulated by authorities (counties, water districts, etc.) outside scope of SGMA
SGMA Background

“White Areas”

• County is presumed to be the GSA over areas that are not covered by another GSA-eligible agency

• If the County opts out, the State will manage those areas
SGMA Background

Development of Groundwater Sustainability Plans (GSPs)

- GSAs are responsible to develop GSPs

- Every high and medium priority groundwater basin must be covered by a GSP or GSPs

- Option of a single GSP covering the entire basin, or a combination of GSPs, developed by multiple GSAs, covering the entire basin

- Multiple GSPs must coordinate, utilize the same data / methodologies, and have a coordination agreement
**Key Implementation Milestones**

- January 1, 2016 – Boundary redesignation and SB 13
- June 1, 2016 – GSP regulations due from DWR
- June 30, 2017 – GSAs must be formed
- July 1, 2017 – Counties affirm GSA status
- January 31, 2020 – GSPs complete for critically over-drafted basins
- January 31, 2022 – All other GSPs complete
Recent SGMA Activities

**Basin Boundary Modifications**

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Recent SGMA Activities

Groundwater Sustainability Plan Regulations

- By June 1, 2016 DWR shall adopt regulations for:
  - Evaluating GSPs
  - Implementing GSPs
  - Coordination agreements

- The regulations shall identify:
  - Required GSP components and additional elements
  - Coordination of multiple GSPs in a basin
  - Additional information that assists GSAs