**ROADMAP**

- General overview of the Sustainable Groundwater Management Act of 2014, as amended in 2015
- Groundwater Sustainability Agency (GSA) Powers
  - Special Interest Districts
  - General Law Counties
- Opportunities for private participation in GSA Governance

**SGMA Framework**

- Applies to Bulletin 188 designated high- and medium-priority basins
- Certain local agencies are eligible to elect to become GSAs
- GSAs are responsible for developing, adopting, and implementing a Groundwater Sustainability Plan (GSP) that achieves sustainability in the basin within 20 years
- Non-CCOD GSP Submission & Sustainability Deadlines: January 31, 2022 & January 31, 2042
- Alternative Plan is allowed, must be submitted by January 31, 2017
- GSA must consider interests of “all beneficial uses and users of groundwater” enumerated in statute
  - Original SGMA language dilutes private well owners’ participation through this language
  - Subsequent amendments increased opportunities for private well owners to be engaged, but still there is the issue of GSAs viewing these entities as competition
  - Where the GSA is a local water supplier
  - DWR approves, conditionally approves, or rejects GSPs
  - Ongoing reporting by GSAs every 5 years

**GSA Powers**

- Assess fees (permit fees, groundwater extraction fees)
- Investigate properties and facilities for SGMA compliance
  - Fines
  - Well extraction limits
  - Well extraction permits
  - Well metering and reporting
  - Water management projects
- Land Use
  - Does not supersede land use authority of cities and counties
  - Coordinate with land use agencies for activities that may create risk to GW quality or quantity
  - Request notification of new well permits
  - Adopt spacing requirements for new wells
- Establish programs for voluntary fallowing of agricultural land
- Transfer, deliver, or exchange water or water rights

**GSA Formation**

- **Deadline:** High- and medium-priority basins must have a GSA in place by June 30, 2017 or defaults to local county (WC § 10724)
- **Eligible entities:** Any local agency or combination of local agencies with water supply, water management, or land use responsibilities that overlie a groundwater basin (WC §§ 10721(n); 10723)
  - Special districts (e.g., water districts, irrigation districts)
  - Counties
- **Procedural Requirements:**
  - Governing body must elect to become a GSA
  -File timely notice with DWR (30 days from election date)
  - 90 day period – exclusive GSA determination
  - Any resulting GSA overlap must be resolved by June 30, 2017, otherwise the basin is at risk of SWRCB intervention (WC § 10735.2; DWR FAQs, Question No. 11)

**How To Participate as a Private Party**

- Advisory Committee
- Agreement with GSA
- Mutual Water Companies & Water Corporations
- Special Legislation
Advisory Committee

SGMA enumerates a list of beneficial uses and users whose interests must be considered by the GSA.

WC § 10727.8 authorizes a GSA to appoint and consult with an advisory committee of interested parties for developing and implementing the GSP.

Beneficial Uses and Users

(WC § 10723.2)

- Holders of overlying groundwater rights
- Agricultural users
- Domestic well owners
- Municipal well operators
- Public water systems
- Local land use planning agencies
- Environmental users of groundwater
  - Surface water users, if there is a hydrologic connection between surface and groundwater bodies
  - The federal government, including, but not limited to, the military and managers of federal lands
  - California Native American tribes
  - Disadvantaged communities, including, but not limited to, those served by private domestic wells or small community water systems
  - Entities listed in Section 10927 that are monitoring and reporting groundwater elevations in all or a part of a groundwater basin managed by the groundwater sustainability agency.

Agreement with the GSA

Statutes of 2015, Chapter 666 (AB 617 [Perea])

Authorizes GSAs to enter into ‘written agreements and funding with a private party to assist in, or facilitate the implementation of, a groundwater sustainability plan or any elements of the plan.” (WC § 10726.5)

Water Corporations & Mutual Water Companies

Statutes of 2015, Chapter 255 (SB 13 [Pavley])

Amended SGMA to authorize a mutual water company to participate in a groundwater sustainability agency and would provide, that a water corporation or a mutual water company may participate through a memorandum of agreement or other legal agreement.

Special Legislation

- Case Study: SB 37 (Vidak) [Amended June 21]
  - Creates the Kings River East GSA, with boundaries to be established by the Board of Supervisors for the Counties of Fresno and Tulare, to govern a portion of the Kings Sub-basin (No. 5-22.08).
  - Establishes a 7-member GSA Governing Board, including one seat for agricultural interests

Representation

<table>
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<th>Electing Body</th>
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<tr>
<td>Alta Irrigation District</td>
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<td>Fresno County</td>
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<td>Tulare County</td>
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<tr>
<td>City Council</td>
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<tr>
<td>City Councils of Cities of Dinuba, Orange Cove, and Reedley</td>
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<td>Special Districts - Not Governed by Counties’ BOS</td>
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<td>Hills Valley Irrigation District; Orange Cove Irrigation District; Tri-Valley Water District; Kings River Water District.</td>
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<td>Special Districts - Drinking Water Suppliers</td>
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</tbody>
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Table: Special Legislation
Questions?

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