

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

STAFF REPORT FOR REGULAR MEETING OF DECEMBER 12-13, 2019

Prepared on November 5, 2019

ITEM NUMBER: 5

**SUBJECT: Sustainable Groundwater Management Act (SGMA)
Implementation in the Central Coast Region**

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ACTION: Information / Discussion

SUMMARY

This staff report provides a brief overview of the Sustainable Groundwater Management Act (SGMA) with an emphasis on Central Coast Water Board staff's coordination efforts with various stakeholders. This information item is focused on presentations by various groundwater sustainability agencies, and staff from the State Water Resources Control Board (State Water Board) and Department of Water Resources (DWR). Although Central Coast Water Board staff will not be presenting, they will be available to engage in dialogue with the Board, stakeholders, and presenters.

The following guest speakers will present information related to SGMA as part of this agenda item:

- Gary Peterson, General Manager, Salinas Valley Basin GSA.
- Taryn Ravazzini, Deputy Director of Statewide Groundwater Management, Department of Water Resources.
- Natalie Stork, Groundwater Management Program, Office of Research, Planning, and Performance, State Water Resources Control Board.
- Garrett Haertel, Deputy District Engineer, San Benito County Water District
- Brian Lockwood, General Manager, Pajaro Valley Water Management District.

BACKGROUND

Governor Jerry Brown signed the SGMA into law on September 16, 2014. SGMA provides a structure for sustainable groundwater management in California by requiring local stakeholders to form groundwater sustainability agencies (GSAs). GSAs develop and implement groundwater sustainability plans (GSPs) to bring groundwater basins into balance to achieve long-term water resource reliability (i.e., to cease and reverse overdraft conditions). The focus of SGMA is on groundwater supply management with

ancillary requirements associated with water quality and other beneficial uses of groundwater and surface water.

DWR has defined 517 California groundwater basins and subbasins (collectively referred to herein as “basins”) in its *Bulletin 118 – Interim Update 2016* and 2019 update¹. DWR is required to prioritize these basins using several criteria, including, but not limited to, the population overlying the basin, adjudication status², and basin overdraft status. DWR considers a basin to be in a state of critical overdraft when continuation of basin management practices would likely result in significant adverse overdraft-related environmental, social, or economic impacts. SGMA requires stakeholders in basins prioritized as high- and medium-priority to submit GSPs to DWR for approval. The deadline for the first phase of GSPs to be submitted to DWR is January 31, 2020 for high- and medium-priority basins identified as critically overdrafted. All other high- and medium priority basins that are not critically overdrafted must submit GSPs to DWR by January 31, 2022.

DWR is the primary agency with authority to oversee and approve GSPs, which must indicate how sustainability will be achieved while avoiding six undesirable results³, including: chronic lowering of groundwater levels, depletion of interconnected surface water, reduction of groundwater storage, seawater intrusion, land subsidence, and degraded water quality. The California Water Code (Water Code, section 10721(x)(4)) specifies requirements that GSPs must address how undesirable results will be avoided. With respect to water quality, SGMA requires that groundwater be managed to avoid “significant and unreasonable degraded water quality, including the migration of contaminant plumes that impair water quality.” GSPs must, therefore, identify current and historical groundwater conditions, and must collect and/or evaluate data from aquifers to determine groundwater quality trends to accomplish the following:

- Demonstrate progress toward achieving measurable objectives;
- Monitor impacts to beneficial uses and/or users of groundwater;
- Monitor changes in groundwater conditions relative to measurable objectives and minimum thresholds; and
- Quantify annual changes in water budget components⁴.

SGMA does not require GSAs to address historic water quality problems and established a 2015 baseline by which to evaluate water quality-related issues. The water quality focus of SGMA is to ensure the implementation of GSPs does not cause or exacerbate undesirable water quality problems noted above relative to the 2015 water quality baseline. Furthermore, GSAs are not required to assume regulatory roles that are the responsibility of agencies such as the Water Boards⁵.

¹ DWR Basin Prioritization, 2019: [Link to basin prioritization and Bulletin 118](#)

² SGMA prioritization addresses basins that are not adjudicated, as well as non-adjudicated areas within adjudicated basins.

³ GSAs must set minimum thresholds and measurable objectives for how their GSP will avoid all six undesirable results, and how they will measure progress towards their sustainability goals.

⁴ California Code of Regulations (CCR) section 354.34(c)(4).

⁵ [A link to: Guide to Water Quality Requirements Under the Sustainable Groundwater Management Act, 2019](#)

In a process referred to as “state intervention,” SGMA allows the State Water Board to step in to protect groundwater if local agencies are unable or unwilling to sustainably manage their basin. SGMA allows the State Water Board to designate a high- or medium-priority basin as a “probationary basin” if DWR determines one or more local agencies did not form a GSA, a GSP was not developed on schedule or was inadequate, or GSP implementation is inadequate. The State Water Board may develop an interim sustainability plan for a probationary basin. In order to end State Water Board basin management, GSAs must adequately address basin management deficiencies and demonstrate to the State Water Board and DWR their capacity to manage groundwater sustainably.

SGMA does not define a role for Regional Water Quality Control Boards (Regional Boards); therefore, Regional Boards do not have authority to approve, deny, or enforce GSPs. However, Regional Boards are very interested in how GSAs/GSPs will identify and address water quality concerns in groundwater sustainability planning efforts. Thus, some Regional Boards have been engaging with GSAs and commenting on GSPs during public comment periods, as have members of the general public. It is noteworthy that SGMA does not require GSAs to agree with or implement recommendations contained in public comments provided by any individual or entity, including comments focused on water quality.

Under the supervision of Diane Kukol (Senior Engineering Geologist), two Central Coast Water Board geologists, James Bishop and Daniel Pelikan (staff) devote a percentage of time to GSP review and comments, and coordinate development of these comments with State Water Board staff. Central Coast Water Board staff prioritize SGMA GSP review work on six basins (listed below). Our comments have mainly focused on measurable water quality objectives, proposed basin management actions, and engagement with disadvantaged communities (DACs). Staff also attend GSA public meetings and provide oral comments on water quality issues and concerns, as appropriate, and as time allows.

Central Coast Water Board’s Involvement with SGMA

There are 40 GSAs responsible for implementing SGMA in 25 basins in the Central Coast region⁶. DWR identified the following six central coast basins as high-priority and critically overdrafted:

- Santa Cruz Mid-County;
- Corralitos – Pajaro Valley;
- Salinas Valley – 180/400 Foot Aquifer;
- Salinas Valley – Paso Robles Area;
- Los Osos Valley – Los Osos Area; and
- Cuyama Valley.

⁶ [Link to DWR Basin List, 2019](#)

DWR identified the following five additional Central Coast basins as high priority (but not critically overdrafted):

- Gilroy-Hollister Valley – Llagas Area;
- Salinas Valley – East Side Aquifer;
- Salinas Valley – Langley Area;
- San Luis Obispo Valley; and
- Carpinteria.

Because SGMA participation comes with no regional board staff resources, Central Coast Water Board staff cannot feasibly review and comment on GSPs associated with all these basins; therefore, we prioritized the basins for our focused review efforts based on a basin's salt and nitrate data, existing groundwater conditions, and irrigated crop area. We are focusing resources on the following six basins:

- Salinas Valley – 180/400 foot subbasin, East Side subbasin, Forebay subbasin, and Upper Valley subbasin;
- Gilroy/ Hollister Valley – North San Benito subbasin (consolidation of Bolsa area, Hollister area, and San Juan Bautista subbasins);
- Carpinteria;
- Corralitos - Pajaro Valley subbasin;
- Cuyama Valley;
- Santa Ynez River Valley.

Staff actively outreach to GSAs operating within the six basins noted above. Staff also regularly coordinate with State Water Board staff of the Groundwater Management Program through routine round-table meetings and via submittal of our draft GSP comment letters for review prior to distribution to GSAs. State Water Board staff have shared our comment letters with other Water Boards to serve as potential templates.

Staff have participated in SGMA-related activities in 2019 as follows:

- Salinas Valley GSA
 - Attended three advisory committee meetings.
 - Commented on Integrated Plan GSP *Chapter 5, Groundwater Conditions*.
 - Commented on 180/400 Foot Aquifer GSP *Chapter 8, Sustainable Management Criteria* and
 - Commented on 180/400 Foot Aquifer GSP *Chapter 9, Projects and Management Action*.
 - Commented on *Salinas Valley 180/400 Foot Aquifer Subbasin Groundwater Sustainability Plan*.
- Gilroy/Hollister Valley GSA
 - Attended two advisory committee meetings.
- Cuyama Basin GSA
 - Attended one advisory committee meeting.
 - Commented on GSP *Chapter 5, Sustainability Thresholds*.
 - Commented on *Final Draft GSP*.

We are in the process of finalizing a letter to all GSAs in the Central Coast region, indicating our interest in establishing two-way communication associated with SGMA implementation. The timely sharing of data and local knowledge is mutually beneficial to understanding the relationship between future basin management and water quality, and is intended to minimize duplication of data collection efforts (e.g., coordination of regional monitoring programs, etc.). Our forthcoming letter, which has been recently reviewed by State Water Board staff, will also contain contact information for Central Coast Water Board staff involved with GSP review, and a description of issues of particular concern to the Central Coast region. These issues include:

1. Protection of groundwater recharge areas and consideration of water quality with respect to groundwater recharge projects;
2. Coordination of SGMA groundwater monitoring programs with existing data obtained in accordance with several Central Coast Water Board programs, particularly the Irrigated Lands Regulatory Program;
3. Consideration of water quality objectives and beneficial uses established in the Water Quality Control Plan (Basin Plan) for the Central Coast region;
4. Protection of beneficial uses and existing high-quality waters in planned projects and management actions that will require permits or approval from the Central Coast Water Board; and
5. Coordination with DACs and environmental justice nongovernmental organizations to ensure DACs have access to safe drinking water and adequate and affordable water supplies.

CONCLUSIONS

Central Coast Water Board staff will continue to engage with GSAs and the State Water Board in an effort to inform and achieve positive water quality outcomes associated with implementation of GSPs. For instance, some GSP implementation projects and management measures may fall under the water quality permitting purview of Water Boards (e.g., groundwater recharge projects, etc.). Staff will prioritize these permitting efforts as appropriate to ensure water quality is protected.