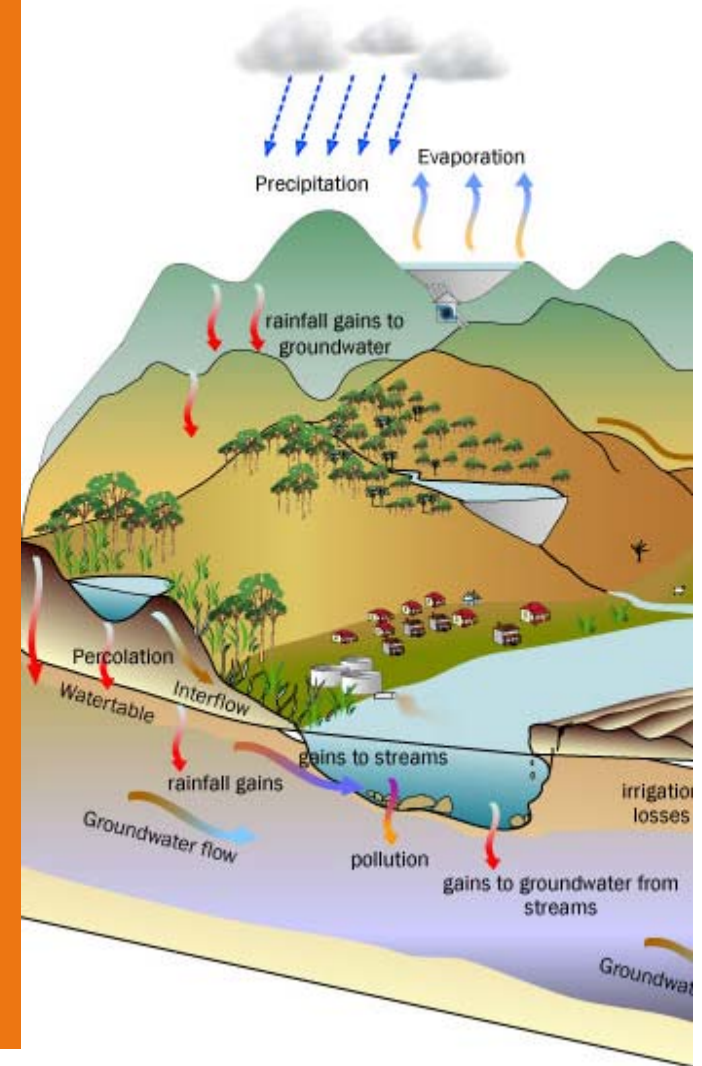


# Sustainable Groundwater in California

## SGMA Implications for CEQA and Other Planning Requirements and Processes

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service meet.

## Presentation Outline

- Prior Requirements
- Future under SGMA-What We Know
- Future under SGMA-What We Don't Know



# PRIOR REQUIREMENTS

## State Policy

- Government Code §65352.5(a):

*“[I]t is vital that there be close coordination and consultation between California’s **water supply agencies** and California’s land use approval agencies to ensure that proper **water supply planning** occurs to accommodate projects that will result in increased **demand on water supplies**.”*

## General Plans

- Gov Code §65352 required local government to refer plan to any public water agency within affected area
- Gov Code §65352.5 required public water agency to send:
  - Current UWMP & CIP
  - **Water sources**, including groundwater, purveyed in last 5 years
  - Future **water supplies** to be added
  - Total customers by use
  - Water conservation savings
  - Additional relevant information

## CEQA

- Appendix G Checklist Item XVII.d:

*Would the project have sufficient water supplies available to serve the project...or are new or expanded entitlements needed?*

- Appendix G Checklist Item IX.b:

*Would the project substantially **deplete groundwater supplies** or interfere substantially with groundwater recharge such that... **would not support existing land uses** or planned uses for which permits have been granted)?*



## Water Supply Assessment (SB 610)

- Can water be provided for 20 year demand?
- WSA lead agency to consult with “any entity serving domestic water supplies...”
- Recently adopted UWMP may form basis of WSA
- If supply includes groundwater, WSA must include:
  - Information from UWMP and past/future pumping
  - Description of basin and efforts to eliminate overdraft
  - Analysis of sufficiency to meet project demands
  - Sufficiency analysis not required if project demand included in UWMP



What We Know

# FUTURE UNDER SGMA



## State Policy

- Government Code §65352.5(a):  
*“[I]t is vital that there be close coordination and consultation between California’s water supply **or management** agencies and California’s land use approval agencies to ensure that proper water supply planning **and management** occurs to accommodate projects that will result in increased demand on water supplies **or impact water resource management.**”*
- Water Code §113:  
*“It is the policy of the state that **groundwater resources** be managed sustainably for long-term reliability and **multiple economic, social, and environmental benefits** for current and future beneficial uses...”*

## General Plans

- New Government Code §65350.5 requires planning agency to review prior to adopting new or amended GP:
  - (a) An adoption of, or update to, a groundwater sustainability plan or groundwater management plan pursuant to Part 2.74 (commencing with Section 10720) or Part 2.75 (commencing with Section 10750) of Division 6 of the Water Code or groundwater management court order, judgment, or decree.
  - (b) An adjudication of water rights.
  - (c) An order or interim plan by the State Water Resources Control Board pursuant to Chapter 11 (commencing with Section 10735) of Part 2.74 of Division 6 of the Water Code.

## General Plans

- Government Code §65352 is augmented to require consultation with GSA
- Government Code §65352.5 is augmented to require GSA to provide planning agency:
  - Current GSP (or alternative)
  - Judgment, decree, agreement, or interim plan, if relevant
  - ***Report on anticipated effect on implementation of GSP of proposed GP update or amendment***

## New Definitions

- Sustainable Yield
  - Long term withdrawals without an *undesirable result*
- Undesirable Result
  - Chronic lowering of groundwater levels
  - Significant and unreasonable:
    - reduction in groundwater storage
    - seawater intrusion
    - degradation in water quality
    - land subsidence that interferes with surface land uses
  - Depletions of interconnected surface water that has significant impacts on beneficial uses

### Undesirable Results

*Significant and Unreasonable*



Lowering  
GW Levels



Reduction  
of Storage



Seawater  
Intrusion



Degraded  
Quality



Land  
Subsidence



Surface Water  
Depletion

## Proposed Emergency Regulations

- Sustainability Goal
- Definition of Undesirable Results
- Minimum Thresholds
  - Chronic Lowering of Groundwater Levels
  - Reduction of Groundwater Storage
  - Seawater Intrusion
  - Degraded Water Quality
  - Depletions of Interconnected Surface Water
- Measureable Objectives
  - Interim milestones – 5 year increments
  - Quantitative metrics for each sustainability indicator
  - Measureable objectives may exceed sustainability goals



What We Don't Know

**FUTURE UNDER SGMA**

## General Plan

- What must an agency do with the GSA's report on effect of proposed GP update or amendment?
  - *Must they:*
    - *Agree with or defer to the report?*
    - *Revise the GP update/amendment?*
    - *Include the report in an EIR?*
- Water Code §10726.9: GSPs must take into account most recent planning assumptions stated in local general plans overlying the basin
  - *Must a GSP be updated when a general plan is amended?*
  - *What to do if multiple general plans have overlapping and inconsistent boundaries and time periods?*

## CEQA Significance Thresholds

- Is CEQA Appendix G Item IX.b reworded to reflect “undesirable result”?
  - *Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be ~~a net deficit in ... which would not support existing land uses or planned uses ...~~ **undesirable results related to groundwater conditions**”?*
- Under CEQA, is inconsistency with a GSP a significant impact? *Does this apply to:*
  - *Minimum thresholds?*
  - *Measureable objectives?*





## Water Supply Assessments

- Can a GSA prepare a WSA? Must it?
- Can a GSP be treated equal to an UWMP in a WSA?

## Schedule Issues

- GSP's schedule: 5-7 years for completion
- State policy and definitions are in place today
- How do CEQA documents address these factors prior to adoption of GSPs?



## Potential Items for Cleanup Legislation

- Role of GSA/GSP under SB 610/221
- Direction to OPR regarding updates of:
  - General Plan Guidelines
  - CEQA Guidelines



# Thank You

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