

STATE OF CALIFORNIA  
CALIFORNIA NATURAL RESOURCES AGENCY  
CALIFORNIA WATER COMMISSION

RESOLUTION NUMBER: 2016-01

RESOLUTION TO APPROVE EMERGENCY REGULATIONS FOR GROUNDWATER  
SUSTAINABILITY PLANS AND ALTERNATIVES UNDER THE SUSTAINABLE  
GROUNDWATER MANAGEMENT ACT

WHEREAS, on September 16, 2014, Governor Brown signed into law the Sustainable Groundwater Management Act (SGMA), which provides a framework for long-term, sustainable groundwater management throughout California; and

WHEREAS, SGMA provides the following:

- a. Requires critically-overdrafted high and medium priority basins to be managed under a Groundwater Sustainability Plan (GSP) by January 31, 2020 as described in Water Code section 10720.7;
- b. Requires all other groundwater basins designated as high or medium priority basins to be managed under a GSP by January 31, 2022 as described in Water Code section 10720.7;
- c. Gives Groundwater Sustainability Agencies the financial and enforcement authority to carry out effective local sustainable groundwater management, as described in Water Code sections 10730 and 10732; and
- d. Provides an opportunity for local agencies to submit Alternatives to GSPs by January 1, 2017 as described in Water Code section 10733.6; and

WHEREAS, in addition to other responsibilities under SGMA, Water Code section 10733.2 directs the Department, by June 1, 2016, to adopt emergency regulations that:

- a. Identify the necessary plan components required by Water Code sections 10727.2, 10727.4, and 10727.6 and other information that will assist local agencies in developing and implementing groundwater sustainability plans and coordination agreements;
- b. Identify appropriate methodologies and assumptions for baseline conditions concerning hydrology, water demand, regulatory restrictions that affect the availability of surface water, and unreliability of, or reductions in, surface water deliveries to the agency or water users in the basin, and the impact of those conditions on achieving sustainability; and
- c. Evaluate alternatives submitted pursuant to Water Code section 10733.6; and

WHEREAS, Water Code section 10733.2 also provides that adoption of these regulations is an emergency and shall be considered by the Office of Administrative Law as necessary for the immediate preservation of the public peace, health and safety, or general welfare; and

WHEREAS, Water Code section 161 authorizes the California Water Commission to approve rules and regulations of the Department; and

WHEREAS, after conducting significant public outreach, the Department developed regulations that implement Water Code section 10733.2 (GSP Regulations), and on February 18, 2016, the Department published the draft GSP Regulations on its Internet website; and

WHEREAS, the Department conducted three public meetings to consider public comments as follows: March 21, 2016 in Visalia, March 22, 2016 in Santa Ana, and March 25, 2016 in Sacramento. The Department accepted written public comments on the GSP Regulations through April 1, 2016; and

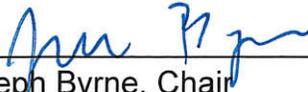
WHEREAS, after reviewing written comments and comments received at the public meetings and at California Water Commission meetings, the Department revised the draft GSP Regulations and the revised GSP Regulations are hereby presented to the California Water Commission for consideration and approval; and

WHEREAS, The adoption of the GSP Regulations is exempt from the California Environmental Quality Act (CEQA) because adoption of these regulations is not a project under CEQA, and, even assuming that adoption of these regulations constitutes a project, it would be exempt because there is no possibility that the adoption of the GSP Regulations will have a significant effect on the environment. (Pub. Res. Code §21065, 14 CCR §§ 15061, 15378.)

NOW, THEREFORE, BE IT RESOLVED that the California Water Commission:

Approves the GSP Regulations at their meeting on May 18, 2016.

Signed:

  
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Joseph Byrne, Chair  
California Water Commission

5-18-16  
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Date

Attest:



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Paula J. Landis, Executive Officer  
California Water Commission



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Date