

## **The Sustainable Groundwater Management Act: Process for Proposing Adjustments to Groundwater Basin Boundaries**

The Sustainable Groundwater Management Act (“Act”) provides a process by which a local agency<sup>1</sup> may request that the Department of Water Resources (“DWR”) revise the boundaries of a groundwater basin, including the establishment of new subbasins.<sup>2</sup> Without a request for revision, groundwater basin boundaries will remain as identified in Bulletin 118.<sup>3</sup>

Broadly, the Act requires that a local agency support its request to revise basin boundaries with four types of information. First, the agency must demonstrate that the proposed adjusted basin can be the subject of “sustainable groundwater management.”<sup>4</sup> Second, the agency must provide “technical information” about the new proposed basin boundaries and basin conditions.<sup>5</sup> Third, the agency must demonstrate that it consulted with other interested local agencies and public water systems<sup>6</sup> before filing its revision proposal with DWR.<sup>7</sup> Finally, the agency must provide other information DWR deems necessary to justify revision.<sup>8</sup>

By January 1, 2016, DWR must adopt regulations to better define these broad categories.<sup>9</sup> The regulations will include a methodology and criteria to be used by DWR in evaluating a proposed revision.<sup>10</sup> The methodology and criteria will explain how to assess whether the proposed basin can be sustainably managed, whether the designation of the proposed basin would limit the sustainable management of adjacent basins, and whether there is a history of sustainable management in the proposed basin.<sup>11</sup>

Interested parties will have the opportunity to participate in crafting these regulations. DWR must conduct a public meeting in three locations throughout California (northern, central and southern) to consider public comment on the regulations, and will publish draft regulations on its website at least 30 days before the meetings.<sup>12</sup> Additionally, once draft revisions of a basin’s boundaries have been developed, DWR must provide a copy of those draft revisions to the California Water Commission, which must hear and comment on the proposal for each basin.<sup>13</sup>

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<sup>1</sup> See Water Code § 10721(m) (“‘Local agency’ means a local public agency that has water supply, water management, or land use responsibilities within a groundwater basin.”).

<sup>2</sup> See Water Code § 10722.2 (a).

<sup>3</sup> Water Code §§ 10722, 10721(c); see Department of Water Resources, California’s Groundwater: Bulletin 118, Update 2003, available at: [http://www.water.ca.gov/pubs/groundwater/bulletin\\_118/california's\\_groundwater\\_bulletin\\_118\\_-\\_update\\_2003\\_/bulletin118\\_entire.pdf](http://www.water.ca.gov/pubs/groundwater/bulletin_118/california's_groundwater_bulletin_118_-_update_2003_/bulletin118_entire.pdf).

<sup>4</sup> Water Code §§ 10722.2(a)(1), 10721(u) (“‘Sustainable groundwater management’ means the management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results.”).

<sup>5</sup> Water Code § 10722.2(a)(2).

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<sup>6</sup> See Water Code § 10721(r); Health and Safety Code § 116275(h) (“‘Public water system’ means a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year . . .”).

<sup>7</sup> Water Code § 10722.2(a)(3).

<sup>8</sup> Water Code § 10722.2(a)(4).

<sup>9</sup> Water Code § 10722.2(b).

<sup>10</sup> Water Code § 10722.2(b).

<sup>11</sup> See Water Code § 10722.2(c)(1)-(3).

<sup>12</sup> See Water Code § 10722.2(d).

<sup>13</sup> See Water Code § 10722.2(e).