

FINAL MINUTES  
BOARD OF DIRECTORS REGULAR MONTHLY MEETING  
DECEMBER 9, 2021

<i>Brenda Haynes, President</i>	<b>Anderson-Cottonwood Irrigation District</b> 2810 Silver Street, Anderson, CA 96007	<i>Tiger Michiels, Director</i>
<i>Audie Butcher, Vice President</i>	(530) 365-7329 Fax (530) 365-7623	<i>Ray Eliante, Director</i>
<i>John Currey, General Manager</i>	www.andersoncottonwoodirrigationdistrict.org	<i>Rick Williams, Director</i>

**MINUTES  
REGULAR MONTHLY MEETING  
DECEMBER 9, 2021**

President Haynes called the meeting to order at 2:02 p.m.

**1. CALL TO ORDER**

Directors present: Michiels, Haynes, Eliante, Butcher, Williams  
Directors absent: None  
Staff present: Currey, Westlake, Loffmark  
Staff present via phone: None

**2. CONDUCT ELECTION OF BOARD OFFICER FOR CALENDAR YEAR 2022 – PRESIDENT AND VICE PRESIDENT**

Director Eliante motioned to keep Brenda Haynes as President and Audie Butcher as Vice President; Director Michiels made the second with a 5-0 vote.

**3. DISCUSSION ITEMS - NONE**

**4. PUBLIC PARTICIPATION – NONE**

**5. CONSENT AGENDA**

- 5.1 Minutes – Approved the Minutes of the regular meeting November 11, 2021
- 5.2 Financial Status report for Year-to-Date Through November 2021 – Pulled from Consent
- 5.3 Payroll: Approved Payroll Check Register for the Month of November 2021
- 5.4 EFTPS & ACH Transactions – Approved EFTPS & ACH transactions for the Payroll Periods Ending October 31, 2021 and November 15, 2021
- 5.5 Voided and/or missing checks for November 2021

Vice President Butcher moved to approve the Consent Agenda with item 5.2 pulled for discussion; Director Michiels made the second with a 5-0 vote.

**END OF CONSENT AGENDA**

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**5.6** Items removed from Consent Agenda

President Haynes inquired about the zero balance for Water Sales Receivable.

GM Currey explained this was due to forgiving the balance of \$224 in late fees on water sales that could not be proven as to who was at fault.

Director Elianted moved to approve item 5.2 as submitted; Director Williams made the second with a 5-0 vote.

**6. ACTION ITEMS**

**6.1** Consider approval of the Final Cash Disbursements Journal for November 1, 2021 to November 30, 2021

Director Michiels moved to approve the Cash Disbursements Journal; Director Williams made the second with a 5-0 vote.

**6.2** Consider Ditchtender Transportation Options (Vehicle Allowance, Mileage or District Vehicles)

GM Currey gave a staff report and answered questions from the Board.

Director Eliante moved to authorize the purchase of two vehicles; Vice President Butcher made the second with a 5-0 vote.

**6.3** Consider approval of the 2022 Proposed Operating Budget

GM Currey gave a staff report and answered questions from the Board.

Director Michiels moved to authorize the 2022 Operating Budget with Revenues totaling \$1,894,346, Expenses totaling \$1,892,987, and Salaries and Benefits totaling \$959,698; Director Eliante made the second with a 5-0 vote.

**6.4** Consider approval of 2022 ACID Board Meeting Schedule

GM Currey gave a staff report and answered questions from the Board.

Vice President Butcher moved to approve the 2022 ACID Board Meeting Schedule as submitted; Director Michiels made the second with a 5-0 vote.

**6.5** Consider Approval to Authorize General Manager to add Emmy Weslake and Jennifer Loffmark to the authorized signatory to the banking, issue new credit cards and adopt Resolution No. 2021-04 updating the Local Agency Investment Fund authorization to transfer monies

GM Currey gave a staff report and answered questions from the Board.

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Director Eliante moved to approve removing Terri White from Tri-Counties and adding Emmy Westlake and Jennifer Loffmark as authorized signatory to the banking and issue new credit cards as well as adopting Resolution 2021-04; Director Williams made the second with a 5-0 vote.

**7. GENERAL MANAGER'S REPORT – SEE ATTACHED**

**8. DIRECTORS REPORTS**

- President Haynes would like to see the District website updated.
- Vice President Butcher - None.
- Director Eliante would like to set-up an appreciation luncheon for staff sometime in the Spring before the season starts.
- Director Michiels – None.
- Director Williams talked about some Ditchtending issues that were brought to his attention during the season.

President Haynes, along with the entire Board, commended our CFO/AGM Terri White upon her retirement of over 33 years of service to ACID.

President Haynes announced the closed session. The meeting was adjourned to a short recess at 4:00 p.m.

**CLOSED SESSION ANNOUNCEMENT**

President Haynes announced that the Board of Directors would recess to a Closed Session to take the following actions:

**C.S.1. CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.** Significant Exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Government code section §54956.9. One Case.

**C.S.2 CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** (Government Code § 54956.9(d)(1))  
Stokley Properties LLC v. Anderson-Cottonwood Irrigation District (Shasta Co. Superior Court, Case No. 195658)

**C.S.3 CONFERENCE WITH LABOR NEGOTIATOR**  
(GOVERNMENT CODE §54957.6(a)) District Personnel Committee in Regard to Collective Bargaining Agreement with Teamsters Local #137. District's Labor Negotiator: General Manager

**C.S.4 PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
(Government Code Section §54957)  
Title: General Manager Evaluation

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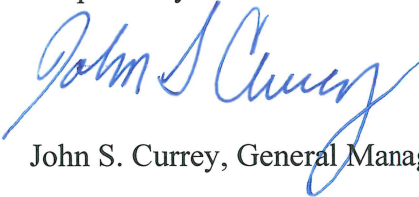
The Board of Directors returned from Closed Session and reconvened in Open Session with Directors Haynes, Butcher, Michiels, and Eliante and General Manager John Currey present at 4:52 p.m.

**REPORT OF CLOSED SESSION ACTIONS**

General Manager John Currey reported that the Board of Directors met in Closed Session to discuss anticipated litigation. There was no other reportable action.

The Board of Directors adjourned at 4:53 p.m.

Respectfully Submitted.



John S. Currey, General Manager



**TO: ACID Directors**  
**FROM: John S. Currey**

**Agenda Item No. 7**  
**Meeting Date: 12/09/2021**

**DATE: December 2, 2021**

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**SUBJECT: General Manger's Monthly Status Report**

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**Drought Operations:**

- The State of California made its initial 2022 water allocation on 12/1/2021 (see item 6.3 budget attachments). While it appears that the State does include the Feather River Settlement Contractors in the group 1 priority, it is behind health, fish and Delta water quality.
- NCWA, Federal and State Agencies are working on drought strategies for 2022 if the drought persists. I have participated and will continue to participate in meetings regarding the 2022 plans. I am using this information to develop some ACID specific plans which we will be presented to the Board in January or February.

**Water Transfers:**

- The Bureau of Reclamation (BOR) confirmed 3,212 acre-feet was transferred. We have sent San Luis Delta Mendota Water Authority a final true up invoice.
- I am discussing 2022 water needs with the local water agencies and have had several meetings with the City of Redding and Bella Vista Water District to explore water operation and transfer if the drought continues. I will also be reaching out to the City of Anderson. These are exploratory meetings and no commitments are being made. If opportunities are identified, then I will seek the Board's specific direction.

**Irrigation and Maintenance Activities:**

- Maintenance activities for November 1 – November 30 (see attached).
- Towable port-a-potty has been picked and is in use.
- On 12/1/2021 we had a mini excavator delivered and the crew will be using it to install pipelines.
- The Vegetation Management Crew is currently working south of Onley Creek and the mower is back in use after being serviced.
- The Dam was completed in 7 ½ days. Phil did a great job leading the crew.

**Office Operation:**

- Jen cross-training continues.
- Assistant General Manager Emmy Westlake started on 11/15/2021. She is getting acquainted with the ACID and is actively working on several projects.

**Staffing**

- Staffing level as of 12/2/2021 is 14 active employees.
  - Terri's last day in the office will be December 17.
  - The crew continues to work well together.

**Work Request and/or Complaints:**

- We continue to review past and new work requests to identify projects that need to be done this season.

**Planning:**

- Reviewed Emergency Action Plan and Inundation Maps for the Boyd Dams off Gas Point Road for possible impact to ACID facilities (see attached).

**GM Activities:**

- Working with field staff for planning and organizing maintenance activities
- Water Resource Managers of Shasta (WRMS) Meeting.
- Developing a planning strategy for 2022.
- Vacation 11/18 – 11/22

**Attachments:**

Maintenance Activities 11/1 – 11/30

Maintenance Photos

Boyd Dam Comment Letter

GM Update 11/20/2021

## MAINTENANCE ACTIVITIES

November 1-30, 2021

Dam Board Removal

Work on head wall gate

Weed eat and clean brush at dam, pickup ditch, Main Canal Redding, N. Bonneyview

USA's

Remove dam steel and catwalk at Main Dam

Work on headgate on 273 Main Canal

Install Waterman Gate on Main Canal, Smith Rd

Inspected Waterman gates/slides/headwalls and I-5 pipe

Removed Waterman gate at Churn Creek and Smith Rd

Lateral 29 work on slide gate and repair pipe

Catwalk work on Lateral 15, Floyd Lane

Gate repair and welding on Railroad Ditch on Bowman Rd

Pipe work on Smith Bottom Rd, Regina Lane



Board Removal



Steel Removal



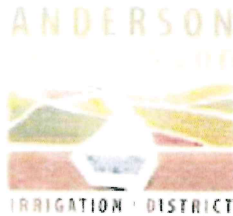


Vegetation Removal at the Dam



Pipe Installation ACID crew and rented mini excavator on Lateral 33 near Venzke Road





BOARD OF DIRECTORS  
BRENDA HAYNES      TIGER MICHIELS  
AUDIE BUTCHER      RAY ELIANTE  
RICK WILLIAMS

GENERAL MANAGER  
JOHN S. CURREY

December 1, 2021

Via Email

Brad Peterson  
Condor Earth  
21663 Brain Lane  
Sonora, CA 95370

RE: 8375A Boyd Dams Nos. 1 & 2 DRAFT EAP FOR REVIEW AND COMMENT

Dear Mr. Peterson,

The Anderson-Cottonwood Irrigation District is providing the comments on the 8375A Boyd Dams 1 & 2 Draft EAP. It appears that there is some confusion over who's infrastructure could be impacted by a dam failure. Throughout the document there is reference to the Cottonwood Water District (CWD) which is a domestic water supplier in the unincorporated Cottonwood area and does not have infrastructure in the area covered by the inundation map, as I understand the system (see attached map). The manager of CWD John Hollmer (530) 941-4274, should be contacted to confirm the location of their infrastructure.

The Anderson-Cottonwood Irrigation District owns the canal identified in the inundation maps (pages 46, 54, and 60). ACID's public GIS maps are available on our website [www.andersoncottonwoodirrigationdistrict.org](http://www.andersoncottonwoodirrigationdistrict.org). The following comments assume the that the references to the Cottonwood Water District should have been for the Anderson-Cottonwood Irrigation District.

- 1)      Electronical Transmittal (page 1): Refers to John Currey Cottonwood Irrigation District, please change to Anderson-Cottonwood Irrigation District.
- 2)      EAP, Section 1.2 (page 7): Cottonwood Water District (CWD) was invited to participate in the EAP development process as CWD owns and operates utility infrastructure in the vicinity of Boyd Dams. As far as I am aware, ACID was not notified of this planning effort nor were we provided draft documents for review and comments. Please change to "ACID owns and operates utility infrastructure in the vicinity of Boyd Dams."
- 3)      EAP, Section 2.4 Table 4 (page 10): Please change CWS to ACID and edit 4. Secure affected water and sewer infrastructure
- 4)      EAP, Section 3.1 Chart 3c (page 16): Please add ACID to this chart. ACID irrigation canal that is in the inundation area has a continues flow of approximately 70 cfs typically from April 1 to October 31. A failure of the dams could compromise the canal and would require ACID to shut down service to its customers down stream of from Rhonda Road. Adequate notification of a potential failure is needed to reduce

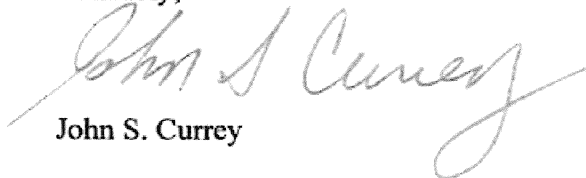
Mr. Brad Peterson  
December 1, 2021  
Pager 2

- river diversions in Redding spill and to spill the canal at Crowley Gulch. Anderson Cottonwood Irrigation District 24-Hour Emergency Contact information is (530) 209-1350
- 5) EAP, Section 3.1 Chart 3d (page 16): Please replace CWD with Anderson Cottonwood Irrigation District 24-Hour Emergency Contact information is (530) 209-1350
  - 6) EAP, Appendix D (page 73): Please replace CWD with ACID
  - 7) EAP, Appendix J (page 80): Please replace CWD with ACID
  - 8) EAP, Appendix K (page 81): Please replace CWD with ACID

Again, ACID needs to be adequately notified of any possible failure of the Boyd dams in order to take appropriate action to protect its infrastructure and to stop water deliveries in event of a failure.

I look forward to receiving confirmation that these changes have been made and that ACID will be included in future communication and updates of this EAP. If you need any additional information, please contact me at (530)365-7329.

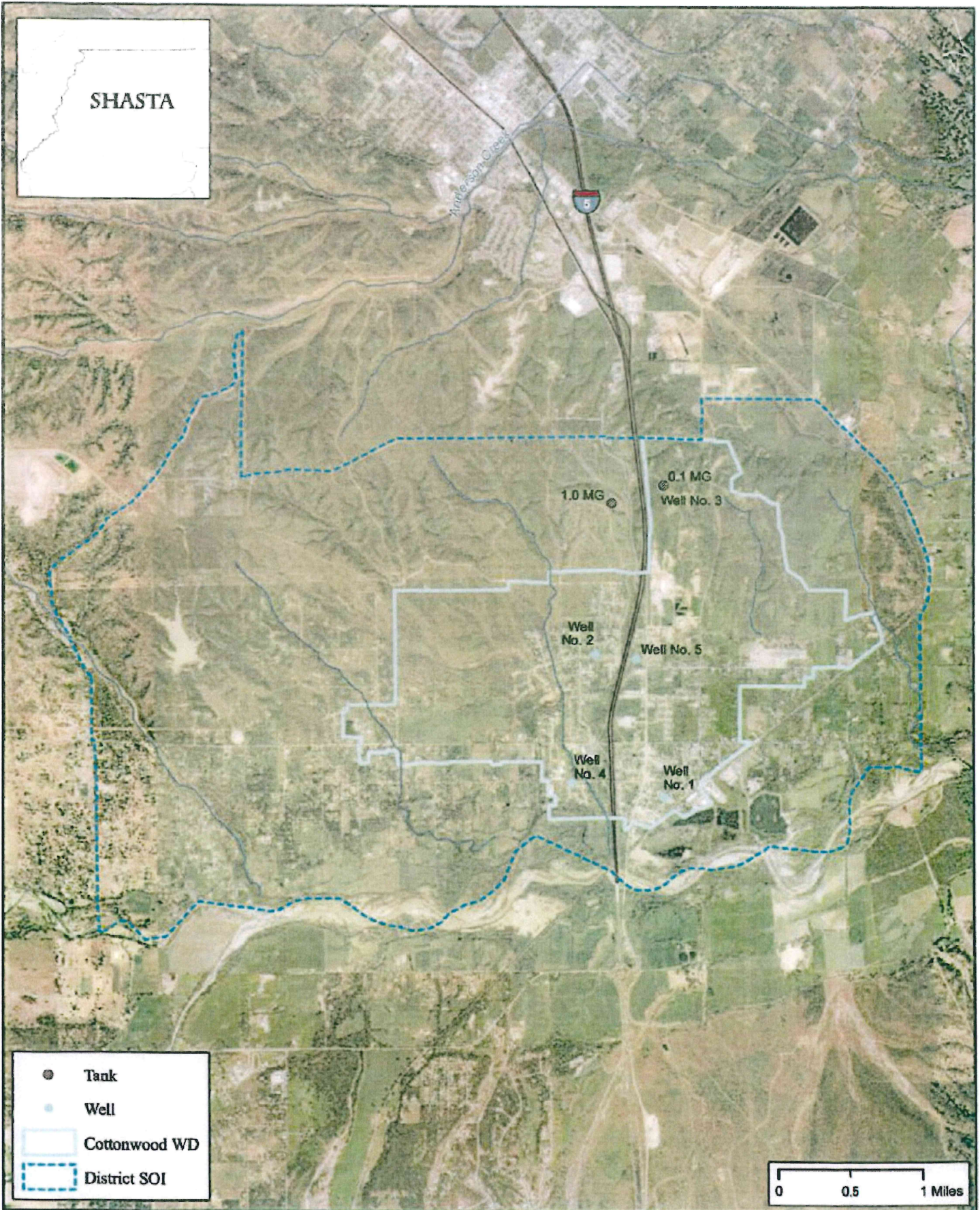
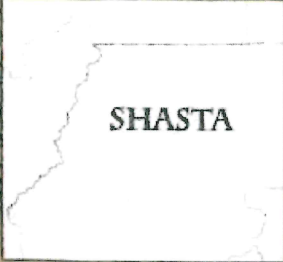
Sincerely,



John S. Currey

Enclosure





# Cottonwood Water District

Figure 3

Map No. 02/2018



GM Update 11/20/2021

Board Members,

**Operation:**

The crew is divided into two groups Repairs and Vegetation Management:

The repair crew has been focused on waterman screw gates and slide gate repairs in Cottonwood and Anderson area. Next week the crew will be working on Lateral 3 from I-5 to Smith Road.

The vegetation management crew has finished the dam site and worked on the pickup ditch. Next week the crew will be return to the main canal picking up at the Wyndham Siphon.

Emmy started on Monday 11/15 and her contact information is (530) 364-8803 and

[e.westlake@acidistrict.org](mailto:e.westlake@acidistrict.org) We have toured the current and recent projects sites during this time we have discussed current admin projects and future projects that she will be assisting me on.

Emmy and Jen will be preparing for the upcoming application period by creating mail merge document that will include current customers information with at application form. This should help reduce the number of calls we get each year to look up customers information from them.

**GM Activities:**

**Drought Planning:**

1. NCWA 2022 Scenario Planning and Dry Year Review. On 11/12 the second of 3 meeting was held to get the irrigation and conservation (DU, etc.) ordinations responses and thoughts on the State and Federal Agencies presentations from 10/29. There will be on additional meeting in December. These meetings may prove a critical role in the larger 2022 State and Federal Interim Operations Plan. I will provide additional information in a separate email.
2. City of Redding and Bella Vista. On 11/12 David Coxey (BVWD), Conrad Tona (COR) and I began a series of meeting to explore option for addressing the water needs for BVWD through several options. The key takeaways are COR is willing to consider options including using more water under our existing agreement and if there are groundwater wells available to add to the overall supply via groundwater substation transfers. Next month we will meet with BOR to discuss groundwater substation transfers that could originate in Shasta County and be used in Shasta County (in-basin).

**Landowner Meetings:**

1. I have had several calls with landowners and potential landowners regarding irrigation and irrigation improvements, including one site visit with 2 landowners and NRCS to consider the design elements for a pipeline project off of Lateral 37 (Adobe Rd). The landowners asked to discuss the option of a single pipeline to serve both costumers as a opposed to two parallel pipelines. It is my understanding the District's practice is to require separate deviliries to avoid future conflicts between landowners.
2. Bill Gregory and I meet so I could return several videos that he loaned me including one of ACID facilities in 1994. He stated that last year irrigation season went well even with the delayed start due to the siphon repair.

**Planning and Improvements:**

1. Pump repairs. I meet with J&J Pumps staff to inspect the Perry's Pond and Dymesich Pond Pumps. The motors have been inspected and past the bench tests. The Perry's pond motor did require a bottom end rehab to the motor bushings. Both pumps bowls and bushings were shot and are being replaced. The cost is similar to the other recent low lift pumps and it is within my expectation of cost. I will completely review the repair quotes and I anticipate authorizing the repair on 11/29.
2. ACID Pickup Ditch - NRCS funded pipeline project. We meet with NRCS on 11/18 to document and discuss each turnout / structure for the stretch from Drybread to Hacienda Roads (4,300 feet). We have identified 12 structures that include multiple customer turnouts. The crew has done a great job we were able walk the entire length and see each structure.
3. EAGSA Management Committee meeting was on 11/18 in the afternoon, Emmy participated in the meeting, and we will debrief next week.

Please remember that I am out of town from 11/18 at noon to Monday evening. On 11/29, I will pick up the port a potty on my way home. On Tuesday 11/23, I will be checking with crew, but I will also take the remainder of the day off. I will be in the office on Wednesday and ACID is closed on Thursday and Friday for Thanksgiving.

John

**TO: ACID Directors**  
**FROM: John S. Currey**

**Agenda Item No. 7a**  
**Meeting Date: 12/09/2021**

**DATE: December 2, 2021**

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**SUBJECT: General Manger's Monthly Status Report**

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#### **Sustainable Groundwater**

- The consulting team (Jacobs) and the Enterprise Anderson Groundwater Sustainability Agency (EAGSA) Management Team, over the last 24 months, has prepared and distributed the draft chapters of the Enterprise and Anderson Groundwater Sustainability Plans (GSP). Member Agencies, the public and the EAGSA Board have provided input and comments that have been incorporated as appropriate.
- The final draft plans [Review Full GSPs | EAGSA \(arcgis.com\)](#) were distributed in October and comments were received thru November 12, 2021.
- The EAGSA Board will be meeting on December 15, 2021, to receive an update on the GSPs.
- The EAGSA Board must approve the plan by January 31, 2022, to avoid State intervention.
- Jacobs staff have prepared the attached December 7, 2021, memo for member agencies staff and Board Members to highlight the Sustainable Groundwater Management Act (SGMA) implementation requirements.

#### **Attachments:**

December 7, 2021 - Jacobs Memo

**Subject** Summary of SGMA Implementation Requirements  
**From** Jacobs  
**Date** Tuesday, December 07, 2021  
**Copies to** Enterprise Anderson Groundwater Sustainability Agency Management Committee

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This memorandum has been developed at the request of the Enterprise Anderson Groundwater Sustainability Agency (EAGSA) Management Committee to provide the following information:

- A high-level summary of the Sustainable Groundwater Management Act (SGMA) "timeline"
- A description of groundwater sustainability plan (GSP) requirements with respect to plan implementation
- A description of what would be involved with a State Water Resources Control Board (SWRCB) intervention

### Sustainable Groundwater Management Act

The California Department of Water Resources website<sup>1</sup> provides the following overview of SGMA.

*The historic passage of SGMA in 2014 set forth a statewide framework to help protect groundwater resources over the long-term. SGMA is comprised from a three-bill legislative package, including AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley), and subsequent statewide Regulations. In signing SGMA, then-Governor Jerry Brown emphasized that "groundwater management in California is best accomplished locally."*

*SGMA requires locals agencies to form groundwater sustainability agencies (GSAs) for the high and medium priority basins. GSAs develop and implement groundwater sustainability plans (GSPs) to avoid undesirable results and mitigate overdraft within 20 years.*

GSP regulations developed by DWR subsequent to SGMA describe the specific requirements for developing GSPs. The purpose of a GSP is to describe the approaches to achieve (or maintain) groundwater sustainability goals for a given groundwater basin and to meet the GSP regulatory requirements. SGMA requires groundwater basins designated as high or medium priority to be managed under a GSP by January 31, 2022, and to achieve sustainability within 20 years (by 2042).

Attachment 1 provides a graphic of the SGMA timeline, developed by the California Farm Bureau<sup>2</sup>. Because DWR has classified the Enterprise and Anderson Subbasins as medium-priority groundwater basins, SGMA requires development of a GSP for each subbasin. Jacobs has been working with the EAGSA to develop GSPs for both subbasins over the past several years. The EAGSA is nearing the "Approval" phase of the SGMA timeline, with an EAGSA Board hearing to vote on GSP adoption scheduled for January 10, 2022. As stated above, GSPs for medium-priority basins are required to be adopted and uploaded to the DWR SGMA portal by January 31, 2022. Failure to locally implement SGMA would result in SWRCB intervention.

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<sup>1</sup> <https://water.ca.gov/programs/groundwater-management/sgma-groundwater-management>

<sup>2</sup> [https://www.cfbf.com/wp-content/uploads/2019/06/SGMA\\_Brochure.pdf](https://www.cfbf.com/wp-content/uploads/2019/06/SGMA_Brochure.pdf)

### Groundwater Sustainability Plan Implementation

Following adoption of a GSP in 2022, SGMA requires ongoing commitment by GSAs to implement the plans, including submittal of annual reports and updates of the GSPs every five years. Section (§)356.2 of the GSP regulations outline the required annual report content:

- General information, including an executive summary and a location map depicting the basin covered by the report.
- A detailed description and graphical representation of:
  - Groundwater elevation data from monitoring wells identified in the monitoring network (groundwater elevation contour maps and hydrographs).
  - Groundwater extraction for the preceding water year.
  - Surface water supply used or available for use based on quantitative data that describes the annual volume and sources for the preceding water year.
  - Total water use shall be collected using the best available measurement methods and shall be reported in a table that summarizes total water use by water use sector, water source type, and identifies the method of measurement (direct or estimate) and accuracy of measurements.
- Change in groundwater in storage presented as both a change in groundwater in storage map and a graph depicting water year type, groundwater use, the annual change in groundwater in storage, and the cumulative change in groundwater in storage for the basin based on historical data to the greatest extent available, including from January 1, 2015, to the current reporting year.
- A description of progress towards implementing the Plan, including achieving interim milestones, and implementation of projects or management actions since the previous annual report.

Chapter 8 of both the Enterprise and Anderson GSPs, which were made available for Board and public review beginning in early July 2021, provides a description of the approach for GSP implementation. Additionally, GSP regulation §354.6(e) specifies that a GSP must include "An estimate of the cost of implementing the Plan and a general description of how the Agency plans to meet those costs." Based on this requirement an estimate of costs for GSP implementation was developed and included in Chapter 8 of each GSP and is included as Attachment 2.

The data presented in Attachment 2 represent the estimated average annual combined costs for the initial 5 years of GSP implementation for both the Enterprise and Anderson Subbasins. Costs for anticipated implementation activities have been estimated over a 5-year period and then divided by 5 to approximate average annual costs, which will be shared among the six EAGSA member agencies. It is likely that costs will not be the same from year-to-year and will depend on actual activities and funding opportunities available during each of the 5 years.

It should be noted that these costs represent a reasonable estimate based on anticipated implementation activities based on consultant rates and efficiencies (being familiar with the datasets and analyses). By adopting the GSPs, the EAGSA is not committing to these specific cost estimates. The EAGSA can look for opportunities to reduce implementation costs by self-performing implementation activities, collaborating with local, state, or federal agencies, or by soliciting competitive bids for implementation components (such as annual reporting). Further, if the EAGSA feels the cost estimates are unreasonable, the information can be updated prior submittal to DWR for review. It should be noted that revised costs should demonstrate to DWR that the EAGSA is committed to SGMA through GSP implementation. If DWR is left with the impression that the EAGSA is not committed to SGMA, this may be viewed as a GSP deficiency,

which could lead to delay of GSP approval, designation of the subbasins with probationary status, or SWRCB intervention.

### State Water Resources Control Board Intervention

**Attachment 3** includes a fact sheet providing information regarding SWRCB intervention. As outlined in this factsheet the following is one of several conditions that may trigger SWRCB intervention: *Basin is not in critical overdraft (DWR finding) and basin is not covered by plan(s) or plans in basin are not coordinated 10735.2(a)(4) after January 31, 2022.* The fact sheet outlines activities that occur after SWRCB intervention is triggered, including hearings, probationary status designation, opportunities to end State intervention, and SWRCB imposition of an interim plan. The intent of SGMA is to maintain local control over groundwater management; however, if an **adopted GSP is not submitted by January 31, 2022, SWRCB intervention would be triggered.** This must be avoided to maintain local control of the Enterprise and Anderson groundwater subbasins.

If the SWRCB deems it necessary to develop an interim GSP, that agency will gather the data it feels are necessary to do so. This may not be consistent with the level of detail that the EAGSA feels is necessary based on their locally-derived experience in the subbasins. The SWRCB stresses that development of interim plans requires comprehensive and accurate data. As such, the SWRCB will embark on data collection activities that may include (but are not limited to):

- Filling data gaps – installation of infrastructure to fill data gaps identified by the SWRCB (such as monitoring well installation).
- Developing good water accounting frameworks that may involve metering pumping and water deliveries.
- Managing groundwater use across subbasin boundaries.
- Evaluation of water rights.

Per the SWRCB factsheet, *the Board is required to set fees to recover the cost of probation and intervention activities. The amount of the fees depends on factors such as costs associated with data gathering, enforcement activities, and California Environmental Quality Act compliance. The current annual fee for groundwater extractions in a probationary basin is a base fee of \$300 per well and \$40 per acre-foot of water extracted. Fees are collected with each annual groundwater extraction report. Late reporters are subject to late fees and may be subject to additional administrative liability or misdemeanor penalties.*

The table below outlines what these base annual fees could equate to for the Enterprise and Anderson Subbasins.

	Enterprise Subbasin	Anderson Subbasin
Total Number of Wells <sup>a</sup>	789	1,022
Fee per Well	\$300	\$300
Total Well Fee	\$236,700	\$306,600
Estimated Average Annual Groundwater Pumping (acre-feet) <sup>b</sup>	20,500	19,500
Fee per acre-foot of Groundwater Pumped	\$40	\$40
Total Groundwater Usage Fee	\$820,000	\$780,000

Total Annual Fee	\$1,056,700	\$1,086,600
<p><sup>a</sup>Total number of domestic, public supply, and production wells from the DWR/CNRA well completion dataset<sup>3</sup> is 3,155 for the Enterprise Subbasin and 4,087 for the Anderson Subbasin (included in Table 2-2 of each GSP). The well completion dataset is considered inaccurate and may include duplicate records or wells that have been abandoned. The counts listed in the table represent 25% of the total well count for each subbasin.</p> <p><sup>b</sup>Average annual groundwater pumping for the historical and current water budget periods included in Table 4-5 of each GSP.</p>		

<sup>3</sup> <https://data.cnra.ca.gov/showcase/well-completion-report-map-app>



# The Road to Sustainability

SGMA plans will reflect local conditions and can include local solutions. Once approved by the state, your local plan represents a commitment to future actions.

## Let's be clear:

- SGMA will affect your groundwater pumping
- SGMA establishes new responsibilities to share groundwater
- SGMA will change how we use land and water
- SGMA does not change water rights

## Learn and Engage!

Participate now to represent your interest. SGMA stresses local group formation, local plans and local management.

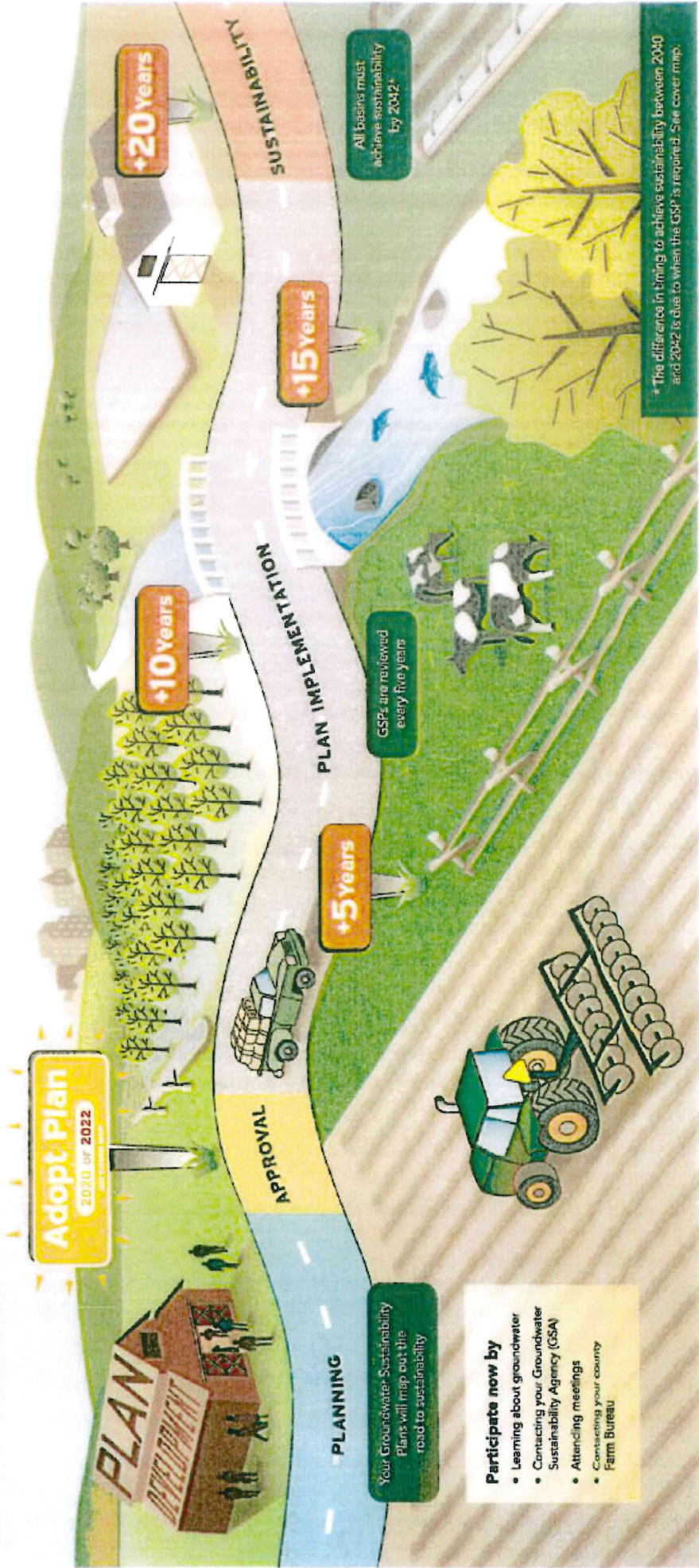




Table 8-1. Approximated EAGSA Combined Implementation Costs for Enterprise and Anderson Subbasins

High-level Activity	Approximated Average Annual Cost (thousands) <sup>a</sup>	Approximated Average Annual Cost Range (thousands) <sup>b</sup>	Assumption
GSP Implementation Program Management	\$31	\$24 to \$55	
▪ General Administration	\$14	\$11 to \$25	Includes administration, oversight, coordination, notification, and general GSP implementation.
▪ EAGSA Management Committee Meetings	\$12	\$10 to \$23	Preparation and participation of six member agencies four times per year.
▪ EAGSA Board Meetings	\$5	\$4 to \$9	Preparation and participation of six member agencies two times per year (including one public workshop).
Monitoring, Reporting, and Outreach	\$52	\$40 to \$92	
▪ Monitoring	\$2	\$2 to \$4	Other entities will continue measuring groundwater levels, sampling groundwater quality, and processing InSAR imagery. The EAGSA will download and process the monitoring data annually, which will be managed in the DMS.
▪ Annual Reporting	\$27	\$20 to \$47	Assess monitoring data against SMCs; prepare draft and final tables, graphics, text; update the DMS; upload final annual report.
▪ 5-Year Assessment Reporting <sup>c</sup>	\$17	\$13 to \$30	Assess whether new data warrant changes in SMCs; prepare draft and final reports; upload final 5-year assessment report.
▪ Outreach	\$6	\$5 to \$11	One public meeting per year to discuss findings of annual report; COR hosts and updates EAGSA website.
Address Data Gaps	\$10	\$8 to \$18	
▪ Address Data Gaps	\$10	\$8 to \$18	Identifying existing candidate wells to add to monitoring network; video logging wells with unknown well construction; developing well access agreements.
Pursue Work Agreements and Funding Opportunities	\$9	\$7 to \$16	

Table 8-1. Approximated EAGSA Combined Implementation Costs for Enterprise and Anderson Subbasins

High-level Activity	Approximated Average Annual Cost (thousands) <sup>a</sup>	Approximated Average Annual Cost Range (thousands) <sup>b</sup>	Assumption
▪ Pursue Work Agreements	\$3	\$2 to \$5	Coordinating with DWR, USGS, and others on data collection.
▪ Pursue/Develop Grant Applications	\$6	\$5 to \$11	Periodic grant and TSS applications, as applicable.
Update the EAGSA Model <sup>c,d</sup>	\$17	\$13 to \$30	
▪ Update the Historical Version of the EAGSA Model	\$8	\$6 to \$14	Compile and update climate, hydrological, land use, and water use data; prepare historical and current water budgets.
▪ Update the Projection Version of the EAGSA Model	\$2	\$2 to \$4	Compile and update global climate models and future hydrological, land use, and water use data; prepare projected water budgets.
▪ Prepare Model Update Reports	\$7	\$5 to \$12	Draft and final versions will be prepared.
<b>Total Average Annual Cost</b>	<b>\$119</b>	<b>\$92 to \$211</b>	
<b>Approximated 5-Year Cost</b>	<b>\$595</b>	<b>\$460 to \$1,055</b>	

<sup>a</sup> Values are rounded to the nearest \$1,000.

<sup>b</sup> Range computed as -25% to +75% of individual activities and then rounded to the nearest \$1,000.

<sup>c</sup> This activity would occur once every 5 years, but total costs are divided by 5 to approximate annual average costs.

<sup>d</sup> It is anticipated that the EAGSA Model update during the first 5-year GSP assessment will represent the largest effort and that subsequent updates will require a lower level of effort.

Values in this table are approximated combined costs for the initial 5 years of GSP implementation for both the Enterprise and Anderson Subbasins.



# SUSTAINABLE GROUNDWATER MANAGEMENT ACT

## Probationary Designation and Groundwater Regulation by the State Water Board

This fact sheet offers summary information regarding how the state will regulate groundwater use if local management is found to be inadequate under the Sustainable Groundwater Management Act (SGMA). This fact sheet, and others, are available at the State Water Board's [Groundwater Management Program webpage \(www.waterboards.ca.gov/gmp\)](http://www.waterboards.ca.gov/gmp).

Groundwater is a limited natural resource that Californians use for many purposes. In the state's high- and medium- priority groundwater basins, SGMA requires local groundwater sustainability agencies (GSAs) to develop and implement groundwater sustainability plans (plans) so that these uses can continue in the future.

If GSAs do not sustainably manage groundwater use in their basin, the State Water Resources Control Board (State Water Board or Board) can step in to manage the basin in a process called "state intervention." State intervention is SGMA's guarantee that sustainability goals are met. But state intervention may be costly for groundwater extractors and give them little influence over how the state regulates their groundwater extraction. The Board, the Department of Water Resources (DWR), and other organizations may be able to work with GSAs, groundwater extractors, and others to avoid state intervention. Please reach out if interested in assistance.

### Steps in the Intervention Process

#### Triggers

The state will evaluate GSA efforts and basin conditions. During evaluation, lack of plans, lack of coordination, inadequate plans, or inadequate implementation can trigger the state intervention process for a high- or medium-priority basin. The specific state intervention triggers are listed in the table on the following page.<sup>1</sup>

<sup>1</sup> Please refer to the Act regarding triggers if you are in a region covered by an alternative plan submitted to the DWR.





**Any one of these conditions makes the state intervention process possible**

<b>Triggering Condition</b>	<b>If After</b>
Basin is not covered by a GSA(s) Water code section 10735.2(a)(1)	June 30, 2017
Basin is in critical overdraft (DWR finding) <i>and</i> basin is not covered by plan(s) or plans in basin are not coordinated 10735.2(a)(2)	Jan. 31, 2020
Basin is in critical overdraft (DWR finding) <i>and</i> DWR, in consultation with the Board, fails a plan or determines a plan is not being implemented in a manner likely to achieve sustainability 10735.2(a)(2) and 10735.2(a)(3)	Jan. 31, 2020
Basin is not in critical overdraft (DWR finding) <i>and</i> basin is not covered by plan(s) or plans in basin are not coordinated 10735.2(a)(4)	Jan. 31, 2022
Basin is not in critical overdraft (DWR finding) but is in long-term overdraft (Board determination) <i>and</i> DWR, in consultation with the Board, fails a plan or determines a plan is not being implemented in a manner likely to achieve sustainability 10735.2(a)(4) and 10735.2(a)(5)(A)	Jan. 31, 2022
Basin is not in critical overdraft (DWR finding) nor long-term overdraft (Board finding) but there are significant depletions of interconnected surface waters (Board determination) <i>and</i> DWR, in consultation with the Board, fails a plan or determines a plan is not being implemented in a manner likely to achieve sustainability 10735.2(a)(5)(B)	Jan. 31, 2025

### Hearing

After a triggering condition occurs, the State Water Board may designate a basin probationary after providing notice and holding a public hearing. At the hearing, interested parties will have the opportunity to address the Board. A probationary designation will identify the deficiencies that led to intervention and potential actions to remedy the deficiencies.

### Probation

Once a basin has been designated probationary, the Board may require groundwater extractors to install meters, measure and report all groundwater extractions, and pay fees to cover the cost of Board activities. The Board may also conduct investigations and gather data necessary for sustainable groundwater management.

### Local Efforts to Address Deficiencies

Local efforts will have the opportunity to fix the deficiencies that resulted in designation of the basin as probationary. Deficiencies may include lack of an agreement among GSAs in the basin to coordinate multiple plans, data gaps in the plans, or insufficient groundwater management efforts to achieve the sustainability goal. Groundwater extractors will be given a limited time (perhaps as short as 180 days) to address deficiencies before the Board may develop an "interim plan."

### Development and Implementation of Interim Plans

The Board may develop and implement an interim plan for a probationary basin if the Board determines that a local agency has not fixed the deficiencies that resulted in the probationary designation. The Board will adopt the interim plan through a hearing process, similar to the probationary designation. An interim plan is intended to be a temporary measure to protect groundwater until effective local management is in place.

An interim plan will include corrective actions, a schedule for those actions, monitoring, and enforcement. An interim plan will likely focus on reducing groundwater use in the basin to sustainable levels as soon as practical. An interim plan may include elements of an existing plan or adjudication that the Board finds would help meet the basin's sustainability goal.

### End of State Water Board Management

To end State Water Board management of groundwater, GSAs will have to demonstrate to the Board (which will consult with DWR) their ability and willingness to manage groundwater sustainably and address the issues that caused state intervention. This may require changes to the groundwater sustainability plans, revision of coordination agreements among the GSAs, pumping restrictions, or other measures to provide assurances that ongoing local management will be effective.

### Adjudication Proceedings: A Detour for the Same Destination

The Board has authority to act if a triggering event occurs, regardless of whether the basin is going through an adjudication. Filing an adjudication will not delay or avoid the SGMA process and will not prevent state intervention. Courts must manage any groundwater adjudication proceeding in a manner consistent with the attainment of sustainable groundwater management within the timeframes set by SGMA. Any judgment entered in an adjudication action must not impair the ability of the basin's GSAs to comply with SGMA.

### Reporting Requirements Require Comprehensive and Accurate Data

Probationary designation and interim plans may require pumpers to submit groundwater extraction reports. These reports must be submitted by well owners or operators (or their agents) to the State Water Board electronically. Reporters are required to provide extraction volumes, well details, well locations, the locations of parcels where groundwater is used, and

other information deemed necessary by the Board. Extractions must be measured by a method satisfactory to the Board.

[More information on reporting](#)

([https://www.waterboards.ca.gov/water\\_issues/programs/gmp/reporting.html](https://www.waterboards.ca.gov/water_issues/programs/gmp/reporting.html)).

#### Probationary Fees

The Board is required to set fees to recover the cost of probation and intervention activities. The amount of the fees depends on factors such as costs associated with data gathering, enforcement activities, and California Environmental Quality Act (CEQA) compliance. The current annual fee for groundwater extractions in a probationary basin is a base fee of \$300 per well and \$40 per acre-foot of water extracted. Fees are collected with each annual groundwater extraction report. Late reporters are subject to late fees and may be subject to additional administrative liability or misdemeanor penalties.

[More information on fees \(www.waterboards.ca.gov/water\\_issues/programs/gmp/fees.html\)](#).

#### Sustainability is at the Basin Scale

The intent of SGMA is to reach groundwater sustainability at the basin scale. Close coordination at the local level will help. While the Board may focus probation and interim plan efforts in specific parts of basins, the Board must consider the entire basin when deciding on a course of action. Reasons for a basin-scale approach include:

- ✓ Pumping volumes must be made consistent with sustainable yield, which is defined at the basin scale.
- ✓ The Board's interim plan must be consistent with water right priorities, which typically requires consideration of all rights to extract groundwater at the basin scale.
- ✓ Basin-wide data collection is necessary to determine where efforts should be focused or if efforts should be basin-wide.

#### SGMA's Interaction with State and Regional Board Authorities

SGMA does not supersede any existing State Water Board or Regional Water Quality Control Board authorities nor do these other authorities supersede SGMA. The Board will take other legal and policy priorities into account when weighing how to proceed with state intervention. Intervention planning may include consideration of the effects of groundwater extraction on public trust resources, drinking water needs of disadvantaged communities, and the human right to water.<sup>2</sup>

GSAs may find value in harmonizing their activities under SGMA with other efforts (of the GSAs or other parties) to meet requirements of other state or local regulatory programs.

<sup>2</sup> [Information on human right to water \(https://www.waterboards.ca.gov/water\\_issues/programs/hr2w/\)](https://www.waterboards.ca.gov/water_issues/programs/hr2w/).

Contact the State Water Board's SGMA program at [SGMA@waterboards.ca.gov](mailto:SGMA@waterboards.ca.gov) to learn more about how SGMA can be coordinated with other programs at the State and Regional Water Boards.

#### For More Information

This fact sheet and additional information on SGMA are available at the: [State Water Board Website \(www.waterboards.ca.gov/gmp\)](http://www.waterboards.ca.gov/gmp).

The Board's SGMA program can be contacted at [SGMA@waterboards.ca.gov](mailto:SGMA@waterboards.ca.gov) or 916-322-6508.

These online resources may be updated. Parties interested in updates are encouraged to subscribe to the State Water Board's [Groundwater Management email list in the General Interests section](#)

([https://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.html](https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html)).

[Additional SGMA information from DWR \(www.water.ca.gov/SGMA\)](http://www.water.ca.gov/SGMA).

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