

---

# SGMA Legislation Provides Two Options to Reach Sustainable Use of the Subbasin by 2040



---

# OPTION ONE

---

- GSA led GSP development process
- County Supervisors and BWD Board approves final GSP by January 31, 2020 after public hearing
- DWR accepts GSP as compliant (DWR has 2 years to do this once the final GSP has been approved)
- CEQA is required for GSA to implement discretionary GSP projects like fallowing farmland (this is likely a multi-year process once the final GSP has been approved by BWD and County and is accepted by DWR)
- SGMA requires 5-year reports to SWRCB on progress meeting SGMA objectives (clock begins upon start of GSP implementation)
- SWRCB enforces GSP if GSA fails to perform (SWRCB takes control of basin if GSA fails completely)



---

# OPTION TWO

---

- Pumpers of the subbasin reach a contractual agreement (stipulation agreement). The stipulation includes the Physical Solution to the critical overdraft. BWD holds public hearing on stipulation document before Board signs for BWD
- This signed stipulation is submitted to DWR who blesses it for the court to approve if the agreement achieves SGMA objectives for a critically overdrafted basin (DWR has public comment period on stipulation before they inform the court)
- All landowners in the subbasin are sued by BWD (this is called a comprehensive adjudication)
- The court issues a judgement approving the stipulation. Court is very unlikely to approve stipulation if DWR deems the agreement is not compliant with SGMA objectives



---

# OPTION TWO

---

- Instead of the GSA managing the GSP implementation, a court-appointed Watermaster manages the Physical Solution
- Instead of the SWRCB enforcing progress, the court enforces progress if the Watermaster fails to perform. 5-year progress reports go to the court
- The Watermaster (as an arm of the court) is not subject to CEQA when implementing the Physical Solution