

New Groundwater Management Laws (*What do they mean for us???*)

San Bernardino County Water Element Group
October 29, 2014



Outline

- What are the new groundwater management laws?
 - SB 1168 & SB 1319 (Pavley)
 - AB 1739 (Dickinson)
- What do they say?
- What do they mean for us?
- What's next?

SB 1168, AB 1739, & SB 1319

- **Sustainable Groundwater Management Act**
- Commits California to sustainable groundwater management.
 - “... the management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results.” (SB 1168, page 9)
- Manage basins sustainably at the local level using best available science.
- Do not determine or alter surface water rights or groundwater rights under common law or any provision of law.

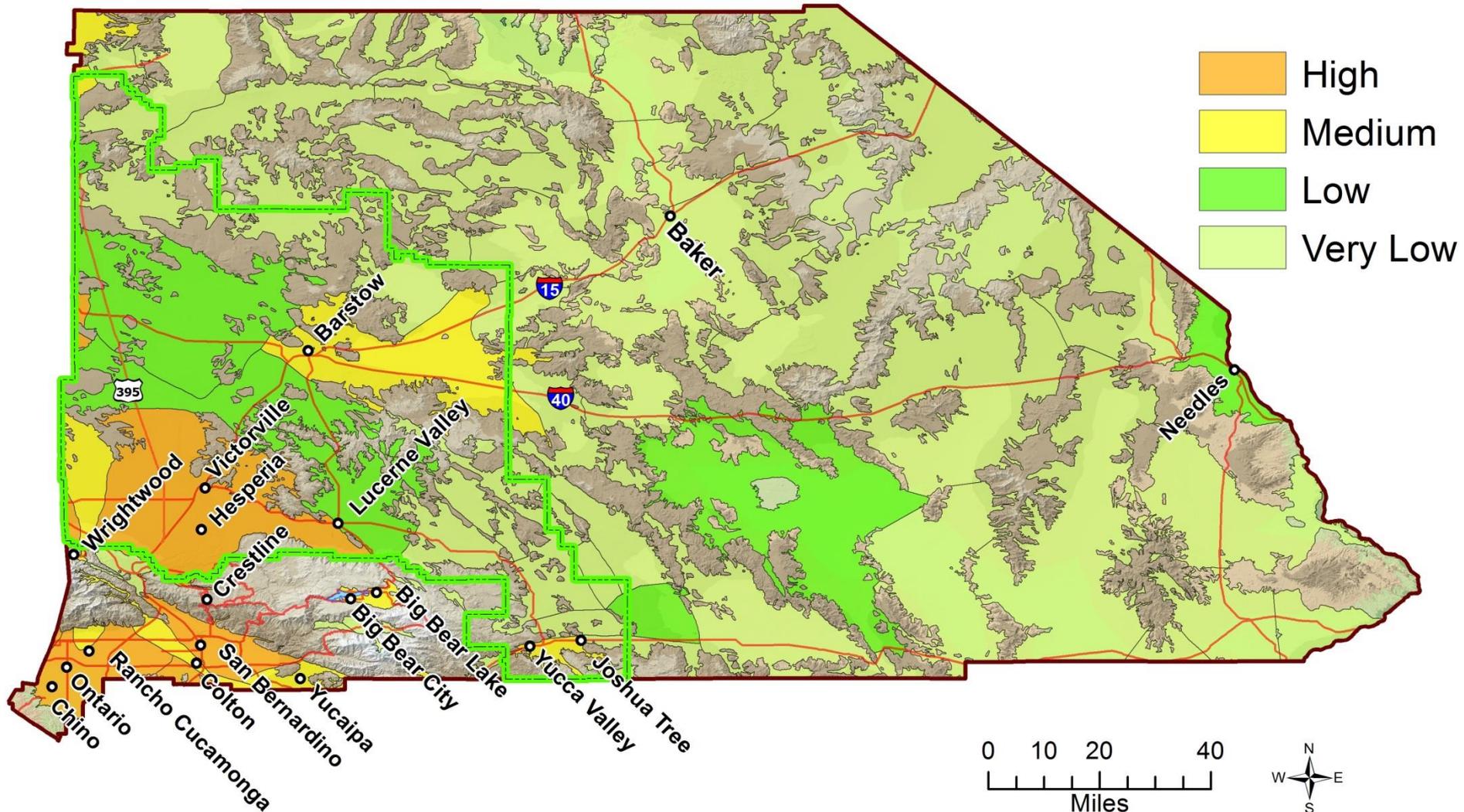
Sustainable Groundwater Management Act

- Identifies that:
 - Integrated management of water resources is essential.
 - Groundwater resources are most effectively managed at the local or regional level.
 - Sustainable management depends upon creating more opportunities for robust conjunctive management of surface water and groundwater.
 - Data reporting is necessary to support sustainable groundwater management.
 - Including data on the basin's geology, short- and long-term trends of the basin's water balance, and other measures of sustainability and those data necessary to resolve disputes regarding sustainable yield, beneficial uses, and water rights.
 - If a local groundwater management agency is not managing its groundwater sustainably, the state will protect the resource.

Sustainable Groundwater Management Act

- Specifies use of DWR Bulletin 118 defined basins and subbasins.
- Requires DWR to prioritize basins in accordance with CASGEM (high, medium, low, or very low).
- Requires adoption of sustainable Groundwater Sustainability Plan (GSP) unless basin is legally adjudicated or local agency shows it is being sustainably managed.
 - GSP adoption by January 31, 2020 for **high or medium priority basins in critical overdraft.**
 - GSP adoption by January 31, 2022 for all other high or medium priority basins.
 - Encourages GSP development and voluntary management of low and very low priority basins.

CASGEM Basin Prioritization



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Bulletin 118, Updated 2003

Box O Critical Conditions of Overdraft

In 1978 DWR was directed by the legislature to develop a definition of critical overdraft and to identify those basins in a critical condition of overdraft (Water Code §12924). DWR held public workshops around the state to obtain public and water managers' input on what the definition should include, and which basins were critically overdrafted. Bulletin 118-80, *Ground Water Basins in California* was published in 1980 with the results of that local input. The definition of critical overdraft is:

A basin is subject to critical conditions of overdraft when continuation of present water management practices would probably result in significant adverse overdraft-related environmental, social, or economic impacts.

No time is specified in the definition. Definition of the time frame is the responsibility of the local water managers, as is the definition of significant adverse impacts, which would be related to the local agency's management objectives.

Eleven basins were identified as being in a critical condition of overdraft. They are:

Pajaro Basin

Ventura Central Basin

Chowchilla Basin

Kings Basin

Tulare Lake Basin

Kern County Basin

Cuyama Valley Basin

Eastern San Joaquin County Basin

Madera Basin

Kaweah Basin

Tule Basin

The task was not identified by the Legislature, nor was the funding for this update (2003) sufficient to consult with local water managers and fully re-evaluate the conditions of the 11 critically overdrafted basins. Funding and duration were not sufficient to evaluate additional basins with respect to conditions of critical overdraft.

Critical Overdraft

- SB 1168 - 10720.7 (a) (1):
 - By January 31, 2020, all basins designated as high- or medium-priority basins by the department that have been designated in Bulletin 118, may be updated or revised on or before January 1, 2017, as basins that are subject to critical conditions of overdraft shall be managed under a groundwater sustainability plan or coordinated sustainability plan pursuant to this part.

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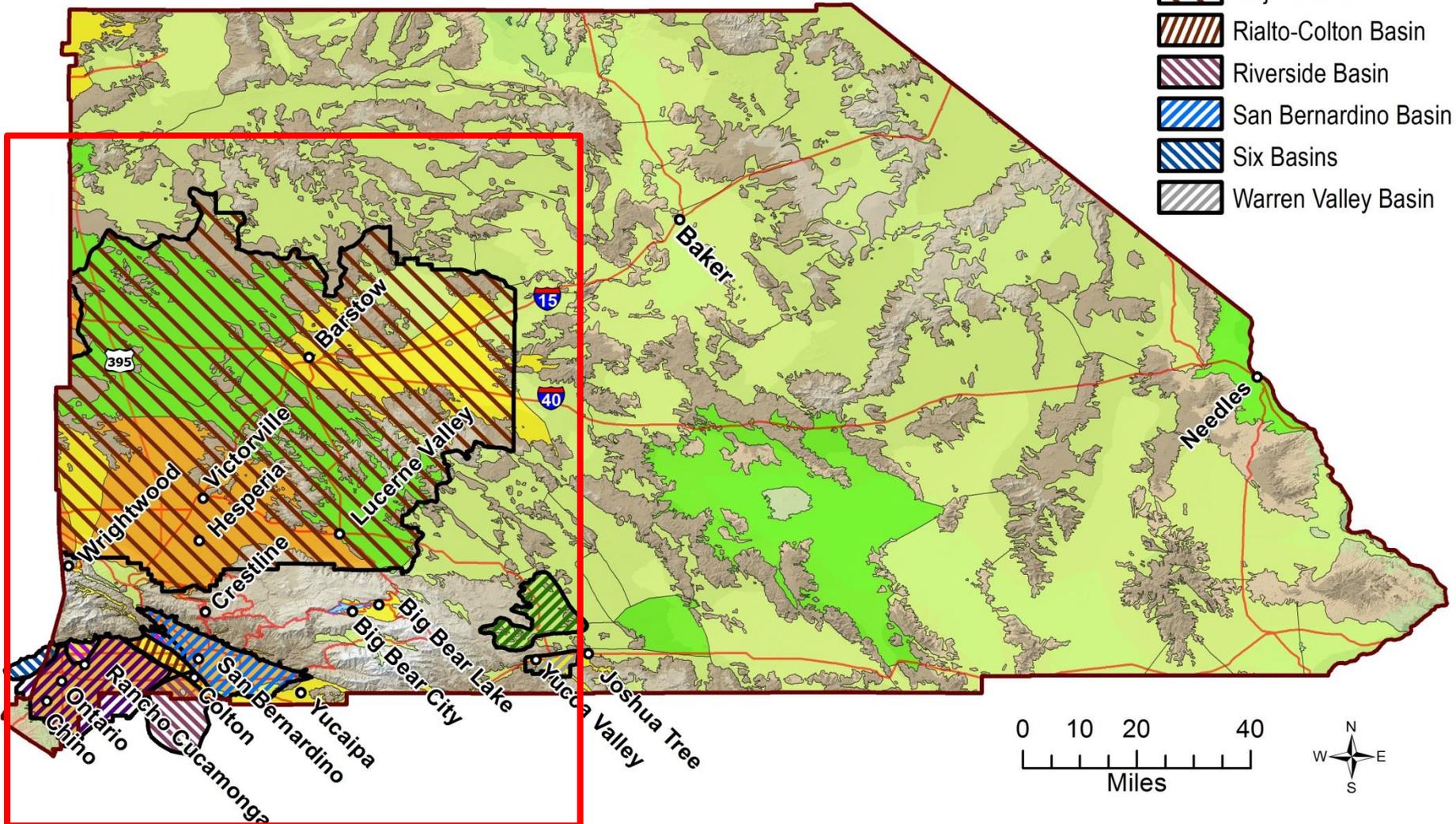
Adjudicated Areas and CASGEM Basin Prioritization

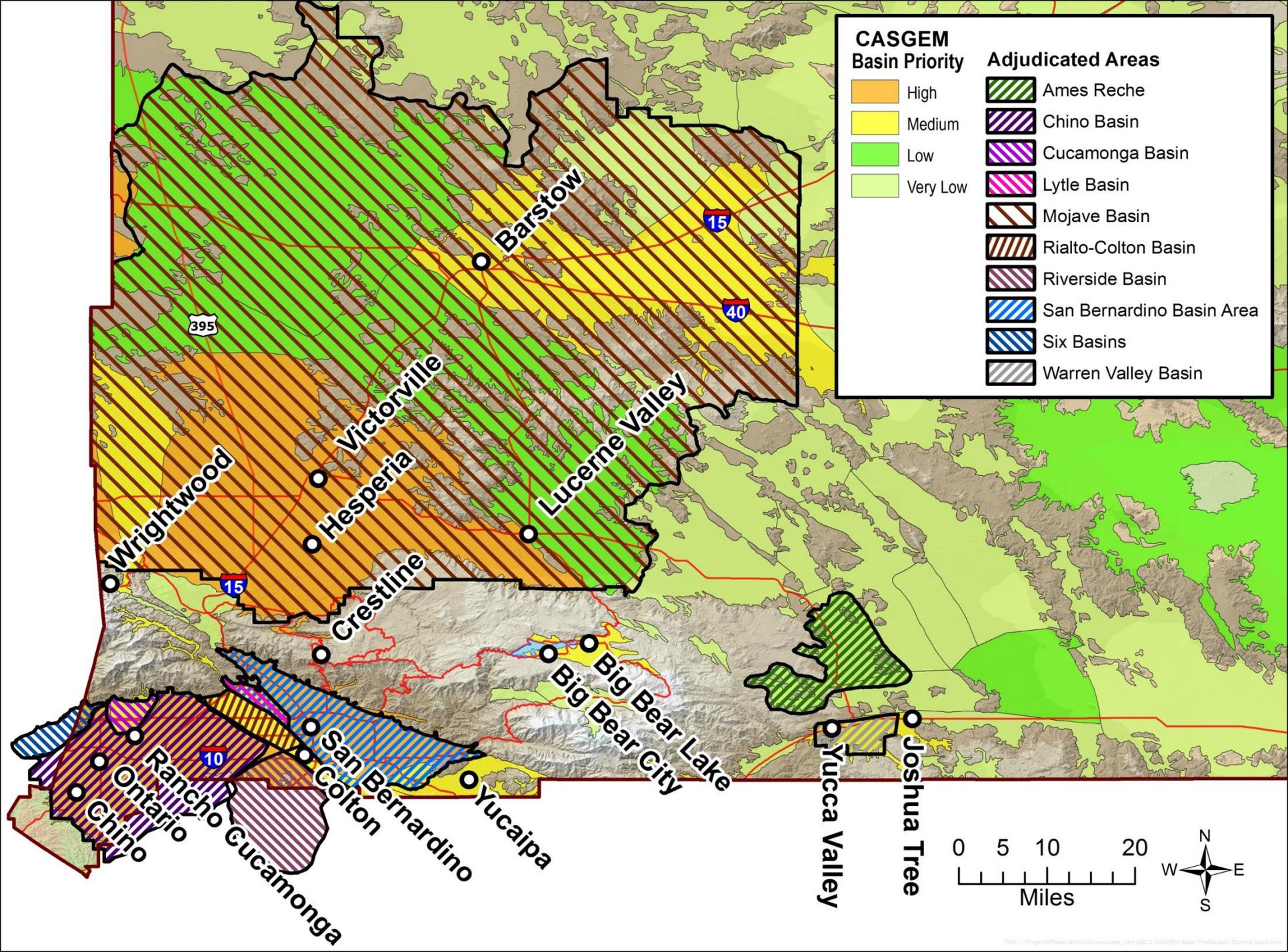
CASGEM Basin Priority

- High
- Medium
- Low
- Very Low

Adjudicated Areas

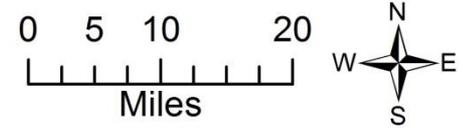
- Ames Reche
- Chino Basin
- Cucamonga Basin
- Lytle Basin
- Mojave Basin
- Rialto-Colton Basin
- Riverside Basin
- San Bernardino Basin Area
- Six Basins
- Warren Valley Basin





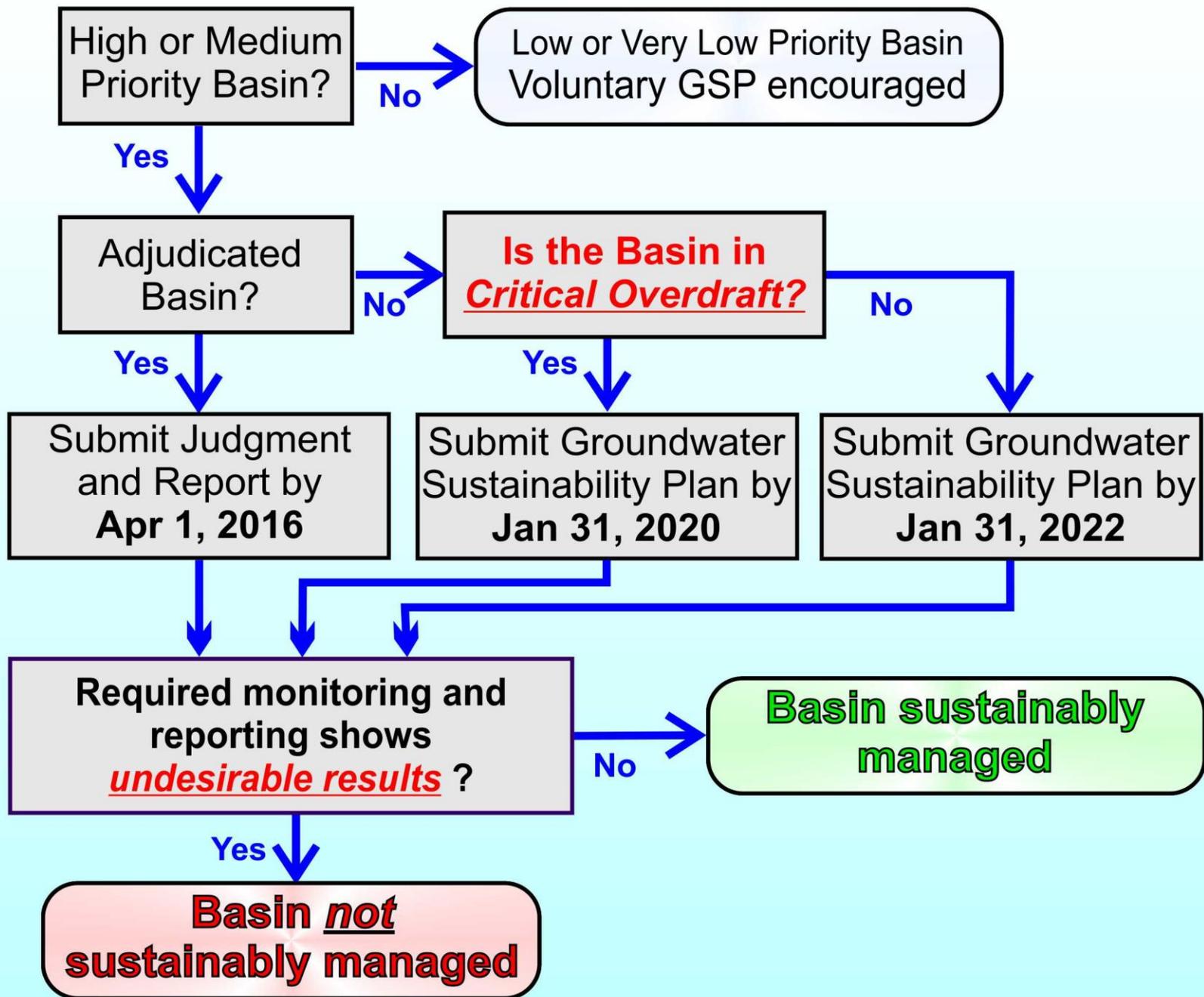
CASGEM

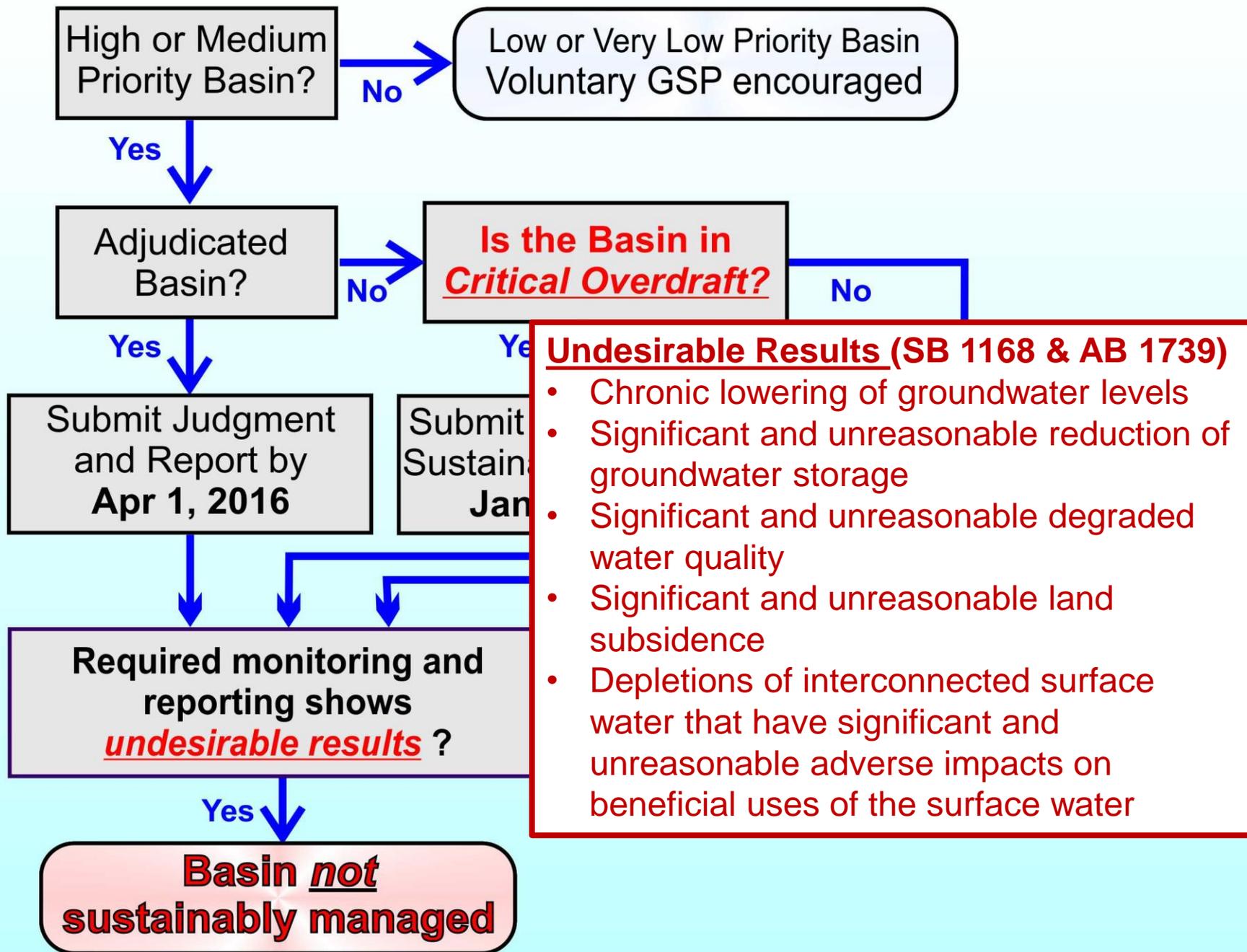
Basin Priority	Adjudicated Areas
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Medium	Chino Basin
Low	Cucamonga Basin
Very Low	Lytle Basin
	Mojave Basin
	Rialto-Colton Basin
	Riverside Basin
	San Bernardino Basin Area
	Six Basins
	Warren Valley Basin



Adjudicated Areas

- Watermaster or local agency must submit to DWR by April 1, 2016:
 - A copy of the final judgment and any amendments entered.
 - The annual report submitted to the court.
 - A report containing the following information for the adjudicated portions of the basin:
 - Groundwater elevation data
 - Annual aggregated groundwater extraction data
 - Surface water supply used for or available for recharge
 - Total water use
 - Change in groundwater storage





AB 1739 Advances the Growing Link Between Land Use and Water Supply



AB 1739 Reinforces Legislative Intent to Tie Land Use and Water Supply

- Section 65352.5 of the Government Code is amended to read:

“The legislature finds and declares that it 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 and management planning occurs to accommodate projects that will result in increased demands on water supplies or impact water resource management.”

AB 1739 Strengthens Requirements in General Plans

- Requires coordination between local land use planning and groundwater management planning.
- Requires a GSA to take into account the most recent planning assumptions stated in local general plans overlying the basin.
- Prior to adoption or any substantial amendment of a general plan, the planning agency is required to review and consider a GSP, GMP, groundwater management order, judgment, or decree, adjudication of water rights.

Key Dates

Time	Action	
Sep 16, 2014	Governor Brown signed bills	<input checked="" type="checkbox"/>
Apr 1, 2016	For Adjudicated Basins - Watermaster or local agency must submit to DWR: final judgment, entered amendments, and report on basin conditions.	<input type="checkbox"/>
Jun 1, 2016	DWR required to develop regulations for Groundwater Sustainability Plan (GSP) components, coordination of multiple GSPs for a basin, alternative compliance, etc.	<input type="checkbox"/>
Jun 30, 2017	Formation of Groundwater Sustainability Agencies (GSAs).	<input type="checkbox"/>
Jan 31, 2020	Adoption of GSPs for high or medium priority basins in critical overdraft.	<input type="checkbox"/>
Jan 31, 2022	Adoption of GSPs for all other high or medium priority basins.	<input type="checkbox"/>

Take Aways

- Considerable uncertainty still exists
- New legislation coming to clarify/expand?
- Cities/Counties need to be part of the water planning process
- Collaboration required among all parties
- Knowledge of groundwater basins will be expanded and exposed

Questions?

