

2009 Delta & Water Reform Legislation – October 12 Groundwater Elevation Monitoring

SUMMARY: Establishes statewide groundwater monitoring program. Specifically, the proposed agreement on this program:

- 1) Requires a local groundwater management entity to monitor groundwater elevations (*i.e.*, distance from surface to water):
 - a) Requires entities that volunteer for groundwater monitoring to notify the Department of Water Resources as to its interest, with specified information.
 - b) Requires DWR to consult with interested parties to determine which entity would monitor, based on certain priorities, if more than one entity volunteers for monitoring.
- 2) Requires DWR to work with each monitoring entity to determine appropriate manner of reporting groundwater elevations.
- 3) Groundwater elevation monitoring starts January 1, 2012, and is made publicly available.
- 4) Requires DWR to identify extent of monitoring, by 2012, and determine, in basins without monitoring, if there was a local party willing to conduct the monitoring or interest in developing a groundwater management association or plan.
- 5) Requires DWR to update groundwater report by 2012, and in years ending in 5 and 0.
- 6) Bars groundwater basins that do not comply with groundwater monitoring requirements from receiving state water bond funding.

EXISTING LAW allows voluntary, cooperation in management of groundwater basins, but does not provide for any reporting of groundwater elevation. State Water Resources Control Board has authority to protect groundwater quality.

COMMENTS: These provisions from the proposed agreement would establish a statewide groundwater monitoring program to ensure that groundwater elevations in all groundwater basins and subbasins be regularly and systematically monitored locally and that the resulting groundwater information be made readily and widely available.

In the past five years, the Legislature has approved three bills to improve the State's access to groundwater information, but the Governor vetoed all three. In intervening years, groundwater problems have grown worse, largely because California is the last western state without any state groundwater management, and California has very little information about the conditions of its groundwater basins. Excessive pumping in the last century has led to substantial subsidence, as much as 55 feet in some areas. Recently, for example, on the west side of the San Joaquin Valley, where allocations of Delta water from the federal Central Valley Project were minimal, farmers responded by pumping more groundwater. DWR then reported that the State Water Project's canal, which passes through the area on its way south, may suffer cracks because of the high level of pumping and resulting slumping of the ground under the canal.

Proposed Agreement: Since the Assembly Water, Parks and Wildlife (WP&W) Committee considered this groundwater monitoring program, as part of SB 68 (Steinberg) on September 11, this portion of the 2009 Delta/water legislative package has changed significantly, although not substantially. While the proposed agreement would require local monitoring, the consequence of a basin refusing to monitor groundwater is the loss of access to any state bond funding. The specific proposals for changes to the September 11 version of this program include:

- Deleting authority for DWR, if no one in a basin volunteers, to monitor groundwater elevations and charge local groundwater users the costs of such monitoring.
- Requiring an entity in each basin to monitor groundwater.
- Conditioning groundwater basin access to state bond funds on compliance with monitoring requirements.
- Clarifies that monitoring program does not authorize any entity to either enter private property without consent or require private property owners to submit groundwater information.

The precise language of how to accomplish these changes has not been completed.

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