

**American Council of Engineering Companies (ACEC) California
Policy Platform
Groundwater**

Approved by the Executive Committee on April 28, 2015

Approved by the Board of Directors on May 11, 2015

Issue

- A large percentage of California's water demand is met through the use of groundwater. Statewide, groundwater pumping is used to meet more than a third of the overall demand with many areas of the state almost completely dependent on groundwater.
- Groundwater pumping can be through relatively shallow wells tapping near-surface aquifers that are recharged through local precipitation, deep wells drilled a thousand feet or deeper to reach potable supplies that may be trapped below impermeable layers, and hard-rock wells that tap water traveling through fractures whose sources may be dozens or hundreds of miles away.
- Groundwater production comes from a variety of sources, including individual low-yield residential wells and high-capacity municipal production wells, as well as large agricultural and commercial wells. These wells often provide supplemental supplies during dry periods when surface water resources are less available.
- Unlike surface water diversions and municipal pumping programs, which are governed by California's long-established water rights system, pumping of groundwater from private wells has been primarily managed as a property right, and any existing prescriptive management programs are generally the result of previous court orders and/or adjudications.
 - Even then, the total quantity of water pumped from private wells may not be well documented or understood.
- Aside from a few notable exceptions (such as the Orange County groundwater basin), there have been few programs in place to manage the use of the state's groundwater resources in a sustainable manner.
- Many areas have been identified as being "critically overdrafted", whereby groundwater pumping greatly exceeds the amount of recharge and groundwater levels have been severely lowered.
 - Left unchecked, unmanaged pumping of groundwater at an unsustainable level can have extremely negative effects, including habitat damage, diminished well production, ground subsidence and possible permanent collapse of the aquifer.
- Until recently, California was the only western state without a statewide regulation program.
- A trio of bills recently signed into law in 2014 by Governor Brown (SB 1168, AB 1739 and AB 1319), together referred to as the "Sustainable Groundwater Management Act", create a framework for more sustainable management of the state's groundwater supplies.
 - This Act provides for improved local management of this critical resource. The legislation sets deadlines for groundwater management plan development in areas with severe overdraft, and prioritizes those basins most critically impacted.
- Ultimately, all groundwater basins in the state will be required to have plans for the sustainable management of groundwater production.
- Without improved groundwater management programs, the resultant water supply shortages will place the state's economy at great risk of decline.

Policy

- ACEC California believes that sustainable management of the state's groundwater resources can substantially improve the overall reliability of water supplies in California and help meet future demand.
- ACEC California supports the goals of the Sustainable Groundwater Management Act, which include: requiring development of groundwater sustainability plans for high and medium priority basins; authorizing management tools for local jurisdictions; creating a state "backstop"; and defining a timeframe for accomplishing these goals.
- ACEC California recognizes that these bills are just the first step towards realizing a sustainable groundwater management program. We support legislation that continues movement towards a program that definitively manages the state's groundwater resources, while still allowing for local authorities to achieve specific economic, environmental and social objectives.

Rationale

- Improved management programs for all basins, but especially for those identified as being in critical or severe overdraft, is essential for the future of our state.
- Groundwater provides more than a third of the state's overall water supplies.
- Groundwater pumping has not been subject to the same governance and water rights programs as surface water diversions.
- Groundwater production has not been well-documented in the state, especially in terms of private well use including large agricultural wells.
- A large percentage of California's aquifers do not have sustainable groundwater management plans in place.
- Many of California's aquifers are in a state of severe or critical overdraft. Continued pumping from wells in these basins will likely result in significant impacts to the environment, the economy and permanent damage to the aquifer.
- The Sustainable Groundwater Management Act includes provisions to allow local agencies to: set measurable and achievable goals and milestones for their local groundwater management programs; collect fees to assist the management and monitoring of these programs; assign fines for compliance failure; require monitoring and reporting; develop programs to control pumping; conduct additional investigations; identify and implement mitigation programs; and evaluate overall water use.
- Key provisions include: exemptions for adjudicated basins; recognition of existing groundwater plans as "functional equivalents" if they meet certain requirements; requirements for coordination with local and regional planning authorities; exemption from CEQA for the development of these plans; and provisions for entry points into the process by the state if certain milestones are not being met.
- ACEC California recognizes that the 2014 legislation does not fully address all of the issues that are needed to ensure sustainable management of the state's groundwater resources, and that additional legislation will be required to assist with full implementation of the desired goals and objectives.

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First Approved (2015)*