

Calif. governor signs historic groundwater bills; pumping will be limited

Anne C. Mulkern, Environment & Energy Publishing, 9-16-14

California Gov. Jerry Brown (D) today signed legislation mandating for the first time statewide oversight of groundwater, a move that comes during a historic drought.

Brown in Sacramento approved a package of bills, S.B. 1168 and S.B. 1319 from Sen. Fran Pavley (D) and A.B. 1739 from Assemblyman Roger Dickinson (D). The bills require the creation of local groundwater sustainability agencies. Those bodies must develop plans for protecting groundwater. If they fail to comply, the state could step in.

Backers said the legislation is necessary to prevent unlimited drafting of groundwater, which has caused land to sink and ruined soils.

"We have to learn to manage wisely water, energy, land and our investments," Brown said in a statement. "That's why this is important."

Under the bill, local groundwater management agencies must be in place by 2017. Overdrafted groundwater basins must have sustainability plans by 2020. Two years later, other high- and medium-priority basins must have those plans. The state would review those from 2022 to 2025 and could intervene then if there's a problem.

"California will no longer be the only Western state that does not manage its groundwater," Pavley said in a statement. "The cost of doing nothing is the biggest economic gamble. Thousands of homes and small farms cannot keep pace with the race to drill deeper and deeper wells. The bills take a balanced approach - they protect property rights and incentivize local control."

Association of California Water Agencies Executive Director Tim Quinn predicted that today would be seen as "a turning point in securing reliable, long-term water supplies for California's vital agricultural economy."

Some Republicans opposed the package.

"I am disappointed that the Governor today rejected a bipartisan call for a veto and a special session on groundwater, instead giving the green light to a Sacramento power grab that will infringe upon people's private property rights," Assembly Minority Leader Connie Conway (R) said in a statement. "These bills are overly broad, undermine local control, and will pave the way for billions in new fees on groundwater users."

Conway said the bills were "rushed through at the last minute with little opportunity for public input."

"While there is legitimate concern about the overdrafting of some groundwater basins, this massive expansion of state authority will not solve the problem," she said. "Our priority instead should be improving groundwater management and recharging groundwater basins, which this legislation fails to accomplish."