

# **SUSTAINABLE GROUNDWATER MANAGEMENT ACT IN INDIAN WELLS VALLEY GROUNDWATER BASIN**

## **Frequently Asked Questions ♦ April 2016**

In September 2014, Governor Jerry Brown signed historic legislation requiring California's most critical groundwater resources to be sustainably managed. With the governor's signature, groundwater will be comprehensively managed for the first time in the state's history.

The Sustainable Groundwater Management Act (SGMA) gives local agencies the powers needed to manage groundwater in a sustainable manner over a long-term horizon. The act requires that Groundwater Sustainability Agencies (GSAs) be established and that Groundwater Sustainability Plans (GSPs) be developed for medium- and high-priority basins.

For general information about the SGMA, go to <http://www.water.ca.gov/cagroundwater/>. The frequently asked questions, below, address how the SGMA could impact the Indian Wells Valley.

### **What is Sustainable Groundwater Management?**

The SGMA defined sustainable management as managing and using groundwater in a way that can be sustained over a long period of time; for the planning horizon, under SGMA this means 50 years. Specifically, sustainable yield is defined as the amount of groundwater that can be withdrawn annually without chronically lowering groundwater levels, causing seawater intrusion, degrading water quality, causing land subsidence or depleting interconnected surface water (for example, creeks, streams and rivers) in a manner that causes significant and unreasonable impacts.

### **How has the State designated the Indian Wells Valley Groundwater Basin?**

The state has identified Indian Wells Valley as groundwater basin number 6-54, with a surface area of 597 square miles (382,000 acres). For more information, visit the California Department of Water Resources website on California's Groundwater: Bulletin 118 at <http://www.dwr.water.ca.gov/groundwater/bulletin118/>. The DWR has currently designated the Indian Wells Valley as a medium priority basin with critically overdrafted status, on the basis of chronically declining groundwater levels and water quality degradation over time. The SGMA requires the Indian Wells Valley groundwater basin to have a locally-adopted Groundwater Sustainability Plan (GSP). A GSP is not required for low- and very low-priority basins and subbasins, nor does the SGMA apply outside of mapped groundwater basins. Basins are prioritized based on a number of factors, including population, amount of irrigated agriculture and reliance on groundwater. The DWR will evaluate and reprioritize basins in the future as part of the Bulletin 118 update process, which could result in medium-

priority basins moving into the high-priority category and low- or very-low priority basins moving into the medium category.

## **Who will manage groundwater in the Indian Wells Valley?**

The new law states that the Groundwater Sustainability Agency (GSA) must be a public agency (or combination of agencies) that either manages or supplies water, or that has land-use authority within the groundwater basin (primarily cities, counties and water districts). There are a number of public agencies that are eligible to form and be part of the GSA in the Indian Wells Valley groundwater basin. For example, the County of Inyo, Kern and San Bernardino could be the GSA that encompasses the Indian Wells Valley groundwater basin in that part of the county. In addition, the City of Ridgecrest, Indian Wells Valley Water District and Inyokern Community Services District could be GSAs. Antelope Valley- East Kern Water Agency, Mojave Water Agency and Rand Community Water District all of which have relatively small jurisdictional areas in the Indian Wells Valley, have opted not to be part of an Indian Wells Valley GSA, but to be kept informed on GSA activities and actions. Finally, federal partners in the basin, the US Navy and Bureau of Land Management have asked to participate on the GSA as non-voting members.

If no agencies want to manage groundwater in the basin, the County of Inyo, Kern and San Bernardino become the GSA in their respective county areas, unless they opt out. If no agencies want to manage groundwater and the counties opt out, the State Water Resources Control Board will step in, declare the basin probationary, develop a plan and may also set water rights as part of the intervention process.

The deadline for the creation of GSAs is June 30, 2017. As a first step, in early 2015, Kern County formed a workgroup of the local GSA-eligible agencies to consider governance options and have been meeting with stakeholders to inform them of the new law's requirements and to discuss GSA formation and collaborative approaches.

## **When will the Groundwater Sustainability Plan be in place?**

The SGMA provides the following time to implement the new requirements. Some key deadlines are:

Deadline	ACTION
June 30, 2017	Formation of GSAs
January 31, 2020	Completion of GSPs in Critically Overdrafted Basins – Indian Wells Valley designated critically overdrafted
January 31, 2020	GSPs due in high- and medium-priority basins
20 years after GSP adoption	High- and medium-priority basins achieve sustainability

## **Will Stakeholders be involved in implementing SGMA?**

The SGMA requires that specific stakeholders and the general public be consulted in the development of the GSP. Given the critical role and active participation of local

and federal agencies, agriculture, and private well owners in the Indian Wells Valley Cooperative Groundwater Management Group, it is anticipated that diverse stakeholders and the public at large will continue to be involved in implementing the SGMA in the Indian Wells Valley. Collaboration and stakeholder involvement will be key to the successful implementation of the SGMA.

### **How will the new law affect me?**

It will be several years before local GSPs are adopted. Until then, the law will have no effect on well owners. The SGMA gives local agencies broad authority to manage groundwater, including authority to increase groundwater supply (for example, projects to increase groundwater recharge) and to manage groundwater demand through well monitoring and, if necessary, regulating groundwater extraction. Local agencies also have authority to assess fees for groundwater management. Local agencies in the Indian Wells Valley will decide which of these new authorities are needed to sustainably manage groundwater. Given that the groundwater sustainability process is only beginning, including numerous opportunities for public and well owner input, it is speculative to identify specific impacts of the new law on well owners. Once plans are adopted, the impacts could vary depending on where your well is located to the amount of water you pump annually.

### **Does the SGMA affect my Water Rights?**

Section 10720.5 of the SGMA specifies that the act and any groundwater management plans developed as a result of the act do not affect surface water or groundwater rights

### **Who will pay for the implementation of the SGMA and any Programs/Projects?**

Proposition 1, approved by the voters in November 2014, provides \$100 million statewide to fund the implementation of the SGMA. Local agencies will aggressively pursue this funding and other opportunities in the \$7.5 billion Proposition 1 and other grants. The new law also allows for the GSA(s) to collect fees to help pay for the costs of preparing and implementing GSPs.

### **Will the SGMA limit how much Water I can use?**

Locally developed GSPs will include programs and projects needed for each basin to become sustainable within 20 years. Under the SGMA, it is possible that a local plan could limit the water pumped by individual well owners. Practically, restrictions on water use would likely be limited to situations where other measures failed to improve groundwater conditions.

### **How can I learn more?**

For more information, go to <http://www.water.ca.gov/cagroundwater/>