

California needs strong, fair and effective groundwater agencies

HIGHLIGHTS

A race to the bottom of our collective groundwater is not good for anyone

The state needs to pay closer attention to the design of Groundwater Sustainability Agencies

Groundwater does not respect political boundaries, so we need to work together



In this Oct. 27, 2015 file photo, Scott Sills, general manager of the Laguna Irrigation district, walks a channel that will take Kings River storm water into a groundwater basin recharge project east of Riverdale. The recharge basin allows water to seep back into the ground. **JOHN WALKER** - jwalker@fresnobee.com

BY MICHAEL KIPARSKY AND HOLLY DOREMUS

California's groundwater is threatened – unsustainable use is causing impacts around the state. Pumping during the drought has been so rapid that changes in groundwater levels can be observed from space. In some areas, the land surface has collapsed almost two inches per month. Deep new wells take water from neighbors in a race to the bottom.

There is reason for hope. A historic new state law provides new impetus toward sustainable groundwater management. The law, the Sustainable Groundwater Management Act, seeks to put groundwater management in California on a sustainable path. But passing the law was only the beginning. Effective implementation will be crucial to its success.

But the law leaves crucial questions unanswered.

The law does not specify how the Groundwater Sustainability Agencies should be structured, what exactly they must do, or how they must do it. That leaves room for creativity and adjustment to local context. But it also raises the possibility of creating paper tigers that go through the motions but ultimately fail, leaving future generations to live with the impacts of a depleted resource.

Over the next few years, the act requires the formation of dozens of new Groundwater Sustainability Agencies, which will have the unenviable task of achieving local groundwater sustainability by 2040. Local governments are scrambling to understand what these agencies should look like to manage this vital resource.

Although not as visible as California's rivers, groundwater provides about one-third to half of the state's water supply and an essential lifeline when rivers run low during drought. Groundwater mismanagement is distressingly common; with lack of regulation and heavy pumping, overuse has destroyed infrastructure and put farms, communities and ecosystems at risk.

To reduce the risk of permanently degrading groundwater supply, stakeholders and decision makers need to think carefully about what factors contribute to good governance and how to incorporate those factors to build GSAs right from the start – that is, now.

With colleagues across California, we conducted a new study on design of agencies. A number of key elements stood out:

- Even a perfect plan is not worth the paper it is printed on if an agency is not designed well enough to actually implement it. The state needs to pay closer attention to the design of GSAs. The California Water Commission should pay careful attention to this issue in its oversight role. On Wednesday, it will need to decide whether the Department of Water Resources' proposed regulations provide sufficient guidelines for governance, among other issues.
- The new agencies must avoid the fragmentation that vexes California's water management. Groundwater does not respect political boundaries. GSAs should take groundwater basins, rather than existing political jurisdictions, as their basis.
- GSAs need the technical ability to understand and address groundwater management. They must develop expertise, including for sophisticated modeling and data analysis, or obtain outside assistance.
- Many GSAs will need to impose unwelcome restrictions on groundwater extraction, arousing political opposition. Yet they will also need to generate funding to support their work. Success will require strong agencies with adequate legal, regulatory and financing tools.
- To develop effective and fair decisions, the new agencies will need to consider carefully the interests of a range of stakeholders. GSAs will need to actively support broad participation and representation so as to avoid being dominated by a narrow range of interests.

Many localities are committed to developing excellent groundwater agencies, but even the best intentioned may need help – or a gentle push in the right direction. Damage to groundwater unfolds over decades. By the time management problems come to light, it may be too late to change course. Achieving groundwater sustainability is too important, and too challenging, to leave in the hands of haphazardly designed agencies.

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