

## Sustainable Groundwater Management Act Implementation Frequently Asked Questions

*Who will be in charge of implementing these new groundwater regulations? Will it be irrigation districts, the counties, the cities, or the state?*

The law requires that local agencies within the Tulare Lake Basin form a groundwater sustainability agency to implement the new regulations. The definition of local agency within the law is an agency that has water supply, water management, or land use responsibilities. In the Tulare Lake Basin this may include irrigation districts, cities, counties, and community service districts amongst others.

*Who will represent me on the groundwater sustainability agency?*

Groundwater Sustainability agencies will be formed by local public agencies that have jurisdiction over the lands within the Tulare Lake Basin. Those local agencies that participate in a groundwater sustainability agency will represent the pumpers that reside within the local agencies jurisdictional boundaries.

*What if I am in an area that is not covered by a qualified local agency to become a groundwater sustainability agency?*

In the event that there is an area within the Tulare Lake Basin that is not covered by a local agency, the county within which that unmanaged area lies will be presumed to be the groundwater sustainability agency for that area.

*Will I be told how much groundwater I can pump?*

The groundwater sustainability agency(s) in the Tulare Lake Basin will have 20 years to achieve sustainability for the basin. Groundwater sustainability agencies are empowered to utilize a number of new management tools to achieve the sustainability goal. The tools used to accomplish sustainability may include supply side methods, like additional groundwater recharge and/or demand side methods, like limits on groundwater extraction by pumpers. Until the groundwater sustainability agency has completed its groundwater sustainability plan that is due by the year 2020, it is not known what combination of management tools will be needed to achieve sustainability for the Tulare Lake Basin.

*Will my well be metered?*

The Sustainable Groundwater Management Act requires that the Tulare Lake Basin be managed and use groundwater in a manner that is sustainable. This will require that groundwater sustainability agencies in the Tulare Lake Basin to measure and monitor groundwater levels to meet the sustainability requirements of the law. Metering wells is one of several methods that groundwater sustainability agencies can use to monitor groundwater. Until the groundwater sustainability agency has completed its groundwater sustainability plan that is due by the year 2020, it is not known what methods will be used to measure and monitor groundwater in the Tulare Lake Basin.

*What if I am a resident in the Tulare Lake Basin that pumps very little groundwater?*

Any domestic user that pumps less than two acre feet of water per year (or less than 652,000 gallons) for **domestic use** is considered a de minimis extractor and will be exempt from reporting requirements. The Sustainable Groundwater Management Act specifies that a fee shall not be imposed on a de minimis extractor unless this class of use has been regulated in the groundwater sustainability plan.

*What does sustainable groundwater management mean?*

The Sustainable Groundwater Management Act defines sustainable groundwater management as the management and use of groundwater in a manner that does not cause undesirable results including:

- Chronic lowering of groundwater levels
- Reductions in groundwater storage
- Seawater intrusion
- Degraded water quality
- Land subsidence
- Surface water depletions that have adverse impacts on beneficial uses

*What are the costs involved and who will pay for it?*

Implementing the Sustainable Groundwater Management Act in the Tulare Lake Basin will cost money. A groundwater sustainability agency has the power impose fees, including, but not limited to, permit fees and fees on groundwater extraction to fund the costs of a groundwater sustainability program. Costs include but are not limited to, preparation, adoption, and amendment of a groundwater sustainability plan, and investigations, inspections, compliance assistance, enforcement and program administration.

*Will the law affect land use decisions like what type of crops can be planted or how many houses can be built?*

A groundwater sustainability plan does not supersede the land use authority of cities and counties, including the city or county general plan, within the basin; however, the law does require coordination amongst the planning agencies. Before the adoption or substantial amendment to a city or county general plan, the planning agency must notify the groundwater sustainability agency within the Tulare Lake Basin. Upon notification, the groundwater sustainability agency must provide the current version of the groundwater sustainability plan for the Tulare Lake Basin to the city or county planning agency to review and consider prior to taking action on the adoption or amendment to their general plan.

*What happens if my well goes dry, will I be able to drill a new well?*

The decision regarding whether you can drill a new well is under the authority of the county in which you reside. The law does not authorize a groundwater sustainability agency to issue permits for the construction, modification, or abandonment of groundwater wells, except as authorized by a county with authority to issue those permits. A groundwater sustainability agency may request of the county, and the county shall consider, that the county forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the groundwater sustainability agency before permit approval.

*Does this impact my surface or groundwater rights?*

This law does not alter surface water rights or groundwater rights under common law or any provision of law that determines or grants surface water rights.

*What can the State do if we do not comply with the law?*

If the State Water Resources Control Board determines that a basin or portion of a basin is not compliant with the law's requirements, it can designate a basin as a probationary basin. The Board may develop an interim plan for the probationary basin. The interim plan will identify actions that are necessary to correct the long-term overdraft and may include restrictions on groundwater extractions.

## **The Tulare Lake Basin**

*What is the condition of the Tulare Lake Basin?*

The Department of Water Resources estimates that total Tulare Lake Basin groundwater in storage is about 37 million acre-feet to a depth of more than 1,000 feet. DWR measurements estimate that on average the Tulare Lake Basin water level has declined nearly 17 feet from 1970 through 2000. (An acre foot equals 325,900 gallons, or enough water to cover a football field to a depth of one foot.)

*Why must the Tulare Lake Basin comply with the new groundwater law?*

Out of California's 515 groundwater basins and subbasins, 127 have been designated by the state as medium and high priority meaning they are not in a sustainable condition. The Tulare Lake Basin is one of those 127 basins. Any basin that has been designated as medium or high priority must comply with the law.

*What will it take to get the Tulare Lake Basin sustainable?*

The local agencies working on implementing the new groundwater law in the Tulare Lake Basin have over many years been collecting data and monitoring local groundwater conditions. This information along with further analysis through a hydrologic model will be used to determine the sustainability goal for the basin.

*How can I stay informed about Sustainable Groundwater Management activities?*

For more information on how you can become involved, contact Cristel Tufenkjian, Kings River Conservation District Manager of Community & Public Relations at [ctufenkjian@krcd.org](mailto:ctufenkjian@krcd.org) or at 237.5567, ext. 118.