

2002 Senate Bill 1938 (SB 1938)

Prior to SB 1938, the existing law authorized a local agency to prepare and implement a groundwater management plan. The law also established the Local Groundwater Assistance Fund and provides that, upon appropriation by the Legislature, money in the fund may be used by the DWR to assist local public agencies by awarding grants to those agencies to conduct groundwater studies or to carry out groundwater monitoring and management activities. SB 1938 was the first major enhancement to the original Groundwater Management Act of 1992.

SB 1938 legislation included the following:

Required a local agency that elects to develop a groundwater management plan to make available to the public a written statement describing the manner in which interested parties would be allowed to participate in the development of that plan.

Required a local agency, for the purposes of qualifying as a groundwater management plan under certain provisions of law, or, with certain exceptions, for the purposes of receiving state funds administered by the DWR for the construction of groundwater projects or groundwater quality projects, to prepare and implement a plan that includes certain basin management objectives, definition of management area, local agency coordination, to adopt certain monitoring protocols, and in the event the management area does not overlie B118 basins, use sound geologic and hydrogeologic practices to effectively manage groundwater.

Required the local agency to submit a copy of the plan to the DWR, in an electronic format, if practicable, approved by the department and the department would be required to make copies available to the public.

Would provide, that upon appropriation by the Legislature, money in the Local Groundwater Assistance Fund may be used by the department to assist local public agencies in the development of groundwater management plans.

The required components of a groundwater management plan, as introduced by SB 1938 and defined in Water Code §10753.7, include the following:

1. **Basin Management Objectives:** The Groundwater Management Plan shall include Basin Management Objectives relating to the monitoring and management of groundwater levels within the groundwater basin, groundwater quality degradation, inelastic land surface subsidence, and changes in surface flow and surface water quality that directly affect groundwater levels or quality or are caused by groundwater pumping in the basin.
2. **Agency Cooperation:** The local agency shall prepare a plan to involve other agencies that enables the local agency to work cooperatively with other public entities whose service area or boundary overlies the groundwater basin.
3. **Mapping:** The local agency shall prepare a map that details the area of the groundwater basin, as defined in DWR's Bulletin 118, and the area of the local agency, that will be subject to the Groundwater Management Plan, as well as the boundaries of other local agencies that overlie the basin in which the agency is developing a Groundwater Management Plan.

4. Monitoring Protocols: The local agency shall adopt monitoring protocols that are designed to detect changes in groundwater levels, groundwater quality, inelastic surface subsidence (in basins for which subsidence has been identified as a potential problem), and flow and quality of surface water that directly affect groundwater levels or quality or are caused by groundwater pumping in the basin.
5. Located outside Bulletin 118 Groundwater Basins: Plans located outside DWR Bulletin 118 alluvial groundwater basins will incorporate the above components and shall use geologic and hydrologic principles appropriate to those areas.