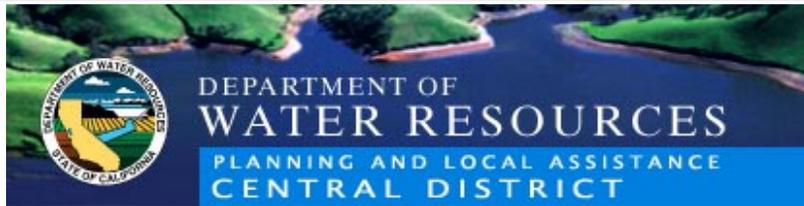


[DWR Home](#)

[DPLA Home](#)

[NCRO Home](#)



 DWR My CA

**North Central Region
Office Programs:**

[California-Nevada and
Watershed Assessment](#)

[Groundwater](#)

[Land & Water Use](#)

[Recreation](#)

[Sacramento-San Joaquin
Delta](#)

[Surface Water](#)

**North Central Region
Office
Department of Water
Resources**

(916) 376-9600

Street Address:

3500 Industrial Blvd.
West Sacramento, CA
95691

Mailing Address:

PO Box 942836
Sacramento, CA 94236

Some pages may require Adobe
Acrobat for viewing.



Download Adobe Acrobat Reader
free.

Groundwater

Groundwater Management

Local Agency Groundwater Management Under AB 3030

The Groundwater Management Act, commonly referred to as AB 3030, was signed into law on September 26, 1992, and became effective on January 1, 1993. The legislation is designed to provide local public agencies with increased management authority over groundwater resources in addition to those existing groundwater management capabilities. AB 3030 was developed in response to Environmental Protection Agency's Comprehensive State Groundwater Protection Programs. Below are the Water Code sections that authorize groundwater management districts.

CALIFORNIA WATER CODE

PART 2.75. GROUNDWATER MANAGEMENT

CHAPTER 1. GENERAL PROVISIONS	10750-10750.10
CHAPTER 2. DEFINITIONS	10752
CHAPTER 3. GROUNDWATER MANAGEMENT PLANS	10753-10753.9
CHAPTER 4. FINANCES	10754-10754.3
CHAPTER 5. MISCELLANEOUS	10755-10756

WATER CODE SECTION 10750-10750.10

10750. The Legislature finds and declares that groundwater is a valuable natural resource in California, and should be managed to ensure both its safe production and its quality. It is the intent of the Legislature to encourage local agencies to work cooperatively to manage groundwater resources within their jurisdictions.

10750.2. (a) Subject to subdivision (b), this part applies to all groundwater basins in the state. (b) This part does not apply to any portion of a groundwater basin that is subject to groundwater management by a local agency or a watermaster pursuant to other provisions of law or a court order, judgment, or decree, unless the local agency or watermaster agrees to the application of this part.

10750.4. Nothing in this part requires a local agency overlying a groundwater basin to adopt or implement a groundwater management plan or groundwater management program pursuant to this part.

10750.6. Nothing in this part affects the authority of a local agency or a watermaster to manage groundwater pursuant to other provisions of law or a court order, judgment, or decree.

10750.7. (a) A local agency may not manage groundwater pursuant to this part within the service area of another local agency, a water corporation regulated by the Public Utilities Commission, or a mutual water company without the agreement of that other entity. (b) This section applies only to groundwater basins that are not critically overdrafted.

10750.8. (a) A local agency may not manage groundwater pursuant to this part within the service area of another local agency without the agreement of that other entity. (b) This section applies only to groundwater basins that are critically overdrafted.

10750.9. (a) A local agency that commences procedures, prior to January 1, 1993, to adopt an ordinance or resolution to establish a program for the management of groundwater pursuant to Part 2.75 (commencing with Section 10750), as added by Chapter 903 of the Statutes of 1991, may proceed to adopt the ordinance or resolution pursuant to Part 2.75, and the completion of those procedures is deemed to meet the requirements of this part. (b) A local agency that has adopted an ordinance or resolution pursuant to Part 2.75 (commencing with Section 10750), as added by Chapter 903 of the Statutes of 1991, may amend its groundwater management program by ordinance or resolution of the governing body of the local agency to include any of the plan components set forth in Section 10753.7.

10750.10. This part is in addition to, and not a limitation on, the authority granted to a local agency pursuant to other provisions of law.

Groundwater:

- [Groundwater Basics](#)
- [Groundwater Publications](#)
- [Well-Completion Reports](#)
- [Groundwater Levels](#)
- [Groundwater Quality](#)
- [Groundwater Management](#)
- [Conjunctive Use](#)
- [Links](#)
- [Staff/Contacts](#)

Quick Hits

- [DWR Web Sites](#)
- [DWR Publications](#)
- [DWR Public Forms](#)
- [DWR Employment](#)
- [CA District Map](#)

WATER CODE SECTION 10752

10752. Unless the context otherwise requires, the following definitions govern the construction of this part: (a) "Groundwater" means all water beneath the surface of the earth within the zone below the water table in which the soil is completely saturated with water, but does not include water which flows in known and definite channels. (b) "Groundwater basin" means any basin identified in the department's Bulletin No. 118, dated September 1975, and any amendments to that bulletin, but does not include a basin in which the average well yield is less than 100 gallons per minute. (c) "Groundwater extraction facility" means any device or method for the extraction of groundwater within a groundwater basin. (d) "Groundwater management plan" or "plan" means a document that describes the activities intended to be included in a groundwater management program. (e) "Groundwater management program" or "program" means a coordinated and ongoing activity undertaken for the benefit of a groundwater basin, or a portion of a groundwater basin, pursuant to a groundwater management plan adopted pursuant to this part. (f) "Groundwater recharge" means the augmentation of groundwater, by natural or artificial means, with surface water or recycled water. (g) "Local agency" means any local public agency that provides water service to all or a portion of its service area, and includes a joint powers authority formed by local public agencies that provide water service. (h) "Recharge area" means the area that supplies water to an aquifer in a groundwater basin and includes multiple wellhead protection areas. (i) "Watermaster" means a watermaster appointed by a court or pursuant to other provisions of law. (j) "Wellhead protection area" means the surface and subsurface area surrounding a water well or well field that supplies a public water system through which contaminants are reasonably likely to migrate toward the water well or well field.

WATER CODE SECTION 10753-10753.9

10753. (a) Any local agency, whose service area includes a groundwater basin, or a portion of a groundwater basin, that is not subject to groundwater management pursuant to other provisions of law or a court order, judgment, or decree, may, by ordinance, or by resolution if the local agency is not authorized to act by ordinance, adopt and implement a groundwater management plan pursuant to this part within all or a portion of its service area. (b) Notwithstanding subdivision (a), a local public agency, other than an agency defined in subdivision (g) of Section 10752, that provides flood control, groundwater management, or groundwater replenishment, or a local agency formed pursuant to this code for the principal purpose of providing water service that has not yet provided that service, may exercise the authority of this part within a groundwater basin that is located within its boundaries within areas that are either of the following: (1) Not served by a local agency. (2) Served by a local agency whose governing body, by a majority vote, declines to exercise the authority of this part and enters into an agreement with the local public agency pursuant to Section 10750.7 or 10750.8.

10753.2. (a) Prior to adopting a resolution of intention to draft a groundwater management plan, a local agency shall hold a hearing, after publication of notice pursuant to Section 6066 of the Government Code, on whether or not to adopt a resolution of intention to draft a groundwater management plan pursuant to this part for the purposes of implementing the plan and establishing a groundwater management program. (b) At the conclusion of the hearing, the local agency may draft a resolution of intention to adopt a groundwater management plan pursuant to this part for the purposes of implementing the plan and establishing a groundwater management program.

10753.3. (a) After the conclusion of the hearing, and if the local agency adopts a resolution of intention, the local agency shall publish the resolution of intention in the same manner that notice for the hearing held under Section 10753.2 was published. (b) Upon written request, the local agency shall provide any interested person with a copy of the resolution of intention.

10753.4. The local agency shall prepare a groundwater management plan within two years of the date of the adoption of the resolution of intention. If the plan is not adopted within two years, the resolution of intention expires, and no plan may be adopted except pursuant to a new resolution of intention adopted in accordance with this chapter.

10753.5. (a) After a groundwater management plan is prepared, the local agency shall hold a second hearing to determine whether to adopt the plan. Notice of the hearing shall be given pursuant to Section 6066 of the Government Code. The notice shall include a summary of the plan and shall state that copies of the plan may be obtained for the cost of reproduction at the office of the local agency. (b) At the second hearing, the local agency shall consider protests to the adoption of the plan. At any time prior to the conclusion of the second hearing, any landowner within the local agency may file a written protest or withdraw a protest previously filed.

10753.6. (a) A written protest filed by a landowner shall include the landowner's signature and a description of the land owned sufficient to identify the land. A public agency owning land is deemed to be a landowner for the purpose of making a written protest. (b) The secretary of the local agency shall compare the names and property descriptions on the protest against the property ownership records of the county assessors. (c) (1) A majority protest shall be determined to exist if the governing board of the local agency finds that the protests filed and not withdrawn prior to the conclusion of the second hearing represent more than 50 percent of the assessed value of the land within the local agency subject to groundwater management

pursuant to this part. (2) If the local agency determines that a majority protest exists, the groundwater plan may not be adopted and the local agency shall not consider adopting a plan for the area proposed to be included within the program for a period of one year after the date of the second hearing. (3) If a majority protest has not been filed, the local agency, within 35 days after the conclusion of the second hearing, may adopt the groundwater management plan.

10753.7. A groundwater management plan may include components relating to all of the following: (a) The control of saline water intrusion. (b) Identification and management of wellhead protection areas and recharge areas. (c) Regulation of the migration of contaminated groundwater. (d) The administration of a well abandonment and well destruction program. (e) Mitigation of conditions of overdraft. (f) Replenishment of groundwater extracted by water producers. (g) Monitoring of groundwater levels and storage. (h) Facilitating conjunctive use operations. (i) Identification of well construction policies. (j) The construction and operation by the local agency of groundwater contamination cleanup, recharge, storage, conservation, water recycling, and extraction projects. (k) The development of relationships with state and federal regulatory agencies. (l) The review of land use plans and coordination with land use planning agencies to assess activities which create a reasonable risk of groundwater contamination.

10753.8. (a) A local agency shall adopt rules and regulations to implement and enforce a groundwater management plan adopted pursuant to this part. (b) Nothing in this part shall be construed as authorizing the local agency to make a binding determination of the water rights of any person or entity. (c) Nothing in this part shall be construed as authorizing the local agency to limit or suspend extractions unless the local agency has determined through study and investigation that groundwater replenishment programs or other alternative sources of water supply have proved insufficient or infeasible to lessen the demand for groundwater.

10753.9. In adopting rules and regulations pursuant to Section 10753.8, the local agency shall consider the potential impact of those rules and regulations on business activities, including agricultural operations, and to the extent practicable and consistent with the protection of the groundwater resources, minimize any adverse impacts on those business activities.

WATER CODE SECTION 10754-10754.3

10754. For purposes of groundwater management, a local agency that adopts a groundwater management plan pursuant to this part has the authority of a water replenishment district pursuant to Part 4 (commencing with Section 60220) of Division 18 and may fix and collect fees and assessments for groundwater management in accordance with Part 6 (commencing with Section 60300) of Division 18.

10754.2. (a) Subject to Section 10754.3, except as specified in subdivision (b), a local agency that adopts a groundwater management plan pursuant to this part, may impose equitable annual fees and assessments for groundwater management based on the amount of groundwater extracted from the groundwater basin within the area included in the groundwater management plan to pay for costs incurred by the local agency for groundwater management, including, but not limited to, the costs associated with the acquisition of replenishment water, administrative and operating costs, and costs of construction of capital facilities necessary to implement the groundwater management plan. (b) The local agency may not impose fees or assessments on the extraction and replacement of groundwater pursuant to a groundwater remediation program required by other provisions of law or a groundwater storage contract with the local agency.

10754.3. Before a local agency may levy a water management assessment pursuant to Section 10754.2 or otherwise fix and collect fees for the replenishment or extraction of groundwater pursuant to this part, the local agency shall hold an election on the proposition of whether or not the local agency shall be authorized to levy a groundwater management assessment or fix and collect fees for the replenishment or extraction of groundwater. The local agency shall be so authorized if a majority of the votes cast at the election is in favor of the proposition. The election shall be conducted in the manner prescribed by the laws applicable to the local agency or, if there are no laws so applicable, then as prescribed by laws relating to local elections. The election shall be conducted only within the portion of the jurisdiction of the local agency subject to groundwater management pursuant to this part.

WATER CODE SECTION 10755-10756

10755. (a) If a local agency annexes land subject to a groundwater management plan adopted pursuant to this part, the local agency annexing the land shall comply with the groundwater management plan for the annexed property. (b) If a local agency subject to a groundwater management plan adopted pursuant to this part annexes land not subject to a groundwater management plan adopted pursuant to this part at the time of annexation, the annexed territory shall be subject to the groundwater management plan of the local agency annexing the land.

10755.2. (a) It is the intent of the Legislature to encourage local agencies, within the same groundwater basin, that are authorized to adopt groundwater management plans pursuant to this part, to adopt and implement a coordinated groundwater management plan. (b) For the purpose of adopting and implementing a coordinated groundwater management program pursuant to this part, a local agency may enter

into a joint powers agreement pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code with public agencies, or a memorandum of understanding with public or private entities providing water service. (c) A local agency may enter into agreements with public entities or private parties for the purpose of implementing a coordinated groundwater management plan.

10755.3. Local agencies within the same groundwater basin that conduct groundwater management programs within that basin pursuant to this part, and cities and counties that either manage groundwater pursuant to this part or have ordinances relating to groundwater within that basin, shall, at least annually, meet to coordinate those programs.

10755.4. Except in those groundwater basins that are subject to critical conditions of groundwater overdraft, as identified in the department's Bulletin 118-80, revised on December 24, 1982, the requirements of a groundwater management plan that is implemented pursuant to this part do not apply to the extraction of groundwater by means of a groundwater extraction facility that is used to provide water for domestic purposes to a single-unit residence and, if applicable, any dwelling unit authorized to be constructed pursuant to Section 65852.1 or 65852.2 of the Government Code.

10756. (a) On or before April 1, 1998, the department shall prepare and publish, in a bulletin of the department published pursuant to Section 130, a report on the number of agencies that have adopted and implemented groundwater management plans, or that manage groundwater, pursuant to this part or pursuant to any of the following authorities: (1) Part 2.75 (commencing with Section 10750) as added by Chapter 903 of the Statutes of 1991. (2) Other statutory authority. (3) Adjudication. (4) Local ordinance. (b) The report shall also include all of the following information: (1) The number of agencies that do not overlie a groundwater basin or that overlie a basin with groundwater that is not usable. (2) The number of agencies whose groundwater is managed by another agency. (3) The number of agencies that have expressed no interest in initiating groundwater management. (c) The report may include any of the following information, if determined by the department to be available: (1) The volume or percentage of extracted groundwater that is managed in accordance with a groundwater management plan or other authority described in subdivision (a). (2) The extent of basinwide coordination. (3) The number of interstate basins for which a groundwater management plan has been adopted. (4) Any other information determined by the department to be relevant. (d) The department shall update the report periodically, as needed.

[Back to Top of Page](#)

[Conditions of Use](#) | [Privacy Policy](#) | [Comments or Suggestions](#)

© 2014 State of California.