

**MWD**

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

November 24, 1992

To: Board of Directors (Water Problems Committee--Action)
Board of Directors (Executive Committee--Action)

From: General Manager

Subject: Groundwater Legislative Principles

Report

Groundwater production constitutes about 40 percent of California's water supply and nearly one-third of the water supply for Metropolitan's service area. Adequate protection and sound management of California's irreplaceable groundwater resources are essential to improving Southern California's regional water supply reliability.

Staff developed the attached position paper of suggested initial positions regarding legislation for groundwater management and protection. The position paper formed the basis for policy principles which were approved by the Special Committee on Legislation on November 17, 1992 and are summarized below:

- (1) Support legislation that provides local agencies authority to flexibly manage groundwater quantity and quality to improve long-term water supply reliability and to implement transfers, exchanges, and regional conjunctive use.
- (2) Support legislation that protects groundwater quality by providing increased State funding for treatment projects, brine disposal, protective regulatory activities, and technological advances in treatment. Also support legislation that amends the federal Comprehensive Environmental Response, Compensation and Liability Act to expedite financial and other assistance for groundwater cleanup.

Board Committee Assignments

This letter is referred for action to:

The Executive Committee because of its authority to study, advise, and make recommendations with regard to

legislation affecting the District, pursuant to Administrative Code Section 2417(a).

The Water Problems Committee pursuant to Section 2481(i) of Metropolitan's Administrative Code granting it authority regarding policies dealing with underground storage of water.

Recommendation

EXECUTIVE AND WATER PROBLEMS COMMITTEES FOR ACTION.

It is recommended that the Board recognize that groundwater is an essential, irreplaceable resource and support the principles cited above as initial positions on groundwater legislation.


Carl Boronkay

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Attachment

**METROPOLITAN WATER DISTRICT OF SOUTHERN
CALIFORNIA GROUNDWATER MANAGEMENT AND STORAGE
POSITION PAPER**

Issue

From Metropolitan's perspective two important groundwater issues are contamination and conjunctive use.

Groundwater contamination is a major problem statewide and has proven to be difficult to prevent and expensive to correct. In some cases cleanup has been found to be technically impossible to accomplish. Programs to prevent and clean up groundwater contamination have had only limited success.

Conjunctive use refers to coordinated use of groundwater basins with imported water supplies. It includes the use of unused groundwater basin storage space to store imported water for later use - including use outside the boundary of the basin in which the water is stored. It also includes increasing and decreasing groundwater use depending on the availability of imported water. We are actively pursuing conjunctive use in several basins both inside and outside our service area. Such programs can improve regional water supply reliability and facilitate statewide water transfers and exchanges.

Status

The thrust of recent legislation has been to strengthen local agencies so that they may undertake groundwater management. For instance: (1) AB 3030, which gives existing agencies a procedure to implement groundwater management plans, was passed this session; (2) SB 867 which would have created the Glen County Groundwater Management Agency and may have prohibited the export of groundwater from Glen County was vetoed by the Governor because it failed to provide adequate protection for property owners; and (3) AB 1679 which creates the San Gabriel Basin Water Quality Authority (SGBWQA) was passed and signed. Among other things, it invests the SGBWQA with the power to collect pumping assessments to fund groundwater cleanup projects in the San Gabriel Basin.

Statewide Groundwater Management

Specific Issue: Should Metropolitan support or pursue legislation to improve groundwater management in California? Is it in Metropolitan's interest to support

or pursue legislation that would provide the State of California authority to manage groundwater?

Background: Southern California groundwater management is done on a local level so that Metropolitan support of centralized groundwater management may conflict with the interests of our member agencies and their subagencies. Additionally, our efforts to effect transfers and exchanges often involve storing and drafting water from groundwater aquifers (i.e., Arvin-Edison and Semitropic) and attempts to centralize groundwater management could hinder and delay these efforts. Finally, the southern California experience has shown that local groundwater management is an effective way to preserve the groundwater resource.

Staff's criteria for evaluating groundwater management legislation has been that management programs should provide for (1) flexible extraction and production limits that protect local rights and needs; (2) replenishment and storage to increase yield; (3) overdraft protection (limiting long-term extractions or increasing recharge as appropriate); (4) transfers and exchanges of groundwater supplies with appropriate safeguards; (5) regional conjunctive use; (6) funding mechanisms (pumping assessment, etc.); (7) groundwater quality protection and/or contamination cleanup; (8) operating strategies which mitigate contamination and prevent its spread; and (9) coordination with existing groundwater management programs, especially judicially imposed programs.

Policy Options

1. Formulate and/or support a California Groundwater Management Program which would be administered at the State level and would mandate groundwater management and promote transfer and exchanges of groundwater.
2. Adopt a policy of supporting groundwater management legislation that provides for management on a local level and conforms to the nine principles listed in the background section. .

Recommendation:

Staff recommends that Metropolitan adopt Option 2 as it is consistent with Metropolitan's goals and objectives.

Contamination

Specific Issue: Should Metropolitan pursue legislation that would prevent groundwater contamination and promote the cleanup of already contaminated groundwater?

Background: Contamination is a major problem affecting groundwater supply and basin storage. Contamination prevention, treatment and cleanup are expensive and difficult to accomplish. Regional water quality control Boards are generally underfunded, understaffed, and heavily lobbied so that their intended role of protecting groundwater resources is not always met. Developing plants to treat contaminated groundwater so that it can be served require major capital investments often beyond the capability of water suppliers, even with the availability of Metropolitan's GRP. Although both federal and state law place responsibility for contamination cleanup costs on those entities that caused the contamination, enforcement of that responsibility involves extensive delays and expensive scientific and judicial processes.

Policy Options:

1. Support legislation that would provide low-interest loans for groundwater treatment projects.
2. Support legislation that would provide State funding for regional brine disposal projects. Brine disposal being a major cost in groundwater treatment.
3. Support legislation that would provide State funding for the development of economically feasible technology to remove nitrates which are a major groundwater contaminant.
4. Support legislation that would provide additional funding and staff to help the Regional Board accomplish their groundwater protection mission.
5. Support amendment of the federal Comprehensive Environmental Response, Compensation and Liability Act to expedite financial and other assistance for groundwater cleanup programs.

Recommendation:

Staff recommends that Metropolitan adopt Options 1 through 5, as they are consistent with Metropolitan's goal to preserve and enhance California's groundwater resources.

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