

Criteria for Evaluating Campaign Options

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A. Possible Campaign Title: Groundwater Watch

B. Short Description: Groundwater is the only remaining unexploited water resource in California, and is a vital resource for the Sacramento Valley. The Sacramento Valley houses the majority of groundwater reserves in California. In their search to supplement water sources, CALFED and southern California water interests are planning to use this groundwater to meet demand for new urban development. The water transfer programs presently proposed add up to approximately 1,000,000 ac/ft of water a year that will be removed from the Sacramento River Valley. However, managing groundwater responsibly requires more than just protecting against abusive water transfers. It must be ensured that local groundwater management agencies and counties monitor present, overlying use and provide environmental safeguards for the flora and fauna that depend on groundwater for survival. In California, the overlying landowner owns the groundwater rights which only allow for beneficial use on the users overlying property. Present law favors local Sacramento Valley beneficial uses such as agriculture and the environment-uses in place, not export uses. Most Sacramento Valley counties have groundwater ordinances that can be used to regulate export.

Groundwater is the source of most drinking water in the Sacramento Valley, and good water quality is dependent on healthy aquifers. The quality and quantity of Sacramento Valley groundwater is being threatened by potential water transfers that may inevitably over-pump and drain our groundwater basin. The mining of aquifers also jeopardizes this hidden resource by increasing the chances for contaminants to seep in. However, people are not the only ones affected by this exploitation. The plants and animals that depend on the groundwater resource suffer as well, and will be negatively impacted by such mining, making their struggle to survive in the Sacramento Valley even more difficult. For example, oak woodlands provide significant wildlife habitat, and depend on a healthy groundwater basin to survive. The land subsidence effectuated by a water transfer in Yolo County in the early 1990's is another example of the destruction that occurs when groundwater is removed from its basin.

Powerful export interests intend to ally themselves with local irrigation districts to sell millions of dollars of local water to export interests for their exclusive use. The profits from these sales of public water will go to a very small number of private people and agricultural businesses. Local abuses of groundwater entitlement pose numerous threats to wildlife habitat, both terrestrial, riparian and in-stream. Groundwater Watch would take steps to protect groundwater levels that, when lowered, negatively affect the surface-flow of streams. Groundwater Watch would also inventory, assess, and monitor all water transfers and would take appropriate action on a state and local level to improve the management and protection of the watershed's groundwater resources and ensure that

neither the environment, local communities nor the overall economy are harmed by transfers, and that no illegal groundwater transfers occur.

C. Purpose and Goals: The purpose of the campaign is to protect groundwater levels that support both the environment and the present and future economies of the Sacramento watershed. Some specific goals could include: keeping groundwater tables high enough that Oak Woodlands, riparian vegetation, and non-crop trees are able to survive; Keeping groundwater levels high enough to retain good drinking water quality; Maintaining and ensuring adequate surface flows by protecting against groundwater table depletion; Keeping groundwater tables high enough for groundwater use by farms; Keeping wetland and other natural habitats natural, and; Providing a sustainable water source for present and future economic activity.

D. Proposed Lead Organizations: SVEWC

E. Possible Supporting Organizations: BEC, SRPT, CSPA, FOR, NRDC, DOW

F. Possible Lead Individuals and contact information: Lynn Barris, Barbara Vlamis, John Merz, Steve Evans, Mike Jackson, David Behar, Kelly McDonald

G. Major Milestones.

Past:

1. Laws favor retaining groundwater for use on overlying land only. (California Constitution Art. 10, Section
2. Laws authorize local police power exercised by the County to regulate or prevent export. (Tehama v. Baldwin) California Supreme Court.
3. Groundwater rights are paramount (superior) to all surface water rights no matter how old. (Barstow v. Mojave Water Agency)

Future:

1. Local public testimony, education, media, and political action.
2. Administrative action at the State Water Resource Control Board on transfers.
3. Litigation if groundwater is transferred or if surface transfers affect the environment or economy.
4. Pass local groundwater protection ordinances that truly meet the needs of habitat, present users and future generations.
5. Participate in state wide efforts (e.g. legislation) to advance groundwater management and protection ordinances, rules and regulations.

H. Potential Impact.

What specifically might the effort achieve?

1. Preserving in-stream flows that support healthy fish populations.
2. Preserving high water tables for riparian and terrestrial habitat.
3. Improved water conservation by agriculture in the valley.

4. Future water supplies for the Sacramento Valley economy.
5. Passage of new state legislation and regulation.

How might the success of Groundwater Watch benefit other habitats and campaigns?

1. By limiting exports of cheap, environmental water, Groundwater Watch will force development interests to recycle, de-salt, and reclaim polluted and wasted water, thereby cleaning up present storm water and toxic pollution in urban areas
2. The public could have a better understanding that groundwater rights are limited to over-lying use and such uses must be reasonable and not injure other water users, or the environment.

Will it help other campaigns outside of the Sacramento watershed? How?

1. It could help any habitat or area that relies on local groundwater by restricting export for off-site development.
2. Groundwater is a cheap competitor in a contest with reclamation, recycling, conservation of outdoor water, desalting of brackish and ocean water, storm water reclamation, and plumbing improvements. These relatively expensive conservation measures will never be implemented if cheap groundwater is available instead.
3. Collectively, these efforts could unite to support the environmental water arguments made by urban environmentalists that conservation and desalinization are the only real new water sources in California.

I. Potential for Success.

1. How likely is success?

80%-20%. May be better because the present law favors our position.

2. What amount of resources needs to be invested to succeed?

This campaign would need to organize existing activity and would need to better fund existing organization so as to expand their existing operations.

3. What is the capacity and resources of the lead organization and its allies for this effort? Do they have the needed skill, experience and allies?

The lead organizations certainly have most of the skill and experience for this effort. They lack the allies necessary-the local governments and groundwater farmers, but that will quickly be remedied as the campaign attracts support.

4. Is there the momentum behind the effort?

Yes. Local groundwater ordinances exist and many county officials in the Sacramento Valley fear surrendering present and future water supplies to export interests for the benefit of a few powerful farmers.

J. Potential to Broaden Coalition.

What is the potential that the campaign could broaden the group of allies with whom the environmental community works?

1. Almost every environmental group with a stake in the Sacramento Valley would be interested.
2. Farm groups wanting to retain Sacramento watershed groundwater are logical allies.
3. The environmental justice community could be allies if they agree that cheap groundwater is competing against urban conservation supplies-recycling, reclamation, and desalting.
4. Unknown how tribes see this issue.

What "strange bedfellows" might become allies of the effort?

1. Farmers in the Sacramento Valley who do not receive money for transferring water supplies could line up against groundwater exploiters.
2. If transfer litigation threatens to tie up transfer water for years, MWD and other export water users might be interested in alternative conservation supplies.
3. If environmental degradation from the transfer activity becomes very public, cities and towns without present or future water supplies might become supportive of the environmental perspective on this issue.
4. If the campaign leads to successful negotiations with the water districts and the exporters, this could be a major step towards a positive long-term relationship with the agricultural community in the Sacramento Valley.

How sustainable might these relationships be?

1. Unknown.

K. Timing.

What is the timeline for success? Is victory ten years away or two?

1. The educational process on groundwater may be long, but if success is measured by preventing groundwater transfers in accordance with the present law, we can be successful right away. Final resolution of the long-term protection of the groundwater of the Sacramento watershed is closer to ten years away than two.

Is the timeline clear or are there many unknowns?

1. The timeline is clear as far as the CALFED/NAPA/Phase 8 threat is concerned; other transfers are continuing apace.
2. The CALFED threat to take 600,000 ac/ft of Sacramento Valley groundwater is scheduled to take another 2 years and they are behind schedule.

L. Public Trust Water Rights case/Guaranteed environmental supplies

1. What impact might this campaign have on gaining public trust flows for streams in the watershed?

This campaign is more about preserving stream-flow by preventing groundwater depletions that dry up existing flows. The public trust of streams cannot be protected if the groundwater is over-pumped.

2. Will the campaign build the administrative record upon which a good public trust court case can succeed?

Probably not, since the public trust is a navigational and surface stream concept and other more specific laws exist that will lead to an easier victory.

3. Does the campaign help secure permanent water needs for riverine or terrestrial habitat?

Absolutely. Sacramento Valley habitats are supported and sustained by high groundwater and if you don't believe me look at the San Joaquin Valley where habitats have been devastated by groundwater over-pumping.

M. Value of it being selected as a SVEC campaign priority

1. Are other organizations already covering the needed work and doing it well? Would it make much difference to have the SVEC choose it as a priority campaign to support? How?

No, other organizations are not doing this job well. That should not be surprising since groundwater is a regional issue and most environmental organizations are active at the state level only. In my opinion, this is an issue that SVEWC can and should make a priority. The irrigation District organization (NCWA) is regional and we environmentalists need a regional organization to counter it.

2. How would the campaign help increase the number of volunteers and activists?

Everyone in the Sacramento Valley is affected by low groundwater levels. Concentrating on an issue common to all citizens provides maximum opportunity to increase the number of volunteers and activists.

N. Education and Reframing the Issues

Will the campaign help reframe the mindset of the public that water belongs to the public and the public needs to ensure that habitat receives its fair share of the waters of the state?

A Groundwater Watch campaign will educate the public about groundwater and its sustaining role in habitat protection and stream flow. A Groundwater Watch campaign will find common ground with groundwater farmers, farm laborers, government officials, and businesses. Perhaps no other campaign can reframe issues to

the environment's benefit as well as a groundwater campaign, since most people instinctively want to keep the groundwater local.

What key messages will the campaign deliver?

1. Groundwater sustains the environment.
2. High groundwater is an environmental boon.
3. High groundwater sustains in-stream flows.
4. Groundwater can only be used on overlying land.
5. Farmers have no right to sell groundwater for export.
6. Drinking water quality is at stake