Groundwater Rights and Management

Frequently Asked Questions

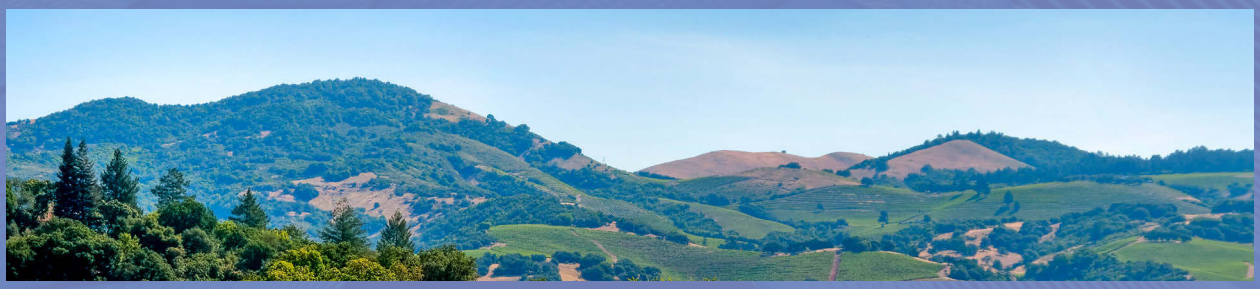
Groundwater Rights

Who owns the groundwater in California?

In California, water is protected for the use and benefit of all Californians. California's waters cannot be owned by individuals, groups, businesses, or governmental agencies. But permits, licenses, and registrations give individuals and others the right to beneficially use reasonable amounts of water.

Who has the right to use groundwater?

In most areas of California, overlying land owners obtain a right to groundwater by extracting percolating groundwater and putting it to beneficial use. The "reasonable use" provision in the California Constitution that governs other types of water rights also applies to groundwater. If you use groundwater on land that is over the groundwater basin from which you took the water, you have an "overlying groundwater right." If you use the water somewhere else, you have an "appropriative groundwater right." Overlying groundwater rights have a higher priority than appropriative groundwater rights. Although the State Water Board does not have authority to issue permits for groundwater diversions, except for diversions from subterranean streams, the State does have the authority to take action to stop wasteful or unreasonable uses of groundwater or to stop groundwater diversions that harm state resources, such as fisheries. Some local public entities, like counties and groundwater sustainability agencies, have authority to manage or regulate the use of groundwater.



Does the Sustainable Groundwater Management Act (SGMA) change groundwater rights in California?

No. Water Code Section 10720.5 specifies that SGMA and any groundwater management plans developed to comply with SGMA do not alter surface or groundwater rights. SGMA simply allows these rights, like other property rights, to be regulated at the local level by new Groundwater Sustainability Agencies (GSAs). For more information on water rights and SGMA, visit sonomacountygroundwater.org/resources

Does the Groundwater Sustainability Agency (GSA) have the authority to prevent future water wells from being drilled?

No. Under SGMA, the County retains well drilling permitting authority. The GSA can set well spacing requirements.

Does the GSA have the authority to limit water taken from current wells?

SGMA gives GSAs broad authority to manage groundwater, including authority to increase groundwater supply (for example, projects to increase groundwater recharge or replenishment) and to manage groundwater demand through well monitoring and, if necessary, regulating groundwater extraction. GSPs will include programs and projects needed for each basin to become sustainable within 20 years. Under SGMA, it is possible that the GSA could limit the water pumped by individual well owners if necessary to reach sustainability.

Para documentos en español, visite sonomacountygroundwater.org/espanol

Sustainable Groundwater Management in Sonoma County

In 2014, the Sustainable Groundwater Management Act (SGMA) was passed in California. The new law was passed at height of the state's historic drought, with the goal of making sure that groundwater is available now and in the future for people, farms and the environment. California is the last western state to enact plans for statewide groundwater management. SGMA now allows California to ensure the sustainable use of our groundwater, as other states have done for years.

SGMA requires the creation of Groundwater Sustainability Agencies (GSAs) to manage certain groundwater basins, including three in Sonoma County: the Petaluma Valley, Santa Rosa Plain and Sonoma Valley groundwater basins. This fact sheet has been created to answer questions about how the GSAs were formed, how they are structured, and how they can affect you and your water rights.

How were the GSAs established, and how is membership determined for the GSA boards?

Three GSAs were formed in Sonoma County. SGMA required, the GSAs to be formed by local government agencies that have land use authority or that have water supply or water use responsibilities.

In all three basins, staff from the participating agencies met frequently to develop options for governance and funding. The options were discussed and voted upon by the boards and councils of the participating agencies, and were vetted at several public workshops.

Ultimately, a GSA was created in each basin when the participating agencies entered into a Joint Exercise of Powers Agreement (JPA). In each basin, the JPA spells out GSA Board membership, initial funding, voting and other governance issues. The JPAs are posted online at sonomacountygroundwater.org/resources

The GSA Board membership in each basin includes one representative from each agency involved in formation. In the Santa Rosa Plain, there is also one seat designated for a representative of mutual water districts and those water districts that are regulated by the California Public Utilities Commission. In addition to a governing board, each GSA has an advisory committee to provide input from key stakeholders – including tribes, well owners, farmers, environmental interests, and businesses.

Why are there three GSAs in Sonoma County?

Three Sonoma County basins, with boundaries designated by California Department of Water Resources Bulletin 118, were designated medium-priority and thus required to comply with SGMA. The new law requires that these basins be governed by GSAs.

In the months immediately following the passage of SGMA, the County and the Water Agency engaged an independent facilitator to conduct a stakeholder assessment, to determine how best to meet its requirements. The facilitator found that stakeholder groups (including ranchers and farmers, well owners, environmental organizations, cities, water districts and other special districts) wanted decisions about groundwater management to be made in each basin – not by one countywide GSA.

Options for GSA formation, including the number of GSAs, were further vetted at community workshops and at the boards and councils of the forming agencies. The consensus opinion was that groundwater could be better managed locally, at the basin level.

GSA Member Agencies

Sonoma Valley GSA Member Agencies

- Sonoma County Water Agency
- County of Sonoma
- Sonoma Resource Conservation District
- City of Sonoma
- North Bay Water District
- Valley of the Moon Water District

Santa Rosa Plain GSA Member Agencies

- Sonoma County Water Agency
- County of Sonoma
- Sonoma Resource Conservation District
- City of Cotati
- City of Rohnert Park
- City of Santa Rosa
- Town of Windsor
- Gold Ridge Resource Conservation District

Petaluma Valley GSA Member Agencies

- Sonoma County Water Agency
- County of Sonoma
- Sonoma Resource Conservation District
- City of Petaluma
- North Bay Water District

Groundwater Sustainability Agency Leadership and Engagement

What is the relationship between the GSAs and the County of Sonoma and/or other government agencies?

The GSAs are governed by a Board of Directors, which is an independent board comprised of representatives from the County Board of Supervisors, the Water Agency Board of Directors, city councils and special district boards. Each GSA Board member brings the interests and perspectives of its member agency. However, when voting, GSA Board members are voting as a member of the GSA. In addition, each of the member agencies appointed one member of the Advisory Committee (additional Advisory Committee members were appointed by the GSA boards as a whole from a pool of applicants).

What does the GSA Board do and what does the GSA Advisory Committee do?

The GSA Board is a decision-making body. Through voting procedures outlined in the JPA and in bylaws, the Board's responsibilities include the following:

- Adopting an annual budget;
- Approving contracts;
- Making staffing decisions;
- Determining how the GSA is funded;
- Reviewing and adopting the Groundwater Sustainability Plan (GSP); and
- Overseeing the implementation of the GSP.

Each GSA has a stakeholder Advisory Committee that makes recommendations to the Board on a variety of issues, including GSA funding and the development and implementation of the GSP. The Advisory Committee also shares information about the GSA with stakeholder groups, and provides input and feedback to staff and the Board regarding outreach and engagement with stakeholder groups.

How will this affect me?

In the long run, the actions taken by the GSAs will benefit everyone in the county, securing our groundwater resources for years to come. If we manage our groundwater sustainably, we will have a reliable water source, which is particularly important in the case of changing climate, droughts and emergencies. In order to achieve this goal, the operation of the GSAs, the development of GSPs and the funding of projects and programs will require funding. If you live in one of the affected basins, you may have to pay a fee to support these activities. If you aren't sure whether you live in one of the affected basins, visit sonomacountygroundwater.org/basin to find out.

If I have an issue, should I approach the GSA Board or Advisory Committee?

Both the GSA Board and the Advisory Committee are public bodies that are subject to California's open-meeting rules. You are welcome and encouraged to attend Board and Advisory Committee meetings to share your thoughts and opinions. You can also can share your thoughts in writing. For a specific issue or question, you may want to contact the GSA administrator to determine the best avenue for discussing your concerns or sharing your thoughts. GSA administrator contact information can be found at sonomacountygroundwater.org.

Santa Rosa Plain GSA Board meeting

Petaluma Valley GSA Board swearing in

Sonoma Valley GSA Board swearing in

Want to learn more? This fact sheet was created to answer general questions regarding the management of groundwater in Sonoma County. Additional information about GSPs, GSA meetings, news, and more, can be found at sonomacountygroundwater.org.