



Central Coast Water Rights Litigation

Over the past several decades many groundwater basins in the Central Coast of California have been experiencing declines in groundwater levels. This has resulted from increasing population and a change in agricultural land use away from low water-intensity activities (e.g., cattle ranches) to higher water-intensity activities (e.g., vineyards). Between 2012 and 2015, extreme drought conditions led to a lack of recharge and accelerated the decline in groundwater levels. In addition, with limited access to surface water resources in the drought, groundwater pumping was increased to meet local water demands, exacerbating the decline.

Partly in response to declining groundwater resources, the State enacted the Sustainable Groundwater Management Act (SGMA) in 2014. This Act requires that local public agencies form a Groundwater Sustainability Agency (GSA). In many basins, the public agencies forming a GSA have appropriative rights to pump groundwater. Individual land owners have overlying rights, which are usually considered superior to appropriative rights. However, the GSA will have the power to provide preferential pumping allocations to the appropriate right holders ahead of overlying right holders.

In one particular groundwater basin in Central California, in addition to possible actions under SGMA, the County enacted an emergency well drilling ordinance. In addition, they are looking to form a new Groundwater Management District that would become part of the GSA. In response, a group of landowners has filed a quiet title lawsuit against the County, municipal pumpers, and mutual water companies. The intent is to use the court process to affirm the overlying rights held by these landowners.

Aquilologic was retained as an expert witness by one party involved in this litigation to defend their water rights and current pumping activities. As part of our retention, we reviewed the available hydrogeologic literature and data for the basin, and a groundwater flow model. Our first assignment was to assess the validity of dividing the basin into a series of sub-basins. The litigation is still active and our work on this project is ongoing.