

Research Brief: *Small Disadvantaged Community Participation in Groundwater Sustainability Agencies*

Introduction

The Sustainable Groundwater Management Act (SGMA) of 2014 has begun a period of major policy change for groundwater users across California. Under SGMA, 127 high- and medium-priority groundwater basins were required to form Groundwater Sustainability Agencies (GSAs) by June 30th, 2017. Now, GSAs have until January 2020 or 2022, depending on their basin condition, to develop Groundwater Sustainability Plans (GSPs). In doing so, GSAs have a responsibility to “consider the interests of all beneficial uses and users of groundwater” including but not limited to Disadvantaged Communities (DACs).ⁱ Based on past challenges with involving small DACs in regional water management, however, how or if this will happen is an important policy and research consideration.ⁱⁱ The goal of this research brief is to provide an initial quantitative description of small DAC participation in SGMA as a basis for future research and discussion.

Methodology

A spatial analysis identified small DAC Places (population < 10,000) with at least 10% of their area intersecting exclusive GSAs.ⁱⁱⁱ GSA filings from the Department of Water Resources’ (DWR) SGMA portal were then used to determine which of these small DACs are 1) members of their GSA(s); 2) members of their GSA board(s)^{iv}; and 3) listed as interested parties per CA Water Code Section 10723.8. The results represent the first statewide analysis of small DAC participation in exclusive GSAs to date.

Key Findings

- **SGMA impacts nearly half of all small DACs.** Of the 545 small DACs in the state, 45% (243) intersect one or more GSAs (Table 1).
- **Small DACs are found in many GSAs.** 41% (109 of 269) of GSAs considered intersect one or more small DACs. On average, these 109 GSAs intersected five small DACs with a range of 1 to 13.
- **Despite their prevalence, nearly half of small DACs have gone unrecognized.** Only 55% of the small DACs intersecting exclusive GSAs were identified anywhere in the interested parties list submitted by their respective GSA(s). 51% (56 of 109) of GSAs identified all of the small DACs in their boundaries and 23% (25 of 109) identified none of the small DACs in their boundaries.
- **Less than 20% of small DACs are participating in GSA governance.** 15% (37) of the 243 small DACs are members of their GSA and 17% (42) are board members.

Table 1. Small DACs within exclusive GSAs by hydrologic region

Hydrologic Region	# of small DACs in GSAs
North Coast	16
San Francisco Bay	4
Central Coast	10
South Coast	7
Sacramento River	43
San Joaquin	47
Tulare Lake	81
North Lahontan	0
South Lahontan	11
Colorado River	24
TOTAL	243

- **Less than one third of GSAs with small DACs have small DAC members or board members.** 25% (27 of 109) of GSAs with small DACs have one or more small DAC member and 28% (30 of 109) have one or more small DAC board member. These rates vary among regions (Figure 1) and GSA types. 31% (9 of 29) of JPA GSAs and 39% (7 of 18) of MOU/MOA GSAs have small DAC members whereas 15% (9 of 59) of single entity GSAs are small DACs.
- **Unincorporated small DACs are participating in SGMA at a rate four times less than incorporated small DACs.** While 47% (15 of 32) incorporated small DACs are members of their GSA and 53% (17 of 32) are board members, only 10% (22 of 211) of unincorporated small DACs are members of their GSAs and only 12% (25 of 211) are board members. If you broaden the parameters for representation to include surrogates, these numbers rise to 50% (16

of 32) and 37% (79 of 211) as members and 56% (18 of 32) and 39% (82 of 211) as board members for incorporated and unincorporated small DACs respectively.^v

- **Less than 20% of GSAs mentioned advisory boards or stakeholder committees in their notifications to DWR.** While allowed under statute as a mechanism for stakeholder engagement, only 19% (21) of those GSAs with small DACs mentioned an intention to form an advisory board or stakeholder committee in their GSA notification.

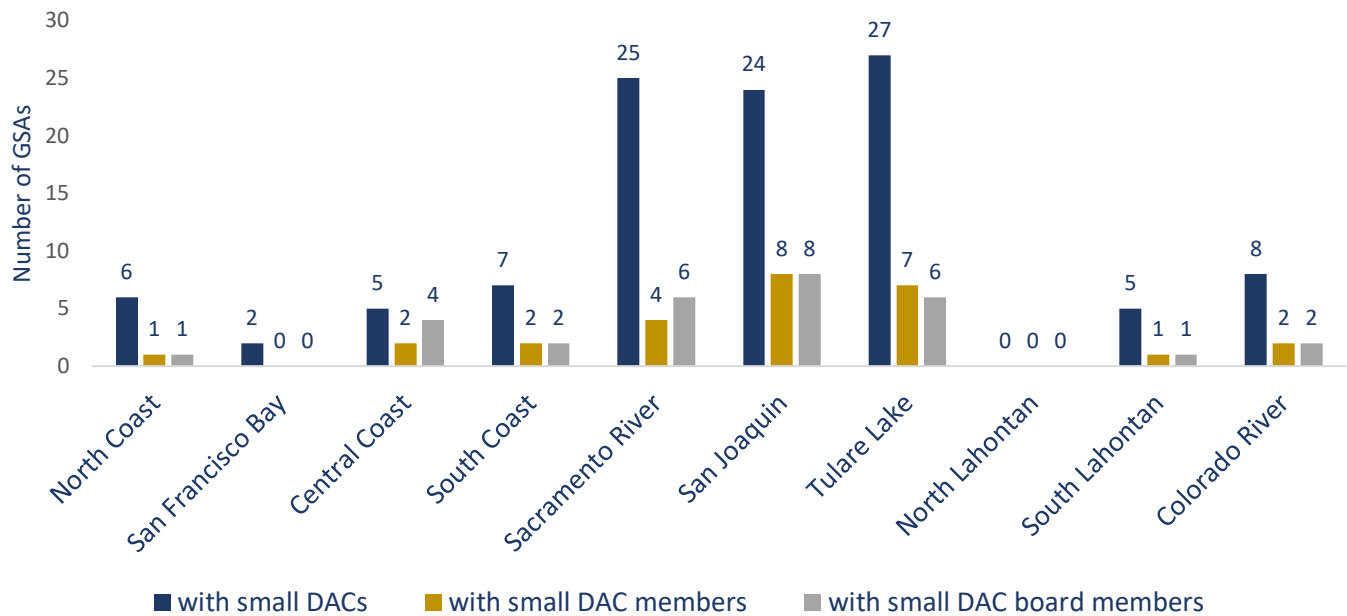


Figure 1. GSAs with small DACs, small DAC members and small DAC board members by hydrologic region.

Discussion and Future Research Directions

Because many DACs are primarily, or completely, reliant on groundwater, studying DAC involvement in SGMA is important for understanding the future of the human right to water in the California.^{vi} While SGMA impacts nearly one half of small DACs in the state, less than one in five are formal participants in the SGMA process. Thus, the relationship between small DACs and GSAs warrants increased attention as the SGMA process proceeds, especially in the Sacramento River, San Joaquin and Tulare Lake hydrologic regions where not just the largest number of small DACs, but also GSAs, are located.

Formal participation as a member or board members is not the only way small DACs are or can participate in SGMA. An important next step to understanding small DAC involvement in SGMA will be to investigate the role of small DACs on GSA committees as well as through other public engagement avenues. Special attention should be paid to these forms of engagement for GSAs lacking formal representation of small DACs, including in single entity GSAs which had the lowest level of small DAC participation in this study. However, because just 19% of GSAs analyzed referenced the use of stakeholder committee/advisory boards in their notifications to DWR, there may be fewer opportunities for this type of participation than anticipated at the outset of this research. How these findings compare to other state regional water management programs and how small DAC involvement may evolve with the roll-out of Proposition One Sustainable Groundwater Planning Grant Program, in particular the Category 1 DAC funding, are also questions for future work.

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ⁱ CA Water Code § 10723.2; a DAC is defined as a community where the average Median Household Income (MHI) is less than 80% of the state’s average.

ⁱⁱ Balazs, C. L., & Lubell, M. (2014). Social learning in an environmental justice context. *Water Policy*, 16(S2), 97-120.

ⁱⁱⁱ This analysis only considered the 269 exclusive GSAs listed on the SGMA portal (<https://sgma.water.ca.gov/webgis/index.jsp?appid=gasmaster&rz=true>) as of January 1, 2018 and employed the DWR DAC mapping tool “places” layer for DAC places. Due to the census methodology for defining places based on parcel density, this analysis likely misses the smallest and most disperse DAC communities in the state.

^{iv} A DAC holding one or more board seats or sharing one or more board seats were both considered board members.

^v Surrogates are defined as a DAC drinking-water provider where the DAC in question makes up less than half of the agency’s service area (e.g. regional water providers or neighboring cities) and/or drinking-water provision is not the agency’s primary function (e.g. Counties, Irrigation Districts)

^{vi} CA Water Code § 106.3.