



Picture showing land subsidence due to groundwater pumping in California Central Valley, 1977. (Photo courtesy of U.S. Geological Survey)

[As Rick pointed out last week](#), the University of Texas has found that California's groundwater resources are "being depleted at an alarming rate" and the state's use of them is completely unsustainable. The Texas study follows up on [Rhead Enion's study](#) last year issued by the Emmett Center, which pointed out that California is one of only two states that has no form of statewide groundwater management system at all. Oh, the state promised one — back in 1913, when it decided to regulate surface water. But nothing since then. Maybe we should have a Centennial Celebration of Dysfunction!

As long as the Legislature remains paralyzed, and the courts unwilling to invoke the public trust, there really remains only one feasible solution in the short term: adjudicating groundwater basins throughout the Central Valley. California's best-managed groundwater basins are in Los Angeles and Orange Counties, and guess what? They are the adjudicated ones.

Whenever I suggest adjudicating groundwater basins, the usual response is that such adjudications are costly, time-consuming, and potentially a litigation nightmare. All of this might be true, but the question is always: compared to what? Many of the sources that state these things were books published in the early 1980's: if we had started adjudicating

then, we might be finished by now.

Rhead's study mentions that adjudication without anything else is a suboptimal solution, because watermasters are concerned with water rights and thus water quantity, but they have little authority over water quality. That creates a patchwork water regulation system, with the local watermaster dealing with rights, and Cal-EPA dealing with water quality issues. Very true. But I would prefer that to the chaos that currently afflicts the Central Valley.

Perhaps the best thing about adjudication is that it can be begun without going through the Legislature. If my understanding is correct, the petitions for adjudication can be filed by the Attorney General. Kamala Harris ought to begin that work now, even if she might not live to see the final result. Early air quality efforts in California were hopelessly inadequate, but if they had not started when they did, we might not have the Clean Air Act now.

Oh, and if big agribusinesses in the Central Valley (I'm looking at you, [Boswell](#)) don't like it? Well, then they can always go back to the Legislature and finally agree to do something. That's one more advantage with adjudication: it pushes the legislature. You can deal with it now, or you can deal with it later. But the time for inaction is over.