

Latest News on California Groundwater Legislation

History and Background

On October 4, 2013 the State Water Board released its “*Draft Groundwater Workplan Concept Paper*”. This paper called for the implementation of five key elements – “whether at the local, regional, or state level” – in order to effectively manage groundwater. The five elements are:

1. Sustainable thresholds for water level drawdown and water quality for impacted, vulnerable, and high-use basins;
2. Water quality and water level monitoring and assessment, and data management systems, capable of determining if thresholds are being met and evaluating trends;
3. Governance structures with the management mechanisms needed to prevent impacts before they occur, clean up contamination where it has occurred, provide adequate treatment of contaminated drinking water sources, and ensure that meeting groundwater level and quality thresholds are managed over the long term;
4. Funding to support monitoring and governance/management actions; and
5. Oversight and enforcement in basins where ongoing management efforts are not protecting groundwater.

In January, the Governor released the *California Water Action Plan* which includes a call to improve sustainable groundwater management.

(Link: http://resources.ca.gov/california_water_action_plan/docs/Final_California_Water_Action_Plan.pdf)

On March 7, 2014 the Governor's Office released a *Draft Framework* for "soliciting input on actions that can be taken to assure that local groundwater managers have the tools and authority to sustainably manage groundwater consistent with the California Water Action Plan."

(Link: www.opr.ca.gov/docs/Sustainable_Groundwater_Management_3-7-2014.pdf)

In particular the *Draft Framework* advises that in developing ideas it may be helpful to consider whether local agencies need enhanced local agency authority and how the State should structure state backstop authority when local action has not occurred or has been insufficient.

The *Draft Framework* emphasizes that local agencies are the most familiar with the condition of their groundwater basins and are in the best position to manage those resources locally. But it acknowledges that local agencies may need new or modified statutory authorities to manage groundwater more effectively. The framework submits for consideration whether such tools would need to address:

- allocation of groundwater
- ability to control pumping
- ability to assess fees for replenishment or other groundwater activities
- groundwater measurement and reporting

Additional questions regarding local authority include, but are not limited to whether existing Groundwater Management Plans should play a role and, if so, whether their content needs to change and whether there are existing barriers to adequately fund groundwater management efforts.

Current Legislative Efforts

Currently, there are two legislative efforts to address better groundwater management: Assembly Bill 1739 (Dickenson) and Senate Bill 1168 (Pavley). Both bills represent initial groundwater management concepts developed after extensive stakeholder processes.

AB 1739 – Assembly Bill 1739, by Assemblymember Roger Dickinson was introduced on February 14, 2014 and approved by the Assembly Water, Parks, and Wildlife Committee on April 29, 2014. As currently written, it would establish a statutory definition of groundwater management and provide for enhanced minimum requirements for local groundwater management plans. It would also enhance and clarify tools and authorities for local agencies to improve groundwater management and outline specific steps for monitoring and reporting groundwater data.

Status Update: Will be heard in the Assembly's Appropriations Committee on 5/13/2014

Link: www.leginfo.ca.gov/pub/13-14/bill/asm/ab_1701-1750/ab_1739_bill_20140422_amended_asm_v98.pdf

SB 1168 – Senate Bill 1168, by Senator Fran Pavley, was introduced on February 20, 2014. In its current form would establish a statutory framework to achieve sustainable management of groundwater basins throughout the state.

Status Update: Heard by Appropriations Committee on 5/5/2014

Link: www.leginfo.ca.gov/pub/13-14/bill/sen/sb_1151-1200/sb_1168_bill_20140410_amended_sen_v98.html

Other resources related to CA Groundwater Management, AB1739, and SB1168:

- Recommendations for Achieving Groundwater Sustainability, April 2014 by Association of California Water Agencies (ACWA).
Link: www.acwa.com/sites/default/files/post/groundwater/2014/04/final_acwa-groundwater-sustainability-recommendations.pdf
- Recommendations for Sustainable Groundwater Management: Developed through a Stakeholder Dialogue, May 2014 by California Water Foundation.
Link: [www.californiawaterfoundation.org/uploads/1399077265-GroundwaterReport-5-2014\(00249329xA1C15\).pdf](http://www.californiawaterfoundation.org/uploads/1399077265-GroundwaterReport-5-2014(00249329xA1C15).pdf)