

LEGISLATIVE AND POLICY UPDATE
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April 22, 2015

- 1. Reminder: Water Recycling Funding Program/Water Bond Programs by the State Water Resources Control Board**
The State Water Board, Division of Financial Assistance is hosting public workshops on the Proposition 1 Water Recycling Funding Program (WRF) April 14th in Fresno, 16th in Perris and 21st in Sacramento. Prop. 1, the Water Bond, allocates \$725 million in funding for recycled water and desalination projects (see next page for details).
http://www.waterboards.ca.gov/water_issues/programs/grants_loans/water_recycling/proposition1_funding.shtml
- 2. California Department of Water Resources will be hosting ‘Listening Sessions’ for the development of the basin/subbasin boundary changes for Groundwater Sustainability Agency Formation.**
The specific times and locations of the public workshops are April 28th in Willows, April 29th in Visalia, April 30th in San Bernardino, with a May 1st webinar. For more info:
<http://water.ca.gov/groundwater/sgm/listening.cfm>
- 3. The State Water Board expects to consider on May 5 an emergency water conservation regulations** that require a mandatory 25 percent reduction in urban water use statewide beginning the month following Board adoption. That regulation will use a sliding scale, so that communities that have been conserving water will have lower mandates than those that haven’t conserved this past year and/or over the last decade since the last major drought. More information about the impending conservation regulations can be found at the [Emergency Water Conservation Regulations Portal](#) at
http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/emergency_regulations_waterconservation.shtml
- 4. Energy Commission Approves Water Appliance Standards:** The energy efficiency and water standards approved on April 8 require water appliances to consume less water thereby using less energy while performing the same function. The California Energy Commission estimates the regulations will save more than 10 billion gallons of water in the first year. More info at:
http://www.energy.ca.gov/releases/2015_releases/2015-04-08_water_appliance_standards_nr.html
- 5. The California Water Commission is holding Proposition 1 Public Meetings:** three public meetings in April (13th Chico, 15th Fresno and 21st Pleasant Hill) to provide an opportunity for stakeholders and the public to learn about the California Water Commission's Water Storage Investment Program. More info at:
https://cwc.ca.gov/Documents/2015/PublicMeetings_SaveTheDate.pdf
- 6. IRWM Draft Program Guidelines:** The Department of Water Resources has scheduled two public meetings, April 17th in Sacramento and April 22nd in Chino to solicit comments on the Draft 2015 Integrated Regional Water Management Grant Program Guidelines and Proposal Solicitation Package; that solicitation is designed to award all remaining Proposition 84 IRWM grant funds. More info at:
<http://www.water.ca.gov/irwm/grants/p84implementation.cfm>
- 7. Environmental Enhancement and Mitigation Grant Program for 2014/2015:**
Applications are currently being accepted for the Environmental Enhancement and Mitigation (EEM) Program 2014/15 grant cycle. The program offers grants to local, state and federal governmental agencies and nonprofit organizations for projects to mitigate environmental impacts caused by new or modified state transportation

facilities. The EEM Program encourages projects that produce multiple benefits which reduce greenhouse gas emissions, increase water use efficiency, reduce risks from climate change impacts, and demonstrate collaboration with local, state and community entities. Grants are generally limited to \$500,000 for development projects and up to \$1,000,000 for acquisitions. Applications for the 2014/15 grant cycle must be postmarked by July 13, 2015. Program guidelines and application can be found at http://resources.ca.gov/bonds_and_grants/eemp/.

- 8. Governor Brown Signs \$1 Billion Emergency Drought Package:** On March 27, Gov. Jerry Brown signed an emergency legislative package that speeds up the disbursement of more than \$1 billion in funding for drought relief and critical water infrastructure projects. The emergency legislation also accelerates emergency food aid, drinking water, water recycling, water conservation, water system modeling, species tracking, infrastructure and flood protection funding. <http://www.ca.gov/drought/topstory/top-story-28.html>
- 9. Governor Brown Directs First Ever Statewide Mandatory Water Reductions:** On April 1, Governor Brown issued an Executive Order to save water, increase enforcement to prevent wasteful water use, streamline the state's drought response and invest in new technologies to make California more drought resilient. Governor Brown unveiled the actions at the April 1 announcement of the state's lowest snowpack on record. Updates on the Executive Order's implementation can be found at www.drought.ca.gov.
- 10. Continued Dry Conditions Force Bureau to Adhere to Low Initial Allocation Estimate:** On March 27, the U.S. Bureau of Reclamation announced that California's continuing dry conditions have forced the Bureau to adhere to its initial water supply allocation of zero percent for its junior water contractors, since limited water supplies have meant that the Bureau cannot provide full water allocations to its senior water contractors. As the water year progresses, the Bureau will continue to monitor changes to hydrology and opportunities to exercise operational flexibility of the Central Valley Project that could change the allocation.
- 11. Sustainable Groundwater Management Act Workshops and Webcasts**

The California Groundwater Resources Association is planning a number of events on the implementation of the SGMA over the coming months. www.grac.org.

 - GRA Webcasts (GRACasts)
 - April 15 - Legal Agreements for GSAs
 - May 13 - Public Participation in GSAs and GSPs
 - GRA 1 Day Events
 - April 29 – Annual Legislative Symposium
 - June 2 – GSA Formation, Boundary Designation, and Public Participation
 - Sept (early) – Groundwater Sustainability Plans – Sustainable Yield, Monitoring, Metric Objectives & Milestones, Management Portfolios, Fifty Year Planning
- 12. 2015-2015 Legislative Session – Bills Introduced**

There have been twenty-six groundwater-related bills introduced in the new legislative session. Some of the bills are related to ministerial fixes to the Sustainable Groundwater Management Act, some are focused on making groundwater recharge a beneficial use, some are focused on streamlined adjudication, others on graywater recharge, water quality, state funds for studies, and there are several 'spot bills' where the language and intent has yet to be developed. The attached table lists the bills and provides brief narrative descriptions. Bills are starting to go through the process of change and possible death as they work their way through the Legislative Committees.

Bill No.	Author	Title	Summary	Comments
AB 78	Mathis	Groundwater Basins	Makes technical nonsubstantive changes to existing law that requires the DWR to categorize each basin or subbasin as high-, medium-, low-, or very low priority.	SPOT BILL: No comments required at this time
AB 307	Mathis	Graywater: Groundwater Recharge	States the intent of the Legislature to enact legislation to explicitly permit the usage of residential, commercial, and industrial graywater for the recharge of a groundwater basin or aquifer.	
AB 356	Williams	Oil and Gas: Groundwater Monitoring	Authorizes the State Oil and Gas Supervisor to require a well operator to implement a monitoring program for below ground oil production tanks and facilities, and disposal and injection wells. Requires a Class II injection well operator to submit a groundwater monitoring plan to the regional water quality control board for review and approval. The plan must contain a schedule for monitoring and reporting groundwater quality data.	
AB 452	Bigelow	Water Rights Fund: Groundwater Regulation Subaccount	Establishes the Groundwater Regulation Subaccount in the Water Rights Fund and requires funding for groundwater investigations to be from this fund.	
AB 453	Bigelow	Groundwater Management	Authorizes, until a groundwater sustainability plan is adopted, a local agency to amend an existing groundwater management plan in furtherance of, and consistent with, the groundwater management plan's objectives.	
AB 454	Bigelow	Sustainable Groundwater Management	Pushes back the deadlines by one (1) calendar year for the following: a) high- or medium-priority basins, not subject to conditions of overdraft, must have a groundwater sustainability plan or coordinated groundwater sustainability plan by 1/31/2023 (currently 1/31/2022); b) State Board's requirement to designate a basin as a probationary basin if by 6/30/18 (currently 6/30/17) there is not a GW sustainability agency for an entire high-or medium priority basin; c) State Board's authority to designate a high-or-medium priority basin, not subject to critical conditions	

Bill No.	Author	Title	Summary	Comments
AB 455	Bigelow	Groundwater Sustainability Plans	Requires the Judicial Council to establish procedures applicable to actions or proceedings brought to attack, review, set aside, void, or annul the certification of an EIR for certain projects covered by a groundwater sustainability plan.	
AB 647	Eggman	Beneficial Use: Diversion of Water Underground	Declares that the diversion of water underground constitutes a beneficial use of water for which an appropriation may be made if the diverted water is stored.	
AB 936	Salas	Groundwater Monitoring	Current law provides that if DWR has assumed the groundwater monitoring functions for an entity that could have monitored, that entity is not eligible for a water grant or loan awarded or administered by the state. Creates an exception from this restriction if the entity submits documentation demonstrating that the water grant or loan project includes actions needed to comply with	
AB 937	Salas	Groundwater Recharge	States the intent of the Legislature to enact legislation relating to groundwater recharge.	SPOT BILL: No comments required at this time
AB 938	Salas	Groundwater: Basin Reprioritization	Expands local agency to include a "combination of local agencies overlying a groundwater basin" if the basin is reprioritized by DWR to be a high- or medium-priority basin.	
AB 939	Salas	Groundwater Sustainability Agency: Financial Authority	Increases the notice requirement from 10 to 20 days prior to a meeting where a Groundwater Sustainability Agency will impose or increase a fee.	
AB 1242	Gray	Water Quality: Impacts on Groundwater Basins	Requires the State Board to take into consideration any impacts on a groundwater basin or applicable groundwater sustainability plan in adopting or approving a water quality control plan.	
AB 1243	Gray	Groundwater Recharge: Grants	Establishes the Groundwater Recharge Grant Fund available to the State Board to provide grants to local governments and water districts for groundwater recharge infrastructure projects.	

Bill No.	Author	Title	Summary	Comments
AB 1390	Alejo	Groundwater: Adjudication	States the intent of the Legislature to enact legislation to provide a more streamlined and expeditious groundwater adjudication process by which courts may conduct comprehensive determinations of all rights to groundwater in a basin.	SPOT BILL: No comments required at this time
AB 1490	Rendon	Oil and Gas: Well Stimulation Treatments	Prohibits a well operator from conducting a well stimulation treatment following the occurrence of a 2.0 or higher earthquake on a well that is within a radius of an unspecified distance from the epicenter of the earthquake until the Division of Oil, Gas, and Geothermal Resources determines that the well stimulation does not create a heightened risk of seismic activity. Also, prohibits wastewater disposal wells and all well stimulation	
SB 13	Pavley	Groundwater	Authorizes the State Board to designate a high- or medium-priority basin as a probationary basin and gives a local agency or Groundwater Sustainability Agency 90-180 days to remedy deficiencies and authorizes the Board to develop an interim plan 1 year after the designation as a probationary basin. Other technical changes	SGMA Clean-up Bill
SB 20	Pavley	Wells: Reports: Public Availability	Deletes the restriction that well reports are confidential and not available to the public. Requires the DWR to make well reports available to the public.	GRA Legislative Committee voted to support this bill during the Feb. 2015 Legislative Committee Call. Board
SB 173	Nielsen	Groundwater: De Minimus Extractors	Changes the definition of a de minimus extractor from an extractor that pumps 2 acre feet per year to 10 acre feet per year.	
SB 226	Pavley	Sustainable Groundwater Management Act	Intent bill for streamlined adjudication.	SPOT BILL: No comments required at this time

Bill No.	Author	Title	Summary	Comments
SB 228	Cannella	Groundwater Storage: Beneficial Use	Declares that the recharging of a groundwater basin by a local groundwater management agency or a local groundwater sustainability agency for the purposes of repelling saline intrusion and recovering basin groundwater levels constitutes a beneficial use of water if the recharge is consistent with the local agency's groundwater management plan or groundwater sustainability plan .	
SB 248	Pavley	Oil and Gas: Well History	Adds to the current reporting requirements of all owner/operators of a well for producing oil and gas to include the injection or emplacement of any material in the well for any purpose during the drilling, operation, maintenance, or abandonment of the well to be systematically, completely, and accurately described and recorded in the history.	
SB 487	Nielsen	Sustainable Groundwater Management Act: Exemptions	Exempts from the requirements of CEQA the formation of a groundwater sustainability agency, the amendment of a groundwater sustainability plan, and the implementation of those plans, except to the extent that the implementation requires the construction or installation of a new facility.	
SB 545	Jackson	Oil and Gas Operations- DOGGR 100 Year Anniversay Reform Act	Overhall of DOGGR, among others, it requires DOGGR to make written findings when approving permits and post them publically. Eliminates ability of well owners to keep well records confidential after wells go from exploratory phase to production phase.	
SB 568	Fuller	Groundwater Management	States the intent of the Legislature to enact legislation relating to the Sustainable Groundwater Management Act.	SPOT BILL: No comments required at this time
SB 615	Berryhill	Groundwater Basin Adjudication	States the intent of the Legislature to enact legislation to streamline the process for the adjudication of groundwater rights.	SPOT BILL: No comments required at this time