

LEGISLATIVE AND POLICY UPDATE
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**ADMINISTRATION WORKSHOPS ON IMPROVING GROUNDWATER
MANAGEMENT - MARCH 24 & APRIL 16, 2014**

Improving Local Groundwater Management is the subject an Administration initiative for 2014. The California Water Action Plan, released on January 27, 2014, highlights the challenges for managing the State's water resources and outlines strategic goals and actions to provide more reliable water supplies, restore important species and habitat, and establish a more resilient and sustainably managed water resource system for farms, ecosystems and communities. The plan specifically identified a number of actions to implement sustainable groundwater management practices. One of those actions called for legislation to provide local and regional agencies with comprehensive authority to address their groundwater challenges and allow the State to temporarily assume groundwater management responsibilities when local agency actions have been insufficient to achieve sustainable management. More information is available in the attached questionnaire from the Administration.

Two workshops will be held to solicit input and information and develop proposed solutions (see attachment):

- On March 24, the State Agency Team is interested in hearing and providing feedback on ideas and possible approaches in response to the proposal, which is outlined in greater detail at:
http://www.opr.ca.gov/docs/Sustainable_Groundwater_Management_3-7-2014.pdf.
- On April 16, the State Agency Team will invite input on proposed solutions. These will be informational workshops only. More detailed agendas will follow for both workshops.

In addition to the workshops described in this notice, interested parties may also submit written comment by April 25, 2014 to groundwater@gov.ca.gov. Further information and contact information on this initiative can be found at: http://www.opr.ca.gov/s_groundwater.php .

LEGISLATURE HOLDS TWO GROUNDWATER HEARINGS

There were two groundwater hearings held in March by the Legislature:

- March 11- Assembly hearing on groundwater
- March 18 – Senate hearing on groundwater

Both hearings focused on the current areas and driving factors of groundwater depletion in many basins in the state, what constitutes effective groundwater management and success, and what is needed to address ineffective groundwater management.

More info is available at:

<http://awpw.assembly.ca.gov/currentsessionoversighthearings>

Documents explored in the hearing include

- California Water Action Plan
- SWRCB Draft Groundwater Workplan Concept Paper
- LAO recent report on Improving Groundwater Management in California

<http://sntr.senate.ca.gov/sites/sntr.senate.ca.gov/files/3%2018%2014%20revised%20groundwater%20agenda.PDF>

GROUNDWATER MANAGEMENT LEGISLATION

Two lead bills have emerged to propose changes to groundwater management requirements in the Water Code:

- AB1739 Dickinson
- SB1168 Pavley

Currently these are “spot bills’ meaning the full language is not yet available, so stay tuned and visit www.leginfo.ca.gov

EMERGENCY DROUGHT LEGISLATION

A reminder that Emergency Drought Legislation was passed by the Governor and there is over \$600M in grant funding that will be available for a variety of projects and the legislation will also fund the Governor’s California Water Action Plan. <http://gov.ca.gov/news.php?id=18415>

WATER BONDS

There is a continuing dialogue going on a Water Bond on the 2014 ballot. There are two bills and the possibility of an Administration Water Bond being developed with the key leadership of the Senate and Assembly, and are available at www.leginfo.ca.gov :

- AB 1331 (Rendon)
- SB 848 (Wolk) & Senate President pro Tem Darrell Steinberg as co-author

California Water Action Plan

Sustainable Groundwater Management

This is a draft framework for soliciting stakeholder input on actions that can be taken to improve groundwater management in the state, consistent with the Governor's 2014 California Water Action Plan. This document is designed to inform and guide stakeholder discussions.

The California Water Action Plan highlights the challenges for managing the state's water resources and outlines strategic goals and actions to provide more reliable water supplies, restore important species and habitat, and establish a more resilient and sustainably managed water resource system for farms, ecosystems and communities.

A major objective of the Plan is to expand groundwater storage capacity and improve groundwater management. Groundwater accounts for 39 percent of the water used by cities and farms—much more in dry years, when surface supplies are scarce—and it provides a critical buffer against drought and climate change. Some of the state's groundwater basins are sustainably managed, but, unfortunately, many are not. Challenges include overdrafted basins, seawater intrusion, degraded groundwater quality, land subsidence, and the decline in ecosystem services provided by the interaction of groundwater and surface water. The California Water Action Plan proposes several actions to be implemented in the next five years:

- Collecting and sharing additional groundwater data;
- Updating California's groundwater plan (Bulletin 118);
- Increasing groundwater recharge and storage;
- Accelerating groundwater clean-up; and
- Empowering local agencies to manage groundwater sustainably.

With respect to sustainable groundwater management, the Plan calls for legislation that gives local and regional agencies comprehensive authority to address their groundwater challenges. The Plan also allows the state to temporarily assume groundwater management responsibilities to protect a basin not being managed sustainably when local agencies cannot or will not address the problem.

Over the coming months, we are 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. When developing ideas, it may be helpful to consider the following.

Enhanced Local Agency Authority

Local agencies are most familiar with the condition of their groundwater basins and are in the best position to manage these resources locally. What do local agencies need to sustainably manage this resource? For example:

- What new or modified statutory authorities do local and regional agencies need to manage groundwater more effectively? These may include:
 - allocation of groundwater
 - ability to control pumping
 - ability to assess fees for replenishment or other groundwater activities
 - groundwater measurement and reporting
- What would help local agencies overcome barriers to funding for conservation, projects, and programs (i.e., Proposition 218)?

- What types of governance structures are most effective for managing groundwater locally, and should these models be encouraged?
- What specific data and information do local managers need to succeed? What should be done to help them obtain the data?
- What can be done to help local and regional agencies manage a basin or sub-basin that spans multiple jurisdictions?
- Are there improvements to the groundwater adjudication process that would make it more useful and cost-effective for local authorities?
- What role should groundwater management plans (GWMPs) play, and does their content need to change? For example, should GWMP's include:
 - local verification and implementation requirements
 - regular updates of GWMPs prepared for priority groundwater basins
 - specific information such as groundwater basin budgets, projections of future groundwater supply, performance measures and actions to be taken if performance measures are not met
 - requirements for annual reporting
- What incentives could local and regional agencies be given to improve groundwater management?
- Should local groundwater management planning be connected, through formal processes, to land use decisions, county general plans, or integrated regional water management plans? If so, what kind of formal processes?

State Backstop Authority when Local Action Has Not Occurred or Has Been Insufficient

The Administration is proposing to provide authority to the State Water Board to temporarily assume groundwater management responsibilities when local agency actions have been insufficient to achieve sustainable management. This authority will be available in those limited instances when local agencies have not acted, or their actions are insufficient to address this condition. How should this authority be structured, and what efforts should be taken to assist and encourage local authorities to act? For example:

- What metrics can be used to reflect sustainable management?
- What criteria or conditions should be present in determining whether a local groundwater management authority is unable to effectively manage the resource?
- What aspects of local groundwater management should the State Water Board assume responsibility for when taking over local groundwater management?
- What criteria, conditions and processes are needed for local agencies to resume responsibility of the GWMP?

Feedback regarding the questions and ideas proposed in this document may be submitted to groundwater@gov.ca.gov.