



April 16, 2014

The Honorable Fran Pavley
Chair, Senate Natural Resources and Water Committee
State Capitol, Room 4035
Sacramento, CA 95814

**RE: Senate Bill 1168 (Pavley) – Groundwater Management Plans
(As Amended April 10, 2014) - Amendments Requested
Hearing Date: April 22, 2014**

Dear Senator Pavley:

On behalf of the Rural County Representatives of California (RCRC) I welcome the opportunity to provide preliminary comments on your Senate Bill 1168, as amended April 10, 2014. RCRC understands that SB 1168 is a “work in progress,” and we would appreciate your consideration of the following points as you consider potential amendments to the bill. RCRC is an association of thirty-four rural California counties and the RCRC Board of Directors is comprised of elected supervisors from those member counties.

The December 2013 California Statewide Groundwater Elevation Monitoring (CASGEM) Program Basin Prioritization Report (CASGEM Report) ranked 46 of the 515 groundwater basins as High Priority, 80 as Medium Priority, 35 as Low Priority, and 354 as Very Low Priority. The CASGEM Report states that many of the Low and Very Low Priority groundwater basins have few people, limited irrigation, and little or no groundwater use. The primary focus of our comments is on the Low Priority and Very Low Priority groundwater basins.

RCRC requests that the laws governing groundwater management be amended to explicitly include counties in the definition of “local agency.” The current definition of “local agency” in Water Codes Section 10752 defines local agency to mean “....a local public agency that provides water service to all or a portion of its service area and includes a joint powers authority formed by local public agencies that provide water service.” Counties do not as a general rule provide “water service” but can, and many do, play an important role in groundwater management. Some counties have adopted Groundwater Management Plans that cover portions of the county not covered by other local agencies, while others have adopted ordinances governing groundwater use, for example.

Counties that do not provide “water service” and/or are not a groundwater management entity do not qualify to receive state funding for groundwater projects or groundwater quality projects, including projects that are part of an integrated regional water management (IRWM) program or plan. This poses a problem as CASGEM requires counties to “volunteer” to monitor groundwater elevation in remote basins where there is no other entity to undertake the task – or lose eligibility for water-related grant and loan funding awarded or administered by the State.

RCRC requests that remote basins that are undeveloped and have no wells and/or a minimal number of wells/users (Low Priority and Very Low Priority) be excluded from requirements to develop a local governance structure, groundwater management plan, etc. Placing new requirements on Bulletin 118 identified basins without consideration of the utilization (or non-utilization) of the basin is not a good use of scarce resources.

RCRC also requests that the law be changed to specifically allow counties where there is no need for a groundwater management entity/groundwater management plan, to apply for and receive state funding for the installation of monitoring wells or other activities necessary in order to comply with CASGEM requirements. Alternatively, remote basins that are undeveloped and have no wells and/or have a minimal number of wells/users (Low Priority and Very Low Priority), could be exempted from CASGEM elevation monitoring requirements.

AB 1152 (Chapter 280, Statutes of 2011) which allows for alternative monitoring of groundwater basins has not, unfortunately, resolved all the difficulties counties face as they try to comply with the CASGEM program. Excluding remote undeveloped basins with no wells would, we believe, go a long way towards resolving these difficulties.

On the issue of mandated timelines, RCRC requests that consideration be given to the number of basins to which any new requirements would apply. Many rural areas have multiple basins and any timeline should take this factor into consideration. For example, Shasta County has ten basins and Inyo County has thirty-six basins scattered throughout the county.

In conclusion, RCRC requests that:

1. The laws governing groundwater management be amended to explicitly include counties in the definition of “local agency”;
2. Remote basins that are undeveloped and have no wells and/or a minimal number of wells/users be excluded from requirements to develop a local governance structure, groundwater management plan, etc.;
3. The law be changed to specifically allow counties, where there is no need for a groundwater management entity/groundwater management plan, to apply for and receive state funding for the installation of monitoring wells, etc. in order to comply with CASGEM requirements; or remote basins that have no wells and/or have a minimal number of wells/users be exempted from CASGEM monitoring requirements; and,

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4. That mandated timelines take into consideration the number of basins to which any new requirements would apply.

Please contact me at (916) 447-4806 or kmannion@rcrcnet.org with any questions. I look forward to working with you and your staff on SB 1168.

Sincerely,

A handwritten signature in black ink, reading "Kathy Mannion". The signature is fluid and cursive, with the first name "Kathy" and last name "Mannion" clearly distinguishable.

KATHY MANNION
Legislative Advocate

cc: Members, Senate Natural Resources and Water Committee
Committee Consultant
Republican Consultant