



June 13, 2016

The Honorable Marc Levine
Chair, Assembly Water, Parks & Wildlife Committee
State Capitol, Room 5135
Sacramento, CA 95814

**RE: Senate Bill 1317 (Wolk) – OPPOSE
(As Amended May 27, 2016)**

Dear Assembly Member Levine:

On behalf of the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), and the League of California Cities (LCC), we are writing to advise you of our opposition to Senate Bill 1317, authored by Senator Lois Wolk. This measure relates to groundwater extraction permits and groundwater extraction facilities.

RCRC, CSAC and the LCC are appreciative of the amendments of May 10 that make the bill less onerous but SB 1317 still infringes upon local control and perhaps more importantly diverts scarce resources away from the implementation of the Sustainable Groundwater Management Act (SGMA) by local agencies toward a more narrow and prescriptive process that may not address the issue in any given local jurisdiction.

More specifically, SB 1317 would require a city or county overlying a basin designated as a high or medium priority basin to establish a process for the issuance of groundwater extraction permit, which is yet to be defined, for the development of a groundwater extraction facility in order to prevent that facility from contributing to or creating an undesirable result.

In 2014, landmark water legislation – Senate Bill 1168 and Assembly Bill 1739 – were chaptered establishing the Sustainable Groundwater Management Act thus providing a framework for local agencies to develop plans and implement strategies to sustainably manage groundwater resources within a defined period.

By June 30, 2017, a local agency/agencies in each high or medium priority groundwater basin must have officially formed one or more Groundwater Sustainability Agencies (GSA) for the entire basin. By January 31, 2020, each high or medium priority groundwater basin that is subject to critical conditions of overdraft must be managed under a Groundwater Sustainability Plan (GSP) and by January 31, 2022 all remaining high or medium priority groundwater basins must be managed under a GSP with a final review by the Department of Water Resources (DWR) by January 31, 2024.

DWR staff worked *diligently* to meet the June 1, 2016 deadline to establish emergency regulations for evaluating GSPs. Local agencies, including county government, are also working to establish their GSA by the deadline. Local agencies have also worked collaboratively with DWR staff in the development of the regulations for evaluating GSP but understandably want to see the final regulations in print and approved by the Office of Administrative Law before developing their GSP.

To that end, RCRC, CSAC and the LCC believe SB 1317 would get ahead of the GSA/GSP process and would intervene in the local agency decision-making process which is a key element and foundation of SGMA. Some of the specific concerns with SB 1317 include that out of the 127 high and medium priority basins only 21 have been designated as being in critical overdraft and the legislation would impose requirements in areas that do not have a groundwater problem. Second, for areas that may be experiencing a groundwater problem, SB 1317 provides a prescriptive solution that may not be in the local interest or the best approach to address the issue. SGMA was premised on local control and the “one size fits all” approach as outlined in SB 1317 would undermine both the premise and spirit of SGMA.

Additionally, local agencies are moving forward independently to address the issue in a manner that meets their local needs without the mandate of SB 1317 and within existing authorities. For example, Glenn County adopted an emergency ordinance creating a six-month moratorium on new well permits when monitoring data revealed early indications of subsidence suspected of being related to new areas of the county being brought into irrigated agricultural production.

Finally, the GSAs are to develop their GSPs to provide sustainable groundwater management which SGMA defines as the management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results. The statutory deadline for the GSP is January 31, 2020 and yet SB 1317 would impose a scheme for preventing an undesirable result that is premature and may not be germane to any given local area.

The Honorable Marc Levine
Senate Bill 1317
June 13, 2016
Page 3

For these reasons, RCRC, CSAC and the LCC respectfully request your 'No' vote when the bill is heard on the Senate Floor. Please contact Mary-Ann Warmerdam at mwarmerdam@rcrcnet.org, Karen Keene at kkeene@counties.org, or Jason Rhine at jrhine@cacities.org with any questions or concerns.

Sincerely,



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Legislative Advocate
RCRC



KAREN A. KEENE
Senior Legislative Representative
CSAC



JASON RHINE
Legislative Representative
LCC

cc: Members, Assembly Water, Parks and Wildlife Committee
Diane Colborn, Committee Consultant
Robert Spiegel, Republican Consultant
The Honorable Lois Wolk, Member of the California State Senate