
**Introduced by Senator Pavley
(Coauthor: Assembly Member Nestande)**

February 21, 2014

An act to amend Sections 10735.2 and 10735.8 of the Water Code relating to groundwater.

LEGISLATIVE COUNSEL'S DIGEST

SB 1319, Pavley. Groundwater.

Existing law authorizes local agencies to adopt and implement a groundwater management plan. Existing law requires a groundwater management plan to contain specified components and requires a local agency seeking state funds administered by the Department of Water Resources for groundwater projects or groundwater quality projects to do certain things, including, but not limited to, preparing and implementing a groundwater management plan that includes basin management objectives for the groundwater basin.

AB 1739 of the 2013–14 Regular Session, if enacted, would authorize the state board to designate a basin as a probationary basin, if the state board makes a certain determination. If the state board finds that litigation challenging the formation of a groundwater sustainability agency prevented a groundwater sustainability program from being implemented pursuant to one of the determinations, AB 1739 would prohibit the state board from designating a basin as a probationary basin for a specified time period.

SB 1168 of the 2013–14 Regular Session, if enacted, would require the department to categorize each basin as high-, medium-, low- or very low priority.

This bill would additionally authorize the state board to designate certain high- and medium-priority basins as a probationary basin if, after January 31, 2025, prescribed criteria are met, including that the state board determines that the basin is in a condition where groundwater extractions result in significant depletions of interconnected surface waters. This bill would add to the prescribed determinations that would prevent the state board from designating the basin as a probationary basin for a specified time period. This bill would require the state board to exclude from probationary status any portion of a basin for which a groundwater sustainability agency demonstrates compliance with the sustainability goal.

AB 1739 would authorize the state board to develop an interim plan for a probationary basin if the state board, in consultation with the Department of Water Resources, determines that a local agency has not remedied a deficiency that resulted in designating the basin as a probationary basin within a certain timeframe. AB 1739 would authorize the board to adopt an interim plan for a probationary basin after notice and a public hearing and would require state entities to comply with an interim plan. AB 1739 would authorize the board to rely on, or incorporate elements of, a groundwater sustainability plan, groundwater sustainability program, or adjudication into the interim plan adopted by the board or allow local agencies to continue implementing those parts of a plan or program that the board determines are adequate.

This bill would remove the authority of the local agencies to continue to implement parts of the plan or program that the board determines to be adequate and instead require the state board to include in its interim plan a groundwater sustainability plan, or

any element of a plan, that the board finds either complies with the sustainability goal for that portion of the basin or would help meet the sustainability goal for the basin. The bill would prohibit the state board, before January 1, 2025, from establishing an interim plan under the bill to remedy a condition where groundwater extractions result in significant depletions of interconnected surface waters.

This bill would make its operation contingent on the enactment of AB 1739 and SB 1168 of the 2013–14 Regular Session.