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Rural County Representatives of California
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August 21, 2014

The Honorable Roger Dickinson
Member, California State Assembly
State Capitol, Room 2013
Sacramento, CA 95814

The Honorable Senator Fran Pavley
Member, California State Senate
State Capitol, Room 4035
Sacramento, CA 95814

**RE: AB 1739 (Dickinson) (As Amended on August 18, 2014)
SB 1168 (Pavley) (As Amended on August 19, 2014)
Groundwater Management - OPPOSE UNLESS AMENDED**

Dear Senator Pavley and Assembly Member Dickinson:

On behalf of the Rural County Representatives of California (RCRC) and the California State Association of Counties (CSAC) we want to express our sincere thanks to you, as well as legislative and committee staff, for working with us to address county concerns. Both bills as most recently amended are an improvement over the previous versions of the bill, and the priority issues of major concern for counties have been reduced in number. Unfortunately, we write to inform you of our continued opposition to SB 1168 and AB 1739 (unless amended). The most recent amendments both add to and address areas of concern.

Newly added language in Section 10734 (a) of AB 1739 provides the Department of Water Resources with broad authority to assess administrative charges on groundwater sustainability agencies without limitation, oversight or accountability. RCRC and CSAC urge that this fee authority language be deleted from the bill.

Water Code Section 10726.4 (a) (2) Page 34 (SB 1168)

RCRC and CSAC appreciate the attempt to address county well permitting authority in Section 10726.4 (4) (b). In order to avoid confusion we urge that Section 10726.4 (a) (2) be clarified and made consistent with Section 10726.4 (4) (b):

10726.4 (a) (2) To control groundwater extractions by regulating, limiting, or suspending extractions from individual groundwater wells in certain areas or extractions from individual groundwater wells or extractions from groundwater wells in the aggregate, ~~construction of new groundwater wells, enlargement of existing groundwater wells, or reactivation of abandoned groundwater wells,~~ or otherwise establishing groundwater extraction allocations. Such actions shall be consistent with subdivision (e) of Section 10726.8. A limitation on extractions by a groundwater sustainability agency shall not be construed to be a final determination or rights to extract groundwater from the basin or any portion of the basin.

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Water Code Section 10726.8 (e) Page 36 (SB 1168)

RCRC and CSAC appreciate the addition of (e) to the bill. While we appreciate the policy statement made, we believe it is important to strengthen the language as follows:

Section 10726.6 (e) Nothing in this Chapter or in a groundwater sustainability plan shall be interpreted as superseding the exercise of land use authority of cities and counties within the overlying basin, or as authorizing any action inconsistent with the city or county general plan. Nothing in the Chapter shall require a city's or county's land use policies and regulations, including its general plan, to be consistent with a groundwater sustainability plan.

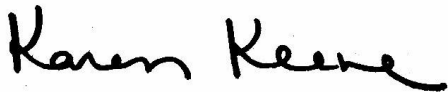
Add a New Water Code Section 10726.9 Page 36 (SB 1168)

RCRC and CSAC urge the addition of a new Water Code Section 10726.9. The language is similar to language contained in SB 375.

10726.9. A groundwater sustainability plan shall utilize the most recent planning assumptions considering local general plans in the overlying basin.

In conclusion, absent the addition/deletion of bill language that trigger new concerns on the part of counties, RCRC and CSAC will remove our opposition to SB 1168 and AB 1739 if the requested amendments noted above are made to the bills.

Sincerely,



Karen Keene, CSAC
Senior Legislative Representative



Kathy Mannion, RCRC
Legislative Advocate

cc: Members, California State Legislature
Governor Jerry Brown