

## July Legislative Update

Good morning, since the Legislature is currently in recess my report will be a little different today. First, I will briefly summarize the State Water Resources Control Board's emergency regulations on urban water conservation that were approved last week. After that, I will briefly present on the current developments in groundwater legislation.

On July 15, the State Water Resources Control Board approved emergency regulations on urban water conservation to reduce outdoor urban water use. The regulations prohibit the application of potable water to any driveway or sidewalk, using potable water to water outdoor landscapes in a manner that causes runoff, using a hose that dispenses potable water to wash a motor vehicle (unless the hose has a shut-off nozzle), and using potable water in a fountain or decorative water feature. Violations of these prohibited activities are punishable by fines of up to \$500. Any peace officer or employee of a public agency charged with enforcing laws and authorized to do so by ordinance may issue citations.

It is important to remember that these emergency regulations are intended to provide more options to local agencies; it's an additional tool for them to use. It is unlikely that the Water Board itself will be issuing fines. It is up to local agencies if and how they want to apply the fines.

The regulations also require urban water suppliers to implement Water Shortage Contingency Plans at a level that triggers mandatory restrictions on outdoor water use. Urban water suppliers that do not take these mandatory actions could be subject to cease and desist orders, and violation of the emergency regulations triggers civil liability of up to \$10,000/day/violation.

Urban water suppliers are also required to report monthly to the State Water Resources Control Board the amount of water it produced compared to a 2013 baseline. The reports must also estimate the number of gallons of water per person per day used by residential customers. Information on conservation and recycled water is optional in the reports. The first report is due October 15, 2014. These regulations will take effect once they have been approved, and remain in effect for 270 days after they are filed with the Secretary of State. The possibility of revisiting the regulations was left open.

And now moving on to groundwater, there are currently two active bills on groundwater that are on hold over the recess, one by Senator Pavley from Agoura Hills and one by Assembly Member Dickinson from Sacramento. Conversations over these two bills are ongoing, as the authors work on addressing issues, including the definition of sustainable groundwater management. These bills currently have a lot of attention, as the Governor has made it clear that groundwater is a priority in the California Water Action Plan. Coincidentally, just this week, DWR released an updated map of high and medium priority basins.

I will begin by briefly comparing the current groundwater legislation to recommendations on groundwater from the Delta Plan. As a reminder, the Delta Plan recommends that DWR update bulletin 118, and right now one of the groundwater bills contains language consistent with a Bulletin 118 update. The Delta Plan recommends that groundwater basins in critical condition should develop and implement a sustainable groundwater management plan, and that the State Water Resources Control Board should take action if local or regional agencies fail to do this. The proposed legislation contains similar provisions regarding high- and medium priority basins. The Delta

Plan also recommends that areas that receive water from the Delta watershed implement groundwater management plans. The proposed legislation currently requires sustainable groundwater management plans from basins that have been identified as high or medium priority by the Department of Water Resources. Low and very low priority basins may, but are not required to, submit sustainable groundwater management plans.

Recently, the California Water Foundation released a report on groundwater management in California that examines 120 groundwater management plans (GMPs). The purpose of the report was to assess the current state of groundwater in California, provide a way of tracking progress in groundwater management planning, and finding ways of advancing groundwater management planning.

The report found that 38% of California's groundwater basin area is covered by a groundwater management plan and that the basins covered by groundwater management plans are generally located where groundwater is more heavily used. The plans were scored out of a total of 45, and the average score was 22.

Other notable findings of the report include:

- Higher-scoring GMPs were adopted later
- The GMPs contained varying levels of commitment to implementation
- Several GMPs lacked basic data about the basin
- Plans with well-established governance structures tended to have better implementation plans

The report also provided recommendations to improve groundwater management planning in California, such as:

- Establishing a statewide goal that groundwater plans achieve sustainability
- Organizing and empowering local groundwater agencies to manage groundwater subbasins
- Requiring the development and enforcement of GMPs by local groundwater agencies
- Providing local agencies with technical guidance and financial support from the State
- Empowering the State to oversee program implementation

To wrap up my report, the water bond discussions are expected to continue when the Legislature reconvenes in August. Some deadlines that have been mentioned for the bond are August 11 or August 15, because the Secretary of State needs to send ballots to the printer. Other upcoming legislative deadlines are that August 15 is the last day for fiscal committees to report bills to the floor and August 31 is the last day for each house to pass bills, after that the fall recess will begin. Then the Governor has until September 30 to act on bills passed by the legislature. That concludes my report, I would be happy to take any questions.