Agriculture Perspective on 2014 Groundwater Legislation

Rich Matteis
California Farm Bureau Federation
SB 1168 (Pavley) and AB 1739 (Dickinson)

GROUNDWATER MANAGEMENT – OPPOSE

African American Farmers of California
Agricultural Council of California
Allied Grape Growers
Almond Hullers & Processors Association
Association of California Egg Farmers
Blue Diamond Growers
California Agricultural Aircraft Association
California Association of Nurseries and Garden Centers
California Bean Shippers Association
California Blueberry Association
California Canning Peach Association
California Cattlemen’s Association
California Chamber of Commerce
California Citrus Mutual
California Cotton Ginners Association
California Cotton Growers Association
California Dairies, Inc.
California Farm Bureau Federation
California Fresh Fruit Association
California Grain and Feed
California League of Food Processors
California Pear Growers Association
California Seed Association
California State Floral Association
California Tomato Growers Association
California Warehouse Association
California Women for Agriculture
Campos Brothers Farms
Dairy Farmers of America-Western Area
Del Monte Foods
Desert Water Agency
Family Winemakers
Fruit Growers Supply Company
Grower-Shipper Association of Central California
Grower-Shipper Association of Santa Barbara and San Luis Obispo Counties
Land O’ Lakes
Nisei Farmers League
Pacific Coast Producers
Raisin Bargaining Association
Sun-Maid Growers of California
Sunsweet Growers Inc.
Valley Ag Water Coalition
Western Agricultural Processors Association
Western Growers Association
Western Plant Health Association
California Groundwater Association
CALAMCO
Family Business Association
Major Concerns with AB 1739 and SB 1168

1. **Create Uncertainty and Conflict** – Vague terms regarding surface water connectivity, groundwater dependent ecosystems, and habitats are tailor-made to ensure decades of conflict over alleged environmental impacts of water use.

2. **Fees**– The legislation broad new authorities for the collection of fees for the State Water Resource Control Board activities, for locals to collect fees for plan development and for fees for implementation.

3. **Streamlined Adjudication** – These bills have no provisions for streamlining adjudications.

4. **Mandatory Application to the Smallest Pumpers** – While the bills contain a “de minimis” level for small domestic wells – all others who pump even 1 Acre Foot are subject to onerous reporting requirements and fees.

5. **Regulations Exempt from OAL Review** – DWR will be required to adopt emergency regulations which have the full effect of law, without the benefit of the deliberative review by the Office of Administrative Law

6. **Failure to Protect Privacy** – This bill fails to protect individuals’ sensitive information on well characteristics – well location, capacity, volume pumped – from public inspection.

7. **Groundwater Recharge not deemed to be a “beneficial use”**

8. **Dewatering of Agricultural Land** - Will result in land coming out of production.
Water Rights Protections in SGMA

10720.1. (b) To enhance local management of groundwater consistent with rights to use or store groundwater and Section 2 of Article X of the California Constitution. It is the intent of the Legislature to preserve the security of water rights in the state to the greatest extent possible consistent with the sustainable management of groundwater.

10720.5. (b) Nothing in this part, or in any groundwater management plan adopted pursuant to this part, determines or alters surface water rights or groundwater rights under common law or any provision of law that determines or grants surface water rights.
Farm Bureau Policy

* Supports Protection of Property Rights/Groundwater Rights

* Supports Local Control of Groundwater

* Supports Working with Water Districts on Groundwater Management