ASSEMBLY BILL   No. 936

Introduced by Assembly Member Salas
(Coauthor: Assembly Member Mathis)

February 26, 2015

An act to amend Section 10933.7 of the Water Code, relating to groundwater.

AB 936, as amended, Salas. Groundwater monitoring.

Existing law establishes a groundwater monitoring program pursuant to which specified entities may propose to be designated by the Department of Water Resources as groundwater monitoring entities, as defined, for the purposes of monitoring and reporting with regard to groundwater elevations in all or part of a groundwater basin or subbasin. Existing law requires the department to identify the extent of monitoring of groundwater elevations that is being undertaken in groundwater basins and subbasins, and if the department determines that all or part of a basin or subbasin is not being monitored, to determine whether there is sufficient interest in establishing a groundwater management plan, an integrated regional water management plan, or a groundwater monitoring association. Under certain circumstances, if there is insufficient interest in establishing a plan or association, and the county decides not to perform groundwater monitoring and reporting functions, the department is required to perform the groundwater monitoring functions. In that event, specified entities with authority to assume groundwater monitoring functions with regard to a basin or subbasin

for which the department has assumed those functions are not eligible for a water grant or loan awarded or administered by the state.

This bill would create an exception *authorize the department to exempt an entity* from this eligibility restriction if the entity submits to the department for approval documentation demonstrating *that there are special circumstances justifying the entity's noncompliance, including, but not limited to, that a significant portion of the entity's service area qualifies as a disadvantaged community and that* the water grant or loan project includes those actions needed to comply with groundwater monitoring functions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 10933.7 of the Water Code is amended
2 to read:
3 10933.7. (a) If the department is required to perform
4 groundwater monitoring functions pursuant to Section 10933.5,
5 the county and the entities described in subdivisions (a) to (d),
6 inclusive, of Section 10927 shall not be eligible for a water grant
7 or loan awarded or administered by the state.
8 (b) Notwithstanding subdivision (a), the department shall
9 determine that an entity described in subdivision (a) is eligible for
10 a water grant or loan under the circumstances described in
11 subdivision (a) if the entity has submitted to the department for
12 approval documentation that demonstrates either of the following:
13 *demonstrating that the entity's entire service area qualifies as a*
14 *disadvantaged community.*
15 (1) The entity's entire service area qualifies as a disadvantaged
16 community.
17 (2) The water grant or loan project includes those actions needed
18 to comply with the monitoring functions pursuant to this chapter.
19 *(c) Notwithstanding subdivision (a), the department may*
20 *determine that an entity described in subdivision (a) is eligible for*
21 *a water grant or loan under the circumstances described in*
22 *subdivision (a) if the entity has submitted to the department for*
23 *approval documentation demonstrating that there are special*
24 *circumstances justifying the entity's noncompliance, including,*
25 *but not limited to, that a significant portion of the entity's service*

1 *area qualifies as a disadvantaged community and that the water*
2 *grant or loan project includes those actions needed to comply with*
3 *the monitoring functions pursuant to this chapter.*

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