

AMENDED IN SENATE FEBRUARY 11, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 938**

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**Introduced by Assembly Member ~~Salas~~ *Rodriguez***

February 26, 2015

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An act to amend Section 10722.4 of the Water Code, relating to groundwater.

LEGISLATIVE COUNSEL'S DIGEST

AB 938, as amended, ~~Salas~~ *Rodriguez*. Groundwater: basin reprioritization: establishment of groundwater sustainability agency.

Existing law requires the Department of Water Resources to identify the extent of monitoring of groundwater elevations that is being undertaken within each groundwater basin or subbasin and to prioritize basins or subbasins as high, medium, low, or very low priority and requires the initial priority for each basin to be established no later than January 31, 2015. Existing law, the Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the department that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. The act ~~requires~~ *requires, any time the department changes these basin priorities and elevates a basin to a medium- or high-priority basin after January 31, 2015, a local agency, any time the department changes these basin priorities and elevates a basin to a medium- or*

~~high-priority basin after January 31, 2015, agency or combination of local agencies overlying a groundwater basin to either establish a groundwater sustainability agency within 2 years of reprioritization and adopt a groundwater sustainability plan within 5 years of reprioritization, or to submit an alternative to the department that the local agency believes satisfies the objectives of these provisions within 2 years of reprioritization.~~

~~This bill would impose the requirement to establish a groundwater sustainability agency or submit an alternative after reprioritization on a local agency or combination of local agencies overlying a groundwater basin. make nonsubstantive changes to these groundwater basin provisions.~~

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

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

1     ~~SECTION 1. Section 10722.4 of the Water Code is amended~~  
 2     ~~to read:~~  
 3     ~~10722.4. (a) Pursuant to Section 10933, for the purposes of~~  
 4     ~~this part the department shall categorize each basin as one of the~~  
 5     ~~following priorities:~~  
 6         ~~(1) High priority.~~  
 7         ~~(2) Medium priority.~~  
 8         ~~(3) Low priority.~~  
 9         ~~(4) Very low priority.~~  
 10     ~~(b) The initial priority for each basin shall be established by the~~  
 11     ~~department pursuant to Section 10933 no later than January 31,~~  
 12     ~~2015.~~  
 13     ~~(c) Any time the department updates Bulletin 118 boundaries~~  
 14     ~~pursuant to subdivision (b) of Section 12924, the department shall~~  
 15     ~~reassess the prioritization pursuant to Section 10933.~~  
 16     ~~(d) Any time the department changes the basin priorities~~  
 17     ~~pursuant to Section 10933, if a basin is elevated to a medium- or~~  
 18     ~~high-priority basin after January 31, 2015, a local agency or~~  
 19     ~~combination of local agencies overlying a groundwater basin shall~~  
 20     ~~have two years from the date of reprioritization to either establish~~  
 21     ~~a groundwater sustainability agency pursuant to Chapter 4~~  
 22     ~~(commencing with Section 10723) and five years from the date of~~  
 23     ~~reprioritization to adopt a groundwater sustainability plan pursuant~~

1 to Chapter 6 (commencing with Section 10727) or two years to  
2 satisfy the requirements of Section 10733.6.

3 *SECTION 1. Section 10722.4 of the Water Code is amended*  
4 *to read:*

5 10722.4. (a) Pursuant to Section 10933, for the purposes of  
6 this ~~part~~ *part*, the department shall categorize each basin as one  
7 of the following priorities:

- 8 (1) High priority.
- 9 (2) Medium priority.
- 10 (3) Low priority.
- 11 (4) Very low priority.

12 (b) The initial priority for each basin shall be established by the  
13 department pursuant to Section 10933 no later than January 31,  
14 2015.

15 (c) Any time the department updates Bulletin 118 boundaries  
16 pursuant to subdivision (b) of Section 12924, the department shall  
17 reassess the prioritization pursuant to Section 10933.

18 (d) If the department changes priorities pursuant to Section  
19 10933 to elevate a basin from a low- or very low priority basin to  
20 a medium- or high-priority basin after January 31, 2015, the agency  
21 formation and planning deadlines of this part shall be extended as  
22 follows:

23 (1) A local agency, or combination of local agencies overlying  
24 a groundwater basin, shall have two years from the date of  
25 reprioritization to either establish a groundwater sustainability  
26 agency pursuant to Chapter 4 (commencing with Section 10723)  
27 or two years to satisfy the requirements of Section 10733.6.

28 (2) A groundwater sustainability agency shall have five years  
29 from the date of reprioritization to meet the requirements of  
30 subdivision (a) of Section 10720.7, except that if the reprioritization  
31 occurs before January 31, 2017, a groundwater sustainability  
32 agency subject to paragraph (2) of subdivision (a) of Section  
33 10720.7 shall have until January 31, 2022.