

ASSEMBLY BILL

No. 939

Introduced by Assembly Member Salas

February 26, 2015

An act to amend Section 10730 of the Water Code, relating to groundwater.

LEGISLATIVE COUNSEL'S DIGEST

AB 939, as introduced, Salas. Groundwater sustainability agency: financial authority.

Existing law, the Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources 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 authorizes a groundwater sustainability agency to impose fees to fund the costs of a groundwater sustainability program and requires a groundwater sustainability agency to hold at least one public meeting prior to imposing or increasing a fee. The act requires, at least 10 days prior to the meeting, a groundwater sustainability agency to make available to the public data upon which the proposed fee is based.

This bill would require a groundwater sustainability agency to make the data upon which the proposed fee is based available 20 days prior to the public meeting to impose or increase a fee.

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 10730 of the Water Code is amended to
2 read:

3 10730. (a) A groundwater sustainability agency may impose
4 fees, including, but not limited to, permit fees and fees on
5 groundwater extraction or other regulated activity, to fund the costs
6 of a groundwater sustainability program, including, but not limited
7 to, preparation, adoption, and amendment of a groundwater
8 sustainability plan, and investigations, inspections, compliance
9 assistance, enforcement, and program administration, including a
10 prudent reserve. A groundwater sustainability agency shall not
11 impose a fee pursuant to this subdivision on a de minimis extractor
12 unless the agency has regulated the users pursuant to this part.

13 (b) (1) Prior to imposing or increasing a fee, a groundwater
14 sustainability agency shall hold at least one public meeting, at
15 which oral or written presentations may be made as part of the
16 meeting.

17 (2) Notice of the time and place of the meeting shall include a
18 general explanation of the matter to be considered and a statement
19 that the data required by this section is available. The notice shall
20 be provided by publication pursuant to Section 6066 of the
21 Government Code, by posting notice on the Internet Web site of
22 the groundwater sustainability agency, and by mail to any interested
23 party who files a written request with the agency for mailed notice
24 of the meeting on new or increased fees. A written request for
25 mailed notices shall be valid for one year from the date that the
26 request is made and may be renewed by making a written request
27 on or before April 1 of each year.

28 (3) At least ~~10~~ 20 days prior to the meeting, the groundwater
29 sustainability agency shall make available to the public data upon
30 which the proposed fee is based.

31 (c) Any action by a groundwater sustainability agency to impose
32 or increase a fee shall be taken only by ordinance or resolution.

33 (d) (1) As an alternative method for the collection of fees
34 imposed pursuant to this section, a groundwater sustainability

1 agency may adopt a resolution requesting collection of the fees in
2 the same manner as ordinary municipal ad valorem taxes.

3 (2) A resolution described in paragraph (1) shall be adopted and
4 furnished to the county auditor-controller and board of supervisors
5 on or before August 1 of each year that the alternative collection
6 of the fees is being requested. The resolution shall include a list
7 of parcels and the amount to be collected for each parcel.

8 (e) The power granted by this section is in addition to any
9 powers a groundwater sustainability agency has under any other
10 law.

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