

AB 1234 Report

Director name: Dirk Marks

Meeting attended: Southern California Water Dialogue

Date of Meeting: February 28, 2024

Location: Zoom Meeting

SCV Water Board Meeting to be presented at: March 19, 2024

I participated in the February 28, 2024 Southern California Water Dialogue meeting. The meeting focused on San Diego County Water Authority's and Los Angeles Water and Power's water management efforts during the extremely wet year of 2023.

SDCWA General Manager discussed this year's efforts in the context of the Authority's strategy of diversifying its water supply portfolio. In 1991 it received 95% of its supply from Metropolitan Water District of Southern California. In 2023 it received 14 % of its supply from Metropolitan. The balance came from local surface storage, desalinated sea water, Colorado River transfers and conservation of Imperial Water District's Colorado River supplies, potable and non-potable recycled water along with improved water use efficiency. The Authority plans to continue to enhance these alternative supplies. Additionally, in 2023 it participated with Metropolitan Water District of Southern California and other parties in the storing of over 50 TAF of Colorado River supplies in Lake Mead.

Representatives from LADWP's aqueduct division and a Owens Valley environmental group reviewed 2023 operations. 2023 set a record snowpack of 296% of average. Further Challenges occurred in 2023 with an August tropical storm. Typically, Los Angeles relies on the Los Angeles Aqueduct for about 30 percent of its supply. In an average year it is managing about 550 TAF of water supplies. In 2023 it managed approximately 1 MAF. LADWP conveyed 350 TAF through the Los Angeles and increased surface and Owens Valley groundwater storage by 280 TAF. 180 TAF went to meet local obligations and about 200 TAF were released outside of the aqueduct system including 160 TAF into Owens "dry" Lakebed.

2023 was certainly an example of weather whiplash. Runoff overwhelmed several flood management facilities causing several outages along the aqueduct and at appurtenant facilities. Further, it caused extraordinary measures to be taken at Tinemaha and Long Valley Dams where inflows exceeded these facilities' outlet capacity. Additionally, LADWP was challenged to protect its \$2 Billion investment in Owens Lakebed dust control facilities. From the environmental perspective, they noted that additional efforts to raise groundwater levels would be beneficial. They also noted the flow into Owens Lakebed resulted in bloom of ferry-shrimp and expanded habitat for migratory shore birds.

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AB 1234 Report

Director Name: Dirk Marks

Meeting Attended: ACWA Groundwater Committee

Date of Meeting: March 4, 2024

Location: Zoom Meeting

SCV Water Board Meeting to be at: March 19, 2024

On March 4, 2024, I participated in the ACWA Groundwater Committee meeting which was incorporated into ACWA's Regulatory Committees Update Meeting.

The meeting opened with a high-level overview of ACWA organization and current challenges and opportunities including:

- ACWA staff discussed State Budget challenges given the \$40 Billion projected deficit. It will be a challenge to avoid cuts to critical water initiatives.
- Some hope of additional water program funding lies with the proposed Climate Resiliency Bond.
- Challenges may lie ahead with the SWRCB promulgation of final water conservation regulations in 2024.
- Members would benefit from proposed AB2257 (Wilson) which would require that Prop 218 litigants raise issues at 218-hearings, thus giving Boards the opportunity to consider such issues prior to adoption, and thereby reducing the likelihood of litigation.
- Federal Funding for FY 2024 will likely be passed by the House of Representatives in the next few days. Water funding appears to be stable.
- EPA will be issuing updated Lead and Copper Rules, soon as well as CERLA rules for PFAS in March.

Groundwater Committee Meeting

At the Groundwater Committee Meeting, items discussed included:

- The committee approved the 2024 Work Plan. A copy is attached.
- John Coburn from the State Water Resources Control Board gave an update on their Sustainable Groundwater Management Act (SGMA) activities. The Board's staff will be reorganizing to create a SMGA division with Keith Walker leading that 30-person group. SWRCB staff is finalizing its Tulare Lake Basin report and anticipates releasing it in April. A Tule Basin report will follow in the September timeframe. John also mentioned extractors will have to report pumping and likely be subject to \$40/AF pumping charge as well as a \$300 per well charge.
- DWR followed up with more information on SMGA. They noted the recent release of the first of three resource papers on Interconnected Surface Water. No comments are being sought on this first document as it primarily provides technical background information on the topic. Agencies will have the opportunity to comment on subsequent documents that focus more on methods and examples of how this topic should be addressed in upcoming Groundwater Sustainability Plan Updates.

- DWR expects to release additional SGMA guidance documents dealing with funding mechanisms and subsidence best management practices in the fall of 2024.
- DWR noted that Groundwater Appreciation Week will begin on March 11th. A schedule of events can be found at <https://water.ca.gov/news/events/2024/March-24/Groundwater-Awareness-Week-2024>.

Water Resources Management Committee Meeting

I also listened in on the Water Resource Management Committee meeting. A few highlights are shown below:

- Legislation required the SWRCB to finalize water conservation standards in August 2024. ACWA participated in the October 2023 public workshop where it submitted comments. In reaction to the extensive comments received from ACWA and others, the SWRCB created several workgroups to address concerns and try to reach a consensus. Revised draft regulations are being reviewed in the Governor's office. A new public hearing process is anticipated soon. It will likely incorporate a very short comment period (possibly as little as 15 days).
- The SWRCB released its 6,000-page Bay Delta Water Quality Control Plan CEQA document. It includes the Healthy Rivers and Landscapes agreements (formally known as the Voluntary Agreements) as an option. ACWA anticipates SWRCB's release of implementation documents in late April followed by a public workshop.
- The most current estimates for implementing Safe and Affordable Funding for Equity and Resilience (SAFER) program increased from \$2 billion to \$8 billion.

ACWA GROUNDWATER COMMITTEE 2024-2025 WORK PLAN

Purpose:

“There shall be a Groundwater Committee whose duty it shall be to recommend policies and programs to the Board of Directors and to the State Legislative Committee and/or Federal Affairs Committee as appropriate. The committee shall consist of at least one member from each region.”

-ACWA Bylaws, Article VII, Section 11

The Groundwater Committee is staffed by ACWA’s State Relations Department and strives to meet at least four times per year, typically at each ACWA Spring and Fall Conference and at two meetings between conferences.

Strategic Plan:

The Groundwater Committee is guided by ACWA’s 2020-2024 Strategic Plan and focuses on helping the Association implement the following policy priority:

*“**Sustainable Groundwater:** Advocate for a partnership with state, federal and local agencies to increase the amount, and control the timing of, groundwater recharge to achieve successful implementation of the Sustainable Groundwater Management Act (SGMA). This partnership should focus on minimizing agricultural land fallowing and promote multi-benefit projects that make recharge water available to achieve sustainability under the SGMA.”*

Policy Direction:

The Groundwater Committee will monitor and advocate with regard to the regulatory actions of state and federal regulatory agencies, and by mandates set forth in legislation. The Groundwater Committee will continue to lead and advocate for the effective implementation of the Sustainable Groundwater Management Act (SGMA).

The following technical and policy documents adopted by ACWA’s Board of Directors provide guidance to the Groundwater Committee on its policy priorities and positions:

- [“ACWA Groundwater Management Policy Principles”](#) (July 2021)
- [“A Technical Framework for Increasing Groundwater Replenishment”](#) (November 2019)
- [“Recommendations for Achieving Groundwater Sustainability”](#) (April 2014)
- [“Sustainability from the Ground Up: A Framework for Groundwater Management in California”](#) (April 2011)

Committee Responsibilities:

The following are the general responsibilities of the Groundwater Committee:

- Recommend policies and programs related to groundwater to the Board of Directors, the State Legislative Committee, and/or the Federal Affairs Committee.
- Monitor state and federal regulations and legislation that could affect the use and/or quality of groundwater; engage ACWA's advocacy team and advise them on technical or other issues as appropriate.
- Provide a venue to educate ACWA members on the latest advancements in science, policy, or other successful water management processes that can strengthen future groundwater management actions and knowledge.
- Develop and maintain relationships with state and federal agencies with groundwater authorities or responsibilities to provide for ongoing communication with member agencies.
- Develop policies that promote locally controlled, sustainable management of groundwater.
- Coordinate with other ACWA committees on issues directly related to groundwater.

Committee Member Responsibilities:

The following are the general responsibilities of the Groundwater Committee members:

- Committee members will have the opportunity to participate in a variety of activities including preparing comments for state or federal hearings on groundwater issues, developing programs for workshops and conferences, drafting proposed legislation, and providing input on state and federal legislation. While members are not expected to engage in every activity, they should strive to actively participate in Groundwater Committee activities, subcommittees, and work groups that will best utilize the member's skillsets.
- Committee members are expected to attend committee meetings and subcommittee meetings as necessary to contribute to the committee's work.

Committee Organization:

The Groundwater Committee is organized into the following subcommittees and work groups for the identified purposes and to advance the policy priorities of the Association. The subcommittees and work groups will include members of the Groundwater Committee and can include interested persons from other ACWA committees or persons representing the interests of member agencies. The subcommittees and work groups will meet and collaborate as needed to advance their purposes. Additional subcommittees or work groups may be formed as necessary during the 2024-25 term.

SGMA Implementation Subcommittee – Monitor and provide policy and technical input to support staff engagement and advocacy on processes related to implementation of SGMA and Flood-Managed Aquifer Recharge (Flood-MAR) with the Department of Water Resources, enforcement and permitting activities by the State Water Resources Control Board, and other strategies to increase groundwater replenishment. Facilitate opportunities for ACWA members to communicate and share lessons learned and best management practices related to

Groundwater Sustainability Plan development and implementation, including but not limited to, the following areas (mirroring the SGMA regulation sub-articles): governance, groundwater basin conditions, sustainable management criteria, monitoring networks, funding opportunities, and projects and management actions.

Legislative Subcommittee – Review groundwater legislation and offer policy recommendations to the State Legislative Committee to inform possible amendments or positions.

Groundwater Quality Subcommittee – Monitor and provide policy and technical input to support staff engagement and advocacy regarding groundwater quality issues, including constituents of emerging concern. Coordinate with ACWA’s Water Quality Committee to provide technical input and promote policies and practices related to water quality and groundwater management.

Land Use and Groundwater Management Subcommittee – Identify and develop recommendations in collaboration with land use entities to address regulatory requirements under SGMA and communicate potential land use impacts, challenges, and solutions. Coordinate with ACWA’s Agriculture Committee to promote policies and practices related to land use and groundwater management.

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AB 1234 Report

Director Name: Dirk Marks

Meeting Attended: ACWA SGMA Implementation Subcommittee

Date of Meeting: March 14, 2024

Location: Zoom Meeting

SCV Water Board Meeting to be at: March 19, 2024

On March 14, 2024, I participated in the ACWA Sustainable Groundwater Management Act (SGMA) Implementation Subcommittee.

ACWA Legislative Advocate, Kris Anderson stated that SB 1156 was recently introduced. The bill would require financial disclosures be made by Groundwater Sustainability Agency (GSA) Board members and other decision makers. He didn't have much detailed information as the bill had just been introduced. Additional information is available at:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB1156

It was also noted that the Groundwater Resource Association (GRA) will hold its SGMA Implementation Summit on June 5 and 6. There will be a session on basin adjudications. More information can be found at: <https://www.grac.org/events/551>

The committee discussed the recent release by DWR of the Governor's executive orders dealing with well permitting during the last drought. Some concern was expressed that the report's conclusions could be used to support the State imposing universal mandates for well permitting (i.e. min well spacing, etc.). This is problematic as these would likely not provide the opportunity to consider specific local conditions. Some members noted that local control is a foundational SGMA principle and such state permitting mandates could be problematic. Of specific concern is how DWR staff seems to be viewing subsidence. DWR's construct seems to be only to allow for residual subsidence. This seems inconsistent with the Groundwater Sustainability Management Act that calls for the GSA to determine undesirable results and minimum thresholds. A copy of the report can be found at https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Wells/Files/DWR-Well-Permitting-Analysis-Final_March2024.pdf?utm_medium=email&utm_source=govdelivery.

The head of DWR's SGMA group has agreed to participate in next month's meeting. The group reviewed a series of questions/discussion topics for that meeting. With the initial Groundwater Sustainability Plans (GSPs) having been acted upon, an overarching question is how DWR views its role moving forward. Can it be more collaborative and less regulatory? Specific questions covered a variety of areas including planning assistance, technical assistance and annual report review and evaluation. Additionally, how can GSAs engage with DWR on development of future resource documents such as those dealing with interconnected surface water and subsidence? Further, will DWR be flexible regarding SGMA annual report formatting.

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Director AB 1234 Reports
March 19, 2024

Director name: Gary Martin

Meetings attended:

- 1) 3/6/24 ACWA Groundwater Committee via Zoom
- 2) 3/8/24 DCA Board Meeting in Sacramento, CA
- 3) 3/12/24 Monthly meeting with DCA Executive Director Graham Bradner
- 4) 3/15/24 DCA Board Briefing via Zoom

SCV Water Board Meeting to be presented at: March 19, 2024

March 6, 2024

Attended the ACWA Groundwater Committee meeting via Zoom

Agenda as presented:

- GSP Assessments
- Groundwater Awareness Week Events
- Interconnected Surface Water Topic Reports
- Technical Assistance
- Financial and Planning Assistance

Committee Chair John Woodling opened the meeting; Vice Chair Brian Lockwood was introduced. SWQCB member John Coburn reported on probationary basins and deficient basins and actions being taken by the SWQCB.

DWR Provided their regular update using 6 different speakers:

- Final GSP release as of 1/18/24; 7 incomplete basins and 10 approvals, including the Santa Clara River.
- Current status; 71 approved basins, 13 incomplete basins, 6 inadequate basins.
- Review of assistance programs: technical, management, planning.
- Displayed graphic of SGMA implementation over 20-year horizon; 2020 – 2040.
- Review of Groundwater Awareness Week webinar series, March 11-15.
- Discussed well permitting observations & analysis report – Groundwater Well Permitting Report, March 2024.
- Discussed depletion of interconnected surface waters – papers and guidance document. Series of 3 papers February 2024 and Summer of 2024. Guidance in the Fall 2024.

The 2024/2025 Groundwater Work Plan was approved by the Committee.

March 8, 2024

Attended the DCA Board meeting in Sacramento, CA

1. Call to Order
2. Roll Call
3. Closed Session to discuss 3 items as agendized.
4. Opened Regular Session and Pledge of Allegiance.
5. Approved minutes of 2/15/24 board meeting.

6. Approved Executive Director's Service Agreement and adopted resolution.
7. Received General Counsel's report.
8. Considered future agenda items.
9. Public comment.
10. Adjournment.

March 12, 2024

Attended my monthly meeting with Executive Director Graham Bradner via Zoom and discussed a variety of topics.

March 15, 2024

Attended the DCA Board briefing via Zoom and discussed the upcoming April board meeting and related topics.