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Opponents ask governor to veto groundwater bills – Ag Alert

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Farmers, ranchers, other water users and nearly three-dozen members of the state Legislature have urged Gov. Brown to veto a package of groundwater-regulation bills that reached his desk in the waning hours of the legislative session.

The bills—Assembly Bill 1739 by Assemblymember Roger Dickinson, D-Sacramento, and Senate Bills 1168 and 1319, both by Sen. Fran Pavley, D-Agoura Hills—would establish a broad, new regulatory framework for managing groundwater.

Gov. Brown has until Sept. 30 to sign or veto the legislation.

Opponents, including the California Farm Bureau Federation, say the bills go well beyond addressing issues of basins in overdraft, casting a cloud on water rights and establishing requirements that will lead to confusion and litigation.

CFBF President Paul Wenger said Farm Bureau has always encouraged the proper management of groundwater, but that doing the job efficiently and effectively should have been the priority.

“Instead,” Wenger said, “the Legislature took the ‘ready, fire, aim’ approach, rushing these bills through and creating a massive new regulatory program in the final days of the legislative session.”

Farmers, ranchers and other California landowners will be left to pick up the pieces, he said, dealing with the consequences of the legislation for years to come.

Under the bills, basins in critical overdraft would be required to develop groundwater-management plans within five years. Other basins would have seven years, but low- and very low-priority basins would not be mandated to develop plans.

A bipartisan group of 35 Assemblymembers and senators urged Gov. Brown to veto the legislation and to call a special session of the Legislature in December to reconsider groundwater management.

“Like you, we are concerned about the increasing conditions of overdraft in many groundwater basins,” the legislators wrote to the governor. “However, the legislation before you punishes groundwater users in basins that have little or no overdraft or already have effective management efforts in place. It will also infringe upon the right to groundwater, at a time when available water supplies are getting tighter.”

The legislators warned that the authorities granted in the groundwater legislation “will radically alter the landscape of groundwater law” in coming years and will have “a destabilizing impact on those who depend on groundwater supplies.”

In their letter, the legislators said they are willing to help the Brown administration craft a “narrower, more effective measure focused on basins where real problems exist, encouraging them to implement management measures modeled by other regions, and providing new state authority to intervene where local management fails.”

The letter was signed by Assemblymembers Katcho Achadjian, R-San Luis Obispo; Travis Allen, R-Huntington Beach; Frank Bigelow, R-O’Neals; Rocky Chávez, R-Oceanside; Connie Conway, R-Tulare; Brian Dahle, R-Bieber; Tim Donnelly, R-Twin Peaks; Steve Fox, D-Palmdale; Beth Gaines, R-Roseville; Jeff Gorell, R-Camarillo; Adam Gray, D-Merced; Shannon Grove, R-Bakersfield; Curt Hagman, R-Chino Hills; Diane Harkey, R-Dana Point; Brian Jones, R-Santee; Eric Linder, R-Corona; Dan Logue, R-Marysville; Allan Mansoor, R-Costa Mesa; Melissa Melendez, R-Lake Elsinore; Kristin Olsen, R-Modesto; Rudy Salas, D-

Bakersfield; Donald Wagner, R-Irvine; Marie Waldron, R-Escondido; Scott Wilk, R-Santa Clarita; and Sens. Tom Berryhill, R-Twain Harte; Anthony Cannella, R-Ceres; Jean Fuller, R-Bakersfield; Ted Gaines, R-Roseville; Cathleen Galgiani, D-Stockton; Bob Huff, R-Diamond Bar; Steve Knight, R-Antelope Valley; Mike Morrell, R-Rancho Cucamonga; Jim Nielsen, R-Gerber; Andy Vidak, R-Hanford; and Mimi Walters, R-Irvine.

Other legislative opponents of the groundwater bills from Central California included Assemblymembers Luis Alejo, D-Salinas; Ken Cooley, D-Rancho Cordova; Susan Eggman, D-Stockton; and Henry Perea, D-Fresno. Perea noted that the bills would have a disproportionate impact on the Central Valley, and said the costs of implementing the legislation would be “enormous.”

CFBF President Wenger said Farm Bureau and other opponents had been able to “take some of the edge off” the bills during negotiations that preceded the final votes on the legislation.

“It now includes protections for water rights and other provisions that could lessen its detrimental impact,” Wenger said. “For that, we must thank those in the Capitol who helped rein in some of the proposals’ worst overreaches and the legislators, both Democrats and Republicans, who voted against the bills.”

Even so, he said, Farm Bureau considers the legislation to be fatally flawed and has urged the governor to veto all three bills.

“True resolution to California groundwater problems will come through measures that this legislation does not address, such as a streamlined adjudication process and the recognition of groundwater recharge as a beneficial use of water,” Wenger said.

Most importantly, he said, California must improve its surface water supplies.

“All the fees and fines in the world won’t heal our aquifers unless California builds additional storage and improves management of surface water in order to reduce demand on groundwater,” Wenger said.

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