

## **SB1306 Proposes Local Groundwater Stewardship Areas**

A milestone was reached on January 27th when SB1306 was proposed in the Senate by Sen. Sonny Borelli. The companion bill is expected to be proposed in the House by Rep Leo Biasiucci this week.

Establishing a Stewardship Area can be done in three ways – designation by a County Board of Supervisors, petition by residents, or designation by the Director of ADWR. In each case, the process must be open and transparent to the public and there must be research-based evidence showing that a Stewardship Area is needed to protect against specific threats to the community's groundwater.

Once a Stewardship Area is designated, a County Board of Supervisors nominates members to serve on the LGSA Council and the Governor makes final appointments. This Council represents water users and residents of the area with required representation from applicable governments, agriculture, industry, domestic well owners, and an ADWR seat on a required Technical Committee. The role of the Council is to establish a management plan for the Local Groundwater Stewardship Area. This plan must include a goal or goals for the area, a description of current conditions, and a method for monitoring and reporting on the area's progress towards achieving its goals. Most importantly, the plan must also include the Council's recommended actions to move the area towards meeting its groundwater goals. This means that local communities set their own goals for their groundwater based on the evidence of current conditions and receive support for the implementation of actions to achieve their determined goals from the technical experts.

To achieve this, management plans may contain two types of actions: recommendations to local public entities and utilities with relevant jurisdiction in a Stewardship Area; and proposed actions to be implemented by ADWR through petition. Councils may select any combination of actions identified in the bill to include in a management plan in order to best meet the management goals. This ensures communities are in a position to make choices about their own groundwater future.

For example, a Council could recommend that cities, towns, or counties implement recharge, storage, and conservation measures. This allows for a coordinated effort among different entities towards unified goals. Additional recommendation options are defined in the bill. Importantly, authority to implement these tailored recommendations remains with the original jurisdictions.

Additionally, a Council may also choose to propose actions in the management plan to be implemented by ADWR. The Council formally makes the request to ADWR through a petition to the agency. In these cases, ADWR will follow a standard public process giving stakeholders notice and opportunity to engage. ADWR is tasked with ensuring that the proposed actions are evidence-based and consistent with meeting the LGSA's management goal or goals. This means that local communities set the goals and the proposed path to reach them and ADWR uses its technical expertise to support the community in moving along its chosen path.

For example, a Council could choose to petition ADWR to designate a subsequent Irrigation Non-expansion Area (INA) within the Stewardship Area. If ADWR receives such a petition from

a Council, the agency initiates a hearing to determine if such an INA designation is consistent with advancing the area's goals in its plan, and if so can issue an order to carry out the Council's request. A Council could also petition ADWR to establish a program to fund voluntary, compensated land and water conservation plans and activities, or to implement other conservation programs. Numerous types of incentives could be customized in such a program for agricultural, industrial, and residential users to help meet the management goal of a Stewardship Area. Additional options for actions by petition to ADWR are defined in the bill.

Importantly, no new taxes or fees are necessary or authorized as part of a Stewardship Area. Instead, \$50 million will be dedicated every year from state lottery funds for administration, technical support, implementation, and other relevant activities for LGSA's. Additionally, a Council may secure other public or private funding and negotiate contracts to support development and implementation of a management plan.