

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## ASSEMBLY BILL

**No. 617**

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**Introduced by Assembly Member Perea**

February 24, 2015

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An act to amend Section ~~6203~~ 10723.6 of the Water Code, relating to ~~water resources~~: *water*.

### LEGISLATIVE COUNSEL'S DIGEST

AB 617, as amended, Perea. ~~Department of Water Resources: supervision of dams and reservoirs.~~ *Groundwater.*

*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. Existing law authorizes a combination of local agencies to form a groundwater sustainability agency by a joint powers agreement, memorandum of agreement, or other legal agreement, and authorizes a water corporation regulated by the Public Utilities Commission to participate.*

*This bill would authorize a combination of one or more local agencies and one or more mutual water companies to enter into an agreement to form a groundwater sustainability agency and would authorize a*

*groundwater sustainability agency formed by a joint powers agreement to exercise the powers granted in the act.*

~~Existing law prohibits the construction of any new dam or reservoir or the enlargement of any new dam or reservoir until the owner has applied for and obtained from the Department of Water Resources written approval of plans and specifications. Existing law authorizes the department, in connection with approving a dam or reservoir, to require certain data, investigations, reports, and any other appropriate information as may be necessary.~~

~~This bill would make a nonsubstantive change in these provisions.~~

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

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

1     *SECTION 1. Section 10723.6 of the Water Code is amended*  
2     *to read:*

3     10723.6. (a) A combination of local agencies *or a combination*  
4     *of one or more local agencies and one or more mutual water*  
5     *companies* may form a groundwater sustainability agency by using  
6     any of the following methods:

7     (1) A joint powers ~~agreement~~ *agreement, pursuant to the Joint*  
8     *Exercise of Powers Act (Chapter 5 (commencing with Section*  
9     *6500) of Division 7 of Title 1 of the Government Code), which may*  
10    *include a mutual water company pursuant to Section 6525 of the*  
11    *Government Code.*

12    (2) A memorandum of agreement or other legal agreement.

13    (b) A water corporation regulated by the Public Utilities  
14    Commission may participate in a groundwater sustainability agency  
15    if the ~~local agencies~~ *other parties in the groundwater sustainability*  
16    *agency* approve.

17    (c) A groundwater sustainability agency formed pursuant to a  
18    joint powers agreement may exercise all of the powers granted  
19    pursuant to this part. The signatories to a joint powers agreement  
20    forming a groundwater sustainability agency are deemed to hold  
21    the powers granted to a groundwater sustainability agency  
22    pursuant to this part in common in order for the groundwater  
23    sustainability agency to exercise those powers.

24    ~~SECTION 1. Section 6203 of the Water Code is amended to~~  
25    *read:*

1     ~~6203. The department may also require the following:~~

2     ~~(a) Data concerning subsoil and foundation conditions and the~~  
3 ~~materials entering into construction of the dam or reservoir.~~

4     ~~(b) Investigations of, and reports on, subsurface conditions,~~  
5 ~~involving such matters as exploratory pits, trenches and adits,~~  
6 ~~drilling, coring, geophysical surveys, tests to determine leakage~~  
7 ~~rates, and physical tests to measure in place the properties and~~  
8 ~~behavior of foundation materials at the dam or reservoir site.~~

9     ~~(c) Investigations of, and reports on, the geology of the dam or~~  
10 ~~reservoir site and its vicinity, possible geologic hazards, availability~~  
11 ~~and quality of construction materials, and other pertinent features.~~

12     ~~(d) Any other appropriate information as may be necessary in~~  
13 ~~a given instance.~~