



May 5, 2017

Labor

AB 1008 (Kevin McCarty, D-Sacramento) severely restricts an employer's ability to consider an applicant's criminal or conviction history in making employment decisions. AB 1088 was passed by the Assembly Labor and Employment Committee on May 3 on a 5-2 vote. Farm Bureau opposes.

Water

AB 313 (Adam Gray, D-Merced) would establish a division of water rights within the Office of Administrative Hearings (OAH). Complaints against persons violating provisions of their water diversions would be heard by an administrative law judge in OAH, however decisions would not be final until accepted by the executive director of the State Water Resources Control Board. The measure is scheduled to be heard next in the Assembly Appropriations Committee. Farm Bureau supports.

AB 589 (Frank Bigelow, R-O'Neals) would authorize those who divert more than 100 acre feet of water per year to certify their water measuring devices are installed and operating properly if they take a course taught by the University of California Cooperative Extension. Current law requires those individuals to have devices installed and certified by an engineer, contractor, or license professional at considerable cost. The measure is scheduled to be heard next in the Assembly Appropriations Committee. Farm Bureau supports.

AB 947 (James Gallagher, R-Yuba City) would clarify that "streambed, bank, or channel" only means the land containing the river, stream, or lake during its ordinary course. This change would narrow when a streambed alteration agreement would be required to activities only in the bed, bank, or channel rather than the entire floodplain. This Farm Bureau sponsored measure was heard in the Assembly Appropriations Committee this week and put on the suspense file due to potential lost revenue to the Department of Fish and Wildlife.

AB 975 (Laura Friedman, D-Glendale) would expand the extraordinary values, such as scenic, recreational, fishery, wildlife, historical, cultural, geological, ecological, hydrological, botanical, or other similar values to preserve rivers in their free-flowing state designated as wild and scenic under the California Wild and Scenic Rivers Act. The measure was amended this week with three minor amendments deleting values the author sought to add that are not currently in federal law. The measure is expected to be brought up for a vote next week by the full Assembly. Farm Bureau opposes.

AB 1420 (Cecilia Aguiar-Curry, D-Winters) would streamline the State Water Resources Control Board permitting process for farmers applying to divert water into a small irrigation pond. The measure would require the State Water Board to give priority to adopting general conditions for water diversions to small irrigation ponds

during periods of high streamflow in exchange for reduced diversions during periods of low streamflow. Additionally, AB 1420 exempts registrations from the lake or streambed alteration program if the Department of Fish and Wildlife has provided conditions on the approved registration. The measure is scheduled to be heard next in the Assembly Appropriations Committee. Farm Bureau supports.

AB 1427 (Susan Eggman, D-Stockton) would declare that the diversion of surface water to groundwater storage would constitute a beneficial use of water. AB 1427 would provide that the five-year forfeiture period of a water right does not apply to water stored underground for later beneficial use. Farm Bureau is working with the author and others on language that would facilitate surface water diversions during periods of high streamflow for groundwater recharge, while protecting downstream water rights. The measure is scheduled to be heard next in the Assembly Appropriations Committee.

AB 1667 (Laura Friedman, D-Glendale) would increase agricultural water management planning requirements beyond those imposed last year by the Governor's Executive Order B-37-16. The measure imposes significant new mandates on agricultural water suppliers, costing districts hundreds of millions of dollars, including requiring infrastructure upgrades to deliver water to growers within 24 hours of a request. The measure also grants new undefined enforcement authority to the State Water Resources Control Board for water districts' failure to comply. A large agricultural coalition offered significant amendments to the author, however the measure has yet to be amended. A similar proposal was introduced in budget trailer bill language and heard and held this week in the Assembly Budget Subcommittee 3 on Resources and Transportation. AB 1667 is scheduled to be heard next in the Assembly Appropriations Committee. Farm Bureau opposes AB 1667 and the trailer bill approach.

SB 252 (Bill Dodd, D-Napa) would require new water well permit applicants in critically over drafted groundwater basins to provide their application information to neighbors. It would require cities and counties overlying critically over drafted basins to publicly notice new well permit applications and require these cities and counties to make certain new well permit information available to groundwater sustainability agencies. The measure is scheduled to be heard next in the Senate Appropriations Committee. Farm Bureau and other agricultural organizations oppose the measure as written.

SB 623 (Bill Monning, D-Carmel) would establish the Safe and Affordable Drinking Water Fund and insure that monies in the fund are continuously appropriated to the State Water Resources Control Board to provide water to those whose drinking water exceeds that drinking water standard for nitrates. The measure has yet to identify a funding source for the Safe and Affordable Drinking Water Fund. SB 623 is scheduled to be heard next in the Senate Appropriations Committee.