

Executive Bill Analysis for the Small Farmer Community

AB 828 (Connolly, 2023-24 Legislative Session) Protecting Small Communities and Wetlands from Groundwater Restrictions

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AB 828 was a bill designed to protect small community water systems and wetlands in California by exempting them from certain groundwater regulations that limit how much water can be used. These exemptions were aimed at helping disadvantaged communities and preserving critical wetland environments. The bill would have allowed these small systems to bypass some of the same water usage rules that larger users, like farms and water suppliers, must follow—at least until 2028.

The reason behind the bill was that small communities and wetlands are especially vulnerable during droughts, and the existing rules under the Sustainable Groundwater Management Act (SGMA) were seen as too strict for these systems. Supporters believed these systems needed special protection to maintain their water supply and environmental importance.

Opponents, including farming groups and groundwater agencies, argued that allowing these exemptions would make it harder to manage groundwater sustainably for everyone. They worried that if certain users were exempt, it could lead to future shortages, and others might have to pay higher fees to compensate.

Supporters of the bill argued that these concerns were unlikely to materialize and that it was necessary to ensure small communities and wetlands have continued access to clean and affordable water.

However, Governor Gavin Newsom ultimately vetoed AB 828, stating that while helping disadvantaged communities is important, exempting certain water users would undermine SGMA's goal of long-term groundwater sustainability. He stressed the importance of managing groundwater comprehensively, especially in light of ongoing climate challenges like drought. For a more detailed review of this bill, visit <https://law.ucdavis.edu/clinics/small-farmer-clinic/reports>