



April 5, 2019

Honorable Lorena Gonzalez
California State Assembly
State Capitol, Room 2114
Sacramento, CA 95814

Re: AB 441 (Eggman): Underground Storage – **OPPOSE**
Assembly Appropriations Committee – April 10, 2019

Dear Assembly Member Gonzalez:

On behalf of the signatories below, we regret to inform you of our collective opposition to AB 441 by Assembly Member Susan Eggman, a bill which would allow a water user to permanently store water underground, which is a new use of water under California law. In its current form, the bill falls short of providing sufficient safeguards to existing water rights.

In many areas of the state, there may be significant benefit to recovering groundwater levels and leaving the water in the groundwater aquifer permanently; however, the water rights of

those potentially affected by such actions must be recognized and protected. The Sustainable Groundwater Management Act of 2014 recognized the interrelationship between surface water and sustainable groundwater basins while protecting existing water rights. AB 441 should do so as well.

There is also the potential for substantial misuse and adverse impacts if surface water is permanently stored without appropriate review and approval by the State Water Resources Control Board (SWRCB). Parties should have to establish with the SWRCB that permanent underground water storage is necessary and is associated with a reasonable and beneficial use. Unchecked, the diversion of water for underground storage, whether a new or existing appropriation, may adversely impact other beneficial uses of water for fish and wildlife, recreation, commerce or use by a downstream diverter.

In approving the appropriation of surface water for permanent groundwater storage, the SWRCB must confirm that the use is consistent with the water right holders existing use and the diversion to storage is not otherwise appropriated or diverted at times when the federal Central Valley Project, State Water Project, or other permitted storage projects are required to release supplemental water to meet water quality objectives in the Delta watershed.

Regrettably, we must oppose AB 441 and urge you and members of the Assembly Appropriations Committee to vote NO vote on the measure.

Sincerely,

Jeff Kightlinger
General Manager
**Metropolitan Water
District of Southern
California**

Matthew Litchfield
General Manager
**Three Valleys Municipal
Water District**

Paul Jones, II
General Manager
**Eastern Municipal
Water District**

John Bosler
General Manager
**Cucamonga Valley
Water District**

Susan Mulligan, P.E.
General Manager
**Calleguas Municipal
Water District**

Brian A. Dickinson
General Manager
**City of Compton
Water Department**

Chris Garner
General Manager
**Long Beach Water
Department**

Marc Marcantonio
General Manager
**Yorba Linda
Water District**

Charley Wilson
Executive Director & CEO
**Southern California
Water Coalition**

Craig Miller
General Manager
**Western Municipal
Water District**

Norma Camacho
Chief Executive Officer
**Santa Clara Valley
Water District**

Douglas Headrick
General Manager
**San Bernardino Valley
Municipal Water District**

Matt Stone
General Manager
**Santa Clarita Valley
Water Agency**

Dwayne Chisam
General Manager
**Antelope Valley-East Kern
Water Agency**

Tom McCarthy
General Manager
Mojave Water Agency

Gail Delihant
Director
**Western Growers
Association**

cc: Assembly Member Susan Eggman
Members of the Assembly Appropriations Committee
Jennifer Galehouse, Deputy Chief Consultant, Assembly Appropriations Committee
Ellen Cesaretti, Fiscal Consultant, Assembly Republican Caucus