



March 20, 2023

The Honorable Rebecca Bauer-Kahan, chair
Assembly Committee on Water Parks and Wildlife
1020 N Street, Room 160
Sacramento, CA 95814

RE: AB 560 (Bennett) – SGMA Ajudication -- SUPPORT

Dear Chair Bauer-Kahan and Members:

The Community Alliance with Family Farmers (CAFF) has represented small and mid-scale family farmers in California for over 40 years, seeking to preserve family-scale agriculture, promote local food systems, and advance environmental sustainability.

CAFF is pleased to support AB 560, which would require the court in a groundwater adjudication proceeding to send its proposed decision to the State Water Board for an assessment of whether the decision would impair the ability of the local GSA, the Board, or DWR to achieve sustainable groundwater management. It also requires the Board to consult with DWR before making such a determination.

Though this bill will not address the inequities in the adjudication process, nevertheless its attempt to bring the state in for review is a step in the right direction. We would prefer for the state to be brought in earlier in the process when it might be able to influence the court's treatment of small water users and the environment, since neither of these has fared well in the history of adjudication.

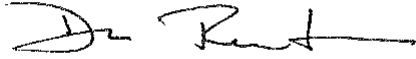
The small farms and rural residents that CAFF represents are at such a disadvantage in the adjudication proceedings that it is unfortunate that this legal proceeding is an option to circumvent the SGMA process. As we have seen in Cuyama, where the largest agricultural pumpers—Grimmway and Bolthouse, both now owned by hedge funds—decided they could get a better deal from the court than from the GSA process and forced everyone into court, the costs of legal representation are too high for the small pumpers. Similarly, a large pistachio grower from Kern County filed for adjudication in Indian Wells when he decided the SGMA process wasn't going his way.

Unless the Legislature intervenes and limits the ability of the largest groundwater pumpers to circumvent the GSAs by going to court, we will see this scenario play out over and over. The idea of SGMA—that all stakeholders would be represented and their

interests considered, and that there would be local community processes to achieve sustainability—will mean nothing if all these overdrafted basins end up in court.

CAFF urges an aye vote on this and any other bill that seeks to reform the adjudication process and better align it with the SGMA process.

Sincerely,

A handwritten signature in black ink, appearing to read "Dr. Runsten". The signature is fluid and cursive, with a long horizontal stroke at the end.

David Runsten
Water Policy Director
CAFF

CC: Assemblymember Steve Bennett