

Attachment G

2023-2024 AB-560 Bennett (A)

96 - Amended Senate 6/14/23

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 10737.8 of the Water Code is amended to read:

10737.8. (a) In addition to making any findings required by subdivision (a) of Section 850 of the Code of Civil Procedure or any other law, the court shall not approve entry of judgment in an adjudication action for a basin required to have a groundwater sustainability plan under this part unless the court finds that the judgment will not substantially impair the ability of a groundwater sustainability agency, the board, or the department to comply with this part and to achieve sustainable groundwater management.

(b) (1) Before ~~entering final judgment~~ filing the proposed settlement, the ~~court~~ parties to the adjudication proceedings shall ~~refer a forward~~ submit the final proposed settlement, ~~pursuant to Section 2001~~, to the board for an non-binding, advisory determination as to whether the proposed ~~judgment~~ settlement will substantially impair the ability of a groundwater sustainability agency, the board, or the department to achieve sustainable groundwater management. The board shall consult with the department before making its non-binding, advisory determination.

(2) The board's non-binding, advisory determination shall include findings on both of the following:

(A) The consistency of the proposed judgment settlement with the technical findings and conclusions ~~of the~~ from the existing groundwater sustainability plan adopted by a groundwater sustainability agency and approved by the department.

(B) How the proposed judgment settlement would affect small and disadvantaged groundwater users, per the existing groundwater sustainability plan adopted by a groundwater sustainability agency and approved by the department.

(3) The parties shall include file the board's non-binding advisory determination to be filed with the court in conjunction with the final proposed settlement.

~~(3.4)~~ The court shall not be bound to enter judgment in a manner consistent with the non-binding, advisory determination of the board pursuant to this subdivision.