

Russian River Tributaries Water Conservation and Informational Order

July 6-9, 2015
State Water Resources Control Board
Division of Water Rights
Information Meetings

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Logistics

- While Board members may be in attendance, no decisions will be made today
- Sign-in sheets, handouts, question cards, and comment cards at back of room
 - Question Cards are for questions related to the emergency regulation
 - Comment Cards are for comments related to implementation of the informational order or other topics of interest

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Meeting Ground Rules

- Respect all speakers, all points of view are valid
 - You may not agree with a statement, but please allow the speaker the opportunity to be heard
- All who wish to speak must use a microphone
- Speakers may ask one question or make one comment at a time so that everyone has the opportunity to speak
 - First portion of meeting is focused on information and responding to questions
 - Second portion of meeting is focused on discussion and comments
- Please silence electronic devices

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Meeting Schedule

1. Welcome and Logistics
2. Presentation by State Water Board and California Department of Fish and Wildlife Staff (break if needed)
3. Resources Available
4. Questions and Answers*
5. Break
6. Discussion of Short- and Long-Term Solutions and Other Topics of Interest

*Agency representatives will also be available during the break and after the meeting to answer questions.

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Presentation Outline

- Water-Related Entities & Authorities
- Drought and Emergency
- Overview of Phased Approach
- California Department of Fish and Wildlife (CDFW) Overview of Problem and Outreach Efforts
- Brief Overview of Water Rights
- Emergency Regulation Overview
- Overview of Potential Short- and Long-Term Solutions
- CDFW Voluntary Drought Initiative Program Overview
- Additional Resources

Water-Related Entities and Authorities

Water-Related Entities

- Variety of agencies and entities oversee or have responsibilities related to water, including:
 - State Water Resources Control Board (State Water Board)
 - North Coast Regional Water Quality Control Board (Region 1)
 - Department of Water Resources
 - Sonoma County
 - Local water providers (Sonoma County Water Agency, etc.)

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State Water Board

- Mission Statement:
 - *“To preserve, enhance, and restore the quality of California’s water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use, for the benefit of present and future generations.”*
- Division of Water Rights: administers California’s water right system
- Focus of this meeting is the Board’s role in California’s water rights (more on this later in presentation)

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North Coast Regional Water Board

- One of nine Regional Water Quality Control Boards in California
- Covers Del Norte, Glenn, Humboldt, Lake, Marin, Mendocino, Modoc, Siskiyou, Sonoma, and Trinity counties
- Responsibilities:
 - Water quality decisions for the North Coast region
 - Establishment of water quality standards
 - Issuance of waste discharge requirements
 - Determine compliance with water quality requirements
 - Appropriate enforcement actions, when necessary

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Department of Water Resources

- Mission Statement:
 - *“To manage the water resources of California in cooperation with other agencies, to benefit the State’s people, and to protect, restore, and enhance the natural and human environments.”*
- Responsible for:
 - Managing much of California’s water supply, including the State Water Project
 - Regulating the safety of dams, providing flood protection, and responding to emergencies
- Maintains Well Completion Reports

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Sonoma County

- Regional responsibility for variety of areas:
 - Provides municipal services (law enforcement, fire protection, etc.)
 - Provides day-to-day operation of state and federally mandated programs
 - Land Use Authorities (see Sonoma County General Plan 2020)
 - Issuance of well drilling permits

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Local Water Providers

- Responsible for providing water that meets California’s water quality standards
- Regulated by State Water Board’s Division of Drinking Water
- Examples: Sonoma County Water Agency, various municipal water districts, etc.

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Other Agencies Related to this Regulation

- California Department of Fish and Wildlife
 - Mission: to manage California's diverse fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public
- National Marine Fisheries Service
 - Responsible for stewardship of nation's living marine resources and their habitat

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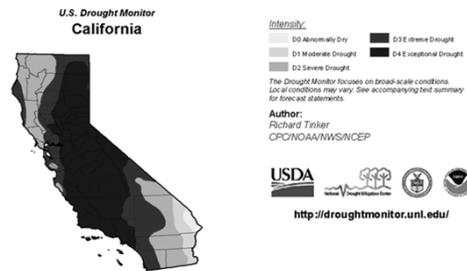
Drought and Emergency

Drought Emergency

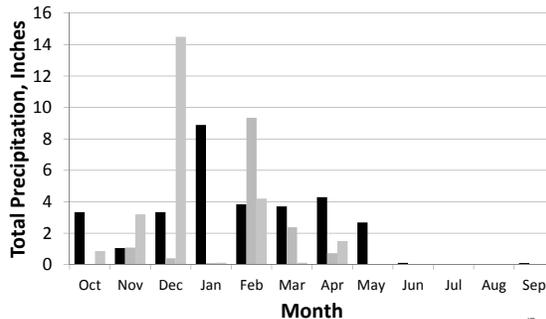
- January 17, 2014: Drought state of emergency (January Drought Emergency Proclamation)
- March 1, 2014: Drought relief package (SB 104)
- April 25, 2014: Proclamation of Continued State of Emergency related to the drought
- December 22, 2014: Executive Order B-28-14
- January 23, 2015: State Water Board issued Notice of Surface Water Shortage for 2015
- April 1, 2015: Executive Order B-29-15

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The Drought

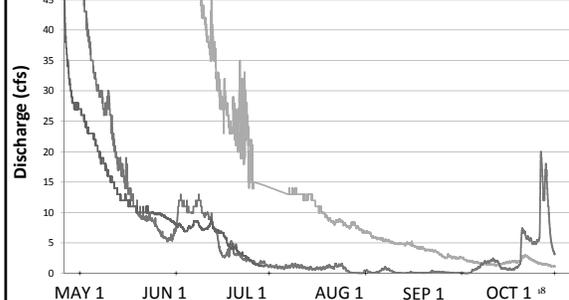


Monthly Precipitation, Santa Rosa, Water Years 2010 (black), 2014 (green), and 2015 (blue)



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Spring and Summer Flow - Mark West Creek near Mirabel Heights (2010 - green; 2014 - blue; 2015 - red)



Overview of Phased Approach

- ## Phases
- Phase I: CDFW Outreach and Voluntary Drought Initiative Agreements
 - Phase II: Emergency Regulation and Focused Voluntary Actions
 - Phase III: Additional Short-Term Solutions to Improve Flow in Tributaries During the Drought
 - Phase IV: Long-Term Solutions to Improve Flow in Tributaries

CDFW Fisheries Overview
for
California State Water Resources Control Board
Emergency Regulation Requiring Enhanced Water Conservation
in Tributaries to the Russian River for Fisheries Protection

California Streams

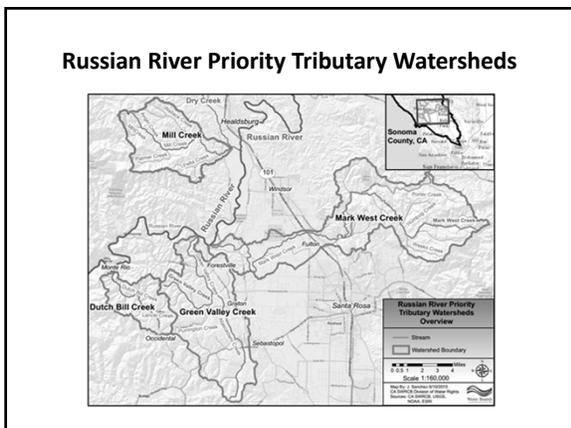


~Keep Them Running~

Presented by Gail Seymour, Senior Environmental Scientist
CDFW Fisheries and Watershed Restoration
Bay Delta Region




- ## CDFW Assessments Influencing Recommendations to the State Water Resources Control Board (SWRCB)
- Increased instream flow monitoring since summer 2014
 - disconnected pools
 - increasing dry reaches
 - current dry conditions similar to historic September – October conditions
 - Observances and public complaints of fish stranding
 - 2,800 juveniles rescued & relocated by CDFW May – June 2015
- 
- 



- ## CDFW/SWRCB Public Meetings
- CDFW invited 650 – 700 landowners in Dutch Bill, Green Valley, Mill, Mark West creeks
 - Meeting announcement posted and communicated through website, list serves, newspaper, radio outlets
 - Meeting conducted May 14 and May 21, 2015
 - CDFW requested voluntary water conservation actions
- Total of 23 volunteer water conservation commitments from Landowners to date.

Why These Watersheds?

- Critical coho salmon habitat; last sources of wild coho salmon
- High restoration potential
- Significant grant funds invested
- High amount of water diversions

Critical Habitat and Last Sources of Wild Coho Salmon



High Restoration Potential



Significant CDFW Fishery Restoration Grant Funds Have Been Invested in the Four Priority Watersheds

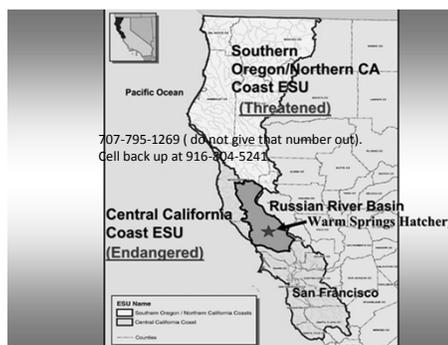


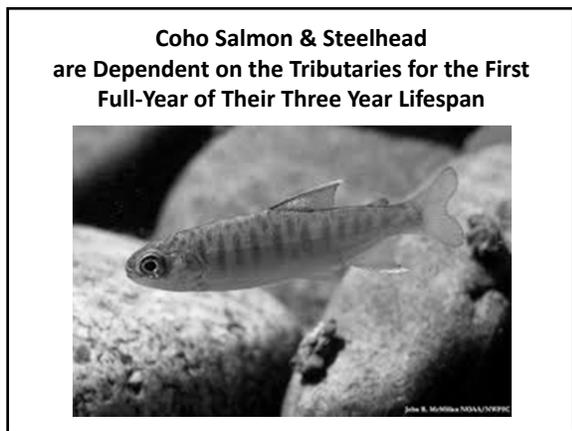
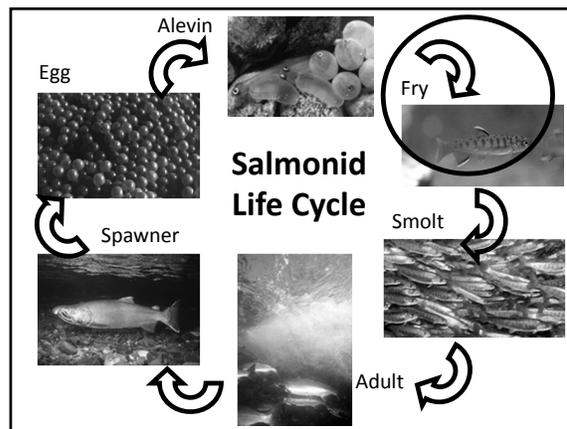
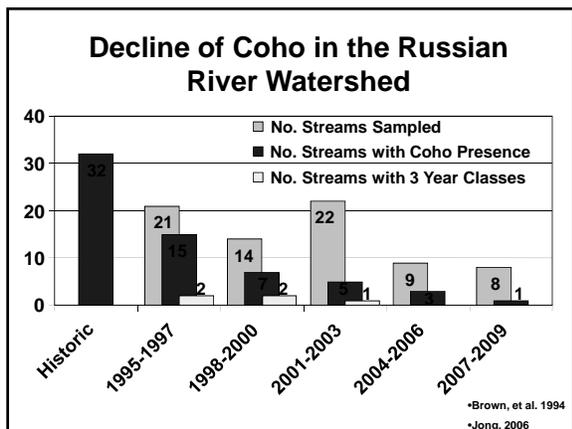
Nearly \$10 Million has been spend within the four Priority Watersheds in the last 10 Years

High Number of Diversions

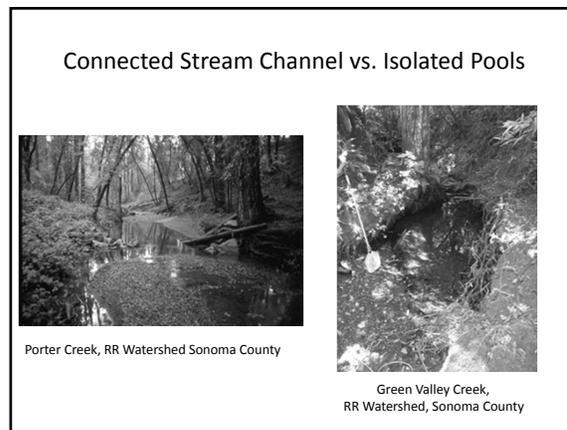


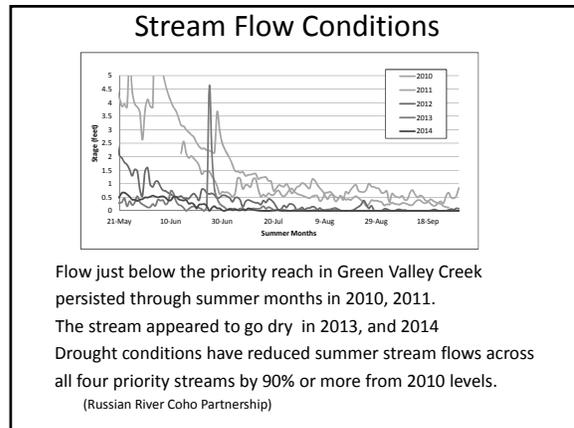
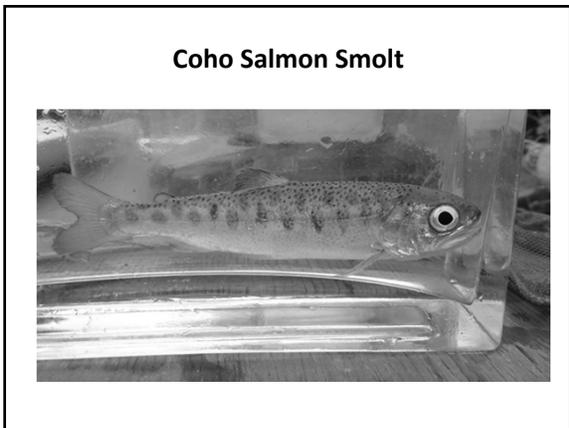
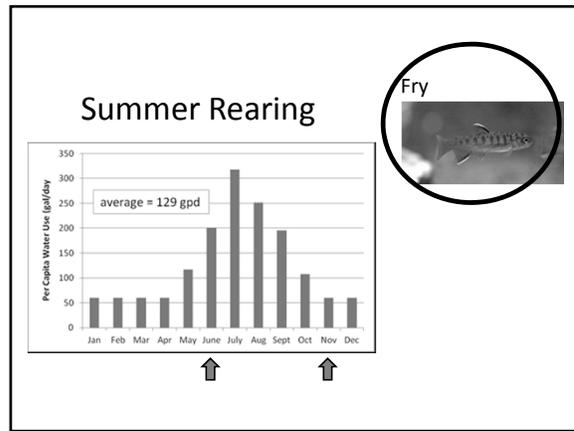
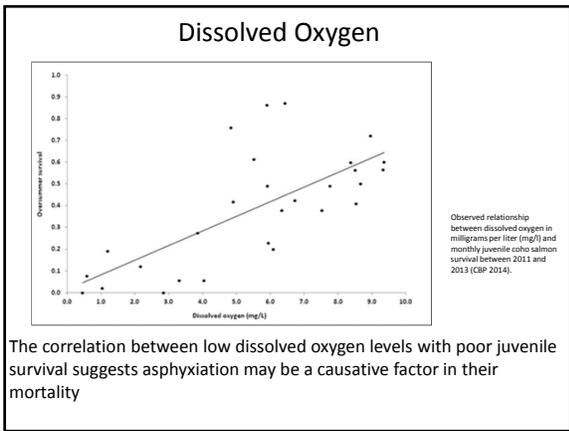
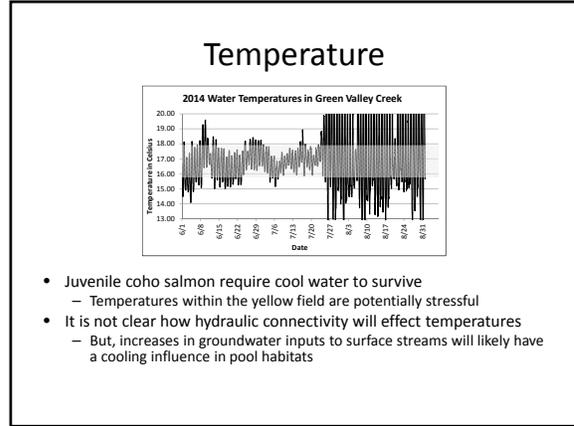
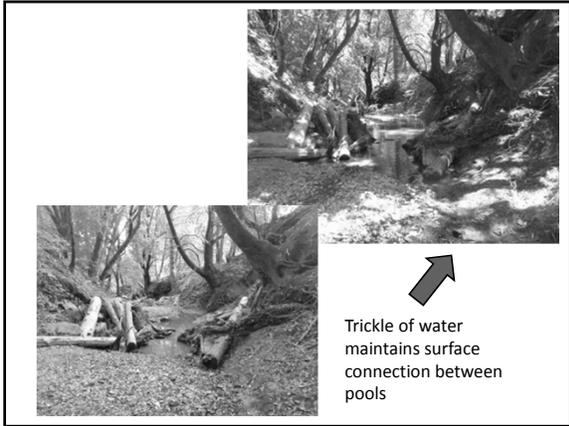
Coho Salmon Populations in Northern California

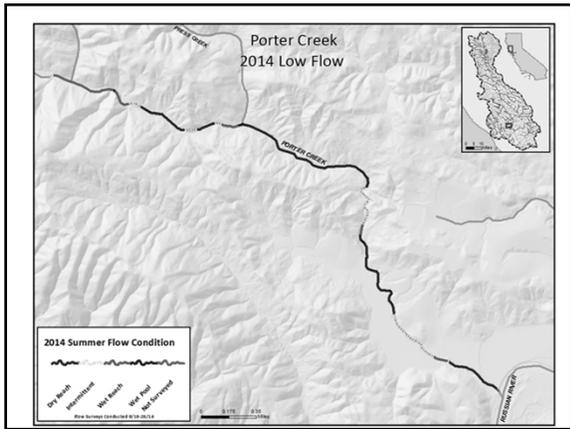




- ### Juvenile Coho Salmon and Steelhead Summer Rearing
- Creeks are the nursery grounds for their first year - the most critical lifestage
 - Cold water temperatures and low dissolved oxygen are essential for persistence and fitness
 - Connected habitats – pools, riffles, runs – allow fish to move throughout the creek to find food, shelter, best habitat and escape from changing conditions
 - Research indicates that even small amounts of surface flow can maintain sufficient water quality for fish survival







Green Valley Creek



Mill Creek



Fish Rescue Actions by CDFW Scientists

- Last resort
- Limited by private property access
- Relocation sites limited by drying creeks

Green Valley Cr



Fish Rescues are the Last Resort in the Efforts to Save Coho and Steelhead



Pena Creek Fish Rescue, May 2015



Coho Salmon Smolts Returned to the Mainstem of the RR

How Emergency Regulations will Help

Issuing the Conservation Order is likely to improve flow conditions by:

- Allowing more groundwater seepage to contribute to stream flow
- Retain existing surface flow in streams

What is success?



Trickle of water maintains surface connection between pools



Gail Seymour, Senior Environmental Scientist
 CDFW Bay Delta Region
 707-299-9299 Gail.Seymour@wildlife.ca.gov



Water Rights Overview

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Common Types of Water Rights

- Riparian Water Right
- Pre-1914 Appropriative Water Right
- Post-1914 Appropriative Water Right
- Livestock Stockpond Use Registration
- Small Irrigation Use Registration
- Small Domestic Use Appropriation
 - Emergency Storage Tank Registration
- Stockwatering Certificate (program sunsetted in 1997)

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Riparian Water Right

- A right to use the natural flow of water on riparian land (such as land that touches a lake, stream, river, or creek).
- Initial Statement of Diversion and Use Form: http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/

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Appropriative Water Rights

- A right for direct diversion of water to parcels that do not qualify for a riparian right, or for storage of water on any parcel
 - Permit/License
 - Livestock Stockpond Use Registration
 - Small Irrigation Use Registration
 - Small Domestic Use Appropriation
- Water Right Application Form: http://www.waterboards.ca.gov/waterrights/publications_for_ms/forms/docs/app_form.pdf
- Water Right Registrations webpage: http://www.waterboards.ca.gov/waterrights/water_issues/programs/registrations/index.shtml

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Water Right Curtailments Exercised During this Drought

- Curtailments to protect senior water right holders
- Curtailments to protect fishery resources

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Curtailments to Protect Senior Water Right Holders

- Water Year 2015:
 - Sacramento River and Delta watershed
 - San Joaquin River watershed
 - Scott River watershed (also provided fishery benefits)
- Water Year 2014:
 - Sacramento River watershed
 - San Joaquin River watershed
 - Russian River watershed (upstream of confluence with Dry Creek)
 - Eel River watershed
 - Scott River watershed (also provided fishery benefits)

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Curtailments to Protect Fishery Resources

- 2015 Curtailments:
 - Deer Creek (Sacramento River Tributary)
 - Antelope Creek (Sacramento River Tributary)
 - Mill Creek (Sacramento River tributary): not subject to emergency regulation because voluntary agreements together cover substantially all of the water diverted in the watershed
- 2014 Curtailments:
 - Deer Creek (Sacramento River tributary)
 - Antelope Creek (Sacramento River Tributary): not subject to emergency regulation because voluntary agreements together covered substantially all of the water diverted in the watershed
 - Mill Creek (Sacramento River tributary): not subject to emergency regulation because voluntary agreements together covered substantially all of the water diverted in the watershed

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Emergency Regulation Overview

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Emergency Regulations - General Overview

- A state agency must mail and post an emergency Notice 5 working days before filing with the Office of Administrative Law (OAL)
- Agency must formally file an emergency with OAL 10 calendar days before the effective date
- During the first 5 calendar days of OAL review, public may submit comments to OAL
- By the 10th day after the emergency is filed, OAL makes a decision on
- If approved, effective for 270 days from date of approval

California Department of Fish and Wildlife Letter (in coordination with NMFS)

- Dated May 28, 2015
- Does not recommend curtailments at this time
- Recommends State Water Board develop emergency regulations for Dutch Bill, Green Valley, Mark West, and Mill Creek watersheds to:
 - Immediately implement conservation measures to limit the amount of water extracted from the watersheds
 - Issue an informational order to determine the extent of diversions in each of the watersheds

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Russian River Tributaries Emergency Regulation

- Adopted by State Water Board: June 17, 2015
- Submitted to OAL: June 24, 2015
- Effective Date: **July 6, 2015** (date approved by OAL and filed with Secretary of State)
- Applies to four Russian River tributary watersheds:
 - Dutch Bill Creek
 - Green Valley Creek
 - Mark West Creek
 - Mill Creek

Russian River Tributaries Emergency Regulation

- Two Components:
 - Enhanced Water Conservation Measures
 - Informational Order
- Email distribution list established for landowners and others to receive notices and updates regarding informational orders and conservation measures – information on how to sign up under Resources portion of presentation

Water Conservation Measures

Statewide Water Conservation Measures

- State Water Board adopted statewide water conservation requirements for California on May 5, 2015 (effective May 18, 2015)

http://www.waterboards.ca.gov/water_issues/programs/conservation_portal/index.shtml

- Russian River Tributaries enhanced water conservation measures build on these measures in order to help protect fishery resources

Enhanced Russian River Tributaries Water Conservation Measures

- Prohibits application of potable and non-potable water to:
 - ornamental turf
 - landscapes in a manner that causes runoff
 - landscapes more than two days per week
 - landscapes between 8:00am to 8:00pm
 - landscapes during and within 48 hours after measurable rainfall
- Untreated rainwater and gray water may be used
- Prohibitions do not apply to recycled water



Enhanced Russian River Tributaries Water Conservation Measures (cont.)

- Prohibits use of water:
 - for washing motor vehicles*
 - for filling or refilling decorative ponds, fountains and water features*
 - in fountains and water features, except in recirculating systems*
 - for application to driveways and sidewalks

* Untreated rainwater and gray water may be used



Enhanced Russian River Tributaries Water Conservation Measures (cont.)

- Operations of hotels and motels must provide guests with the option to choose not to have towels and linens laundered daily, if daily laundering is offered
- Hotel or motel must prominently display and/or communicate notice of option to each guest using clear and easily understood language



Who must implement enhanced water conservation measures?

- Water users in critical areas of the four watersheds are required to implement enhanced conservation measures immediately once emergency regulation goes into effect (regulation went into effect July 6)
- Other portions of the watershed may be required to implement enhanced water conservation measures if the State Water Board Deputy Director for the Division of Water Rights extends the requirements to other portions of the watersheds
 - After consultation with CDFW or NMFS
 - To support fish passage during migratory season



Critical Areas – Upper Watersheds

- Most critical for mid-to late-summer rearing of state and federally threatened and endangered salmon and steelhead species
 - Defined in section 876 (c)(2) of emergency regulation
 - Mapping Tool (on Russian River Tributaries Emergency Regulation) may be used to determine where your property falls:
 - In critical area
 - Outside critical area, inside watershed
 - Outside watershed



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Informational Order

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Informational Orders

- Orders would require landowners and suppliers of water within the watershed to provide information on diversion and use of surface and subsurface water
 - Any party receiving an order under this subdivision shall provide the requested information within 30 days
 - The Deputy Director may grant additional time for the submission of information regarding diversion and use of water upon substantial compliance with the 30-day deadline and a showing of good cause

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Informational Orders

- Informational Orders continued
 - Required information may include:
 - Date of first use
 - Location and Type of diversion (surface or sub-surface)
 - Types of beneficial use
 - Distances of wells from surface streams
 - Well depth
 - Well screen interval(s)
 - Place of use
 - Estimated 2014 diversion amount
 - Estimated 2014 use amount
 - Source of water
 - Volume of storage
 - Estimated pumping rate
 - Amount of water anticipated to be needed in 2015

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Information Order-Response Form

- Based on previous Information Orders and data requests
- Internet based (all State Water Board reporting and data submittals are internet based)
- Resources for locating information or estimating diversions- provided in hard copy at Outreach meetings, or available at State Water Board website
- Examples for each type of response will be available at State Water Board website (i.e. end user, supplier, surface water diverter, subsurface diverter etc.)
- List of publically accessible computers- provided in hard copy at Outreach meetings, or available at State Water Board website

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Previous SWRCB Information Orders and Data Requests

- **2014-0030-DWR** San Joaquin River between Friant Dam and Gravelly Ford (Riparian and Pre-1914)
- **2014-0038** Resolution to Adopt an Emergency Regulation for Statewide Urban Water Conservation (Water suppliers and end users)
- **2015-0002-DWR** Sacramento and San Joaquin River Watershed and Delta (Riparian and Pre-1914)
- **2015-0032** Resolution to Adopt an Emergency Regulation for Statewide Urban Water Conservation (Water suppliers and end users)

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Information Order- Next Steps

- Parties can begin gathering information at any time
- Stakeholder input on types of Information Requested
- Comment forms (available at outreach meetings) or email to:
RR_Tribs_Emergency_Reg@waterboards.ca.gov
- Complete construction of Response Form website
- Issue Information Order (due 30 days from issuance)
- Provide support to parties completing Response Form

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Short- and Long-term Actions

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Short-term Actions

- Voluntary Drought Initiative Program
- Local Solutions and Agreements
- Additional Conservation Requirements
- Curtailments

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Long-term Actions

- Frost Regulations (in effect)
- Assembly Bill 2121 North Coast Instream Flow Policy
- California Water Action Plan
- Sustainable Groundwater Management Act (SGMA)
- Local Solutions and Agreements

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Frost Protection Regulation for the Russian River watershed

- Any diversion of water from the Russian River stream system for purposes of frost protection from March 15- May 15 must be diverted in accordance with a Board-approved Water Demand Management Program
 - Includes the pumping of hydraulically connected groundwater
 - Excludes diversions upstream of Water Springs Dam (Sonoma County) or Coyote Dam (Mendocino County)
- Diversions for frost protection are subject to the Regulation beginning **March 15, 2015**.

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North Coast Instream Flow Policy

- Established principles that apply to new water rights:
 - New water diversions are limited to periods in which instream flows are naturally high (late fall, winter, early spring).
 - New water diversions occur only when streamflows are higher than minimum instream flows needed for fish spawning, rearing, and passage.
 - Maximum rate at which water is diverted should not adversely affect the natural flow variability needed for maintaining adequate channel structure and habitat for fish.
 - The cumulative effects of water diversions on instream flows needed for the protection of fish and their habitat will be considered and minimized.
 - On-stream dams will be constructed and permitted in a manner that does not adversely affect fish and their habitat.

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California Water Action Plan

- Developed at direction of Governor Brown by:
 - California Department of Food and Agriculture
 - California Environmental Protection Agency
 - California Natural Resources Agency
- Plan will guide state efforts to:
 - Enhance water supply reliability
 - Restore damaged and destroyed ecosystems
 - Improve resilience of California's infrastructure
- Outlines California's near- and long-term water priorities, including drought

California Water Action Plan (cont.)

- Action 4 – Protect and Restore Important Ecosystems
 - Sub-action: Enhance Water Flows in Stream Systems Statewide
 - State Water Board and Department of Fish and Wildlife (DFW) to implement suite of efforts to enhance flows statewide in at least five stream systems to support critical habitat for anadromous fish
 - Includes development of defensible, cost-effective, and time-sensitive approaches to establish instream flows using sound science and transparent public process
 - State Water Board and DFW directed to consider public trust responsibility and existing statutory authorities

California Water Action Plan (cont.)

- Contribute to implementation of Action 4 of California Water Action Plan
- Collaborative effort between State Water Board and DFW
- Target five stream systems to enhance flows that balance the needs of people and environment
 - Mark West Creek (Russian River)
 - Mill Creek (Sacramento River)
 - Shasta River
 - South Fork Eel River
 - Ventura River

Sustainable Groundwater Management Act (SGMA)

- Signed by Governor on Sept. 16, 2014; Effective Jan. 1, 2015
- Requires formation of groundwater sustainability agencies (GSAs), and development of groundwater sustainability plans for high and medium priority groundwater basins
 - Groundwater Sustainability Plans (GSPs) will be required by 2020-2022
 - Department of Water Resources responsible for evaluating and accepting GSPs
 - Achieve Sustainability 20 years after plan adoption

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Sustainable Groundwater Management Act (SGMA) (cont.)

- Portions of the Russian River watershed are designated as medium priority basins under the SGMA, which means they are subject to the requirements of SGMA.
 - Medium priority groundwater basins include: Santa Rosa Valley (Santa Rosa Plain) and Ukiah Valley
 - Santa Rosa Plain includes portions of Mark West Creek
- Sonoma County Water Agency is working on outreach regarding putting together a groundwater sustainability agency.
- Other efforts in Russian River basin are ongoing to form water districts and create groundwater sustainability agencies.

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California Department of Fish and Wildlife Voluntary Drought Initiative Program



Corinne Gray, Senior Environmental Scientist (Specialist)
Habitat Conservation
Bay Delta Region



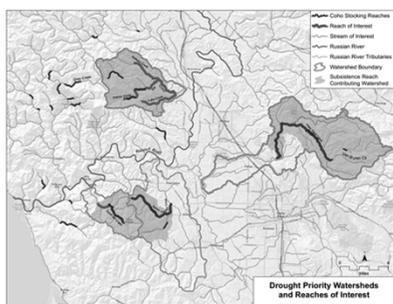
What is the Voluntary Drought Initiative?

- On January 17, 2014, Governor Edmund G. Brown Jr. declared a drought State of Emergency.
- On April 25, 2014, the Governor issued an Executive Order continuing the State of Emergency and gave CDFW direction to work with landowners and state and federal agencies to protect threatened and endangered species.
- This included development of voluntary agreements for conservation measures, instream flow enhancement actions, fish relocation, and/or other measures.

What is the Voluntary Drought Initiative?

- CDFW partnered with the NMFS to develop the California Voluntary Drought Initiative program, which identified tributaries to the Russian River (Green Valley, Mill, Dutch Bill and Mark West Creeks) as priority watersheds.
- In October 2014, April 2015, and May 2015, we sent letters to landowners within select areas of these four streams in hopes of enhancing flows to support summer rearing habitat critical to the survival of coho salmon and steelhead.

Important Reaches Within RR Priority Tributary Watersheds



What is a Voluntary Drought Initiative Agreement (VDI)?

- An agreement between a landowner and CDFW that lists water conservation or flow enhancement actions that will be taken during the drought.
- A VDI can include access for monitoring and fish rescue operations by CDFW personnel.

Why Should I Participate in a VDI Agreement?

- Landowners with water conservation VDIs will not be subject to conservation regulation by the State Water Board.

Types of Actions covered under a VDI?

- Water Conservation
- Access for Monitoring and Fish Rescue/Relocation
- Water Releases for Instream Flow Enhancement



Water Conservation



Let it Dry and Keep our Creeks Wet!

Water Conservation



Water Conservation

- Divert less and more efficiently
- Drip irrigation
- Alternative water sources
- Coordinate diversions with other landowners
- Install low-flow appliances

Flow Enhancement



Please come talk to me if you are interested in releasing your stored water for flow enhancement!

Tank Talk



Resources and Technical Assistance

NMFS and CDFW have made it a priority to continue work with landowners on projects that will enhance flow and conserve water

- Small Irrigation Registration
- Emergency Tank Registration
- Flow for Fish Rebate Program
- Fish and Wildlife Grants Program

“Flow for Fish” Rebate Program

- Priority for projects that can happen quickly
- Eligible projects: tanks (covers tank + permit fee)
- combines materials rebate with expedited permitting
- Eligible projects: reservoir releases (infrastructure costs only)
- Contact Mary Ann King at mking@tu.org or (510) 649-9987

“Flow for Fish” Rebate Program

Thank you Jackson Family Winery for your \$20,000 donation!

- Please contact Mary Ann King if you’d like to donate equipment or time, and/or provide financial support
mking@tu.org or (510) 649-9987

Only a coordinated community effort will save our fish.



Trickle of water maintains surface connection between pools



Corinne Gray

Senior Environmental Scientist (Specialist)

CDFW Bay Delta Region

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Resources – To Receive Additional Information

- Subscribe to e-mail list:
 - Webpage:
http://www.waterboards.ca.gov/resources/email_subscriptions/
 - Select “State Water Resources Control Board”
 - Enter email address and full name
 - Under Categories, select “Water Rights Topics”
 - Select “Russian River Tributaries Emergency Regulation”
 - Click “Subscribe” button at top
- Respond to confirmation email

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Resources – Additional Information

- Webpage:
 - http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/water_action_russianriver.shtml
- Russian River Tributaries Emergency Regulation
Phone Number: (916) 322-8422
- Russian River Tributaries Emergency Regulation
Email:
rr_tribs_emergency_reg@waterboards.ca.gov

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Other Resources (beyond State Water Board)

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Break: Please take this opportunity to:

- Discuss the Voluntary Drought Initiative Program with CDFW and NMFS
 - Discuss additional questions with State Water Board ,CDFW, and NMFS staff
-
- Following the break we will reconvene with stakeholders that would like to discuss additional short- and long-term solutions and any other topics of interest

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Additional Slides for Information (not covered as part of presentation)

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Water Rights Information

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California Water Rights

- **Riparian Water Right:** A right to use the natural flow of water on riparian land (such as land that touches a lake, stream, river, or creek).
 - Initial Statement of Diversion and Use Form: http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/
- **Appropriative Water Right:** A right for direct diversion of water to parcels that do not qualify for a riparian right, or for storage of water on any parcel.
 - Water Right Application Form: http://www.waterboards.ca.gov/waterrights/publications/forms/forms/docs/app_form.pdf

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Types of Appropriative Rights

- Permit/License
- Small Domestic Use Registration
- Livestock Stockpond Registration
- Small Irrigation Use Registration
- Stockwatering Certificate (program sunsetted 12/31/1997)
- Other types: federal non-reserved, pre-1914 claims, etc.

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Small Irrigation Use Registration

- Defined as either:
 - An irrigation use, heat control use, or frost protection use, not to exceed diversion to storage of **20 acre-feet per annum**, including impoundment for incidental aesthetic, fire protection, recreational, or fish and wildlife purposes; or
 - An irrigation use not to exceed direct diversion of **42,000 gallons per day, or up to a maximum of 20 acre-feet per annum**. (Wat. Code, § 1228.1, subd. (b)(2).)
- Registration for Small Irrigation Use Appropriation Form: http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/siu_registration.pdf

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Livestock Stockpond Use Registration

- Issued for livestock watering as well as incidental aesthetic, recreation, and fish/wildlife enhancement
- Up to 4,500 gallons per day of direct diversion and 10 acre-feet per year of storage (combined total not to exceed 10 acre-feet per year). (Wat. Code, § 1228.1, subd. (b)(3).)
- Registration for Livestock Stockpond Use Appropriation Form: http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/lisu_registration.pdf

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Small Domestic Use Appropriation

- Issued for domestic use (including up to ½ acre of irrigation) as well as incidental aesthetic, recreation, and fish and wildlife enhancement
- Up to 4,500 gallons per day of direct diversion, and 10 acre-feet per year of storage (combined total not to exceed 10 acre-feet per year). (Wat. Code, § 1228.1, subd. (b)(1).)
- Registration for Small Domestic Use Appropriation Form: http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/sdu_registration.pdf

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Emergency Storage Tank Registration (Small Domestic Use)

- The California Department of Fish and Wildlife (CDFW), in collaboration with the State Water Board, has developed an expedited process for applying conditions to Small Domestic Use registrations for diversions that meet certain criteria.
- Registrations that meet these criteria are known as Emergency Tank Storage Registrations.

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Emergency Storage Tank Conditions

1. The registration is submitted during a Drought Emergency declared by the Governor
2. The registration is submitted for a project that includes an existing water right that is being used for domestic use
3. The registration proposes storage in closed tank systems constructed of rigid materials (not open ponds or bags/bladders)

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Emergency Storage Tank Conditions(cont.)

4. The storage will provide sufficient water for at least 60 days of use based on the daily amounts described in the registration and include a period of forbearance whereby the registrant agrees to not divert water under any basis of right for domestic purposes
5. The project is located in coastal streams within the boundaries of CDFW's Region 1 or Region 3
6. The registrant completes and submits the California Department of Fish and Wildlife Self-Certification Form for Emergency Tank Storage Registrations, which is located in the Registration for Small Domestic Use Appropriation Form:
http://www.waterboards.ca.gov/waterights/publications/forms/forms/docs/sdu_registration.pdf

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Activities that do not require a Water Right Permit, License, or Statement

- Percolating groundwater (e.g., groundwater that does not flow in a subterranean stream, etc.)
- Use of purchased water (when the provider has a valid right to cover the use of such water)
- Springs with no natural outlet to stream
- Diffused surface runoff (collection of rain water, melting snow, etc.)

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Russian River Tributaries Emergency Regulation Background Information

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Definitions

- **Gray water.** Untreated rainwater collected in a runoff capture system or any water meeting the definition provided in Health and Safety Code 17922.12.
- **Ornamental turf.** All turf other than turf used for community recreation.
- **Landscapes.** All plantings besides ornamental turf: trees, plants, but not agricultural commodities as defined in Gov.'t code 51201(a).

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Other Definitions (referenced in Russian River Tributaries Emergency Regulation)

- Agricultural Commodities (Government Code section 51201(a)): "any and all plant and animal products produced in this state for commercial purposes, including, but not limited to, plant products used for producing biofuels"
- Commercial Agricultural Use (Government Code section 51201(b)): "use of land, including but not limited to greenhouses, for the purpose of producing an agricultural commodity for commercial purposes:
- Recycled Water (Water Code section 13050(n)):

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Other Definitions (referenced in Russian River Tributaries Emergency Regulation)

- Recycled Water (Water Code section 13050(n)): "water which, as a result of treatment of waste, is suitable for a direct beneficial use or a controlled use that would not otherwise occur and is therefor considered a valuable resource"

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