

David E. LaBrie  
Sanitary Engineering Associate  
State Water Resources Control Board  
Division of Water Rights

## **Resume'**

### **Employment History**

May 2011 to Present – SWRCB, Division of Water Rights, Enforcement Unit 1  
January 2000 through April 2011 – SWRCB, Division of Water Rights, Complaint Unit  
October 1996 through December 2000 – SWRCB Division of Water Rights,  
Bay/Delta Unit  
March 1978 through September 1996 – CA Department of Water Resources,  
Division of Planning

### **Experience**

I have 16 years of experience in water right enforcement. As a member of Enforcement Unit 1, I investigated the diversion and use of water by post-1914 water right holders during the drought periods of water unavailability in 2014 and 2015; in 2013, I inspected diversions made under permit or license from North Coast streams for compliance with bypass terms; and, in 2011 and 2012, I investigated unauthorized diversions to storage (illegal reservoirs) in the AB2121 North Coast region. As a member of the Complaint Unit, I investigated water right complaints throughout the State from 2000 to 2011.

As a member of the Bay/Delta Unit, I worked for four years as part of a multi-disciplinary team to (1) develop and evaluate alternatives for meeting flow and water quality objectives in the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay/Delta Plan) and (2) prepare the environmental impact report (EIR) for implementing the Bay/Delta Plan. During my 18 years with the California Department of Water Resources (Department), I worked primarily in the State Water Project Planning Branch assisting with project feasibility studies and environmental impact analyses of proposed additions to the State Water Project (SWP).

### **Education**

I majored in Geography at California State University, Sacramento with concentrations of study in Environmental Studies, Physical and Natural Science, Economics, and Statistics. I have sufficient credits (143 semester units) for graduation and have completed most of the requirements for a Bachelor of Arts degree in Geography.

I have taken numerous training courses in engineering, hydrology, water right laws and regulations, irrigation technology, investigation techniques, Public Trust resources, and environmental impact analysis.

## Responsibilities and Duties

As a Sanitary Engineering Associate in the Division of Water Rights, Enforcement Section, I have the following responsibilities and duties:

- Investigate the diversion and use of water in California.
- Investigate water right complaints alleging: unauthorized diversion and use of water; violation of permit terms and conditions; harm to prior right holders; waste or unreasonable use of water or unreasonable method of diversion; and/or, unreasonable adverse impacts to public trust resources.
- Review, analyze and interpret the terms and conditions of water right permits and licenses, including the review of related documentation in the Division's files to discern the intent of the terms and conditions.
- Research and gather information regarding water diversions that are under investigation to determine whether the diversions are subject to the permitting authority of the State or are being made under other claim of right.
- Conduct field inspections, make stream flow measurements and reservoir surveys, and collect other physical data regarding stream systems and related diversion works.
- Interview water diverters and their consultants regarding the diversion and use of water.
- Apply knowledge of engineering, hydrology and California water rights commensurate with the highest paraprofessional level to analyze data and available evidence.
- Make findings of fact pertaining to: the basis of right for subject diversions; compliance with the terms and conditions of water right permits and licenses; waste or unreasonable use of water or unreasonable method of diversion; and, unreasonable adverse impacts to public trust resources.
- Prepare staff reports of investigation documenting the findings of fact and relevant information gathered during water right investigations, analyzing the evidence and the findings of fact, and making recommendations regarding the disposition of the water right investigation that are consistent with State law, SWRCB policies, and Division procedures.
- Work with violators to bring them into compliance with State law and water right terms and conditions.
- Under the direction of Division management, prepare draft and final enforcement actions based on the investigation findings of unauthorized diversion, violation of permit terms, waste or unreasonable use, or unreasonable adverse impacts to public trust resources.

## Additional Experience

Special assignment in 2010 to help develop new flow criteria for the Sacramento-San Joaquin Delta ecosystem necessary to protect public trust resources. Primary author of the *Kern Water Bank Wrap-up Report* (1996), a memorandum report documenting the Department's ten-year effort to develop the Kern Water Bank and its Kern Fan Element as a conjunctive use, groundwater banking facility to augment the dependable water supply of the SWP. Special assignments with the Governor's Office of Emergency Services in response to two disasters including the 1995 floods in Southern California and the 1989 Loma Prieta Earthquake.