

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF WATER RIGHTS
AUGUST 5, 2025**

ITEM X

SUBJECT

CONSIDERATION OF A PROPOSED RESOLUTION ADOPTING REVISIONS TO WATER MEASUREMENT AND REPORTING REGULATIONS.

DISCUSSION

The purpose of this item is to consider proposed revisions to existing regulations identified in California Code of Regulations, title 23, division 3, chapters 2, 2.7, and 2.8. The proposed changes (1) improve clarity by translating the existing regulations into plain language; (2) improve the quality and usability of measurement data by standardizing data formats; (3) simplify requirements where possible while still ensuring high-quality data; (4) align requirements with the modernized Water Rights online reporting system called California Water Accounting, Tracking, and Reporting System (CalWATRS); and (5) align reporting for groundwater extractions and diversions with the water year.

Water Code sections 1840, 1841, and 1841.5 require the State Water Resources Control Board (State Water Board or Board) to develop and adopt regulations requiring diverters to accurately measure and report their diversions. Regulations were adopted at California Code of Regulations, title 23, division 3, chapter 2.8 and became effective in 2016. However, these regulations have not resulted in sufficiently high-quality diversion data that are usable for mass analysis of water demand and use. The Board relies on diversion data for forecasting and planning for limited water supplies, administering the water rights priority system, protecting senior water rights holders, protecting the environment, and facilitating collaborative solutions among the Board and local water managers.

Over the last several years, the Board's Division of Water Rights (Division) has conducted extensive outreach to better understand compliance hurdles for diverters and has issued guidance to address low rates of data submission and improve data quality. This effort has included one-on-one meetings with diverters, hosting workshops and listening sessions, and publishing guidance materials. However, despite years of extensive outreach and compliance assistance efforts, data quality and datafile submission rates have not substantially improved, indicating that regulatory changes are needed to successfully implement the original goals of the statute.

As part of the Updating Water Rights Data for California data modernization project, the Division began developing the CalWATRS online reporting platform in 2023. The new platform will improve the management of water rights data by standardizing how data are formatted and submitted, thereby enabling staff to better review and analyze water demand and availability. CalWATRS is expected to become available to diverters in summer 2025. The first reporting deadline under this new system is expected to be in February 2026.

This rulemaking includes minor revisions to chapters 2 and 2.7. These changes ensure consistent references to the electronic submittal of information using the online reporting platform. They also align the reporting period for annual notices of groundwater extraction and diversion with section 5001 of the Water Code to require reports of the amount of groundwater extracted during the water year, rather than during the calendar year. The revisions also require water rights holders and claimants to provide a valid email address to the Board.

Regulatory documents are available at:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/rule_making.html

POLICY ISSUE

Should the State Water Board adopt the proposed resolution (1) making the CEQA finding of categorical exemptions and (2) approving revisions to the water measuring and reporting regulations?

FISCAL IMPACT

To be funded within existing resources.

Information regarding underlying assumptions and other potentially, nonquantifiable impacts is provided in the Economic Impact Analysis, located within the Final Statement of Reasons and available at

https://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/rule_making.html.

REGIONAL BOARD IMPACT

None.

STAFF RECOMMENDATION

Staff recommend that the Board adopt the proposed Resolution.