

Proposed Adoption of Updated Water Measurement and Reporting Regulations

Agenda Item 2
December 2, 2025



Drought Planning Unit, Division of Water Rights

A close-up, vertical photograph of a waterfall, showing the cascading water and the spray at the bottom. The image is in shades of blue and white, with a soft, slightly blurred effect.

Agenda

- Rulemaking Update
- Proposed Revisions
 - Summary of Changes
 - Regulation Effective Dates
- Next Steps



Background and Rulemaking Process Update

Regulation Background

Senate Bill 88 (2015)



**California Code of
Regulations**

**Title 23, §§ 931-938
(2016)**

**“Ch 2.8 Measuring and
Monitoring”**

- Legislation in response to historic 2012-2016 drought
- Diversers of >10 AF/year must measure diversions and submit data
- Measurement data helps:
 - Forecast and plan for limited water supplies
 - Facilitate water transfers, petitions, new applications, flood recharge
 - Protect water rights

Purpose of Regulation Changes

Standardized
measurement data
formatting

Alignment with new
reporting platform
(CalWATRS)

Clarification of required
measurement
parameters

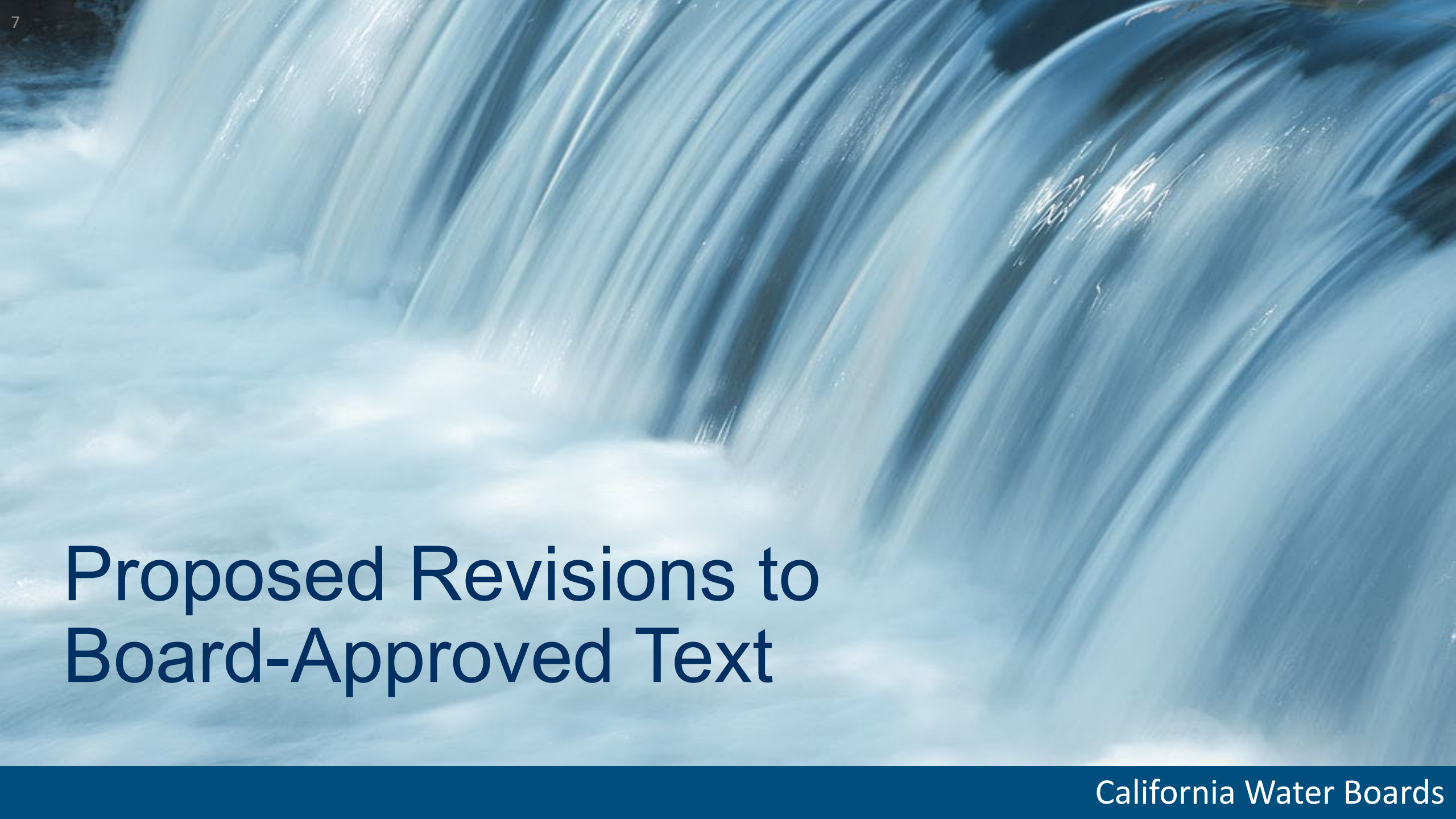
Accessible and useable
weekly data from large
diverters

Improved language,
structure, and
definitions

Better metadata,
including measurement
location and
methodology

Rulemaking Timeline

- February 28: Initial notice issued for revisions to water measurement and reporting regulations
 - Held three public comment periods and virtual APA hearing
- August 5: Board approved revisions to title 23, chapters 2, 2.7, and 2.8
- September 26: Office of Administrative Law (OAL) approved revisions to chapters 2 and 2.7
- October 30: Notice issued for further changes to chapter 2.8 (water measurement) and third 15-day written comment period



Proposed Revisions to Board-Approved Text

Reason for Resubmission

- Threshold Adjustment (Section 938)
 - Clarifying that adjustments may be made at the watershed and sub-watershed level, not statewide
 - Clarifying how adjustments will be noticed and issued
- Deputy Director Approval Considerations (Sections 931 and 935)
 - Clarifying considerations for approval of Qualified Individual courses
 - Clarifying alternate websites for posting Large Diversion Submissions

Changes Since Previous Version

Large Diversion Requirements



- Added specificity for consideration of public website approval
- Still intended for limited approval of broadly accessible platforms

Threshold Adjustments



- Clarified the process for Deputy Director adjustment of thresholds/schedules
- Public comment period for any adjustments

Implementation Dates



- Dates of most requirements postponed a year
- Align with water year
- Detailed timeline on next slide

Regulation Effective Dates (Updated)

October 2026 (Start of WY27)

- Measure according to updated requirements
- Continue submitting large diversion data according to existing requirements

January 2027

- Report WY26 data according to existing requirements
- Register devices
- Submit measurement methodology or ACP

October 2027

- Begin submitting large diversion data according to updated requirements

January 2028

- Report WY27 data according to updated requirements

2026

2027

2028

Water Year 2026

Water Year 2027

Water Year 2028

Updated Rulemaking Package



Available materials include:

- Updated Regulation Text
- Summary of October 2025 Proposed Changes
- Previously released rulemaking documents, including the Initial Statement of Reasons (ISOR) and Economic Impact Assessment

View the updated rulemaking package and supporting materials on our Rulemaking website:

<https://bit.ly/MeasurementRulemaking>

Proposed Revisions DO NOT Affect:

- Economic or Fiscal Impact of Regulation
 - No changes to statewide impact below \$10M
- CEQA Categorical Exemption(s)
 - 15306: Information Collection
 - 15301: Existing Facilities
 - 15302: Replacement or Reconstruction
 - 15303: New Construction or Conversion of Small Structures
 - 15304: Minor Alterations to Land

Next Steps

If adopted by the Board today:

- Staff submit Rulemaking Record to Office of Administrative Law
 - Requesting early effective date of February 1, 2026
 - Measurement requirements take effect **October 1, 2026**

Public Outreach:

- Update guidance materials
- Virtual workshop early 2026
- One-on-one meetings

Resources

Water Measurement and Reporting Regulation Rulemaking Webpage

<https://bit.ly/MeasurementRulemaking>



Water Measurement and Reporting Information Webpage

<https://bit.ly/MeasurementWebsite>



Contact Us:

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