The background image shows a concrete structure, likely a weir or flume, used for water measurement. A white rectangular box is mounted on top of the structure. A vertical ruler is placed against the side of the structure to measure water levels. The structure is situated in a stream or river with visible rocks and some vegetation on the banks.

Update on Implementing the Water Diversion Measurement and Reporting Regulation



Kathy Mrowka and Nathan Weaver
STATE WATER RESOURCES CONTROL BOARD
October 5, 2016

Background

- Governor Brown signed Senate Bill (SB) 88 on June 24, 2015 requiring diverters of 10 acre-feet of water or more to measure and monitor their diversions by January 2016 pursuant to regulations adopted by the Board.
- The State Water Board adopted the regulation to implement SB 88 on January 19, 2016.
- The Office of Administrative Law approved the regulatory action on March 21, 2016.

Primary Components of the Regulation

- Reporting
- Measurement

4. AMOUNT OF WATER DIVERTED AND USED

Note: Please report only the amounts diverted and used under this supplemental statement only. Do not report water diverted under other water rights, groundwater, or water supplied or purchased from others.

4a. Choose the unit:
☐ Gallons ☒ Acre-feet (AF) **2**

4b. ☒ Check this box if the amount of water used is the same as the amount directly diverted. Do not check this box if your use of water is non-consumptive or if you have no use of water. If no use, enter 0 (zero) **2**

4c. Enter numerals only (no commas or letters). If no water was diverted or used, enter 0 (zero)

	Amount directly diverted	Amount diverted or collected to storage	Amount used 2
January			
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			
Total	0	0	0

4d. If the total water diverted or used above is 0, please provide an explanation. Pre-1914 claim holders may lose their rights for



Why Measure and Report?

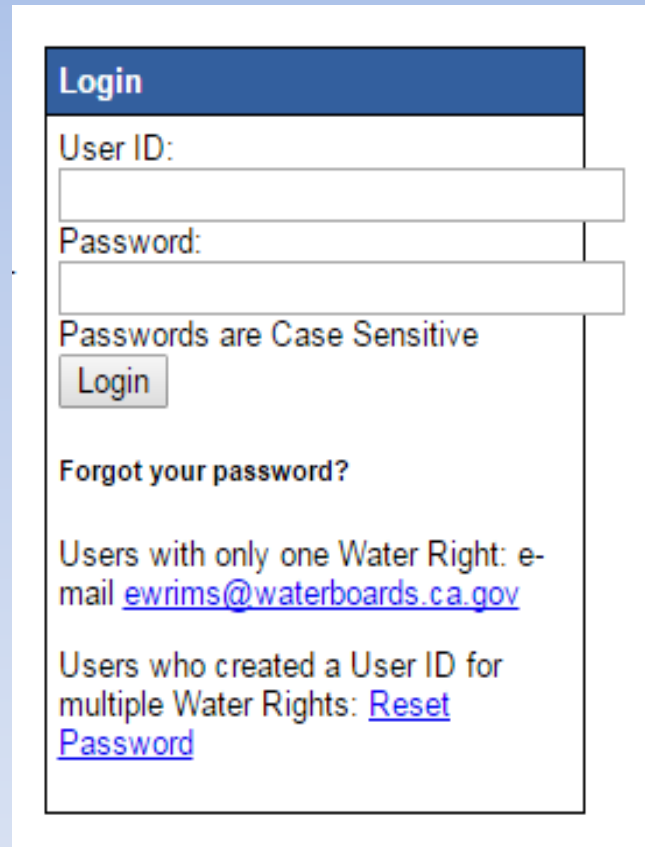
- The implementation of improved measurement and reporting will:
 - Improve water right administration.
 - Improve transparency of diversion records allowing the Board and all water users to more efficiently manage and use available water supplies.
 - Improve the protection of public trust resources.

Annual Reporting Requirements

- Water use reports shall be filed on an annual basis and shall document diversions made during the prior calendar year.
- Reports for permits, licenses, registrations (domestic, stock, and small irrigation), and stock pond certificates are due April 1.
- Reports for Statements are due July 1.

ON-LINE REPORTING

- On-line reporting is required for all water use reports.
- The Report Management System (RMS) is used by water right claimants to submit the reports.



The screenshot shows a web form titled "Login" in a blue header. Below the header are two input fields: "User ID:" and "Password:". Below the password field is a note "Passwords are Case Sensitive" and a "Login" button. Further down is a link "Forgot your password?". At the bottom, there are two lines of text: "Users with only one Water Right: e-mail ewrims@waterboards.ca.gov" and "Users who created a User ID for multiple Water Rights: [Reset Password](#)".

Login

User ID:

Password:

Passwords are Case Sensitive

Login

Forgot your password?

Users with only one Water Right: e-mail ewrims@waterboards.ca.gov

Users who created a User ID for multiple Water Rights: [Reset Password](#)

Measurement Information

- Measurement information will be included on the annual water use report.
 - Simplify reporting - one form for the diverter to file and update.
 - After initial data entry, the measurement information will pre-populate in future water use reports.
 - Measurement devices may be added, updated, or deleted at any time.

Measurement Requirements

Type of Diversion	Installation Deadline	Required Accuracy	Required Monitoring	Installation And Certification
Direct Diversion \geq 1000 afa	January 1, 2017	10%	Hourly	Engineer/Contractor/Professional
Direct Diversion \geq 100 afa / Storage \geq 200 af	July 1, 2017	10%	Daily	Engineer/Contractor/Professional
Direct Diversion $>$ 10 afa / Storage \geq 50 af	January 1, 2018	15%	Weekly	Individual experienced with measurement and monitoring
Storage $>$ 10 af	January 1, 2018	15%	Monthly	Individual experienced with measurement and monitoring

New Measurement Forms

- Measurement Method Form
 - A draft of this form is currently posted on the website for public comment.
- Alternative Compliance Plan Form and Request for Additional Time Form
 - Public comments were solicited on the draft forms in September.

Measurement Method

- A measurement method is a way to measure diversions without installing a measuring device at every point of diversion or use.
- Typically: device + math.
- Examples:
 - Measuring diversions with pump electrical readings and a formula for the pump's capacity.
 - Measuring multiple landowners' diversions through a shared ditch system with one device.
 - Measure remote diversions at the place of use, accounting for conveyance losses from the point of diversion.

Alternative Compliance Plans

- Available where strict compliance with measurement requirements:
 - Is not feasible,
 - Would unreasonably affect public trust uses,
 - Would result in the waste or unreasonable use of water, or
 - Would be unreasonably expensive.
- Plans must document why alternative compliance is necessary.
- Plans based on cost or expense concerns must include a cost analysis.

Alternative Compliance Plans

- Do not eliminate measurement entirely.
- Must still achieve the closest attainable compliance, including Plans claiming that strict compliance is unreasonably expensive.



Summary of Public Outreach

- Division and DIT staff are creating uniform water rights reporting forms for all right types.
- Division and Watermaster staff developed forms for Alternative Compliance, Measurement Method, and Request for Additional Time.
- Division staff is continuously responding to a dedicated email and phone line regarding the regulation.

Summary of Public Outreach

- Division and Watermaster staff have presented and participated in numerous public meetings and question and answer sessions.
- Division and Watermaster staff have held meetings and teleconferences with water right claimants, consultants, Cattlemen's Associations, Farm Bureaus, and other stakeholder groups to discuss the new requirements.
- Board staff hosted the Information Fair on August 22, 2016.

Measurement and Reporting Fair

- The Division held an Information Fair at the CalEPA Building.
- The information fair brought together approximately 300 water right claimants, vendors, and other professionals employed in the water measurement industry.



Measurement and Reporting Fair



Issue - Measuring Water in Small Ponds and Reservoirs

Actions Taken:

- Staff has made numerous presentations on this topic at stakeholder meetings.
- Staff has developed materials to assist owners of small ponds and reservoirs to comply with the measurement and reporting requirements.
- The owners of small ponds and reservoirs have until January 1, 2018 to comply.

Issue - Measuring Water Diverted in the Delta

Actions Taken:

- The Delta Watermaster has conducted numerous discussions on this topic at stakeholder meetings.
- Diverters in the Delta are working together to address known issues.
- The Delta Watermaster is encouraging collaboration and experimentation to find reasonable and cost effective solutions.
 - Experiment consortium organizational meeting will be convened on October 12.

Issue – Alternative Compliance Plans

Actions Taken:

- Staff has made numerous presentations on this topic at stakeholder meetings.
- Staff is developing materials to assist diverters in choosing between a Measurement Method and an Alternative Compliance Plan.
- The Delta Watermaster is working with the Suisun Resource Conservation District on an ACP for the Suisun Marsh; LAND is also working on an ACP for areas in the north Delta.

Issue – Diverters Not Aware of Measurement/Reporting Requirements

Actions Taken:

- All diverters were sent a letter informing them of the reporting and measurement requirements.
- Staff has presented at a number of public meetings, including the Information Fair.
- Website is updated to track new developments as the regulation is implemented.
- Email notifications are sent to inform stakeholders of significant updates.



Update on Implementing the Water Rights Measurement and Reporting Regulation



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