

---

## State Water Resources Control Board

### NOTICE OF SOLICITATION REGARDING IMPROVEMENTS TO THE IMPLEMENTATION AND ENFORCEMENT OF WATER RIGHTS DURING DROUGHT CONDITIONS

**NOTICE IS HEREBY GIVEN** of the opportunity to provide written recommendations and information to the State Water Resources Control Board (State Water Board or Board) on actions that should be taken to most effectively implement and enforce the water rights priority system in future dry years. Upon request, State Water Board staff is also available to meet with interested persons to discuss recommendations. State Water Board staff will use the information it receives from this solicitation and meetings with interested persons to develop a report to the State Water Board by January 31, 2015, on recommended improvements to implementation and enforcement of water rights during drought conditions.

#### BACKGROUND

On July 2, 2014, the State Water Board adopted [Resolution No. 2014-0031](#), approving drought-related emergency regulations for curtailments of water diversions to protect senior water rights. Recognizing that drought conditions may continue into 2015, the Board described in the resolution its intent to engage stakeholders in an assessment of the information used to make water availability and water right priority determinations and recommend improvements:

To assure that the State Water Board is prepared for another dry year, it will engage with stakeholders in various watersheds over the next six months to refine data and gather input on how to most effectively implement and enforce the water rights priority system in future dry years. The primary objective is to improve the State Water Board's and the water users' confidence in the technical tools and analysis that will be used for making determinations on water availability relative to water rights priority. The Executive Director and staff will provide a report with recommendations to the Board by January 31, 2015. As part of this process, State Water Board staff and stakeholders will consider: 1) the State Water Board's January 1978 "Dry Year Program" and its recommendations for enforcing the water rights priority system; 2) the 2014 curtailment and complaint process; 3) the quality of the data in the water rights database for post-1914 and pre-1914 appropriate water rights and riparian water rights (including as compared to the reported demand data in the 1978 Dry Year Program Report, statewide planning models and other available information); and 4) opportunities to expand and improve data and database capabilities to assist with the implementation of the water rights priority system in future dry years.

## STAKEHOLDER INPUT

Pursuant to the procedures discussed below, interested persons may provide input to the State Water Board staff in writing or may request to meet with State Water Board staff to discuss recommendations. Specifically, State Water Board staff is requesting recommendations on what actions should be taken in the near-term and what actions should be taken in the longer-term related to the following questions, as well as other issues related to this matter:

- 1) What actions, if any, should the State Water Board take to improve the Board's information and analyses to support determinations on water availability relative to water right priority, including, but not limited to, improvements to supply, demand and watershed specific information and water right priority information?
- 2) What actions should the Board take to better communicate information about limited water availability relative to water right priorities, including the need and basis for curtailments of water diversions?
- 3) What, if any, changes should be made to enhance the effectiveness of the State Water Board's curtailment process, including measures to protect the public interest, health and safety and public trust resources?
- 4) What, if any changes should be made to enhance the effectiveness of the State Water Board's complaint process?
- 5) Should the State Water Board pursue any additional authorities or policies to more effectively implement and enforce the water rights priority system?
- 6) How can the Board better assist water users in planning for upcoming dry periods?
- 7) What additional actions, if any, should the Board take to prepare for the next dry year or series of dry years?

Additional information concerning the State Water Board's past and present drought activities, including water use curtailments and associated issues, can be found on the Board's website at:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/drought/index.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/index.shtml)

## PROCEDURAL MATTERS

In order to be fully considered, written comments must be received by **noon on Wednesday, October 15, 2014**. Interested persons are encouraged to submit their comments and other material electronically by email to [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov) (if less than 15 megabytes in total size) with the subject "**Dry Year Report Comments.**" Written comments may also be delivered by mail to:

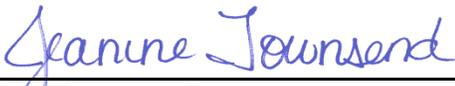
Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-0100

Couriers delivering hard copies of comment letters must check in with lobby security personnel, who can contact Ms. Townsend at (916) 341-5600.

**CONTACT INFORMATION**

For questions concerning this notice or to inquire about scheduling an informal meeting please contact Michael Buckman, Chief of the Hearings Unit, at (916) 341-5448 or by email at [Michael.Buckman@waterboards.ca.gov](mailto:Michael.Buckman@waterboards.ca.gov).

September 10, 2014  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Jeanine Townsend  
Clerk to the Board