



PREPARE NOW FOR A SUPER EL NIÑO

Big storms could bring big groundwater recharge opportunities

Strong El Niño conditions could bring more precipitation and high-flow storms to California.

During certain extreme flood events, California allows you to recharge groundwater aquifers with floodwater without a water right permit.

What You Need to Know

Under California Water Code §1242.1, you can divert floodwater during qualifying flood conditions without a water right permit to recharge groundwater while helping to reduce flood risks. Specific conditions, protections, and reporting requirements apply.

When You Can Divert

- You can only divert during qualifying flood conditions.
- Conditions are determined by a local or regional agency that has a flood protection plan or a flood-risk section in its most recent general plan.
- Diverters do not determine when diversion can begin or end.

When to Stop

You must stop diverting as soon as the flood conditions in your local or regional agency's notice have lessened and downstream flood risk has ended.

Before You Begin

Your local or regional agency must first notify the public that downstream water is at imminent risk of flooding land, roads, or structures.

Once the notice is issued, you can begin diverting, subject to all other requirements.

Where the Water Can Go

Whenever possible, use existing groundwater recharge sites, such as percolation ponds. If existing sites are unavailable, floodwater can be applied to areas that have been used for agriculture in the last three years and are:

- Not associated with animal facilities.
- Not where manure or pesticides have recently been applied.

Additional protective conditions may apply. See the State Water Board's Flood Recharge Diversions [Technical Guidance Document](#) for more information.

How Much You Can Divert

There is no limit to the amount of floodwater you can divert, but you must:

- Use existing infrastructure or temporary pumps with protective screens.
- Apply floodwater to eligible areas.
- Not create additional flood risks, harm water quality or water supplies, or damage critical infrastructure.
- Comply with your local or regional agency's flood notice.

Other conditions may apply. See the State Water Board's Flood Recharge Diversion [Technical Guidance Document](#) for details.

Special Rules in the Delta

Additional conditions apply when diverting from Sacramento-San Joaquin Delta tributaries. See the State Water Board's Flood Recharge Diversion [Technical Guidance Document](#) for details.

You Don't Own or Control the Water

Floodwater diversions without a water right permit do not create a water right or give the diverter ownership or control of the water. The diverted water provides a net benefit to the groundwater basin.

A Groundwater Sustainability Agency (GSA) can establish a program to provide groundwater credits for qualifying recharge.

If you are interested in a water right for groundwater recharge, see the State Water Board's Permits for Groundwater Recharge [webpage](#).

Don't Forget to Report

Even though you don't need a water right permit, you must submit three reports to the State Water Board (and your GSA, if one exists) when diverting floodwater:

- **Diversion Notice:** Due at least 48 hours before diversion, if possible, but no later than 48 hours after diversion begins.
- **Preliminary Report:** Due within 14 days after diversion begins.
- **Final Report:** Due within 15 days after diversion ends.

For each report, you need to complete an [online form](#).

Plan Ahead

If you are interested in floodwater recharge, prepare before the next major storm:

- Understand the requirements.
- Identify potential diversion and recharge sites.
- Find out how your local or regional agency notifies the public of flood risks.
- Be ready to meet reporting deadlines.

Learn More

Visit the State Water Board's Flood Recharge Diversions [webpage](#) for requirements, forms, and technical guidance.