



*California Land Stewardship Institute's  
Agricultural Water Conservation Program*

# New Regulations for Measuring and Reporting Water Use

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# Emergency Regulation for Measuring & Reporting – so what's this all about?

- Senate Bill 88 – passed June 24, 2015
- Establishes measuring, monitoring & reporting requirements
- State Water Resources Control Board authorized to adopt emergency regulations for implementation
- Draft Regulations issued for comments Dec 2015
- Revised Draft Regulations considered for adoption by State Water Board yesterday (January 19, 2016)



# Who is affected by new regulations?

- Any person who diverts water under a Permit, License, Registration, Certificate
- Any person who is required to file a Statement of Water Diversion & Use (pre-1914 and riparian users)

## Primary components of new regulation

- Measurement & recording of water diversion and use
- Reports to the State Water Board



# Who is affected by new regulations?

- Authorized to divert more than 10 acre-feet annually under a Permit or License
- Previously diverted, or intends to divert, more than 10 acre-feet annually & is required to file a Statement of Water Diversion & Use
- Authorized to divert more than 10 acre-feet annually under a Registration
- Has a storage facility with a capacity more than 10 acre-feet under a Registration
- Has multiple rights for the same reservoir or serving same place of use if the sum exceeds 10 acre-feet



# What will be required?

- Measuring devices
- Data recording devices:
  - Date of diversion
  - Time of diversion
  - Amount diverted
  - Flow rate
  - Water level elevation
- Types of devices required are dependent on the type and size of diversion



# Examples of Measuring Devices



## Staff Gages

- Measurement of water levels in reservoirs
- Can be read manually
- Pressure transducer required for hourly and daily readings
- Requires area-capacity curve from reservoir survey

## In-line Flow Meter

- Can be read manually
- Totalizer device & recorder required for hourly & daily readings



# Accuracy of Measuring Devices

- Level of accuracy required depends on:
  - Date device was installed
  - Amount being diverted
  - Amount being stored
- Accuracy of all devices must be certified
  - Installed prior to Jan 1, 2016 – certified by qualified individual & documented in a report
  - Installed after Jan 1, 2016 – certified by laboratory/manufacturer *prior to* installation, or certified by qualified individual & documented in report *after* installation



# Accuracy of Measuring Devices

## Certification of measuring device accuracy

### Direct Diversions

Installed before Jan 1, 2016 requires 15% accuracy

Installed after Jan 1, 2016

5% if using laboratory certification

10% for non-lab certification and amount  $\geq 100$  AF / year

15% for non-lab certification and amount  $\geq 10$  AF / year

### Storage in Reservoir

Installed before Jan 1, 2016

10% accuracy for storage capacity  $> 200$  acre-feet

15% accuracy for storage capacity  $> 10$  acre-feet but  $< 200$  acre-feet

## Calibration of measuring devices

- At time of installation and at least once every 5 years thereafter



# When do we have to comply?

## Deadlines for installation & certification of measuring devices

### **On or before JULY 1, 2016 (Proposed)**

- Greater than 1,000 acre-feet for individual right, or sum of cumulative rights for same facility or place of use

### **On or before JANUARY 1, 2017**

- Greater than 100 acre-feet for individual right, or sum of cumulative rights for same facility or place of use

### **On or before JANUARY 1, 2018**

- Greater than 10 acre-feet for individual right, or sum of cumulative rights for same facility or place of use



# When do we have to comply?

## Deadlines for installation & certification of measuring devices

- Additional time for compliance must be approved by State Water Board Deputy Director
- Cannot exceed 24 months delay
- Valid reasons for extension
  - Awaiting a grant or loan for compliance; or
  - Time needed to access site; or
  - Time needed to obtain other agency permits; or
  - Time needed to comply with construction time periods; or
  - Unforeseen circumstances



# Measuring Device Requirements

Device or method should be capable of recording the required information as follows:

## Direct Diversions

- HOURLY for allowed annual amount of 1,000 AF or more
- DAILY for allowed annual amount of 100 AF or more
- WEEKLY for allowed annual amount of 10 AF or more

## Storage in Reservoir

- HOURLY for allowed annual amount of 1,000 AF or more
- DAILY for allowed annual amount of 200 AF or more
- WEEKLY for allowed annual amount of 50 AF or more
- MONTHLY for allowed annual amount of 10 AF or more



# Summary of Basic Requirements

Type of Diversion	Installation Deadline	Required Accuracy	Required Monitoring	Installation & Certification
Direct Diversion $\geq$ 1000 AFA	July 1, 2016	10%	Hourly	Engineer/Contractor/Professional
Direct Diversion $\geq$ 100 AFA	January 1, 2017	10%	Daily	Engineer/Contractor/Professional
Direct Diversion $\geq$ 10 AFA or Storage $>$ 50 AF	January 1, 2018	15%	Weekly	Individual experience with measurement & monitoring
Storage $>$ 10 AF	January 1, 2018	15%	Monthly	Individual experience with measurement & monitoring



# Annual Water Use Reporting

Changes in annual reporting to State Water Resources Control Board:

- **Permits & Licenses:**
  - Annual reports due on/before March 31, 2016 (proposed)
- **Supplement Statements of Water Diversion & Use:**
  - Annual reports due on/before June 30, 2016
- Must be filed electronically
- State Water Board may not give notice that your water use report is due
- Water use based on new measurement requirements to be included in annual use reports.



# Additional Information

- State Water Resources Control Board's Information on Emergency Regulation for Measuring and Reporting

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/measurement\\_regulation](http://www.waterboards.ca.gov/waterrights/water_issues/programs/measurement_regulation)

Phone: (916) 341-5300

Email: [dwr-measurement@waterboards.ca.gov](mailto:dwr-measurement@waterboards.ca.gov)

- Register on above website to receive email notifications of actions pertaining to this regulation.





# Questions ?