

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF WATER RIGHTS
MARCH 17, 2015**

ITEM 4

SUBJECT

CONSIDERATION OF A PROPOSED RESOLUTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO AMEND THE INTERAGENCY AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF WATER RESOURCES (DWR) FOR SPECIFIED DROUGHT RELATED ACTIVITIES

DISCUSSION

Through its water rights policies and actions, the State Water Board controls and oversees water supply availability and activities such as processing water rights, voluntary water transfers, and enforcement and compliance monitoring. The Governor's January 17, 2014 Proclamation of a Drought State of Emergency directs the State Water Board to put water right holders throughout the state on notice that they may be directed to cease or reduce water diversions based on water shortages.

Proper allocation of water is based on the priority of water rights. When a critical dry year or drought occurs, the State Water Board must analyze the demand for water in individual watersheds and allocate the limited supply to senior water right holders, and curtail junior right holders from exercising their water rights. Similar to 2014, it is expected that curtailment notices will be issued to thousands of water right holders. Once the notices are issued, a field presence will be required to ensure compliance with curtailments. Water right holders found diverting despite curtailment notices will be subject to enforcement action by the State Water Board.

In 2014, the State Water Board entered into an interagency agreement with the Department of Water Resources (DWR) to provide staff support to conduct inspections and assist with enforcement and other activities, as appropriate for up to \$500,000. The existing interagency agreement with DWR for personnel services must now be augmented to support the over 1000 field inspections now planned for 2015.

Staff is proposing to add an additional \$230,000 to the existing interagency agreement to support near-term activities. A total of up to \$1.2 million in support may be needed in the future.

POLICY ISSUE

Should the State Water Board authorize the Executive Director to amend the interagency agreement with DWR for up to \$1.2 million to support drought activities?

FISCAL IMPACT

Funding is available and has been identified for contracts.

REGIONAL BOARD IMPACT

None.

STAFF RECOMMENDATION

The State Water Board should approve the resolution.

State Water Board action on this item will assist the State Water Board in reaching Goal 4 of the Strategic Plan Update: 2008-2012: Comprehensively address water quality protection and restoration and the relationship between water supply and water quality, and describe the connections between water quality, water quantity, and climate change, throughout California's water planning processes.

DRAFT

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2015-

AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE INTERAGENCY AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF WATER RESOURCES (DWR) FOR SPECIFIED DROUGHT RELATED ACTIVITIES

WHEREAS:

1. On January 17, 2014 and as modified on April 25, 2014, Governor Edmund G. Brown, Jr. issued a State of Emergency Drought Proclamation (SEDP).
2. In compliance with the SEDP, the State Water Board shall take necessary actions to administer the water rights system, including conducting inspections and taking enforcement actions, to prevent or stop the illegal use of water.
3. On May 27, 2014, the State Water Board entered into an Interagency Agreement with the Department of Water Resources (DWR) to provide funding to assist in these activities. The amount of the Interagency Agreement is currently \$500,000.00.
4. Additional authority, up to \$1.2 million, may be necessary to administer the water rights system in this fourth year of drought, with a near-term increase of \$230,000 required to accomplish the activities under the scope of the existing Interagency Agreement for the remainder of this fiscal year.
5. Approval of this agreement will ensure continued reimbursement by the State Water Board for services conducted by DWR staff.

THEREFORE BE IT RESOLVED THAT:

The State Water Board authorizes the Executive Director to amend Interagency Agreement 13-114-300 with DWR, for an amount of up to \$1.2 million for drought related actions.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on March 17, 2015.

Jeanine Townsend
Clerk to the Board