

**SUBJECT: Enforcement Policy Public Outreach Q&A from March 11, 2019.**

**Introduction**

*The Q&A summary is not verbatim, but they capture the essence of the subject.*

**Questions from the public:**

**Question:** We have received Enforcement letters. It seems like enforcement action has been occurring, but you don't have a policy.

**Water Rights staff response:** Those letters were sent out to specific statutes and regulations. In the past, the only time we made contact was due to a problem. The things that resulted in penalties and fees. We have a complicated water rights system in statutes and regulations, and we are trying to put something together. What they mean? How will we apply them? Numerous regulations guide our work. During the drought, we only worked on drought-related inspections. It did not go back to helping people understand their licenses/permits because this is new/transparency, we want to bring this up to you. During drought, we have regulations, report or fine. Now we have this effort that takes 1.5 years, report. Report. Report. If you do not follow the request/ reminders to report, then ACL. Is how we're doing this efficient? These are a lot of people that are complying. We want to make sure there's a leveled playing field.

**Audience comment:** Online, it's very simple. Online works fine.

**Question:** You showed the graph of complaints in 2016. Did the types of complaints change?

Kyle: Mainly the complaints are related to theft of water and drought. Not too many were waste and unreasonable use. We have to look into what type of complaints we received, and we can follow up with you.

**Question:** Some part of the policy should address the people who have water rights but have not submitted the required paperwork.

**Water Rights staff response:** What should we do?

Audience: State should reach out to people who are using water but do not know they need to report. There should be some avenue so that individuals are not subject to enforcement when they are coming into compliance.

**Water Rights staff response:** That is something that we could do. Please let us know how?

**Office of Enforcement staff response:** Acknowledged that this is the challenge of transitioning from regulation and law-making to implementation.

**Question:** Is there any connection between AB 747 and Policy?

**Water Rights staff response:** What we're trying to look for is clear articulation new AB 747 is separate, really at the speculative phase. AB 747 includes the hearings team/judge. Policy is the execution.

Is it a policy with objectives and goals? What direction is it headed in? What is a priority complaint from the Board? We are concerned about blank. How will we go through with an enforcement plan?

**Question:** Is there any movement on data? The USGS water registration system doesn't align with this set up.

**Water Rights staff response:** We don't have the proposals currently to align the water right reporting system with the USGS registration system.

**Office of Enforcement staff response:** We have a date set in Water Code for reporting, if we were to change it, we would need to change the regulations – which would take time.