



Informational Item: Informational update on status of DWR's Agricultural Water Measurement Regulations being developed under SBX7-7, Water Conservation Bill of 2009

Background

The state's comprehensive water package, enacted in November 2009, requires agricultural water suppliers to implement efficient water management practices, outlined in SBX7-7, by July 31, 2012.

One of these required practices is to "measure the volume of water delivered to customers..." In support of this requirement, the Department of Water Resources (DWR) is required to "adopt regulations that provide for a range of options that agricultural water suppliers may use to implement or comply with the measurement requirement..." (WC § 10608.48). Agricultural water suppliers are required to measure the volume of water delivered to customers with sufficient accuracy to report aggregated farm-gate deliveries (total volume of water an agricultural water supplier provides to its customers calculated by totaling its deliveries to individual customers) to DWR and to adopt a pricing structure for water customers based at least in part on quantity delivered.

In July 2010, DWR convened an Agricultural Stakeholder Committee (ASC) and a Water Measurement Subcommittee with representatives from agriculture, environmental groups, water agencies, academia and other interested parties to provide guidance as DWR staff prepare a draft regulation. Fourteen stakeholder meetings have been held to date. A first draft of the emergency regulation language was presented to the stakeholders on January 18, 2011. At the Commission's January meeting, DWR staff provided a status update and briefing on the draft regulation. DWR staff had intended to submit the draft regulation to the Commission in April 2011; however, stakeholders requested additional time to review and comment on the regulation. DWR staff plans to present both the emergency and permanent water measurement regulations to the Commission for approval at the May 2011 meeting.

Next Steps

Once the emergency and permanent regulations are adopted by the Commission, DWR will submit the emergency regulation to the Office of Administrative Law (OAL). It will be in effect for 180 days after it is approved by OAL. At that point, DWR will submit the permanent regulation to the OAL to begin the permanent rulemaking process which will include a public comment period as well as public hearings and CWC adoption before it is resubmitted to OAL for their final review and approval.

Agenda Item: 10

Meeting Date: April 20, 2011

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