



**Action Item:** Update on Agricultural Water Measurement Regulations and Consideration of any proposed changes

SBx7-7, enacted in November of 2009, includes provisions on water conservation, measurement, and reporting activities for agricultural water suppliers. One part of this law requires the Department of Water Resources to adopt regulations that provide for a range of options that agricultural water suppliers may use to comply with a new requirement to measure the volume of water delivered to customers.

For the past year, DWR has coordinated with the Agricultural Water Management Council and a stakeholder committee to develop regulations on a range of agricultural water measurement options that water suppliers may use to measure water delivered to customers.

### **Background**

At the May 18 and June 15 meetings of the California Water Commission, and the May 11 and June 7 meetings of the Commission's Rules and Regulation Committee, the Commission heard public comment regarding DWR's proposed Agricultural Water Measurement Regulation. On June 15, the Commission approved language for the emergency and permanent regulations by an 8-1 vote.

In June 2011, DWR submitted the emergency regulation to the Office of Administrative Law (OAL). The emergency regulation was approved by OAL on July 5 and is in effect for 180 days. DWR also submitted the permanent regulation to the OAL to begin the permanent rulemaking process which included a 45-day public comment period beginning July 22 and two public hearings. The hearings were held on August 24 in Sacramento and September 8 in Fresno.

DWR staff will provide the Commission with a summary of the public hearings and the public comments that have been submitted. Staff will propose revisions to the regulation in response to the public review process. If approved by the Commission, the proposed changes in the regulation would be made available for public review. After a 15-day public comment period the regulation will be brought back to the Commission at a future meeting for approval.

### **Recommended Action**

Following the staff briefing on public review and comments received, the Commission will consider the draft regulation. The Commission may either endorse the current version or make further changes. Changes will require additional public review prior to Commission approval of the regulation.

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Meeting Date: September 21, 2011

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**Attachments**

CWC Resolution 2011-02 <http://cwc.ca.gov/docs/SignedResolution-2011-02.pdf>

Text of Regulation (July 12, 2011 version)

[http://www.water.ca.gov/wateruseefficiency/sb7/docs/Revised%20Ag%20Water%20Measurement%20Reg%20Adopted\\_07052011.pdf](http://www.water.ca.gov/wateruseefficiency/sb7/docs/Revised%20Ag%20Water%20Measurement%20Reg%20Adopted_07052011.pdf)