



Action Item: Consideration of Final Agricultural Water Measurement Regulations

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 (DWR) to adopt regulations that provide for a range of options agricultural water suppliers may use to measure the volume of water delivered to customers.

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

In June 2011, DWR submitted an emergency Agricultural Water Measurement regulation to the Office of Administrative Law (OAL), with the Commission's approval. The emergency regulation was approved by OAL on July 5 and was 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.

After a series of revisions and additional 15-day public comment periods, the Commission approved the final regulation language at its November 2011 meeting. DWR sent the adopted language to the OAL for final approval.

On February 2, 2012, the OAL disapproved the regulation. After considering the OAL's response, the Commission modified the language of the regulations at its February 2012 meeting, triggering an additional 15-day comment period. At its March 2012 meeting, the Commission considered comments received during the public comment period. Based on the comments received, the Commission decided to make clarifying changes to the regulation and begin another 15-day public comment period.

At the April 2012 meeting, the Commission will consider comments made during the public comment period and may choose to submit the final regulation to OAL. The Commission has 120 days from the initial disapproval to resubmit the regulation to OAL.

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