

DROUGHT AND FEE RELATED FREQUENTLY ASKED QUESTIONS

- 1. Why were fees increased for the 2014-15 fiscal year?**
 - a. By law, Water Rights Fees must be set to equal the amount appropriated by the Legislature for Water Rights regulatory expenditure. Fee revenue is deposited into the Water Rights Fund to pay for most of the cost of Water Rights activities. To calculate the amount needed to be collected through fee revenues, the Division also considered the amount of carryover in the Water Rights Fund, which serves as a prudent reserve for economic uncertainty.
- 2. Why are fees required during a drought/curtailment period?**
 - a. Fees are set at the beginning of each fiscal year so that the State Water Board will collect revenue in the amount set by the Legislature for support of the Water Rights Program. The fees are calculated based on the face value (i.e., the total annual amount of diversion authorized) of the permit or license without regard to water availability or terms or conditions. (Cal. Code Regs., tit. 23, § 1066, subd. (b).) This helps to ensure the funding source is relatively stable. Dry or wet year conditions aren't known in advance and may fluctuate widely throughout the year and throughout the state. Therefore, fees are based on the face value of the water right and not the actual amount of water diverted. .
- 3. Can fees be waived during the drought/curtailment period?**
 - a. The State Water Board does not have authority under the Water Code to waive fees, including during a drought/curtailment period.
- 4. Can a person appeal the Water Rights fee because of the drought/curtailment period?**
 - a. Any annual fee payer can file a petition for reconsideration of the State Water Board's determination that a person is required to pay an annual fee or a determination regarding the amount of the fee. The annual notice provides the specific grounds for seeking a reconsideration. The California Code of Regulations, title 23, section 1077 specifies the requirements for filing a petition for reconsideration. These instructions are listed on the Board of Equalization (BOE) invoice for persons who receive assessments from BOE. The petition must be filed with the State Water Board within 30 days from the date of the assessment.
- 5. Who do I contact if I have questions about drought/curtailments or my bill?**
 - a. If you have questions regarding drought/curtailments you can access all available information on our Drought Year Information website located at http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/index.shtml or by calling the Drought Year/Curtailment Hotline at (916) 341-5342.
 - b. If you have questions about Water Rights fees in general you can view the available information on our fee information website located at http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/ or if

you have specific questions about your bill you can contact the Division of Water Rights Fee Unit at (916) 341-5341.