

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – DIVISION OF WATER RIGHTS  
AUGUST 4, 2015**

**ITEM 4**

**SUBJECT**

CONSIDERATION OF A PROPOSED RESOLUTION TO AMEND FUNDING FOR INTERAGENCY AGREEMENT 13-114-300 BETWEEN THE STATE WATER RESOURCES CONTROL BOARD (STATE WATER BOARD) AND THE DEPARTMENT OF WATER RESOURCES (DWR) FOR REIMBURSABLE SERVICES CONDUCTED BY THE DWR STAFF

**DISCUSSION**

Through its water rights policies and actions, the State Water Board controls and oversees water supply availability and activities such as processing water rights, voluntary water transfers, and enforcement and compliance monitoring. The Governor's January 17, 2014 Proclamation of a Drought State of Emergency directs the State Water Board to put water right holders throughout the state on notice that they may be directed to cease or reduce water diversions based on water shortages.

Proper allocation of water is based on the priority of water rights. When a critical dry year or drought occurs, the State Water Board analyzes the supply and demand for water in individual watersheds. The State Water Board notified water right holders in key watersheds where this analysis demonstrated that there is not sufficient water available to meet their needs. Inspectors have been visiting many watersheds to determine whether more junior water right holders are continuing to divert water when there is insufficient supply available to meet their needs. Water right holders found diverting when supplies are not available to serve their priority of right will be subject to enforcement action by the State Water Board.

The Enforcement/Compliance Units tasks were greatly expanded due to the drought and it is anticipated that over 1000 field inspections will be conducted through FY 2015/2016. An amendment to the interagency agreement with DWR for personnel services will ensure the State Water Board maintains a consistent field presence. This agreement will add additional resources to the Water Rights Enforcement Program so that an effective drought program can be implemented.

Without the interagency agreement with DWR, it is likely that the limited water resources available during critically dry years will be poorly managed due to the inability to identify and enforce the curtailment of water diversions in a timely manner. These additional staff resources are needed now so that the very limited supply of water projected to be available this year can be beneficially used to the maximum extent possible without causing harm to drinking water supplies and the public health and safety.

The State Water Board must authorize an amendment to increase the current funding from \$1,000,000 to \$1,600,000 in the existing agreement (13-114-300) and to increase the contract authority from \$1.2 million to \$2.0 million in anticipation of future needs and resources.

**POLICY ISSUE**

Should the State Water Board authorize the Executive Director to amend the funding for the interagency agreement with the Department of Water Resources?

**FISCAL IMPACT**

Funding is available and has been identified for contracts.

**REGIONAL BOARD IMPACT**

None.

**STAFF RECOMMENDATION**

The State Water Board should approve the resolution.

State Water Board action on this item will assist the State Water Board in reaching Goal 4 of the Strategic Plan Update: 2008-2012: Comprehensively address water quality protection and restoration and the relationship between water supply and water quality, and describe the connections between water quality, water quantity, and climate change, throughout California's water planning processes.

# DRAFT

## STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2015-

### AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE INTERAGENCY AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF WATER RESOURCES (DWR) FOR SPECIFIED DROUGHT RELATED ACTIVITIES

#### WHEREAS:

1. On January 17, 2014 and as modified on April 25, 2014, Governor Edmund G. Brown, Jr. issued a State of Emergency Drought Proclamation (SEDP).
2. In compliance with the SEDP, the State Water Board shall take necessary actions to administer the water rights system, including conducting inspections and taking enforcement actions, to prevent or stop the illegal use of water.
3. On May 27, 2014, the State Water Board entered into an Interagency Agreement with the Department of Water Resources (DWR) to provide funding to assist in these activities. The amount of the Interagency Agreement is currently \$100,000.00.
4. Additional authority, up to \$2.0 million, is needed to administer the water rights system during the drought to accomplish the activities under the scope of the existing Interagency Agreement.
5. Approval of this agreement will ensure continued reimbursement by the State Water Board for services conducted by DWR staff.

#### THEREFORE BE IT RESOLVED THAT:

The State Water Board authorizes the Executive Director to amend Interagency Agreement 13-114-300 with DWR, for an amount of up to \$2.0 million for drought related actions.

#### CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on August 4, 2015.

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Jeanine Townsend  
Clerk to the Board