

Water Rights Permitting for Groundwater Recharge Projects

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Recharge & Water Rights

- Capturing and storing surface water in a groundwater basin for later use requires an appropriative water right
 - Recharge = type of storage, not a beneficial use
- Special Situations



Temporary Permits for Recharge

- Last 180 days, but stored water remains available
- Water Rights Fees: now reduced to \$100+ (recharge of high flow events)
- Executive Order B-39-17: CEQA suspended and prioritized processing **for local and state agencies** (recharge of high runoff events)



Temporary Permits - Process

- Evaluate water availability, consult with Dept. of Fish and Wildlife, CEQA (if applicable)
- Findings: (1) public interest, (2) urgent need, (3) no injury to legal users, (4) no unreasonable effect on fish, wildlife, instream beneficial uses
- Issue public notice – Objections



Tips for Temporary Permitting

- Fish and wildlife concerns
 - Recommend early contact with Dept. of Fish & Wildlife
- Showing beneficial use
 - Consult early with Permitting staff on possible approaches
- Linking water stored to water used



Surface Water Availability

- Standard permit: Unappropriated water must be available (Wat. Code § 1375(d))
 - Consider senior diverters, fisheries, instream beneficial uses
 - Data sources: streamflow gage and precip. data, flow models, instream flow criteria, eWRIMS
 - Temp. permit: review available information (§ 1427(a))
- Diverting very high flows → lower risk of injury to other users / fish and wildlife



Interested?

- Visit the Permitting Section's Groundwater Recharge page:
http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/groundwater_recharge/
- Staff Contacts
 - Sarah Sugar: sarah.sugar@waterboards.ca.gov or (916) 341-5426
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