

Workshop on Fees and Processing of Temporary Permits for Groundwater Recharge

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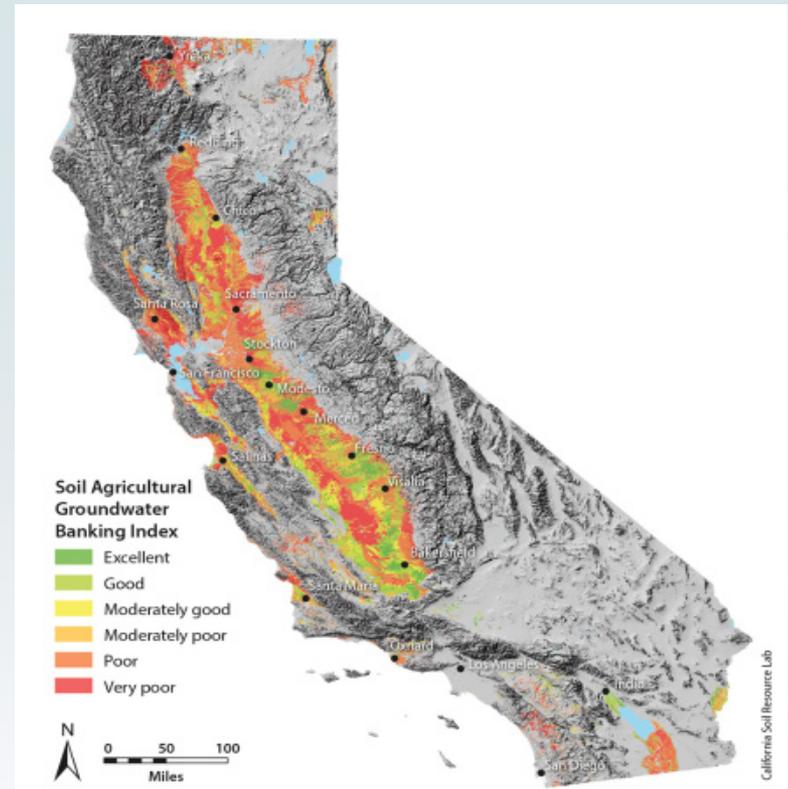
Workshop Overview

- I. Introductions and Background on Water Rights
- II. Part 1 - Filing Fees for Temporary Permits
 - a) Water Rights Staff Presentation
 - b) Questions & Public Comment
- III. Part 2 – Permitting Process for Recharge
 - a) Water Rights Staff Presentation
 - b) Yolo County FC&WCD Presentation
 - c) Questions & Public Comment



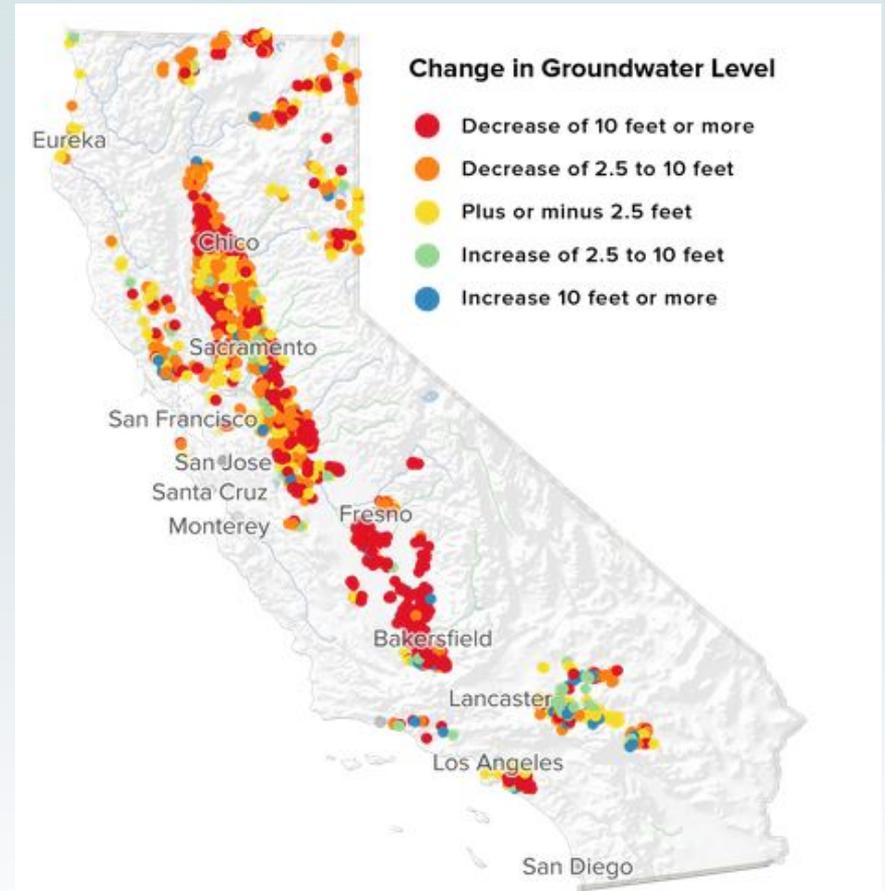
What is Groundwater Recharge?

- Groundwater recharge is the augmentation of groundwater, by natural or artificial means.
- Artificial recharge can involve:
 - dedicated recharge basins
 - injection wells
 - inflatable dams
 - non-traditional spreading grounds (e.g., ag fields, unlined canals)



Why the Interest?

- Drought and groundwater overdraft
- Sustainable Groundwater Management Act



Groundwater level changes reflect difference between Spring 2004 to Spring 2014 (past decade), and Spring 2013 to Spring 2014 (past year).

Source: *Groundwater Information Center, California Department of Water Resources*



Sustainable Groundwater Management Act

- A framework for sustainable, local groundwater management.
- SGMA:
 - Creates new authorities for local Groundwater Sustainability Agencies (GSAs)
 - Requires Groundwater Sustainability Plans (GSPs) in certain high-use groundwater basins
- Increased interest in groundwater pilot projects and studies



Groundwater Recharge & Water Rights

- A water right permit is needed to capture and store surface flows in a groundwater aquifer for later beneficial use by any party.
- Special situations may include:
 - Projects covered by an existing water right
 - Projects using recycled water
 - Projects designed solely for flood control
- Groundwater recharge is not a “beneficial use”, but water *can* be stored underground for later municipal use, irrigation, or other uses.
- How to get coverage? Temporary Permit or Long-term Permit



Temporary vs. Standard Permits

	Temporary (WC § 1425)	Standard (WC § 1260)
Application	<ul style="list-style-type: none"> • Subject to CEQA* • Public Trust Consideration • Requires review of available information for water availability • Findings per WC § 1425 • Subject to filing of objections 	<ul style="list-style-type: none"> • Subject to CEQA* • Public Trust Consideration • Require formal Water Availability Analysis • Findings per WC § 1375 • Subject to filing of protests
Time-frame	<ul style="list-style-type: none"> • Faster application processing • Expire after 180 days • Must be renewed for the duration water stored under permit is used 	<ul style="list-style-type: none"> • Application processing may take multiple years • Long-term as long as beneficial uses continue
Best for...	<ul style="list-style-type: none"> • One-off projects • Diversions in short-term while standard permit is processed • Fully Appropriated Streams 	<ul style="list-style-type: none"> • Long-term conjunctive use, underground storage projects



Part 1 – Filing Fees



Source: UCANR



Presentation Outline

- Background on Division of Water Rights fees
- Current Fee Structure
- 2016 Temporary Permits – Processing Efforts
- Fee Structure Ideas and Consideration for FY 2016/2017 – Groundwater Recharge Projects



Background on Water Rights Fees

- In 2003, the Budget Act required the State Water Board, Division of Water Rights program to be supported by fee revenues.
- The State Water Board adopts emergency fee regulations and establishing fees to be deposited in the Water Rights Fund.
- The State Water Board must annually set a fee schedule that will generate revenues equal to an amount set by the Legislature.



Sources of Revenue

- Revenue sources for the Water Rights Fund include, but are not limited to:
- Annual Fees:
 - Permits and Licenses
 - Pending Applications* and Petitions
 - Projects related to FERC licensing
 - USBR fees for the Central Valley Project (defer to contractors)
- Filing Fees:
 - Application for Permit and Temporary Permit
 - Petitions (Change, Extension, Urgency, Wastewater, and Transfer of water)
 - Registrations Program (Small Domestic, Stockpond or Small Irrigation Use)



Filing Fee Structure, FY 2015-16

	Minimum Fee	Fee Structure	Maximum Fee
Standard Permit¹	\$1,000	\$1,000 + \$15 per ac-ft in excess of 10 ac-ft	\$498,665
Standard Temporary Permit¹	\$2,000	Half the fee for an equivalent standard permit or \$2,000, whichever is greater	\$249,333
Temporary Permit for Groundwater Recharge (effective 1/15/2016)^{1,2}	\$100	\$100 + \$1 per 100 ac-ft in excess of 10,000 ac-ft (based on amount <u>actually</u> diverted)	N/A

¹ An additional fee of \$850 is required for the Department of Fish and Wildlife Streamflow Protection Standards review (Pub. Resources Code, § 10005)

^{1,2} Projects capturing high flow events



Two Groundwater Recharge Projects

Scott Valley Irrigation District

- Requested diversion to groundwater storage of 5,400 acre-feet
- Under normal filing fee: \$40,925
- Under emergency fee regulation: \$100

Yolo County FC & WCD

- Requested diversion to groundwater storage of 40,000 acre-feet
- Under normal filing fee: \$249,333
- Under emergency fee regulation: up to \$400

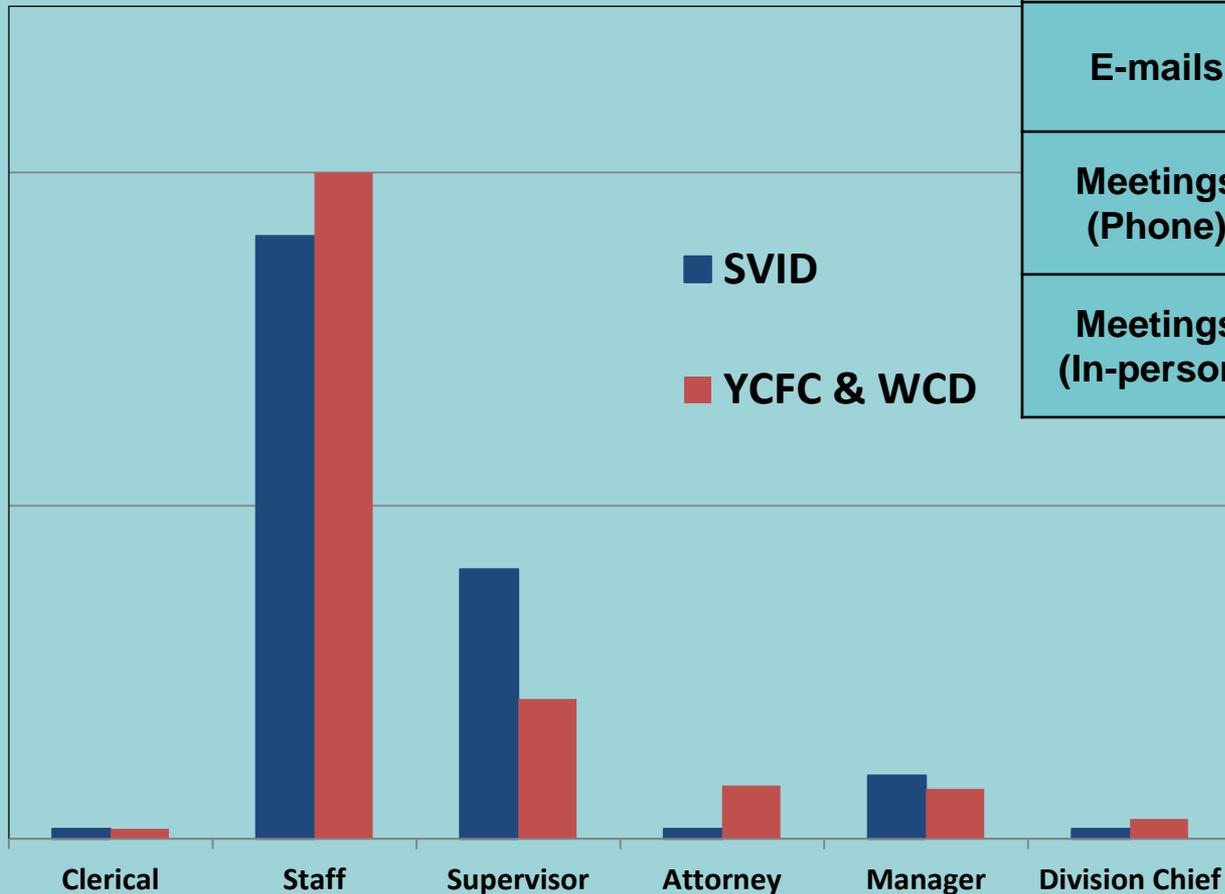


Processing Timeline

	Initial Consultation	Application Submittal	Permit Issuance
Scott Valley Irrigation District	December 4, 2015	January 13, 2016	January 15, 2016
Yolo County FC&WCD	December 4, 2015	January 28, 2016	February 3, 2016



Processing Effort



	SVID	YCFCWCD
E-mails	~25	~30
Meetings (Phone)	5	3
Meetings (In-person)	0	3

Fee Structure Consideration

- What types of projects do fee stakeholders want to encourage? Distribution of costs
- Consideration of staff effort
- Your ideas to set amount, and why?
- How should fees for these types of projects compare to fees for other projects?



Fee Structure Proposals for Groundwater Recharge FY 2016-17

- Should fees be based on amount of water applied for, or based on amount of water successfully diverted? (for projects capturing high flow events)
- Should filing fees for initial temporary permit applications differ from renewals, and how?
- Other Ideas?



Next Steps

- Collect your input today
- Discuss further within our general Water Rights Fees Stakeholder process
 - Next meeting is scheduled for June 3. More info available at: <http://www.waterboards.ca.gov/resources/fees/stakeholder/>
- Reconsider fee when adopting updated emergency fee regulations in the Fall



Suggestions

Comments



Part 2 – Permitting Process



Source: SVID



Source: UC Davis



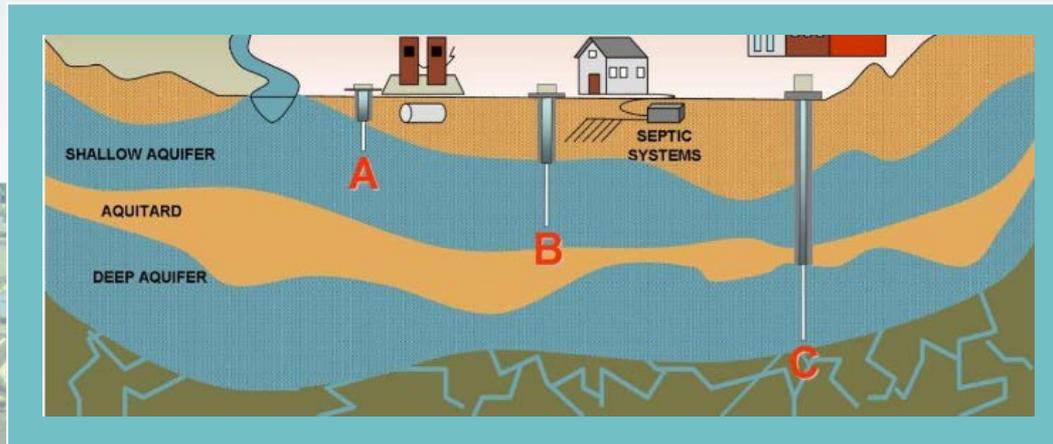
Presentation Outline

- Walkthrough of the Temporary Permitting Process
- Recharge Permit Examples
- Yolo County FC&WCD Presentation
- Ongoing Questions



Pre-Application Submittal

- Gather available information on:
 - Production wells and aquifer characteristics
 - Percolation rates and land use
 - Beneficial uses and Measurement
 - Water availability and downstream users
 - Potential environmental impacts and CEQA
 - Urgency of the Project
- Consult with Division staff, other agencies, right-holders



Agencies to Consult

- California Department of Fish and Wildlife
- Regional Water Quality Control Board
- Department of Water Resources*
- U.S. Bureau of Reclamation*
- U.S. Army Corps of Engineers
- Other local, state and federal agencies

*For Sacramento & San Joaquin River watersheds



Staff Analysis

- Review available information on water availability and downstream users (WC § 1427[a])
- Consult with the Department of Fish and Wildlife (WC § 1427[b])
- Make a field investigation, if necessary (WC § 1427[c])



Staff Analysis (cont'd)

- CEQA and/or Public Trust Analysis
- Findings (WC § 1425):
 - Urgent need
 - No injury to any lawful user of water
 - No unreasonable effect on fish, wildlife and instream beneficial uses
 - Public interest
- Noticing (WC § 1428)



Monitoring & Compliance

- Monitoring requirements will depend on specifics of the project.
- Temporary permits expire 180 days after issuance.
 - May be renewed after 180 days if not all water has been put to beneficial use.



Underground Storage Case Study – Orange County Water District

- Divert 362,000 ac-ft/yr to underground storage from Santa Ana River (adjudicated stream system)
- Aquifer is well-characterized, and infiltration areas have known percolation rates
- Measuring devices at points of diversion
- Measured withdrawal at 565 production wells before delivery to customers



Scott Valley Irrigation District

- Applied to divert up to 5,400 acre-feet from Scott River to underground storage (Jan 1 – March 31) to augment summer flows for fish and wildlife
- Infiltration areas: Unlined canals and dormant agricultural fields
- UC Davis is also conducting a pilot study on a 15-acre alfalfa field
- SVID to provide a summary report by October 1, 2016



Scott Valley Irrigation District



Yolo County Flood Control & Water Conservation District

- Applied to divert up to 40,000 ac-ft from Cache Creek (Jan 1 – April 30) for irrigation use
- Infiltration areas: Unlined canal system and dormant agricultural fields
- District has an existing network of groundwater monitoring wells
- District to provide summary report by September 30



Presentation by
Yolo County Flood Control &
Water Conservation District



Demonstrating Beneficial Use

- When the applicant is not the party pumping the water:
 - How could the applicant show beneficial use?
 - How could the applicant confirm water is extracted under the permit and not a different right?
- In areas with limited groundwater modeling and monitoring, how could you track uses and losses?
- How could accounting requirements vary based on the end use of the water or basin characteristics?



Diverting High Flows

- How could thresholds be determined to differentiate high flows versus available flows?
- Should there be an expedited process for diversion of higher flows versus available flows?
- How should channel-forming flows be protected?



Next Steps

- Collect input and comments
- Post presentation and comments on webpage
- Consider comments in development of long-term strategy



Suggestions

Comments



Additional Information

- Sign-up to get updates and announcements at:
<http://www.waterboards.ca.gov/resources>
- Groundwater Recharge webpage:
http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/groundwater_recharge/
- Submit comments by Friday, April 29th to:
sarah.sugar@waterboards.ca.gov or
darren.tran@waterboards.ca.gov

