

Staff Workshop – Flood Diversions for Groundwater Recharge Under Water Code 1242.1

October 9, 2024



Division of Water Rights

Workshop Etiquette:



- Workshop is being recorded



- Participants are muted/cameras off



- Questions? Post in chat or follow up by email to

FloodDiversion@waterboards.ca.gov

Erica Haight

Senior
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CA Department of Water
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Adam Weinberg

Senior
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Supervising
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State Water Resources
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WHAT TO EXPECT FROM WORKSHOP

- Who can divert?
- What and when can I divert?
- How can I divert?
- Where can I spread the water?
- What else should I be aware of?
- How do I report?

WHAT TO EXPECT FROM WORKSHOP

Important Information from Agency Partners:

DWR, Erica Haight –

- Flood Diversion
- Recharge Enhancement

CDFW, Adam Weinberg –

- Emergency vs. Non-emergency Diversions
- Screen Requirements

Flood Diversions Without Water Rights



Image: Tulare Lake Basin 2023,
Dept. of Water Resources

Governor's Executive Order
N-4-23
March 10 to June 1, 2023

Governor's Executive Order
N-7-23
May 17 to August 31, 2023

Senate Bill 122 to add
Water Code 1242.1
July 10, 2023 to January 1, 2029

All diversions reported to
the Board,
Board posts to website

Introduction to Water Code §1242.1

- Adopted on July 10, 2023 & lasts until January 1, 2029.
- Helps restore groundwater levels, depleted from overreliance and drought, and alleviates flood impacts.
- Suspends permitting and CEQA requirements that usually apply when diverting water for later use.
- Clarifies diversion of flood flows for flood management and can be used to recharge aquifers.
- Does not create a water right, including right to ownership or control.

Who Can Divert?

- Any party can utilize the water code (does not restrict party type).
- The diverter does not need to be the local entity who sets the diversion trigger conditions.
- The diverter is required to comply with the water code conditions, including reporting requirements.
- Diverter needs ownership or access granted by owner to diversion works and lands used for recharge.

What Can I Divert?

- Surface water
 - rivers
 - streams
 - lakes
- Floodwaters portion of the flow

When Can I Divert?

- Local or regional agency has an active public notice that flows downstream of the point of diversion are at imminent risk of flooding and inundation of lands, roads, or structures.
- The flood determination is based on consideration of flood risk in the agency's most recently adopted local plan of flood control or general plan.
- Where are notices? Local agency's website, electronic distribution list, emergency notification service or another means.
- Need help identifying agencies or finding notices? Contact DWR's Flood Operations Center - Mike Mierzwa.

When Can I Divert?

- For diversions in the watershed of the Sacramento River and San Joaquin River Delta, diverters must also confirm the Delta is in an “Excess” condition.
- Excess condition is when flows exceed the water supply needed to meet in-basin uses plus State Water Project and Central Valley Project Delta diversions.

Daily Delta Conditions

Daily Delta conditions are posted by DWR and available here:

<https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/State-Water-Project/Operations-And-Maintenance/Files/Operations-Control-Office/Delta-Status-And-Operations/Delta-Operations-Daily-Summary.pdf>

PRELIMINARY DATA

SUBJECT TO REVISION WITHOUT NOTICE

EXECUTIVE OPERATIONS SUMMARY ON 6/18/2024

This summary, State Water Project informational data, and data for previous 30 day
<https://water.ca.gov/Programs/State-Water-Project/Operations-and-Maintenance/>

SCHEDULED EXPORTS FOR TODAY

Clifton Court Inflow = 800 cfs

Jones Pumping Plant = 2,700 cfs



ESTIMATED DELTA HYDROLOGY

Total Delta Inflow = 19,439 cfs

Sacramento River = 15,410 cfs

San Joaquin River = 2,471 cfs

DELTA OPERATIONS


 Delta Conditions = Balanced
 

Delta x-channel Gates (% of day is open) = 100%

Outflow Index = 11,900 cfs

% Inflow Diverted = 25.5 (3-day avg)

X2 Position (yesterday) = 73 km

Controlling Factor(s) = Delta Outflow X2

How Can I Divert?



Physically take water out of a stream, river or lake, such as with a pump.



No new construction of permanent diversion infrastructure.



Must use existing infrastructure or temporary pumps.



Temporary pumps must be fitted with screens to minimize impacts to salmon and other aquatic life.

Where Can I Spread the Water?



Existing infrastructure (no new construction).



Use existing recharge locations where available.

Where Can't I Spread the Water?

Barns/ponds/lands where manure/waste from an animal facility that generates waste from the feeding/housing of animals for more than 45 days/year in a confined area that is not vegetated.

Agricultural fields that have been identified as an outlier with respect to nitrogen application by either the State Board/Regional Board/agricultural coalition.

Where Can't I Spread the Water? (cont.)

Areas that could cause damage to critical levees, infrastructure, wastewater/drinking water systems, drinking water wells/supplies, or exacerbate the threat of flood and other health and safety concerns.

Areas not in active agricultural irrigation/cultivation within the past 3 years, except for existing facilities built for recharge or managed wetlands.

What else should I be aware of?

- Not a Water Right. Water Code 1242.1 diversions are not water rights and don't give party that diverts control of the water. A GSA can choose to establish a crediting program or individual groundwater pumpers can use consistent with existing groundwater pumping rules.
- See State Water Board website for more details, including annual reporting. No diversions reported yet.

How Do I Report?

The diverter files the following with the State Water Board and the applicable Groundwater Sustainability Agency:

- **(Diverter) Notice**, at least 48 hours before diverting, if possible, but no later than 48 hours after diversions begin.
- **Preliminary Report**, no later than 14 days after diversions begin.
- **Final Report**, no later than 15 days after diversions end.

Reporting Timelines





Flood Recharge Diversions (Water Code §1242.1) Reporting Forms

Select one box:

<input type="checkbox"/> Notice fill out sections 1-7, 15	<input type="checkbox"/> Initial Report fill out sections 8-15	<input type="checkbox"/> Final Report fill out sections 8-11,14, 15
--	---	--

- Attach verification of reported information, as necessary
- Reports received will be web posted here: [Water Code 1242.1 Website](#)
- Direct questions and notice/report submittals to: FloodDiversion@waterboards.ca.gov

Flood Diversion Reporting is not a Water Right

NOTICE:

- The required Notice shall be filed with the State Water Board **48 hours before** (if feasible, but in no case later than **48 hours after**) diversions begin - §1242.1(g)(1)(A)
- If a website is not provided as proof of notice, attach documentation of noticing (.pdf, .jpg, etc.)
- Calendar date & time (Pacific Standard) the Board receives the submittal serves as the official "filing". The submittal filing date will be posted on the [Water Code §1242.1 website](#)

1 Diverter information:

Owner Name:

Facility Name:

County:

Waterbody Source:

2 Date & time diversions have or will begin: / / : am pm

3 Local entity (flood control agency, city or county) identifying risk of flooding downstream:

Flood threshold/indicator:
(attach if needed)

Method & location of noticing:

Website URL if applicable:

4 Provide an estimate, as of the report's date, of the amount of flood flows to be diverted: (in acre-feet)

Provide locations of all points of diversion (latitude /longitude), and associated assessor parcel numbers (APNs).

The Department of Water Resources maintains a Groundwater Recharge website with tutorials, webinars and a page for general questions. There is also an online application that can be used to help identify coordinates, APNs, acres, GSA information, and develop a map.

Visit this link for more information: <https://data.cnra.ca.gov/dataset/callifornia-groundwater-recharge-information>

5 Attach map showing associated inundation areas.

6 GPS Coordinates (Decimal Degrees):

	Latitude	Longitude
POD #1	<input type="text"/>	<input type="text"/>
POD #2	<input type="text"/>	<input type="text"/>
POD #3	<input type="text"/>	<input type="text"/>

To list additional Points of Diversion (PODs), please see addendum

7 List APNs that could be or were inundated by the diversion activity:

INITIAL & FINAL REPORTS:

- Preliminary report** to be filed with the Board and any applicable GSA, no later than **14 days after** diversions begin - §1242.1(g)(1)(B)
- Final report** to be filed with the Board and any applicable GSA, no later than **15 days after** diversions end - §1242.1(g)(1)(C)

8 Diverter information:

Owner Name:

Facility Name:

County:

Waterbody Source:

9 Diversion dates:

Date diversions began:

(For initial report, leave blank) Date diversions end:

10 Provide an estimate, as of the report's date, of the amount of flood flows diverted: (in acre-feet)

11 Provide an estimate of the maximum area of inundation: (in acres)

12 Local entity (flood control agency, city or county) identifying risk of flooding downstream:

13 You must also provide this report to the Groundwater Sustainability Agency(s) (GSAs) for basin(s) receiving recharge.

Identify GSAs you will notify:

Date will notify: (You may choose to provide GSAs notification as cc's on your submittal email)

Addendum

Additional Points

- POD #4
- POD #5
- POD #6
- POD #7
- POD #8
- POD #9
- POD #10
- POD #11
- POD #12
- POD #13
- POD #14
- POD #15
- POD #16
- POD #17
- POD #18
- POD #19
- POD #20
- POD #21
- POD #22
- POD #23
- POD #24
- POD #25

14 Self Certification for INITIAL/FINAL Reports:

Please check all boxes that apply

- Please verify lands where recharge will occur DO NOT include: Any barns, ponds, or lands where manure or waste from an animal facility that generates waste from the feeding and housing of animals for more than 45 days per year in a confined area that is not vegetated are applied.
- Any agricultural field that has been identified as an outlier with respect to nitrogen application by any of the following: The State Water Board, the appropriate Regional Water Board, an agricultural coalition charged with implementation of the Irrigated Lands Regulatory Program.
- Any area that could cause damage to critical levees, infrastructure, wastewater and drinking water systems, drinking water wells or drinking water supplies, or exacerbate the threat of flood and other health and safety concerns.
- Any area that has not been in active irrigated agricultural cultivation within the past three years, including grazing lands, annual grasslands, and natural habitats. This limitation does not apply to facilities already constructed for the purpose of groundwater recharge or managed wetlands.

Please verify which of these APPLY:

- Existing diversion infrastructure.
- No new permanent construction.
- Temporary pumps.

Please verify use of fish screens:

- Screens constructed of any rigid material, perforated, woven, or slotted, that provides water passage while physically excluding fish.
- Screen face is parallel to the flow and adjacent to the water's edge.
- Upstream and downstream transitions to the screen structure are designed and constructed to minimize eddies upstream of, in front of, and downstream of the screen, while minimizing entrainment to the degree feasible.
- Diverter has reviewed Department of Fish & Wildlife webinar on fish screen recommendations and design parameters.

Please verify if LOCAL/REGIONAL AGENCY situations apply:

- Has adopted a local plan of flood control.
- Has considered flood risk as part of its most recently adopted general plan & has given notice via its internet website/electronic distribution list/emergency notification service/another means of public notice, that flows downstream of the point of diversion are at imminent risk of flooding and inundation of land, roads, or structures.

Please verify that the following APPLY to your diversions:

- Ceased when the flood conditions described in the public notice have abated to the point there is no longer a risk of flooding.
- I understand that diversion under Water Code 1242.1 does not consist of a water right and as such the person or entity making the diversion has no claim to the surface water diverted.

15

By signing below, I certify that all information is true and correct to the best of my knowledge

PRINT NAME (First & Last): TITLE:

EMAIL ADDRESS: COMPANY:

SIGNATURE: SIGN DATE:

ATTACHMENTS

SUBMIT TO EMAIL

Flood Recharge Diversions (Water Code §1242.1)



Reporting Forms

Select one box:

Notice
fill out sections 1-7, 15

Initial Report
fill out sections 8-15

Final Report
fill out sections 8-11, 14, 15

- Attach verification of reported information, as necessary
- Reports received will be web posted here: [Water Code 1242.1 Website](#)
- Direct questions and notice/report submittals to: FloodDiversion@waterboards.ca.gov

Flood Diversion Reporting is not a Water Right

NOTICE:

- The required Notice shall be filed with the State Water Board **48 hours before** (if feasible, but in no case later than **48 hours after**) diversions begin - §1242.1(g)(1)(A)
- If a website is not provided as proof of notice, attach documentation of noticing (.pdf, .jpg, etc.)
- Calendar date & time (Pacific Standard) the Board receives the submittal serves as the official "filing". The submittal filing date will be posted on the [Water Code §1242.1 website](#)

1 Diverter information:

Owner Name:

Facility Name:

County:

Waterbody Source:

2 Date & time diversions have or will begin:

/ / : am pm

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Flood threshold/indicator:
(attach if needed)

Method & location of noticing:

Website URL if applicable:

4 Provide an estimate, as of the report's date, of the amount of flood flows to be diverted:

(in acre-feet)

Provide locations of all points of diversion (latitude /longitude), and associated assessor parcel numbers (APNs).

The Department of Water Resources maintains a Groundwater Recharge website with tutorials, webinars and a page for general questions. There is also an online application that can be used to help identify coordinates, APNs, acres, GSA information, and develop a map.

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POD #3	<input type="text"/>	<input type="text"/>

To list additional Points of Diversion (PODs), please see addendum

7 List APNs that could be or were inundated by the diversion activity:

Addendum		Additional Points of Diversion (PODs)	
POD #4		POD #26	
POD #5		POD #27	
POD #6		POD #28	
POD #7		POD #29	
POD #8		POD #30	
POD #9		POD #31	
POD #10		POD #32	
POD #11		POD #33	
POD #12		POD #34	
POD #13		POD #35	
POD #14		POD #36	
POD #15		POD #37	
POD #16		POD #38	
POD #17		POD #39	
POD #18		POD #40	
POD #19		POD #41	
POD #20		POD #42	
POD #21		POD #43	
POD #22		POD #44	
POD #23		POD #45	
POD #24		POD #46	
POD #25		POD #47	

Fill out "Notice" section

By signing below, I certify that all information is true and correct to the best of my knowledge

PRINT NAME (FNU & LNU): TITLE:

EMAIL ADDRESS: COMPANY:

SIGNATURE: SIGN DATE:

ATTACHMENTS

SUBMIT TO EMAIL

Flood Recharge Diversions (Water Code §1242.1) Reporting Forms



Select one box:	<input type="checkbox"/> Notice fill out sections 1-7, 15	<input checked="" type="checkbox"/> Initial Report fill out sections 8-15	<input type="checkbox"/> Final Report fill out sections 8-11, 14, 15
<ul style="list-style-type: none"> • Attach verification of reported information, as necessary • Reports received will be web posted here: Water Code 1242.1 Website • Direct questions and notice/report submittals to: FloodDiversion@waterboards.ca.gov 			
Flood Diversion Reporting is not a Water Right			

Fill out "Initial" section

INITIAL & FINAL REPORTS:

- **Preliminary report** to be filed with the Board and any applicable GSA, no later than 14 days after diversions begin - §1242.1(g)(1)(B)
- **Final report** to be filed with the Board and any applicable GSA, no later than 15 days after diversions end - §1242.1(g)(1)(C)

8 Diverter information:

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Facility Name:

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13 You must also provide this report to the Groundwater Sustainability Agency(s) (GSAs) for basin(s) receiving recharge.

Identify GSAs you will notify:

Date will notify: (You may choose to provide GSAs notification as cc's on your submittal email)

14 Self Certification for INITIAL/FINAL Reports:

- Please check all boxes that apply
- Please verify lands where recharge will occur DO NOT include: Any barns, ponds, or lands where manure or waste from an animal facility that generates waste from the feeding and housing of animals for more than 45 days per year in a confined area that is not vegetated are applied.
 - Any agricultural field that has been identified as an outlier with respect to nitrogen application by any of the following: The State Water Board, the appropriate Regional Water Board, an agricultural coalition charged with implementation of the Irrigated Lands Regulatory Program.
 - Any area that could cause damage to critical levees, infrastructure, wastewater and drinking water systems, drinking water wells or drinking water supplies, or exacerbate the threat of flood and other health and safety concerns.
 - Any area that has not been in active irrigated agricultural cultivation within the past three years, including grazing lands, annual grasslands, and natural habitats. This limitation does not apply to facilities already constructed for the purpose of groundwater recharge or managed wetlands.
 - Please verify which of these APPLY:
 - Existing diversion infrastructure.
 - No new permanent construction.
 - Temporary pumps.
 - Please verify use of fish screens:
 - Screens constructed of any rigid material, perforated, woven, or slotted, that provides water passage while physically excluding fish.
 - Screen face is parallel to the flow and adjacent to the water's edge.
 - Upstream and downstream transitions to the screen structure are designed and constructed to minimize eddies upstream of, in front of, and downstream of the screen, while minimizing entrainment to the degree feasible.
 - Diverter has reviewed Department of Fish & Wildlife webinar on fish screen recommendations and design parameters.
 - Please verify if LOCAL/REGIONAL AGENCY situations apply:
 - Has adopted a local plan of flood control.
 - Has considered flood risk as part of its most recently adopted general plan and has given notice via its internet website/electronic distribution list/emergency notification service/another means of public notice, that flows downstream of the point of diversion are at imminent risk of flooding and inundation of land, roads, or structures.
 - Please verify that the following APPLY to your diversions:
 - Ceased when the flood conditions described in the public notice have abated to the point there is no longer a risk of flooding.
 - I understand that diversion under Water Code 1242.1 does not consist of a water right and as such the person or entity making the diversion has no claim to the surface water diverted.

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EMAIL ADDRESS: COMPANY:

SIGNATURE: BORN DATE:



Flood Recharge Diversions (Water Code §1242.1)

Reporting Forms



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Flood Diversion Reporting is not a Water Right

Fill out
"Final"
section

INITIAL & FINAL REPORTS:

- Preliminary report to be filed with the Board and any applicable GSA, no later than **14 days after** diversions begin - §1242.1(g)(1)(B)
- Final report to be filed with the Board and any applicable GSA, no later than **15 days after** diversions end - §1242.1(g)(1)(C)

8 Diverter information:

Owner Name:

Facility Name:

County:

Waterbody Source:

9 Diversion dates:

Date diversions began:

(For initial report, leave blank) Date diversions end:

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(in acre-feet)

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(in acres)

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 - Any agricultural field that has been identified as an outlier with respect to nitrogen application by any of the following: The State Water Board, the appropriate Regional Water Board, an agricultural coalition charged with implementation of the Irrigated Lands Regulatory Program.
 - Any area that could cause damage to critical levees, infrastructure, wastewater and drinking water systems, drinking water wells or drinking water supplies, or exacerbate the threat of flood and other health and safety concerns.
 - Any area that has not been in active irrigated agricultural cultivation within the past three years, including grazing lands, annual grasslands, and natural habitats. This limitation does not apply to facilities already constructed for the purpose of groundwater recharge or managed wetlands.
 - Please verify which of these APPLY:**
 - Existing diversion infrastructure.
 - No new permanent construction.
 - Temporary pumps.
 - Please verify use of fish screens:**
 - Screens constructed of any rigid material, perforated, woven, or slotted, that provides water passage while physically excluding fish.
 - Screen face is parallel to the flow and adjacent to the water's edge.
 - Upstream and downstream transitions to the screen structure are designed and constructed to minimize eddies upstream of, in front of, and downstream of the screen, while minimizing entrainment to the degree feasible.
 - Diverter has reviewed Department of Fish & Wildlife webinar on fish screen recommendations and design parameters.
 - Please verify if LOCAL/REGIONAL AGENCY situations apply:**
 - Has adopted a local plan of flood control.
 - Has considered flood risk as part of its most recently adopted general plan & has given notice via its internet website/electronic distribution list/emergency notification service/another means of public notice, that flows downstream of the point of diversion are at imminent risk of flooding and inundation of land, roads, or structures.
 - Please verify that the following APPLY to your diversions:**
 - Ceased when the flood conditions described in the public notice have abated to the point there is no longer a risk of flooding.
 - I understand that diversion under Water Code 1242.1 does not consist of a water right and as such the person or entity making the diversion has no claim to the surface water diverted.

15

By signing below, I certify that all information is true and correct to the best of my knowledge

PRINT NAME (First & Last): TITLE:

EMAIL ADDRESS: COMPANY:

SIGNATURE: SIGN DATE:



ATTACHMENTS

SUBMIT TO EMAIL

Who Do I Report To?

- State Water Board
Division of Water Rights.

<https://www.waterboards.ca.gov/waterrights/water-issues/programs/groundwater-recharge/recharge-diversions.html>

The screenshot shows the website for the State Water Resources Control Board. The header includes the CA.GOV logo, social media share buttons, and navigation links for About Us, Contact Us, Subscribe, and Settings. Below the header is a navigation menu with icons for Board, Programs, Drinking Water, Water Quality, Water Rights, Notices, Water Boards, and Search. The main content area features three landscape images: a snowy mountain lake, a field of yellow flowers, and a stream flowing over rocks. Below the images is a breadcrumb trail: Home | Waterrights | Water Issues | Programs | Groundwater Recharge | Recharge Diversions. The main heading is "Flood Recharge Diversions (Water Code §1242.1)". The text explains that Water Code § 1242.1 allows parties to divert for groundwater recharge without a water right if in compliance with certain requirements. It mentions that the State Water Resources Control Board (State Water Board or Board) previously tracked implementation of a similar effort under Executive Orders N-4-23 and N-7-23. It provides information on diversion reporting, including requirements, forms, reports received, and board annual reports. A red arrow points to the "Reports Received" link in a list of navigation options. Below the text are sections for "Announcements" and "Reporting Form". The "Announcements" section contains a link to a presentation from October 2023. The "Reporting Form" section provides instructions on how to complete reports and the email address for submissions: FloodDivision@waterboards.ca.gov.

Home | Waterrights | Water Issues | Programs | Groundwater Recharge | Recharge Diversions

Flood Recharge Diversions (Water Code §1242.1)

Water Code § 1242.1 allows parties to divert for groundwater recharge without a water right if in compliance with certain requirements summarized below. The State Water Resources Control Board (State Water Board or Board) previously tracked implementation of a similar effort under Executive Orders N-4-23 and N-7-23 . The above webpage provides information on diversion reporting. If you are a party exploring commencing an effort to divert under this water code authority, please first review **Requirements**. When you are ready, get started by checking out **Forms**. If you are an interested party, check out **Reports Received** and the **Board Annual Reports**. Section 1242.1 only applies to flood diversions during the period of July 10, 2023 to January 1, 2029.

- **Announcements**
- **Form**
- **Reports Received**
- Requirements
- Board Annual Reports
- Useful Links
- Contact Us

Announcements

- **New!** Want a quick overview of the new pathway? Check out the October 2023 Board and CDFW staff presentations

Reporting Form

To expedite processing, reports should be completed using the following fillable form. Reports generated online are submitted to the following email address
FloodDivision@waterboards.ca.gov.

Diversion Reports Posted Here:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/groundwater-recharge/recharge-diversions.html#diversion



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Diversion Reports Received

Water Code section 1242.2 requires that the Board post all received diversion reports. If multiple versions of a report are received, all modified versions submitted will be posted on this website.

Diversion Locations. **Coming soon!** Map illustrating the GPS location of all reported diverters and PODs this water year. The Board also intends to post a summary map at the end of each water year as part of the annual report.

Diverter	Report ID	Waterbody Source	Notice Date Time/Link	Diversion Begins	Preliminary Report Date/Link	Diversion Ends	Final Report Date/Link	Acre Feet Diverted	Acres Used for Recharge

Requirements

The diversion of floodflows for groundwater recharge does not require an appropriate water right (e.g., a temporary or regular permit) for diversions between July 10, 2023 and January 1, 2029 if all of the following conditions are met:

- A local or regional agency that has adopted a local plan of flood control pursuant to Water Code section 8201 or has considered flood risk as part of its most recently adopted general plan has given notice via its internet website, electronic distribution list, emergency notification service, or another means of public notice, that flows downstream of the point of diversion are at imminent risk of flooding and inundation of land, roads, or structures.

For purposes of diversions under section 1242.1, "floodflow" means any of the following:

- Where a waterbody is subject to a defined flood stage, flows in excess of flood stage where actions are necessary to avoid threats to human health and safety.
- Surface water has escaped from or is likely to imminently escape from a channel or waterbody causing or threatening to cause inundation of residential or commercial structures, or roads needed for emergency response. "Likely imminent escape from a channel or waterbody" is demonstrated by measured flows in excess of the maximum design capacity of a flood control project, where present, but does not include flows that inundate wetlands, working lands, or floodplains, events that constitute a "design flood," groundwater seepage, or waters confined to a "designated floodway." "Imminent" means a high degree of confidence that a condition will begin in the immediate future. When the flood conditions have abated to the point there is no longer a risk of flooding and inundation of land, roads, or structures downstream of the point of diversion, diversions are no longer authorized under this section.
- Where flows would inundate ordinarily dry areas in the bed of a terminal lake to a depth that floods dairies and other ongoing agricultural activities, or areas with substantial residential, commercial, or industrial development.

- Diverted water may not be applied to any of the following:



**Direct reporting
questions
to:**

FloodDiversion@waterboards.ca.gov



DIVERSION REQUIREMENTS

*Emergency Flood Conditions vs.
Non-Emergency Diversions*

PRESENTED BY:

California Department of Fish and Wildlife

Diversion Conditions

Emergency Flood Conditions (Water Code 1242.1)

- Actions are necessary to avoid threats to human health and safety during declared flood emergencies



Non-Emergency Diversions

- Diversions during non-emergency conditions to recharge groundwater



Diversion Infrastructure

Emergency Flood Conditions (Water Code 1242.1)

- Temporary pumps, or existing infrastructure

Non-Emergency Diversions

- Existing, permanent infrastructure



Areas to be used for recharge

- Use recharge basins, or areas cultivated within previous 3-years
- Avoid areas fallowed for longer periods that could harbor species



Screen Requirements

Emergency Flood Conditions (Water Code 1242.1)

- Existing diversion structures 'as is'
- Temporary pumps require simple 'off the shelf' diversion screens
- No CDFW review of screen designs for temporary pumps



Non-Emergency Diversions

- Require site-specific fish screen structures approved by CDFW via consultation



Other Example Flood Diversion Screens

- For use on temporary pumps during Water Code 1242.1 flood emergency



CDFW Consultation

Emergency Flood Conditions (Water Code 1242.1)

- Not required



Non-Emergency Diversions

- Required for Water Right permit



DWR Flood Diversion and Recharge Enhancement Initiatives – 2023 & 2024





2023 Temporary Flood Diversion Equipment and Recharge Enhancement Effort

- Outreach to local agencies in response to Tulare Lake Flood Emergency
- DWR assisted 6 local agencies by funding 30 temporary pumps and land clearing equipment to reduce flood risk and enhance groundwater recharge
- Diverted 10-15 TAF from local waterways and cleared 291 acres of land. Small percentage of all local flood diversion and recharge efforts

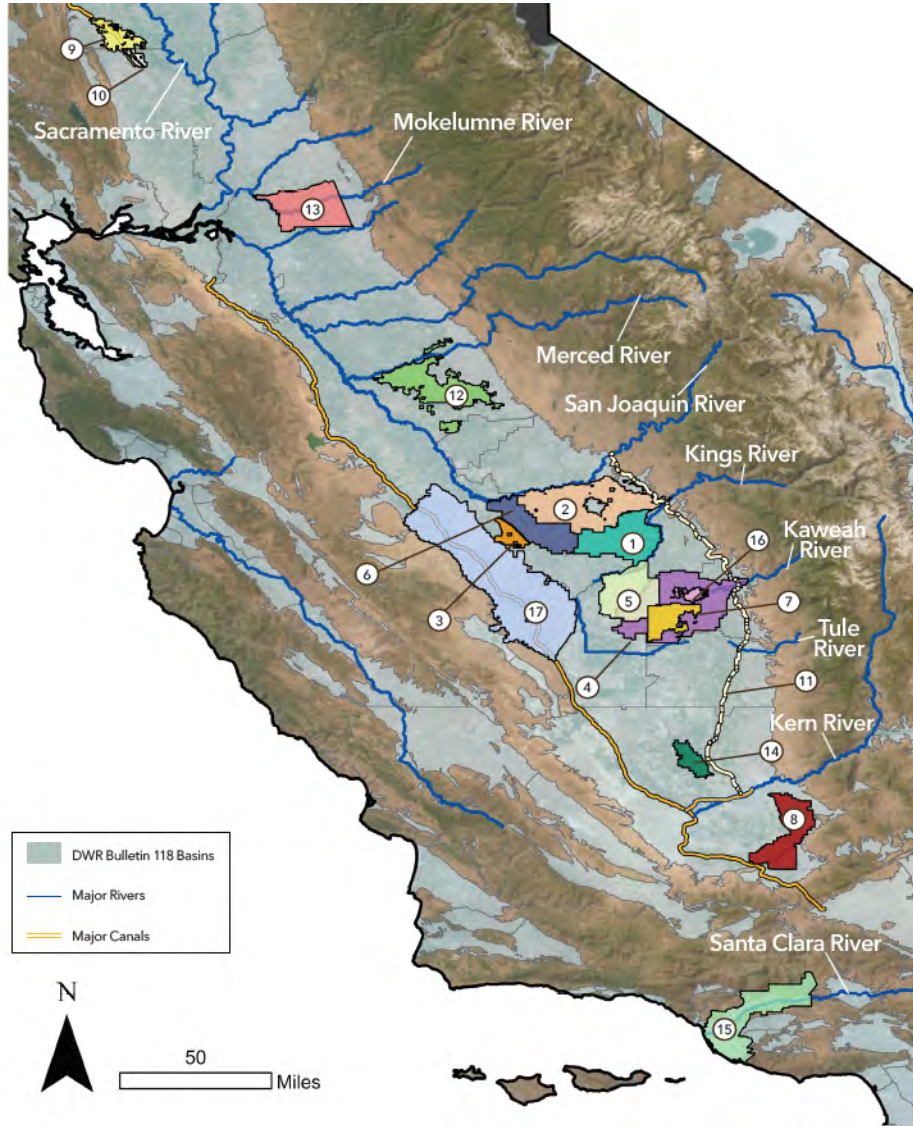


2024 Flood Diversion and Recharge Enhancement Initiative (FDRE)

- Additional one-time emergency funding was obtained for 2024
- FDRE Priorities:
 - Fast application
 - Flood risk reduction in high-risk areas
 - Subsidence mitigation
 - Recharge potential
 - Benefit to underserved communities
- Performed outreach with 20+ local agencies
- Executed emergency contracts with 14 local agencies
- FDRE assistance includes funding for the following activities over the next two winters (through 2026):
 - Temporary flood basins
 - Temporary flood diversion equipment
 - Pumps, siphons, and protective screens
 - Temporary conveyance improvements
 - Land clearing



2024 FDRE Activities



2023 EMERGENCY EFFORT PROJECTS

Local Agency Or District Name	Project Type	Total Units Completed	Map Legend
Consolidated ID	✓	120 acres, 80 acres in progress	1
Fresno ID	✓	1 pump, 1 siphon	2
James ID	✓	1 pump	3
Kaweah Delta WCD	✓	3 pumps, 91 acres	4
Kings County WD	✓	5 pumps	5
McMullin Area GSA	✓	16 pumps, 80 acres	6
Tulare ID	✓	4 pumps	7

Tables key

2023 Emergency Effort = Temporary Flood Diversion Equipment and Recharge emergency effort

FDRE Initiative = Flood Diversion and Recharge Enhancement Initiative

GSA = Groundwater Sustainability Agency

ID = Irrigation District

WCD = Water Conservation District

WD = Water District

WSD = Water Storage District

FDRE INITIATIVE PROJECTS, 2024 TO 2026

Local Agency Or District Name	Project Type	Map Legend
Arvin-Edison WSD	✓	8
Colusa County WD	✓	9
Consolidated ID	✓	1
Dunnigan WD	✓	10
Fresno ID	✓	2
Friant Water Authority	✓	11
Kaweah Delta WCD	✓	4
Merced ID	✓	12
North San Joaquin WCD	✓	13
Shafter-Wasco ID	✓	6
Tulare ID	✓	7
United WCD	✓	15
City of Visalia	✓	16
Westlands WD	✓	17

Temporary Flood Diversion Equipment (Pumps, Protective Screens, etc.)

Land Clearing

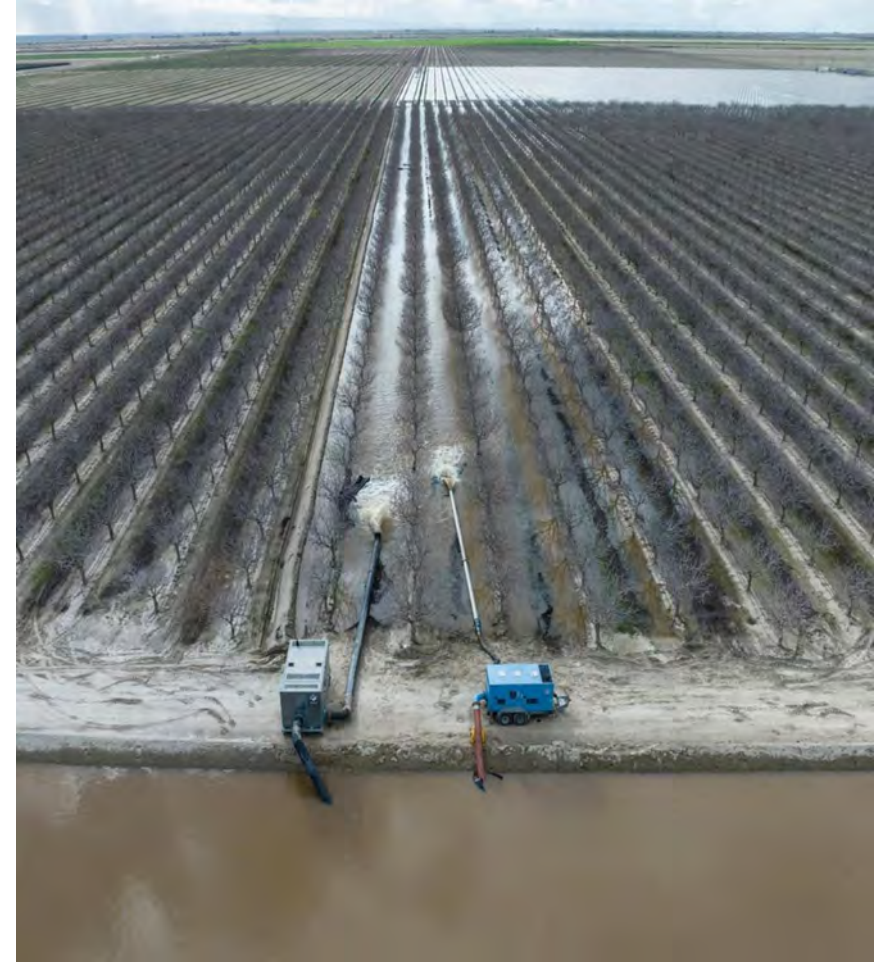
Temporary Flood Basins

Temporary Conveyance Enhancements

Key Takeaways

Early planning is crucial

- Temporary Pumps: Contact pump vendors early for predesign and quotes. Costs increase in the flood flow and emergency setting and is first-come-first-served.
- Protective screens: Determine protective screen needs early, some more sophisticated protective screens can take weeks to design.
- Project Coordination/Scoping: Identify areas early that comply with 1242.1 requirements and could expand local capacity to receive and capture flood water; early local coordination.



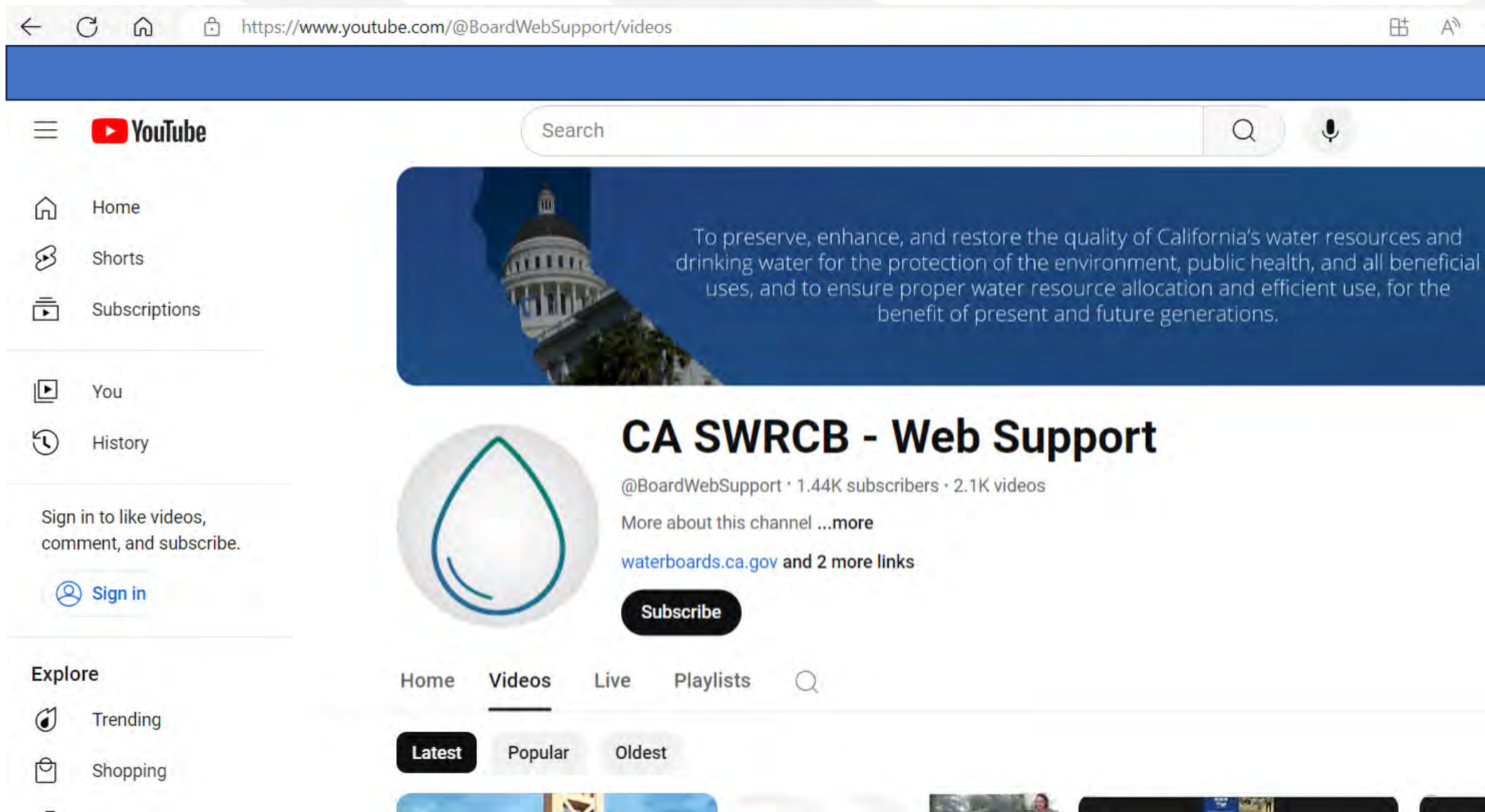
FDRE Next Steps and Resources

- Funding for FDRE assistance is currently exhausted, DWR is continuing to gather interest and need for this assistance in the future
- Connecting Flood and Groundwater Managers
 - Preseason preparedness – FDRE integration with DWR’s Flood Management outreach efforts
 - At least one FDRE representative at meetings
 - Informational handouts available at meetings
 - See DWR’s [Flood-Managed Aquifer Recharge \(Flood-MAR\)](#) webpage for more resources

- See [FDRE brochure](#) for additional information at DWR’s [Groundwater Recharge](#) website
- Follow the QR code to fill out a *future interest survey*
- For questions, **email:** recharge@water.ca.gov



The recording of this workshop will be posted



The screenshot shows the YouTube channel page for "CA SWRCB - Web Support". The browser address bar displays "https://www.youtube.com/@BoardWebSupport/videos". The channel banner features a blue background with a white outline of the California State Capitol building and the text: "To preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use, for the benefit of present and future generations." The channel name is "CA SWRCB - Web Support" with a handle "@BoardWebSupport", 1.44K subscribers, and 2.1K videos. A "Subscribe" button is visible. The channel description includes "More about this channel ...more" and "waterboards.ca.gov and 2 more links". The left sidebar shows navigation options: Home, Shorts, Subscriptions, You, and History. The bottom navigation bar includes Home, Videos (selected), Live, and Playlists. Below the navigation bar, there are tabs for "Latest", "Popular", and "Oldest".

← ↻ 🏠 🔒 https://www.youtube.com/@BoardWebSupport/videos

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waterboards.ca.gov and 2 more links
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Home **Videos** Live Playlists 🔍

Latest Popular Oldest

Flood Recharge Websites

Flood Recharge Diversions Homepage:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/groundwater-recharge/recharge-diversions.html

Statutory Water Rights Law:

https://waterboards.ca.gov/laws_regulations/docs/wrlaws.pdf

Groundwater Recharge Homepage:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/groundwater_recharge/

DWR Groundwater Recharge:

<https://water.ca.gov/Programs/Groundwater-Management/Groundwater-Recharge>

- **Flood Operations Center** Mike Mierzwa at Michael.Mierzwa@water.ca.gov

Presentation Questions

- After the meeting you may submit your questions to Erica Thompson at **Erica.Thompson@waterboards.ca.gov**
- Presenters are available to answer questions from the chat

END

Thank You!