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**AB-658 Water rights: water management.** (2019-2020)

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**Assembly Bill No. 658**

**CHAPTER 678**

An act to amend Sections 1345, 1348, 1425, 1430, 1431, 1435, 1440, 1441, 1442, and 1704.4 of, to amend the heading of Chapter 6.6 (commencing with Section 1435) of Part 2 of Division 2 of, to add the heading of Article 1 (commencing with Section 1425) to Chapter 6.5 of Part 2 of Division 2 of, to add the heading of Article 1 (commencing with Section 1435) to Chapter 6.6 of Part 2 of Division 2 of, to add Article 2 (commencing with Section 1433) to Chapter 6.5 of Part 2 of Division 2 of, and to add Article 2 (commencing with Section 1443) to Chapter 6.6 of Part 2 of Division 2 of, the Water Code, relating to water.

[ Approved by Governor October 09, 2019. Filed with Secretary of State October 09, 2019. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 658, Arambula. Water rights: water management.

Under existing law, the State Water Resources Control Board administers a water rights program pursuant to which the board grants permits and licenses to appropriate water. Existing law allows a person who has an urgent need to divert and use water to apply for, and the board to issue, a temporary permit, as prescribed. Existing law requires an applicant to pay an application fee and a permit fee, if a temporary permit is issued, both computed as specified.

Existing law, the Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. Existing law requires a groundwater sustainability plan to be developed and implemented to meet the sustainability goal, established as prescribed.

This bill would authorize a groundwater sustainability agency or local agency to apply for, and the board to issue, a conditional temporary permit for diversion of surface water to underground storage for beneficial use that advances the sustainability goal of a groundwater basin, as specified.

Existing law allows a permittee or licensee who has an urgent need to change a point of diversion, place of use, or purpose of use to petition for, and the board to issue, a temporary change order, subject to certain restrictions.

This bill would authorize a groundwater sustainability agency or local agency to petition for, and the board to issue, a conditional temporary change order that authorizes the diversion of surface water to underground storage for beneficial use that advances the sustainability goal of a groundwater basin, as specified.

The bill would require the board to post on its internet website, by December 31, 2024, certain information, as specified, regarding the effectiveness of the temporary permitting and change petition provisions enacted by this bill.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

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## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** It is the intent of the Legislature in enacting this measure to encourage groundwater recharge projects during times of high-flow events by creating a temporary five-year permit and a temporary five-year change order administered by the State Water Resources Control Board. This measure is not intended to limit any other permitting of an appropriation of water for any authorized beneficial use under other provisions of law.

**SEC. 2.** Section 1345 of the Water Code is amended to read:

**1345.** (a) Except as provided in subdivision (b), the Division of Water Rights shall conduct a field investigation of all minor protested applications. The board shall notify the parties of the field investigation not less than 20 days prior to conducting the field investigation, to enable the parties to attend and present information to the board.

(b) The Division of Water Rights is not required to conduct a field investigation for an application defined as a minor application under subdivision (b) of Section 1348 if the Division of Water Rights determines, in its discretion, that a field investigation will not substantially expedite consideration of the application and a hearing should be conducted under Section 183. If the Division of Water Rights makes that determination, Sections 1346 and 1347 do not apply to the application.

**SEC. 3.** Section 1348 of the Water Code is amended to read:

**1348.** For purposes of this article, a minor application shall mean either of the following:

(a) Any application which does not involve direct diversions in excess of three cubic-feet per second or storage in excess of 200 acre-feet per year.

(b) An application by a groundwater sustainability agency or local agency, as defined in Section 10721, for a diversion previously authorized by a temporary permit under Article 2 (commencing with Section 1433) of Chapter 6.5.

**SEC. 4.** The heading of Article 1 (commencing with Section 1425) is added to Chapter 6.5 of Part 2 of Division 2 of the Water Code, to read:

### **Article 1. Temporary Urgency Permits**

**SEC. 5.** Section 1425 of the Water Code is amended to read:

**1425.** (a) Any person, whether or not an applicant, permittee, or licensee under provisions of this division other than this article, who has an urgent need to divert and use water may apply for, and the board may issue, a conditional, temporary permit without complying with other procedures or provisions of this division, but subject to all requirements of this article.

(b) Prior to issuing a permit pursuant to this article, the board shall make all of the following findings:

(1) The applicant has an urgent need for the water proposed to be diverted and used.

(2) The water may be diverted and used without injury to any lawful user of water.

(3) The water may be diverted and used without unreasonable effect upon fish, wildlife, or other instream beneficial uses.

(4) The proposed diversion and use are in the public interest, including findings to support permit conditions imposed to ensure that the water is diverted and used in the public interest, without injury to any lawful user of water, and without unreasonable effect upon fish, wildlife, and other instream beneficial uses.

(c) "Urgent need," for the purposes of this article, means the existence of circumstances from which the board may in its judgment conclude that the proposed temporary diversion and use is necessary to further the constitutional policy that the water resources of the state be put to beneficial use to the fullest extent of which they are capable and that waste of water be prevented; except that the board shall not find an applicant's need to be urgent if the board in its judgment concludes, if applicable, that the applicant has not exercised due diligence either (1) in making application for a permit pursuant to provisions of this division other than this article, or (2) in pursuing that application to permit.

(d) The board may delegate to any officer or employee of the board all or any of its functions under this article, as provided in Section 7.

**SEC. 6.** Section 1430 of the Water Code is amended to read:

**1430.** A temporary permit issued under this article shall not result in the creation of a vested right, even of a temporary nature, but shall be subject at all times to modification or revocation in the discretion of the board. The authorization to divert and use water under a temporary permit shall automatically expire 180 days after the authorization takes effect, unless an earlier date is specified or the temporary permit is revoked. The 180-day period does not include any time required for monitoring, reporting, or mitigation before or after the authorization to divert or use water under the temporary permit. If the temporary permit authorizes diversion to storage, the 180-day period is a limitation on the authorization to divert and not a limitation on the authorization for beneficial use of water diverted to storage.

**SEC. 7.** Section 1431 of the Water Code is amended to read:

**1431.** A temporary permit issued under this article may be renewed by the board. Requests for renewals shall be processed in the manner provided by this article, except that the permittee shall not be required to file duplicate maps, drawings, or other data if they were furnished with the original application. Each such renewal shall be valid for a period not to exceed 180 days from the date of renewal.

**SEC. 8.** Article 2 (commencing with Section 1433) is added to Chapter 6.5 of Part 2 of Division 2 of the Water Code, to read:

**Article 2. Temporary Permits for Diversion to Underground Storage**

**1433.** (a) Unless the context otherwise requires, the following definitions govern the construction of this article:

- (1) "Basin" has the same meaning as defined in Section 10721.
- (2) "Groundwater sustainability agency" has the same meaning as defined in Section 10721.
- (3) "Local agency" has the same meaning as defined in Section 10721.

(b) This article shall not apply to diversions within the groundwater basins identified in paragraph (24) of subdivision (a) of, or subdivision (c) of, Section 10720.8.

**1433.1.** (a) A groundwater sustainability agency or a local agency, whether or not an applicant, permittee, or licensee under provisions of this division other than this article, may apply for, and the board may issue, a conditional temporary permit for diversion of surface water to underground storage for beneficial use that advances the sustainability goal of a groundwater basin under Part 2.74 (commencing with Section 10720) of Division 6, without complying with other procedures or provisions of this division, subject to all requirements of this article. An application may be filed under this article whether or not there is an adopted groundwater sustainability plan, an interim plan, or an alternative under Section 10733.6 for the basin.

(b) Before issuing a permit pursuant to this article, the board shall make all of the following findings based upon a preponderance of the evidence:

- (1) The proposed diversion is to underground storage for beneficial use consistent with subdivision (a).
- (2) The water may be diverted and used without injury to any lawful user of water, including the user's ability to meet water quality objectives. This finding may be satisfied by demonstrating both of the following:
  - (A) The proposed diversion to underground storage will occur only when both of the following conditions are satisfied:
    - (i) Flow in the source waterbody exceeds the claims of all known legal users who divert water downstream of the proposed point of diversion.
    - (ii) Unregulated flow in the source waterbody will be sufficient below the proposed point of diversion to meet instream flow requirements and water quality objectives.
  - (B) To prevent injury to existing legal users of water, storage and extraction from storage in the basin under the proposed permit will be subject to accounting methods and reporting requirements established by any of the following:
    - (i) A groundwater sustainability plan.
    - (ii) An interim plan.
    - (iii) An alternative approved pursuant to Section 10733.6.
    - (iv) The board, in applying conditions to the permit.

(3) The water may be diverted and used without unreasonable effect upon fish, wildlife, or other instream beneficial uses. If the permit does not include a condition proposed by the Department of Fish and Wildlife under paragraph (2) of subdivision (c) of Section 1433.2, the board shall include in the findings an explanation of why the condition is not included.

(4) The proposed diversion and use are in the public interest, including findings to support permit conditions imposed to ensure that the water is diverted and used in the public interest.

(5) If there is an adopted groundwater sustainability plan, an interim plan, or an alternative under Section 10733.6 for the basin, the proposed diversion to underground storage is consistent with that plan or alternative.

(c) The board may delegate to any officer or employee of the board all or any of its functions under this article, as provided in Section 7.

**1433.2.** (a) The application for a temporary permit shall be completed in accordance with Section 1260 and shall be accompanied by any maps, drawings, and other data that may be required by the board.

(b) (1) An applicant shall pay an application fee and, if a permit is issued, a permit fee, both in amounts calculated in accordance with the provisions of Chapter 8 (commencing with Section 1525).

(2) Consistent with Section 3 of Article XIII A of the California Constitution and the board's authority to set fees to promote the conservation and utilization of water resources in the public interest, the board may adopt reduced fees under Chapter 8 (commencing with Section 1525) for applications, petitions, and permits under this article.

(c) In addition to subdivisions (a) and (b), an application shall include all of the following:

(1) Evidence that the applicant has completed any environmental review required by, or the project is exempt from, the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code). To the extent funding is available, the board shall review and comment on any notice of preparation or draft environmental document for a project subject to approval under this article, and include in the board's comments identification of any instream beneficial uses of waters of the state that may be affected by the project. This paragraph is not a limitation on the authority of the board under any other law.

(2) A notification from the Department of Fish and Wildlife that the applicant has consulted with the Department of Fish and Wildlife at least 30 days before submission of the application. If the Department of Fish and Wildlife determines that it needs additional time for review, it may provide for a longer consultation period, not to exceed 60 days. The notification shall include a copy of any conditions proposed by the Department of Fish and Wildlife.

(3) (A) Except as provided in subparagraph (B), a water availability analysis that quantifies, under a range of foreseeable hydrologic conditions, the amount of unappropriated water available considering all known legal users who divert water hydrologically connected to the proposed point of diversion, effects on beneficial uses, including instream beneficial uses, and the ability to meet water quality objectives.

(B) A simplified water availability analysis, if the applicant proposes to divert water only when flow in the source waterbody exceeds an established or calculated flood stage, or if the applicant requests board consideration of a simplified water availability analysis prior to submittal of the application, and the deputy director finds that a simplified water availability analysis is sufficient for the board to make the findings required by subdivision (b) of Section 1433.1.

(4) A proposed accounting method for storage and extraction of water diverted under the permit that is either of the following:

(A) Certified to be consistent with the groundwater sustainability plan or alternative approved pursuant to Section 10733.6 by the groundwater sustainability agency for the basin where the water is proposed to be stored or the local agency responsible for implementing the approved alternative.

(B) If there is no applicable groundwater sustainability plan or alternative approved pursuant to Section 10733.6, adequate to demonstrate beneficial use of water under the proposed permit and not inconsistent with the department's standards in Section 356.2 of Title 23 of the California Code of Regulations.

**1433.3.** (a) As soon as practicable after the receipt of an application, the board shall issue and deliver to the applicant a notice of the application that includes the information required by Section 1301 and a list of persons who, in the judgment of the board, could be adversely affected by the temporary diversion and use. The board shall post the notice to its internet website within 10 days of issuing the notice to the applicant.

(b) The applicant shall provide notice by registered or electronic mail to each person on the list of interested persons provided by the board and the list of interested persons maintained by any groundwater sustainability agency or local agency for the basin

where the water is proposed to be stored. The applicant shall provide proof of notice to the board.

(c) Any interested person may file an objection to the temporary diversion and use with the board within 30 days of the mailing of the notice by the applicant. A person filing an objection shall send a copy to the applicant.

(d) The board shall consider an objection, and may hold a hearing on the objection after notice to all interested persons, before acting upon an application for a permit.

**1433.4.** The board shall supervise diversion and use of water under a permit issued under this article for the protection of all lawful users of water, for protection of beneficial uses, including instream beneficial uses, the ability to meet water quality objectives, and for compliance with permit conditions. The permit may require a person who extracts water stored under the permit to comply with regulatory and permitting requirements for groundwater extraction set by the groundwater sustainability plan or alternative approved pursuant to Section 10733.6 for the basin.

**1433.5.** A permit issued under this article shall not result in the creation of a vested right, even of a temporary nature. The permit is subject, at all times, to modification or revocation at the discretion of the board, after the permittee has adequate notice and an adequate opportunity to be heard concerning any proposed modification or revocation. The authorization to divert and use water under the permit shall automatically expire five years after the authorization takes effect, unless an earlier date is specified or the temporary permit is revoked, and shall be junior in priority to any subsequent appropriation not subject to this chapter. The five-year period does not include any time required for monitoring, reporting, or mitigation before or after the authorization to divert or use water under the permit. The five-year period is a limitation on the authorization to divert and not a limitation on the authorization for beneficial use of the water diverted to underground storage.

**1433.6.** The board may renew a permit issued under this article if the board, in its judgment, concludes that the applicant has exercised due diligence in applying for a permit pursuant to provisions of this division, other than this chapter, and in pursuing that application once it is filed. The board shall process a request for a renewal of a permit issued under this article pursuant to this article. The board may request the permittee to file maps, drawings, or other data furnished with the original application for the permit. Each renewal of a permit issued under this article shall be valid for a period not to exceed five years from the date of renewal.

**SEC. 9.** The heading of Chapter 6.6 (commencing with Section 1435) of Part 2 of Division 2 of the Water Code is amended to read:

#### **CHAPTER 6.6. Temporary Changes**

**SEC. 10.** The heading of Article 1 (commencing with Section 1435) is added to Chapter 6.6 of Part 2 of Division 2 of the Water Code, to read:

#### **Article 1. Temporary Urgency Changes**

**SEC. 11.** Section 1435 of the Water Code is amended to read:

**1435.** (a) Any permittee or licensee who has an urgent need to change a point of diversion, place of use, or purpose of use from that specified in the permit or license may petition for, and the board may issue, a conditional, temporary change order without complying with other procedures or provisions of this division, but subject to all requirements of this article.

(b) Prior to issuing a change order pursuant to this article, the board shall make all of the following findings:

(1) The permittee or licensee has an urgent need to make the proposed change.

(2) The proposed change may be made without injury to any other lawful user of water.

(3) The proposed change may be made without unreasonable effect upon fish, wildlife, or other instream beneficial uses.

(4) The proposed change is in the public interest, including findings to support change order conditions imposed to ensure that the change is in the public interest, and may be made without injury to any other lawful user of the water, and without unreasonable effect upon fish, wildlife, and other instream beneficial uses.

(c) "Urgent need," for the purposes of this article, means the existence of circumstances from which the board may in its judgment conclude that the proposed temporary change is necessary to further the constitutional policy that the water resources of the state be put to beneficial use to the fullest extent of which they are capable and that waste of water be prevented; except that the board shall not find a petitioner's need to be urgent if the board in its judgment concludes, if applicable, that the petitioner has not exercised due diligence either (1) in petitioning for a change pursuant to provisions of this division other than this article, or (2) in pursuing that petition for change.

(d) The board may delegate to any officer or employee of the board all or any of its functions under this article, as provided in Section 7.

**SEC. 12.** Section 1440 of the Water Code is amended to read:

**1440.** A temporary change order issued under this article shall not result in the creation of a vested right, even of a temporary nature, but shall be subject at all times to modification or revocation in the discretion of the board. The authorization to divert and use water under a temporary change order shall automatically expire 180 days after the authorization takes effect, unless an earlier date is specified or the temporary change order is revoked. The 180-day period does not include any time required for monitoring, reporting, or mitigation before or after the authorization to divert or use water under the temporary change order. If the temporary change order authorizes diversion to storage, the 180-day period is a limitation on the authorization to divert and not a limitation on the authorization for beneficial use of water diverted to storage.

**SEC. 13.** Section 1441 of the Water Code is amended to read:

**1441.** A temporary change order issued under this article may be renewed by the board. Requests for renewal shall be processed in the manner provided by this chapter except that the permittee or licensee shall not be required to file duplicate maps, drawings, or other data if they were furnished with the original petition. Each such renewal shall be valid for a period not to exceed 180 days from the date of renewal.

**SEC. 14.** Section 1442 of the Water Code is amended to read:

**1442.** This article shall not apply to any permittee or licensee petitioning for a temporary change pursuant to Chapter 10.5 (commencing with Section 1725).

**SEC. 15.** Article 2 (commencing with Section 1443) is added to Chapter 6.6 of Part 2 of Division 2 of the Water Code, to read:

**Article 2. Temporary Changes for Diversion to Underground Storage**

**1443.** (a) Unless the context otherwise requires, the following definitions govern the construction of this article:

- (1) "Basin" has the same meaning as defined in Section 10721.
- (2) "Groundwater sustainability agency" has the same meaning as defined in Section 10721.
- (3) "Local agency" has the same meaning as defined in Section 10721.

(b) This article shall not apply to diversions within the groundwater basins identified in paragraph (24) of subdivision (a) of, or subdivision (c) of, Section 10720.8.

**1443.1.** (a) A groundwater sustainability agency or a local agency that is a permittee or a licensee under provisions of this division other than this article, may petition for, and the board may issue, a conditional temporary change order that authorizes the diversion of surface water to underground storage for beneficial use that advances the sustainability goal of a groundwater basin under Part 2.74 (commencing with Section 10720) of Division 6, without complying with other procedures or provisions of this division, subject to all requirements of this article.

(b) Before issuing a change order pursuant to this article, the board shall make all of the following findings based upon a preponderance of the evidence:

- (1) The proposed change is for diversion to underground storage for beneficial use consistent with subdivision (a).
- (2) The proposed change does not increase the amount of water the petitioner is authorized to use, enlarge the authorized season of diversion, authorize diversion from a new source, or otherwise in effect initiate a new right.
- (3) The proposed change may be made without injury to any other lawful user of water, including the user's ability to meet water quality objectives. This finding may be satisfied by demonstrating both of the following:
  - (A) The proposed diversion to underground storage will occur only when flow in the source waterbody exceeds the claims of all known legal users who divert water downstream of the proposed point of diversion.
  - (B) Storage and extraction from storage in the basin under the proposed change will be subject to accounting methods and reporting requirements established by any of the following:
    - (i) A groundwater sustainability plan.

(ii) An interim plan.

(iii) An alternative approved pursuant to Section 10733.6.

(iv) The board, in applying conditions to the temporary change.

(4) The proposed change may be made without unreasonable effect upon fish, wildlife, or other instream beneficial uses. If the permit does not include a condition proposed by the Department of Fish and Wildlife under paragraph (2) of subdivision (c) of Section 1443.2, the board shall include in the findings an explanation of why the condition is not included.

(5) The proposed change is in the public interest, including findings to support change order conditions imposed to ensure that the water is diverted and used in the public interest, without injury to any lawful user of water, and without unreasonable effect upon fish, wildlife, and other instream beneficial uses.

(6) If there is an adopted groundwater sustainability plan, an interim plan, or an alternative under Section 10733.6 for the basin, the proposed diversion to underground storage is consistent with that plan or alternative.

(c) The board may delegate to any officer or employee of the board all or any of its functions under this article, as provided in Section 7.

**1443.2.** (a) The petition for a temporary change order shall be completed in accordance with the rules of the board that specify the information and maps to be included in a petition for change.

(b) (1) A petitioner for a change order shall pay a fee calculated in accordance with the provisions of Chapter 8 (commencing with Section 1525).

(2) Consistent with Section 3 of Article XIII A of the California Constitution and the board's authority to set fees to promote the conservation and utilization of water resources in the public interest, the board may adopt reduced fees under Chapter 8 (commencing with Section 1525) for applications, petitions, and change orders under this article.

(c) In addition to subdivisions (a) and (b), a petition shall include all of the following:

(1) Evidence that the petitioner has completed any environmental review required by, or the project is exempt from, the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code). To the extent funding is available, the board shall review and comment on any notice of preparation or draft environmental document for a project subject to approval under this article, and include in the board's comments identification of any instream beneficial uses of waters of the state that may be affected by the project. This paragraph is not a limitation on the authority of the board under any other law.

(2) A notification from the Department of Fish and Wildlife that the petitioner has consulted with the Department of Fish and Wildlife at least 30 days before submission of the petition. If the Department of Fish and Wildlife determines that it needs additional time for review, it may provide for a longer consultation period, not to exceed 60 days. The notification shall include a copy of any conditions proposed by the Department of Fish and Wildlife.

(3) A proposed accounting method for storage and extraction of water diverted under the change order that is either of the following:

(A) Certified to be consistent with the groundwater sustainability plan or alternative approved pursuant to Section 10733.6 by the groundwater sustainability agency for the basin where the water is proposed to be stored or the local agency responsible for implementing the approved alternative.

(B) If there is no applicable groundwater sustainability plan or alternative approved pursuant to Section 10733.6, adequate to demonstrate beneficial use of water under the proposed change order and not inconsistent with the department's standards in Section 356.2 of Title 23 of the California Code of Regulations.

**1443.3.** (a) As soon as practicable after the receipt of a petition for a temporary change order, the board shall issue and deliver to the petitioner a notice of the petition and a list of persons who, in the judgment of the board, could be adversely affected by the temporary change. The board shall post the notice to its internet website within 10 days of issuing the notice to the petitioner.

(b) The petitioner shall provide notice by registered or electronic mail to each person on the list of interested persons provided by the board and the list of interested persons maintained by any groundwater sustainability agency or local agency for the basin where the water is proposed to be stored. The petitioner shall provide proof of notice to the board.

(c) Any interested person may file an objection to the temporary diversion and use with the board within 30 days of the mailing of the notice by the petitioner. A person filing an objection shall send a copy to the applicant.

(d) The board shall consider an objection, and may hold a hearing on the objection after notice to all interested persons, before acting upon a petition for a temporary change order.

**1443.4.** The board shall supervise diversion and use of water under a change order issued under this article for the protection of all lawful users of water and instream beneficial uses and for compliance with change order conditions. The change order may require a person who extracts water stored under the change order to comply with regulatory and permitting requirements for groundwater extraction set by the groundwater sustainability plan or alternative approved pursuant to Section 10733.6 for the basin.

**1443.5.** A change order issued under this article shall not result in the creation of a vested right, even of a temporary nature. The change order is subject, at all times, to modification or revocation at the discretion of the board, after the permittee or licensee has adequate notice and an adequate opportunity to be heard concerning any proposed modification or revocation. The authorization to divert and use water under the change order shall automatically expire five years after the authorization takes effect, unless an earlier date is specified or the temporary change order is revoked, and shall be junior in priority to any subsequent appropriation not subject to this chapter. The five-year period does not include any time required for monitoring, reporting, or mitigation before or after the authorization to divert or use water under the change order. The five-year period is a limitation on the authorization to divert and not a limitation on the authorization for beneficial use of the water diverted to underground storage.

**1443.6.** The board may renew a change order issued under this article if the board, in its judgment, concludes that the petitioner has exercised due diligence in applying for a change pursuant to provisions of this division, other than this chapter, and in pursuing that petition once it is filed. The board shall process a request for a renewal of a change order issued under this article pursuant to this article. The board may request the petitioner to file maps, drawings, or other data furnished with the original petition for the change order. Each renewal of a change order issued under this article shall be valid for a period not to exceed five years from the date of renewal.

**1443.7.** This article does not apply to any permittee or licensee petitioning for a temporary change pursuant to Chapter 10.5 (commencing with Section 1725).

**SEC. 16.** Section 1704.4 of the Water Code is amended to read:

**1704.4.** For purposes of this chapter, a minor petition for change means either of the following:

(a) Any petition which does not involve direct diversions in excess of three cubic-feet per second or storage in excess of 200 acre-feet per year.

(b) A petition for change by a groundwater sustainability agency or local agency, as defined in Section 10721, for a change previously authorized by a temporary change under Article 2 (commencing with Section 1443) of Chapter 6.6.

**SEC. 17.** On or before December 31, 2024, the State Water Resources Control Board shall post on its internet website information about the effectiveness of the temporary permitting and change petition provisions enacted by this bill. The information shall include, at a minimum, all of the following:

(a) The number of temporary permits and temporary change orders issued by the board pursuant to the procedures established by this bill.

(b) The volume of diversions to groundwater storage authorized under temporary permits and change orders issued by the board pursuant to the procedures established by this bill.

(c) The location of the points of diversion and places of storage authorized by the temporary permits and change orders issued by the board pursuant to the procedures established in this bill, including the issuance of such permits and orders for groundwater storage in critically overdrafted groundwater basins identified under the Sustainable Groundwater Management Act (Part 2.74 (commencing with Section 10720) of Division 6 of the Water Code).