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**SB-19 Water resources: stream gages.** (2019-2020)

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Date Published: 09/30/2019 09:00 PM

**Senate Bill No. 19**

**CHAPTER 361**

An act to add Section 144 to the Water Code, relating to water resources.

[ Approved by Governor September 27, 2019. Filed with Secretary of State September 27, 2019. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 19, Dodd. Water resources: stream gages.

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, the Open and Transparent Water Data Act, requires the Department of Water Resources, the board, and the Department of Fish and Wildlife to coordinate and integrate existing water and ecological data from local, state, and federal agencies.

This bill would require the Department of Water Resources and the board, upon an appropriation of funds by the Legislature, to develop a plan to deploy a network of stream gages that includes a determination of funding needs and opportunities for modernizing and reactivating existing gages and deploying new gages, as specified. The bill would require the department and the board, in consultation with the Department of Fish and Wildlife, the Department of Conservation, the Central Valley Flood Protection Board, interested stakeholders, and, to the extent they wish to consult, local agencies, to develop the plan to address significant gaps in information necessary for water management and the conservation of freshwater species. The bill would require the Department of Water Resources and the board to give priority in the plan to placing or modernizing and reactivating stream gages where lack of data contributes to conflicts in water management or where water can be more effectively managed for multiple benefits and to consider specified criteria in developing the plan.

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

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

**SECTION 1.** The Legislature finds and declares all of the following:

- (a) Less than 14 percent of the state's significant stream segments are well gaged.
- (b) California's current stream gage network is poorly funded and not well organized, and data on existing gages pertaining to funding, location, and operating condition are difficult to find.
- (c) The stream gage network fails to report key variables such as flow, temperature, and drainage.
- (d) For a stream gage to be effective in helping inform water management during climate extremes and highly variable flows, it should record quality data, report key variables such as flow and temperature, and make its data accessible to the public promptly.

(e) The largest individual sponsor of stream gages in California is the United States Geological Survey (USGS), which works largely in partnership with a variety of state and federal agencies that provide funding to support gages and at least 57 percent of USGS-funded gages are also funded by a local agency.

(f) The data about which specific agencies are already funding particular stream gages are available for only 20 percent of active gages in California, and to better understand the gage landscape in the state, it is critical to know which agencies are funding particular gages.

(g) A robust and reliable stream gage network can help state, federal, and local agencies manage water resources more effectively for multiple benefits and to help avoid conflicts.

**SEC. 2.** Section 144 is added to the Water Code, to read:

**144.** (a) Upon an appropriation of funds by the Legislature for the purposes of this section, the department and the board shall develop a plan to deploy a network of stream gages that includes a determination of funding needs and opportunities for modernizing and reactivating existing gages and deploying new gages in priority locations across hydrologic regions in the state, including reference sites.

(b) The department and the board, in consultation with the Department of Fish and Wildlife, the Department of Conservation, the Central Valley Flood Protection Board, interested stakeholders, and, to the extent they wish to consult, local agencies, shall develop the plan to address significant gaps in information necessary for water management and the conservation of freshwater species.

(c) This section does not expand the authority of the board or the department to require the installation or modification of a stream gage.

(d) The department and the board shall give priority in the plan to placing or modernizing and reactivating stream gages where lack of data contributes to conflicts in water management or where water can be more effectively managed for multiple benefits, including, but not limited to, the following benefits:

(1) Water supply management.

(2) Flood management.

(3) Water quality management.

(4) Ecosystem management.

(e) Other criteria to be considered by the department and the board in developing the plan include all of the following:

(1) Opportunities for local agencies to enter cost-share arrangements to install or maintain the stream gage.

(2) Ease of integrating the stream gage into the existing network.

(3) Availability of historic gage data for specific locations.

(4) Availability of temperature data for specific locations.

(5) Degree of water quality and flow impacts related to cannabis cultivation.

(6) Integration with the Open and Transparent Water Data Act (Part 4.9 (commencing with Section 12400) of Division 6).

(7) Ability to provide data to assist with groundwater management.