



## Resources for Growers and Landowners Interested in Pursuing Groundwater Recharge and FloodMAR (“Managed Aquifer Recharge”) Underground Water Storage and Flood Control Opportunities

### ➤ General Background on Groundwater Recharge and FloodMAR (“Managed Aquifer Recharge”)

Groundwater recharge, purposely replenishing empty underground storage through a variety of means, or [“FloodMAR”](#) (“managed aquifer recharge” using excess flood waters at times of elevated flood risk) has been identified and prioritized by the State of California as an important way to help recover our state’s historically overdrafted groundwater basins and achieve compliance with the [Sustainable Groundwater Management Act](#) (“SGMA”)’s 20-year “sustainability goal” by 2040/42.

A October 2023 [Water Supply Strategy: Adapting to a Hotter, Drier Future](#) progress report on Governor Gavin Newsom’s [Water Resilience Portfolio](#) sets a goal to expand average annual groundwater recharge statewide by at least 500,000 acre-feet. (For additional details, see [DWR’s groundwater recharge Fact Sheet here](#).)

Significantly streamlined procedures to divert excess flood waters for groundwater recharge under [Governor Newsom’s Executive Order EO-4-23](#) were codified in 2023 as [Water Code section 1242.1](#).

While greatly expedited (through means including a temporary exemption from the normal requirement of an established water right or permit) the new procedures include specific restrictions, and impose certain responsibilities on diverters and landowners taking advantage of the program. These restrictions include specific constraints relating to animal waste, fertilizers in high risk areas, flood risk, simple fish screening, and Delta excess conditions. (See the SWRCB’s webpage here under [‘Requirements.’](#))

The new expedited floodwater recharge procedures *supplement*, and do not *replace* [other normal or expedited water rights permitting procedures for temporary \(180-day or 5-year\), or permanent water rights permits](#) to conduct

groundwater recharge. Nonetheless, the new procedures significantly expand the toolbox of potential opportunities to take advantage of high-flow runoff events to help to recover our groundwater aquifers.

To help navigate this process, landowners within [Groundwater Sustainability Agencies \(GSAs\)](#) or irrigation districts coordinating such activities are, perhaps, best positioned to take advantage of these new procedures. As an initial step, therefore, landowners considering how to potentially recharge floodwaters should check to determine whether their local GSA or irrigation district *has*, or *may be considering*, such a groundwater recharge program. However, it is also *possible* for individual landowners or diverters (or multiple coordinated diverters independently from a water district or other public agency) to use these new recharge procedures, or other pertinent recharge options under California law, including the various new streamlined recharge options discussed herein.

➤ **State Agency Information and Guidance Relating Potential Expedited Groundwater Recharge Opportunities**

[Statutory requirements to use excess floodwaters for groundwater recharge under the new unpermitted procedures](#), including related **State Water Resources Control Board (“SWRCB”)** reporting requirements and other key restrictions, are summarized on the SWRCB’s website (See preceding link). Questions about required SWRCB diversion reporting under new [Water Code section 1242.1](#) can be directed to the Board at the Board email address [here](#).

The **Department of Water Resources**, as well, maintains a [“Groundwater Recharge” page](#), including additional relevant background and resources. [DWR Regional Office point of contact information](#) can be found on DWR’s website (See preceding link [here](#).)

[Information regarding reporting of groundwater recharge activities under Governor’s E.O. N-7-23](#), including a list of the GSAs, regional flood agencies, water districts, and farming operations that were successfully able to divert and recharge water in 2023, the amounts diverted, and other pertinent information, can be viewed on the SWRCB’s website devoted to this subject (See preceding link).

Groundwater recharge related information from the **California Natural Resources Agency** and relevant contact information can be accessed [here](#).

➤ **Recharge Guides and Support for Growers**

The [Almond Board of California](#) and [Sustainability Conservation](#) have jointly prepared a useful [Introduction to Groundwater Recharge](#) for almond growers.

Technical assistance for GSAs, individuals, and growers more generally, to help plan and assess potential recharge opportunities, is available through [Groundwater Recharge Assessment Tool](#), a collaboration between [Sustainable Conservation](#) and EarthGenome. This work includes a [free, publicly available “Data Viewer” tool](#) to visualize numerous mapping layers relevant to various aspects of groundwater recharge. Services as of part of the GRAT include assistance with planning and implementation of recharge pilot projects, GSA management actions, and grant funding for project implementation.

➤ **Additional Groundwater Recharge and FloodMAR Information**

In addition to the resources above, extensive additional recharge-related information is available through the [Flood-MAR Hub](#) and the [Groundwater Exchange](#) clearinghouse websites devoted to these topics. (See preceding links respectively.)