



COUNTY OF COLUSA
DEPARTMENT OF AGRICULTURE
GROUNDWATER COMMISSION
100 Sunrise Boulevard Suite F
Colusa, CA 95932

JOSEPH J. DAMIANO
Agricultural Commissioner
Sealer of Weights & Measures

**REGULAR MEETING NOTICE OF THE COLUSA COUNTY
WATER USERS GROUP (WUG)**

TCCA Area: Dan Ruiz, Tom Charter; Non Organized Areas: Peter Bradford, Richard Selover (***Vice Chair***), Ben Carter (Alternate)
Cities & PUDs: Jesse Cain (Colusa), Greg White (Williams), Jim Scheimer (Arbuckle PUD)
Sacramento River Settlement Contract Area: Sandy Denn (***Chair***), Doug McGeoghegan; RD 108: Bryan Busch

Location: **Colusa Industrial Properties Conference Room**
100 Sunrise Boulevard, Colusa, CA 95932

Date: **January 13, 2015**

Time: **10:00 a.m.**

Meeting Agenda

1. CALL TO ORDER (**action item*)

- a. Introductions
- b. Roll Call
- c. *Acceptance of Agenda
- d. *Acceptance of Minutes of the November 13, 2014 WUG meeting
- e. Period of Public Comment

Any person wishing to address the WUG on any item not on today's Agenda may do so at this time. Comments are limited to 3 minutes. The WUG will not be making a decision or determination on items brought up during Public Comment.

2. STANDING AGENDA ITEMS

- a. Staff Report
 - i. Report on Groundwater Commission Activities
 - ii. Report on Technical Support Team Activities

3. DISCUSSION/ACTION ITEMS (**action item*)

- a. * Discussion/Action - Groundwater Ordinance modifications/revisions
 - i. Discussion – Ad Hoc Committee Recommendations
 - ii. *Preliminary recommendations (from item i. above) to present to the Groundwater Commission at their January 15, 2015 meeting



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- b. *Set 2015 meeting dates
- c. Member Reports – WUG members are encouraged to discuss items that may be of interest to the group
- d. Next Meeting of the WUG (date and time to be determined in Discussion/Action Item b.)

4. ADJOURNMENT

TO THOSE WHO PARTICIPATE IN COMMISSION PROCEEDINGS: California Government Code Section 84308 requires you to disclose campaign contributions to Groundwater Management Commissioners if they amount to \$250 or more and were made within the last twelve months. Please announce your applicable campaign contributions when you speak. Any disabled person needing special accommodation to participate in the Commission proceeding is requested to contact the Colusa County Agriculture Department prior to meeting and arrangements will be made to accommodate you.

COLUSA COUNTY
WATER USERS GROUP (WUG)
Meeting Minutes

TCCA Area: Dan Ruiz, Tom Charter; Non Organized Areas: Peter Bradford, Richard Selover (**Vice Chair**), Ben Carter (Alternate)
Cities & PUDs: Jesse Cain (Colusa), Greg White (Williams), Jim Scheimer (Arbuckle PUD) Sacramento River Settlement Contract
Area: Sandy Denn (**Chair**), Doug McGeoghegan; RD 108: Bryan Busch

Location: Colusa Industrial Properties Conference Room

100 Sunrise Boulevard, Colusa, CA 95932

Date: November 13, 2014

Time: 10:00 a.m.

1. CALL TO ORDER *Meeting was called to order by Chair, Sandy Denn at 10:00 a.m.*

a. Introductions

- *In attendance:* Mary Fahey, CC Ag; Elly Gutierrez, CC Ag; Joe Carrancho, landowner; Suzie Dawly, CC Environmental Health; Oscar Serrano, Colusa Indian Community; Derick Strain, landowner; John Garner, CC Farm Bureau; Jeff Sutton, TCCA; Jim LaGrande, landowner

b. Roll Call

- *WUG Members in Attendance:* Dan Ruiz, Tom Chater, Pete Bradford, Richard Selover, Ben Carter, Jesse Cain, Greg White, Jim Scheimer, Sandy Den, Doug McGeoghegan
- *WUG Members not in Attendance:* Bryan Busch

c. *Acceptance of Agenda *A motion made by Jesse Cain to accept Agenda as presented. The motion was seconded by Greg White. The vote was unanimous. Motion approved*

d. *Acceptance of Minutes of the August 21, 2014 WUG meeting *Motion made by Richard Selover to accept the Minutes as presented. Seconded by Jim Shiner. Vote was unanimous. Motion approved.*

e. Period of Public Comment *There was none.*

2. STANDING AGENDA ITEMS

a. Staff Report *Mary Fahey announced her new position as Water Resources Coordinator through the Colusa County Ag Department, she will be working in this position full time.*

i. Report on Groundwater Commission Activities *Ms. Fahey reported that Darrin Williams has been appointed to the Groundwater Commission to replace Jim Erdman. Lorrain Marsh is the new Commission Chair and Bruce Rolen is the Vice Chair. The Commission adopted their Annual Goals and Objectives for the next year. The goals and objectives are available on the Water Resources website. DWR gave a presentation on Summer Groundwater measurements at the last Commission meeting and there will be another presentation on the fall groundwater measurements in December. There was also a GW legislation presentation from DWR at the last Commission meeting. All of the presentations are posted on the Water Resources website.*

ii. Report on Technical Support Team Activities *Ms. Fahey reports that the TST has a contract with Wood Rogers as a consultant but they are on hold until we work through the new Groundwater legislation to see where we can best utilize their services. DWR has been working on supplying data to help develop our monitoring network at no cost. They have supplied well frequency charts and hydrographs for 41 wells in the county that they monitor. TST and staff will review this data and focus on key wells to get an idea of what our conditions are. There is a Technical Support Team meeting tomorrow. There is also a part time staffer at the Colusa Ag Department that will be working on well mapping and looking at changes in number of wells over time.*

3. DISCUSSION/ACTION ITEMS

a. * Discussion/Action - Groundwater Ordinance modifications/revisions *Handout was given of the GW Ordinance with highlighted areas that are suggested changes.*

- i. Discussion on developing a clear process for groundwater substitution transfers by Spring, 2015** *Sandy Denn mentions the goal is to have language in place that will help the Commission process 2015 transfer requests. Discussion regarding the Ordinance ensued. Ms. Denn suggests having two more meetings to address in county transfers and drought year transfers. Richard Selover suggests creating ad hoc committees.*

Three ad hoc committees were formed to address: 1. Out-of-county gw substitution transfer language; 2. Language for gw substitution transfers during drought conditions; 3. Administrative review of in-county groundwater substitution transfers. The following folks volunteered to participate:

- 1.) Language for Administration Review of in-county Transfers- Volunteers:**
Sandy Denn, Ben Carter, Jeff Sutton, Mary Fahey (staff)
- 2.) Drought year transfers- Volunteers:** *Doug McGeoghegan, Richard Selover, Sandy Denn, Jeff Sutton, Mary Fahey (staff)*
- 3.) Develop language for Out of County Transfers- Volunteers:** *Doug McGeoghegan, Sandy Denn, Jeff Sutton, Darrin Williams (volunteered by WUG members), Mary Fahey (staff)*

Mary Fahey will contact the GW Commissioners to get at least one member to volunteer on each of the ad hoc committees. She will also solicit more WUG members, and will coordinate scheduling the three Ad Hoc committee meetings.

- ii. *Preliminary recommendations (from item i. above) to present to the Groundwater Commission at their December 11, 2014 regular meeting .** *The Ad Hoc Committees will work on this item and discussion will be held at the December Commission meeting*

b. *Set 2015 meeting dates *Ms. Fahey will send out prospective dates for a January meeting. The 2015 meeting schedule will be discussed at the January WUG meeting.*

c. Member Reports - WUG members are encouraged to discuss items that may be of interest to the group *None*

d. Next Meeting of the WUG *(date and time to be determined in Discussion Item b.)*

4. ADJOURNMENT *Ben Carter made a motion to adjourn. Motion was seconded by Richard Selover. Vote was unanimous to adjourn meeting at 11:35 a.m.*

Water Users Group, regular meeting January 13, 2015

STAFF REPORT

Groundwater Commission

The December meeting was cancelled due to road closures from heavy rain. This meeting was rescheduled for Thursday, January 15, 2015 at 1:30 at CIP. Topics to be discussed include:

- WUG to discuss Ordinance revisions with Commission
- DWR presentation on Fall GW measurements

Technical Support Team (TST)

Continued work on Monitoring Network

The county currently has a monitoring grid in place, including GMP and CASGEM wells; however, these chosen wells need to be reevaluated based on current information. It was decided at the last TST meeting to wait for the DWR spring (2015) measurements before updating the network. This decision was based on a few factors:

- 2014 was a critically dry year during one of the worst drought periods on record – it will be valuable to see how/if groundwater levels recover (and how much precipitation occurs during the rainy season)
- Recent changes in cropping patterns - row crops and pasture shifting to permanent crops
- Changes in irrigation methods - flood to drip

When looking at potential wells for the monitoring network, we will need to consider:

- What parameters are used to define different areas of the county (crop types, population, surface water supply, groundwater supply, number of wells in the area, geology, etc.)
- Should we have more monitoring wells in problem areas, less in areas with good groundwater levels
- 2-dimensional vs 3-dimensional network
 - Our current network is 2-dimensional - dots on a map that cover areas of ground
 - A 3-dimensional network will give us better information, and ensure that each well represents its area. This approach takes into consideration not just the geographical area of the well, but also what is happening underground – the depth and screening intervals of wells in the area, whether there is a surface water/groundwater interaction happening

In the meantime, I would like to move forward by evaluating the different areas of the county, and looking closely at the well frequency charts that were provided by DWR, along with other available data. Developing a good monitoring network is proving to be challenging due to a variety of variables, many of which are mentioned above. I would also like to note that DWR staff was asked if there are any counties in the region with an adequate monitoring network in place that would provide the type of information we are seeking and he could not identify any.

Other projects:

GIS mapping of wells - Chelsea from the Ag Department is waiting on a computer to start the mapping project

Updating groundwater and surface water use statistics – DWR is completing a 2014 Land and Water Use report for Colusa County. Also, Ben Reische will update Figure I.1 from the GMP (Land Use map)

Water Users Group

Ad Hoc Committees, joint meeting

#1: Develop language for administrative review of in-county groundwater substitution transfers

& #2: Develop language for transfers during drought conditions

December 11, 2014; 9-11 a.m.

Colusa Industrial Properties Conference Room

In attendance:

Ad Hoc Committee #1: Lorraine Marsh, Pete Bradford, Ben Carter, Jeff Sutton, Mary Fahey

Ad Hoc Committee #2: Lorraine Marsh, Jeff Sutton, Mary Fahey

Also in attendance: Darrin Williams, Jeff Moresco (*As per Brown Act, Commissioners Williams and Moresco did not participate in discussion as they are not on either Ad Hoc Committee #1 or #2*).

MEETING NOTES

Previous Recommendations from Ad Hoc Committee #1:

1. A permit process should exist for out of county transfers
2. Groundwater substitution transfers outside of the county should be prohibited during a State declared drought emergency and/or a Shasta Critical year
3. It should be required that during all groundwater substitution transfers (in-county and out-of-county) monthly monitoring results are provided to the Groundwater Commission (via Staff)
4. Out-of-County groundwater substitution transfers will be reviewed on a case by case basis
5. Permits will be good for one year only

General discussion items:

Ben Carter presented a chart breaking out different transfer scenarios to consider:

1. In-county and in-basin
2. In-county and out of basin
3. Out of county and in-basin
4. Out of county and out of basin

Also to take into consideration is the location where gw substitution transfers originate – what if there are multiple proposals from one area of the County?

A common theme was discussed – that lack of technical data prevents development of BMOs, which makes decision-making difficult. Example – is a 40' drop in groundwater levels during

drought conditions bad? We don't know. Until we have more information, we need to be conservative.

There was discussion regarding other transfer scenarios:

- A landowner transfers groundwater from one of their parcels to another of their parcels, either within the county or outside of the county, versus someone that transfers to another person's parcel.
- If the transferring entity is selling water to another entity, therefore profiting from the transfer, a permit is required.

It was also mentioned that perhaps we should broaden where/how we look for impacts – what are other agencies doing? Example – Because of groundwater conditions, NRCS eliminated some areas from their recent waterbird program that involved use of groundwater to flood rice fields.

There was time at the end of the meeting to discuss **out-of-county transfers**. (*As per Brown Act, Commissioners Williams and Moresco participated in this discussion, Commission Chair Marsh did not participate*)

- A recommendation was made that there should be a **fee structure** put in place to help sustain our monitoring program. An idea is to charge a base fee plus an additional charge per acre/foot
- Some language regarding beneficial use should be included
- Water quality should be addressed

The following Recommendations were made:

1. Draft Drought Language for Out-of-County GW Substitution Transfers:

Groundwater Substitution transfers outside of the County will be prohibited during any of the following circumstances:

1. A Critically Dry Year as determined by the DWR's Sacramento Valley Water Year Index
**note: When do they make this determination? If it is made at the end of the water year this item may not be applicable???*
2. An emergency drought Declaration by the County of Colusa
3. An emergency drought Proclamation by the State of California

2. Draft Language for Administrative Review of In-County GW Substitution Transfers:

Any entity that intends to extract groundwater to replace a surface water supply that has been, is being, or will be transferred for use within the county boundaries shall supply the Groundwater Commission and/or Water Resources Staff with the following:

1. A signed County of Colusa "In-County GW Substitution Agreement" *
2. A copy of the full transfer submittal prior to transfer commencing
3. Copies of all monthly monitoring documents to be supplied at the time they are reported to DWR and the Bureau of Reclamation
4. A copy of the Final Transfer Report upon completion (or should it be by a specific date? ie: March 30 of the year following the transfer...)

*Staff will draw up a draft "In-County GW Substitution Agreement"

Staff will obtain County Council assistance on language for these items after receiving feedback from the full Groundwater Commission and Board of Supervisors.

Water Users Group

Ad Hoc Committee #3:

Develop procedure for processing out-of-county groundwater substitution transfers

November 25, 2014; 10:00-12:00

Colusa Industrial Properties Conference Room

In attendance: Sandy Denn, Ben Carter, Jeff Moresco, Darrin Williams, Doug McGeoghegan, Mary Fahey

Meeting Notes

General discussion items:

- It was noted that decisions regarding gw substitution transfers should be based on gw conditions. Without BMOs in place, it is difficult for the TAC & WUG to make a recommendation and difficult for the Commission to make a decision.
- Discussion on Warren Act transfers
 - Out of county Warren Act transfers do go through the Commission
 - Common Law addresses negative impacts associated with these transfers
 - Water moved out of the area is an appropriative right, not an overlying right
- There was discussion about basing decisions on county boundaries vs. gw basin boundaries.
- It was stressed that first and foremost, we need to protect the gw resource
- Also noted that we should take care of our needs (Colusa County) first, before considering sending water outside of the county
- It was agreed that the County should be very conservative when it comes to decisions on GW substitution transfers outside of the county
- A good monitoring program and data analysis are key
- It was mentioned to tie in data with water year index

Recommendations:

1. A permit process should exist for out of county transfers
2. Groundwater substitution transfers outside of the county should be prohibited during a State declared drought emergency and/or a Shasta Critical year
3. It should be required that during all groundwater substitution transfers (in-county and out-of-county) monthly monitoring results are provided to the Groundwater Commission (via Staff)
4. Out-of-County groundwater substitution transfers will be reviewed on a case by case basis
5. Permits will be good for one year only

For future discussion (not discussed at this meeting):

- Possible fee structure for transfer requests to support water resources program

In-County Groundwater Substitution Transfer Agreement

The Colusa County Groundwater Commission requires all parties engaging in Groundwater Substitution transfers of water within Colusa County boundaries to read and sign this agreement and to follow through with all required reporting.

This agreement is made this _____ day of _____, between _____ (District), and the Colusa County Groundwater Commission (Commission).

The above named District intends to transfer surface water within Colusa County boundaries and utilize groundwater to replace the sold surface water. As part of this process, the District has completed a Transfer Proposal, including an Environmental Review, a monitoring plan and a Mitigation Plan. The District has also agreed to provide the Bureau of Reclamation with monthly monitoring information and a final Transfer Report.

By signing this Agreement, the District will:

1. Provide the Commission, via Staff, with a signed copy of this Agreement, prior to the transfer commencing
2. Provide the Commission, via Staff, with a copy of the Transfer Proposal, prior to the transfer commencing
3. Provide the Commission, via Staff, with copies of all monthly monitoring documents at the time they are reported to the California Department of Water Resources and the Bureau of Reclamation

4. Provide the Commission, via Staff, with a copy of the Final Transfer Report, upon completion

Signatures

District Representative

Title

Date

Commission Representative

Title

Date