GLENN COUNTY
WATER ADVISORY COMMITTEE

Glenn County Department of Agriculture
720 North Colusa St., Willows, CA 95988
Phone: 530.934.6501 FAX: 530.934.6503
Email: wateradv@countyofglenn.net
Website: http://www.glenncountywater.org/

AGENDA

MEETING DATE: **Wednesday February 18, 2009**
TIME: **1:30 p.m.**
PLACE: **Glenn-Colusa Irrigation District**
344 East Laurel Street
Willows, CA 95988

I. INTRODUCTIONS:

Water Advisory Committee Members:

David Alves	Princeton-Codora-Glenn Irrigation District
Jack Baber	Reclamation District No. 1004
Mark Lohse	BOS District 5 Private Pumpers
Gene Clark	Reclamation District No. 2106
Ted Trimble	Western Canal Water District
Larry Domenighini	Glenn County Farm Bureau
Leigh McDaniel	Glenn County Supervisor
Wade Danley	Kanawha Water District
Donnan Arbuckle	Resource Conservation District
Ken Sullivan	Orland Unit Water Users Association
Larry Maben	BOS District 3 Private Pumpers
Mike Vereschagin	Orland-Artois Water District
Del Reimers	West Colusa Basin Private Pumpers
Vacant	East Corning Basin Private Pumpers
Thad Bettner	Glenn-Colusa Irrigation District
Bob Coruccini	Willow Creek Mutual Water Company
Jere Schmitke	City of Orland
Elwood Weller	Provident Irrigation District
Vacant	Stony Creek Water District
Vacant	West Corning Basin Private Pumpers
Joel Mann	Glide Water District
Rosanna Marino	City of Willows

Technical Advisory Committee Members:

Lance Boyd	South
Kelly Staton	Department of Water Resources
Allen Fulton	UC Cooperative Extension
Randy Murphy	Planning and Public Works Agency
Kevin Backus	Environmental Health
Ben Pennock	Central
Mark Black	Agricultural Commissioner
Andrew Farrar	East
George Wilson	North

II. APPROVAL OF MINUTES:

Approval of the Minutes from the meeting of December 9, 2008.

III. AGENDA ITEMS:

A. Public Comment:

Any person wanting to address the Water Advisory Committee on any item NOT ON TODAY'S AGENDA may do so at this time. The Water Advisory Committee will not be making decisions or determinations on items brought up during Public Comment.

B. Discussion and/or Action Items:

1. Continue Discussion on Strategic Planning for Water Resources.
    1) Fee Process Development
    2) Evaluate Water Transfer Guidelines

2. Winter Groundwater Levels.
    1) January DWR Measurements.
    2) Well Count by Section Maps

3. Groundwater Replenishment Discussion

4. Butte County Lower Tuscan Recharge Research Project.

5. Drought Water Bank – Comment letter to DWR

6. Water Supply Forecasts.

7. Draft Salmon/Sturgeon Biological Opinion

C. Communications:

NRCS – Agricultural Water Enhancement Program

D. Member Reports:

At this time WAC members are encouraged to discuss upcoming or ongoing activities that may be of interest to the committee.

IV. NEXT MEETINGS:

The next Water Advisory Committee meeting will be scheduled today.

The next TAC meeting will be scheduled at a later date.

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Phone: (530) 934-6501 Fax: (530) 934-6503
E-mail: wateradv@countyofglenn.net Web Page: www.glenncountywater.org

MINUTES

Meeting Date: December 9, 2008

Time: 1:30 pm

Place: Glenn-Colusa Irrigation District
344 East laurel Street
Willows, CA 95988

Water Advisory Committee Members Present:

Donnan Arbuckle	Resource Conservation District
Thad Bettner	Glenn-Colusa Irrigation District
Larry Domenighini	Glenn County Farm Bureau
Keith Hansen	Glenn County Supervisor
Mark Lohse	BOS District 5 P P
Larry Maben	BOS District 3 Private Pumpers
Joel Mann	Glide Water District
Rosanna Marino	City of Willows
Del Reimers	West Colusa Basin P P
Jere Schmitke	City of Orland
Ken Sullivan	OUWUA
Ted Trimble	Western Canal Water District
Elwood Weller	Provident Irrigation District

Water Advisory Committee Members Absent:

David Alves	PCGID
Jack Baber	Reclamation District No. 1004
Gene Clark	Reclamation Dist # 2106 & 1004
Bob Coruccini	Willow Creek Mutual Water Co.
Wade Danley	Kanawha Water District
Craig Vereschagin	East Corning Basin P P
Mike Vereschagin	Orland-Artois Water District

Technical Advisory Committee Members Present:

Lance Boyd	PID/PCGID
Andrew Farrar	East Area
Kelly Staton	Department of Water Resources
Ben Pennock	Central Area
Kevin Backus	Glenn Co. Environmental Health
George Wilson	North Area

Others in Attendance:

John Amaro	Glenn Co. BOS
Tina Brothers	WAC/TAC Secretary
Eugene Massa Jr.	CBDD
Lester Messina	Glenn Co. Dept. of Agriculture
Dan Ramos	Capay Rancher
Rachelle Valverde	GCID

I. INTRODUCTIONS: Those in attendance introduced themselves.

II. APPROVAL OF MINUTES: The minutes from October 28, 2008 meeting were approved as mailed.

III. AGENDA ITEMS:

A. Public Comment: None.

B. Discussion & Action Items:

1. **Continued Discussion on Strategic Planning for Water Resources –** Ted mentioned there was pretty good discussion at the last meeting. It was agreed to bring it back for additional discussion. Lester informed the WAC that the packet was presented to the Glenn County Board of Supervisors on November 4, 2008. Due to not having all Board of Supervisors present it was continued to a latter date. Lester handed out the packet that was presented to the BOS and reminded everyone that it basically outlines options for ways of funding a strategic planning process for water resources outside the general fund. It was mentioned by a surface water irrigation district that he would like more information in writing on identifying levels of benefit which would not duplicate efforts already established.

   After a lengthy discussion of the options a motion was made to write a letter in support of the BOS moving forward with countywide water resource planning however the WAC is requesting the BOS to fund this program through the General Fund. All were in agreement. Ted will write the letter and Lester is willing to present it at the BOS meeting on December 16, 2008.

   Larry asked to request from the county information regarding current expenditures on water resources and an idea of projected expenditures. To give us an idea of what are the cost now, what man power is needed and the money for data loggers that needs replaced and continue to update our monitoring neeeds. Lester mentioned that information will be part of the discussion at the BOS meeting. Ted suggested getting those figures after the BOS meeting.

2. **TAC Report on Fall Groundwater Levels**-Lester passed out two maps with the 2007 & 2008 Fall Sacramento Valley Groundwater Elevations along with DWR's fall groundwater contours for comparison. Lester mentioned these were presented at a Tehama County water resource meeting last week. Kelly provided some explanation on the map data. The data showed that all water levels in Glenn County have dropped 4 feet from last fall.

   Lester passed out a spread sheet and reviewed it with the WAC regarding fall BMO's. Locally we have BMO's in two Private Pumper areas that utilize fall measurements for some of their BMO compliance and were measured in the late part of October 2008. Two of the wells are in Sub-area 9 are in Stage 2 and one well located at Lohse Mill is at a Stage 3. Lester explained that a stage 3 alert may be rescinded only if the spring measurements indicate that the groundwater surface elevation recovers to the previously established average spring BMO level. All three wells in Sub-area 10 are in stage 2 however they are close to being stage 3. This issue was discussed at the last TAC meeting and it was determined that we do not have enough information to come up with any level of adaptive management. The last time water levels were at these levels, it took 5 years to recover. Ben mentioned the need to look at trends of crops being planted. Lester is going to review the crop reports at the Ag Dept over the last ten years to figure out how much crops have increased because we need good data to make good decisions. Ben also mentioned the need for other data like population change and demand trends, etc. Lester pointed out that these are things that need to be done routinely and will be part of future water resource planning efforts.

   These wells will be re-assessed in the spring.

3. **Addition Item/Sub-Area Map**-At the sub-committee meeting for nominating a new WAC chairman, the committee requested a map showing all the sub areas and who was the WAC representative for that area. The maps were provided and discussed.

C. Communications: None.

D. Member Reports: None.

The next WAC Meeting is scheduled for February 10, 2009 at 1:30 pm. Subsequently it has been changed to February 18, 2009, same location.

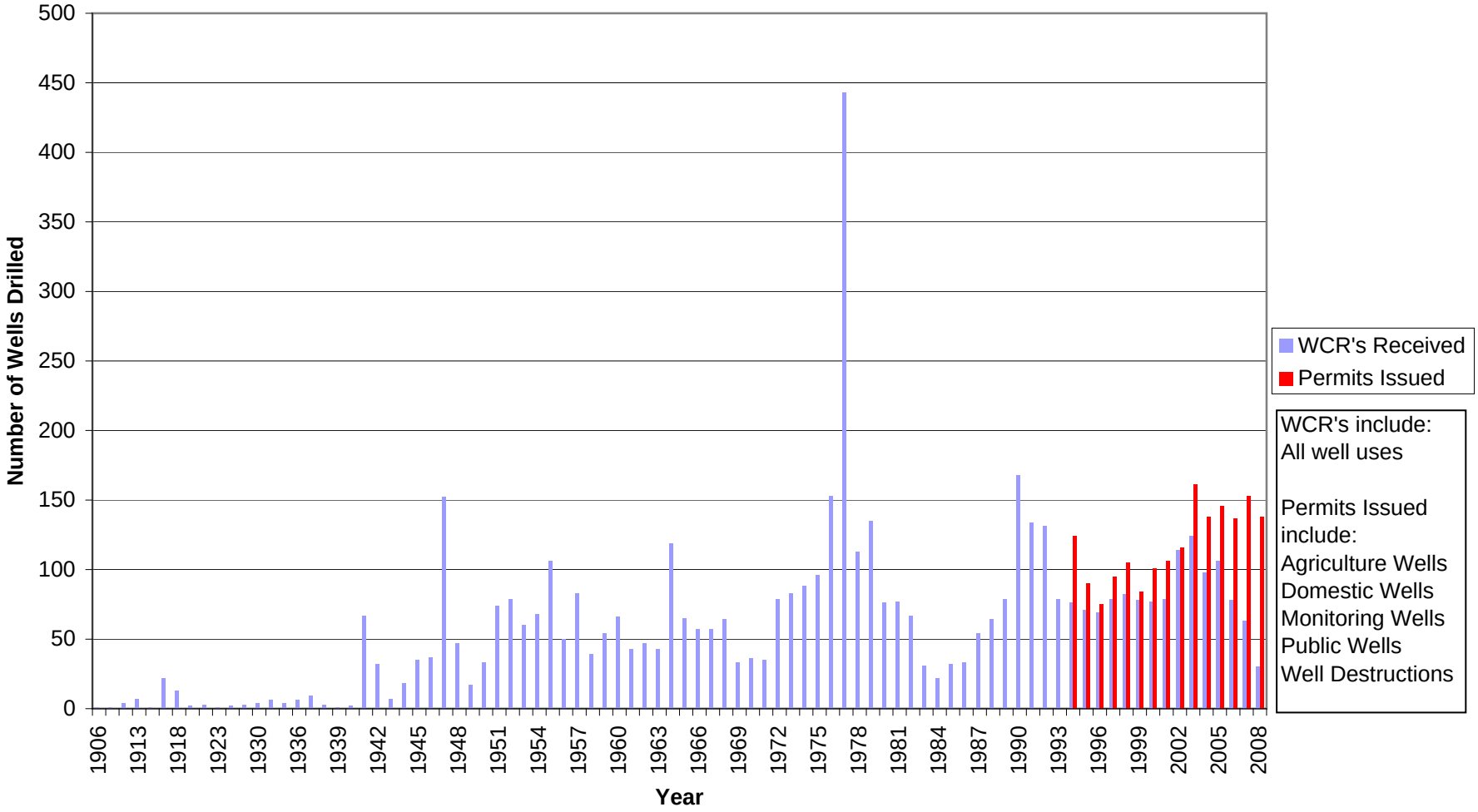
The next TAC Meeting at this date has not been scheduled.

Adjourned at 3:30 pm.

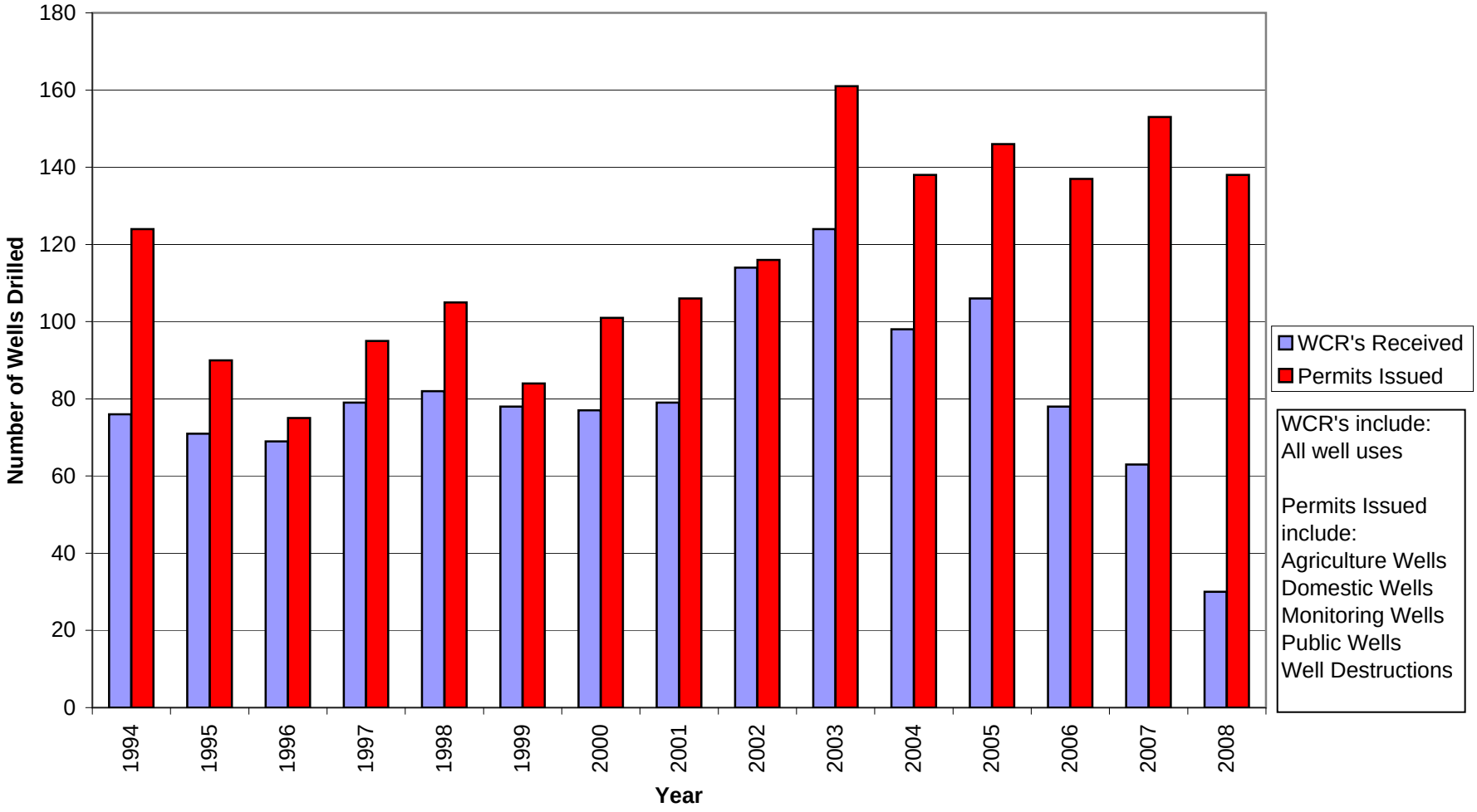
Sincerely submitted by,

Tina Brothers
WAC/TAC Secretary

Number of Well Completion Reports Filed with DWR per Year
vs
Number of Permits Issued by Glenn County per Year

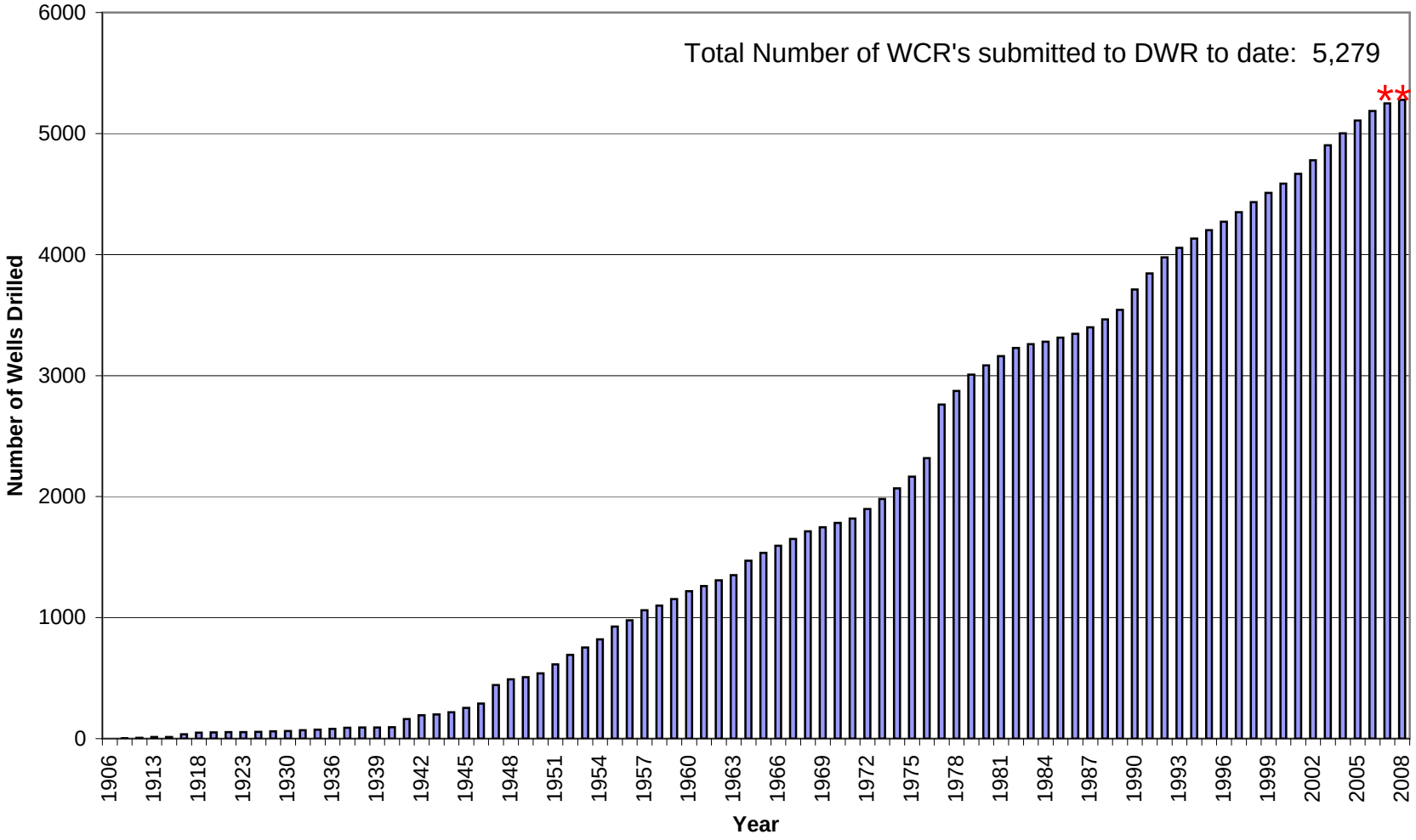


Number of Well Completion Reports Filed with DWR per Year
vs
Number of Permits Issued by Glenn County per Year



GLENN COUNTY

Cumulative Number of Well Completion Reports Filed per Year



*Does not account for an average 250 day lag-time for WCR 's submitted to DWR

GLENN COUNTY
CHANGE IN GROUNDWATER ELEVATION
January 2008 to January 2009

GWE* Change Statistics by Well Depth

	All Well Depths	0 - 200	201 - 600	601 - 1500	Unknown
Glenn					
Max Increase In GWE (ft)	1.7	1.7	0	0	N/A
Max Decrease In GWE (ft)	-16.5	-11.1	-16.1	-16.5	N/A
Avg GWL Change (ft)	-4.5	-3	-3.9	-6.6	N/A
Total Wells	78	24	29	25	N/A

Depth Statistics by Well Depth

	All Well Depths	0 - 200	201 - 600	601 - 1500	Unknown
Glenn					
Maximum Well Depth (ft-bgs)	1380	192	578	1380	N/A
Minimum Well Depth (ft-bgs)	71	71	201	629	N/A
Avg Well Depth (ft-bgs)	474	115	396	911	N/A
Total Wells	78	24	29	25	N/A

GWE* Change Statistics by Well Use

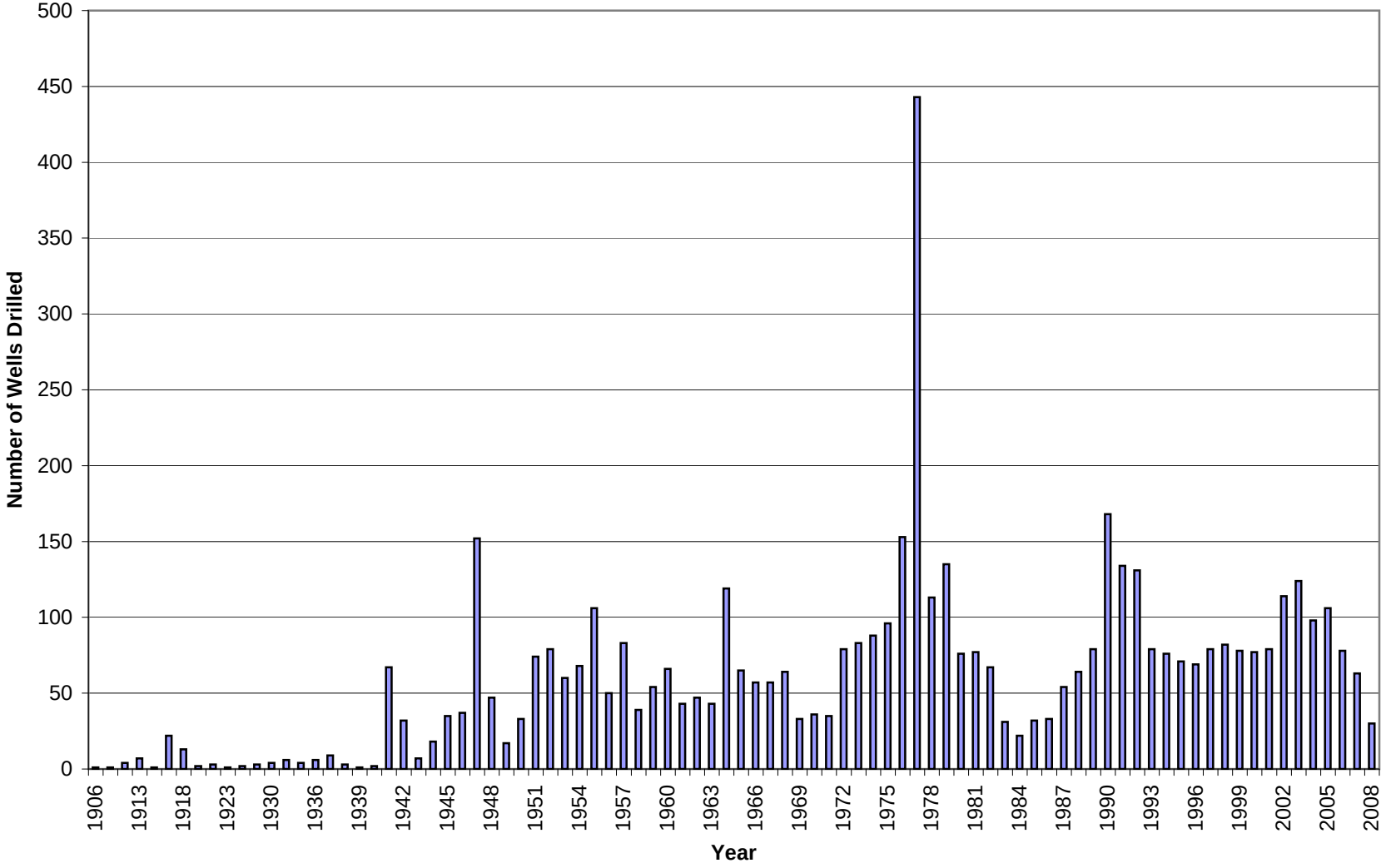
	All Well Uses	Domestic	Irrigation	Observation	Other
Glenn					
Max Increase In GWE (ft)	1.7	N/A	0	1.7	N/A
Max Decrease In GWE (ft)	-16.5	N/A	-8.5	-16.5	N/A
Avg GWE Change (ft)	-4.5	N/A	-5.5	-4.5	N/A
Total Wells	78	N/A	4	74	N/A

*GWE: Groundwater Elevation

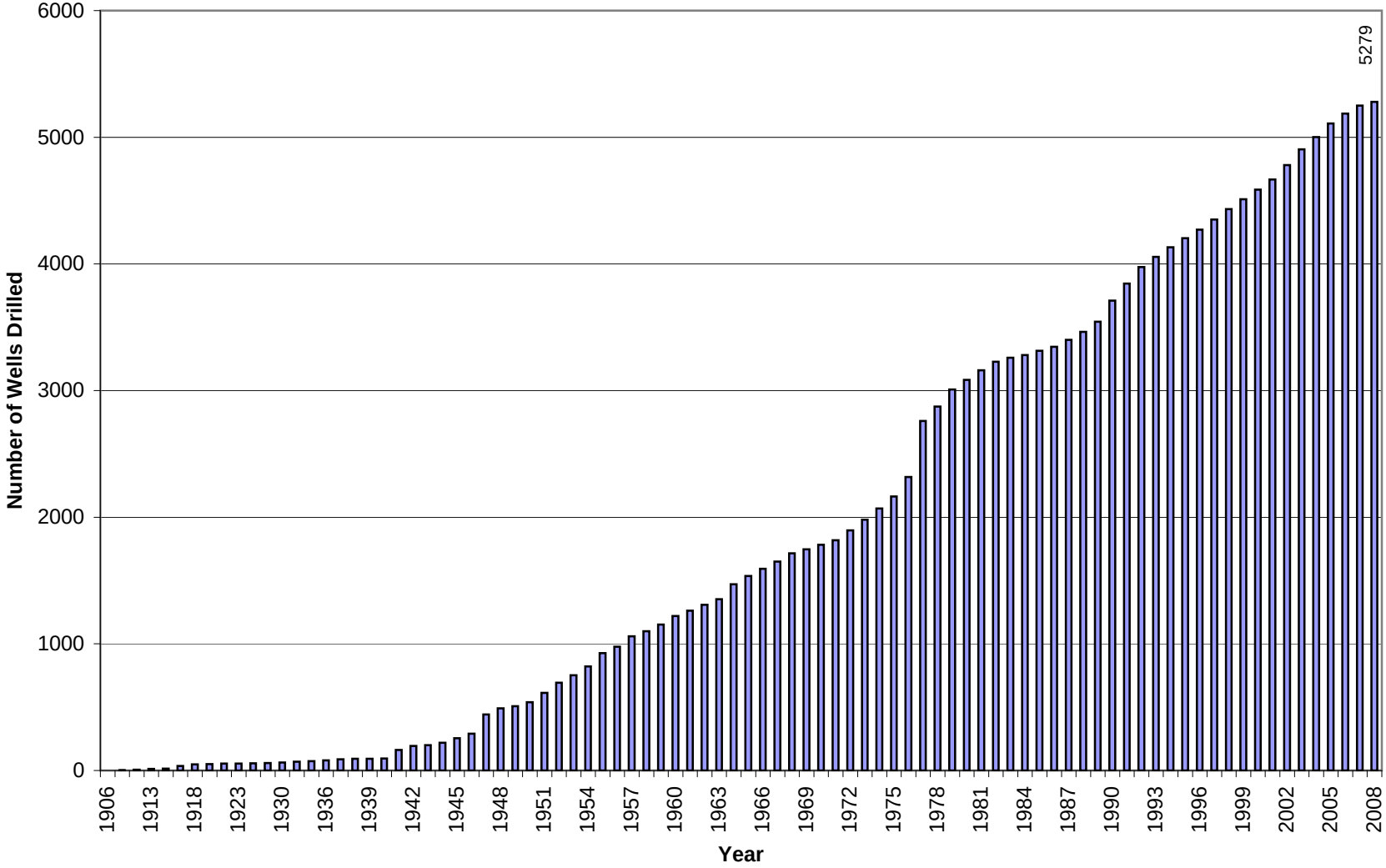
Well Counts by Well Use, Depth

	All Well Depths	0 - 200	201 - 600	601 - 1500	Unknown
Glenn					
Domestic	0	0	0	0	0
Irrigation	4	0	0	4	0
Observation	74	24	29	21	0
Other	0	0	0	0	0
Total Wells	78	24	29	25	0

GLENN COUNTY
Number of Well Completion Reports Filed per Year



GLENN COUNTY
Cumulative Number of Well Completion Reports Filed per Year



23N05W
23N04W
23N03W
23N02W
23N01W
23N01E
22N05W
21N05W
20N05W
19N05W
Stony Creek
Orland
Sacramento River
Hamilton City
Mud Creek
Big Chico Creek
Glenn-Colusa Canal
Willows
Glenn
Butte City
Willow Creek
Princeton
5
45

Large Production Well Count Distribution

- 1 to 5 large production wells per section
- 6 to 10 large production wells per section
- 11 to 15 large production wells per section
- 16 to 20 large production wells per section
- 21 to 25 large production wells per section
- 26 to 30 large production wells per section
- Sacramento Valley Basin boundary
- County boundaries

N

This map provides an overview of the regional and local extent of groundwater development. The number of wells identified within each section is based on well completion reports submitted to DWR through December, 2008. It's important to note that a number of wells have been constructed without the submittal of a well completion report and have not been included in this tabulation. The number of wells falling into this category is unknown.

Large production wells include irrigation, municipal, public, and industrial wells.

STATE OF CALIFORNIA
THE RESOURCES AGENCY
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

GLENN COUNTY LARGE PRODUCTION WELL COUNTS BY SECTION

Northern District Department of Water Resources
2440 Main Street
Red Bluff, California 96080
(530) 529-7300
http://www.nd.water.ca.gov/index.cfm

DATE: January, 2009

SCALE: 0 0.5 1 2 3 4 Miles

BY: mward

LOCATION: Groundwater\BaseMaps\ndlog\Glenn_County

GLENN COUNTY LARGE PRODUCTION WELL DEPTH SUMMARY

Large Production Well Count Distribution

- 1 to 5 large production wells per section
- 6 to 10 large production wells per section
- 11 to 15 large production wells per section
- 16 to 20 large production wells per section
- 21 to 25 large production wells per section
- 26 to 30 large production wells per section

Large Production Well Depth Summary

130 / 250 / 173 — Minimum Well Depth / Maximum Well Depth / Average Well Depth

Sacramento Valley Basin boundary

County boundaries

N

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DATE: January, 2009

SCALE: 0 0.5 1 2 3 4 Miles

BY: mward

LOCATION: Groundwater\BaseMaps\ndlog\Glenn_County

23N05W
23N04W
23N03W
23N02W
23N01W
23N01E
22N05W
21N05W
20N05W
19N05W
Stony Creek
Orland
Sacramento River
Hamilton City
Mud Creek
Big Chico Creek
Glenn-Colusa Canal
Artois
Willows
Willow Creek
Glenn
Butte City
Princeton

Domestic Well Count Distribution

- 1 to 10 domestic wells per section
- 11 to 25 domestic wells per section
- 26 to 50 domestic wells per section
- 51 to 75 domestic wells per section
- 76 to 100 domestic wells per section
- 101 to 125 domestic wells per section
- 126 to 150 domestic wells per section

Based on well completion reports on file through December, 2008.

- Sacramento Valley Basin boundary
- County boundaries

N

This map provides an overview of the regional and local extent of groundwater development. The number of wells identified within each section is based on well completion reports submitted to DWR through December, 2008. It's important to note that a number of wells have been constructed without the submittal of a well completion report and have not been included in this tabulation. The number of wells falling into this category is unknown.

STATE OF CALIFORNIA
THE RESOURCES AGENCY
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

GLENN COUNTY DOMESTIC WELL COUNTS BY SECTION

Northern District Department of Water Resources
2440 Main Street
Red Bluff, California 96080
(530) 529-7300
http://www.nd.water.ca.gov/index.cfm

DATE: January, 2009

SCALE: 0 0.5 1 2 3 4 Miles

BY: mward

LOCATION: Groundwater\Basemaps\ndlog\Glenn_County

GLENN COUNTY DOMESTIC WELL DEPTH SUMMARY

Domestic Well Count Distribution

- 1 to 10 domestic wells per section
- 11 to 25 domestic wells per section
- 26 to 50 domestic wells per section
- 51 to 75 domestic wells per section
- 76 to 100 domestic wells per section
- 101 to 125 domestic wells per section
- 126 to 150 domestic wells per section

Domestic Well Depth Summary

105 / 120 / 113 — Min Well Depth / Maximum Well Depth / Average Well Depth

- Sacramento Valley Basin boundary
- County boundaries

N

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23N05W 23N04W 23N03W 23N02W 23N01W 23N01E
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Stony Creek
Sacramento River
Mud Creek
Big Chico Creek
Glenn-Colusa Canal
Willow Creek
5
32
45

STATE OF CALIFORNIA
THE RESOURCES AGENCY
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Northern District Department of Water Resources
2440 Main Street
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(530) 529-7300
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DATE: January, 2009

SCALE: 0 0.5 1 2 3 4 Miles

BY: mward

LOCATION: Groundwater\Basemaps\ndlog\Glenn_County

County of Glenn Department of Agriculture

Mark D. Black, Agricultural Commissioner
Sealer of Weights & Measures

Jean S. Miller, Assistant Agricultural Commissioner
Sealer of Weights & Measures

January 16, 2009

SENT VIA EMAIL

Mike Hendrick
Senior Environmental Scientist
Department of Water Resources
901 P Street, 4th Floor
Sacramento, CA 95814

Re: Addendum to the Environmental Water Account Program for the 2009 Drought Water Bank

Dear Mr. Hendrick:

I would like to take the opportunity to provide comments on the Department of Water Resources (DWR) Addendum to the Environmental Water Account Program Environmental Impact Statement/Environmental Impact Report (EWA EIR/EIS) for the 2009 Drought Water Bank (DWB). Glenn County's (County) interest is the same as other regional Counties in being confident that the 2009 Drought Water Bank has the least amount of impact upon the community, our agricultural economy, and our environment. At the same time there is a level of frustration brought on from there not being clearly defined roles and responsibilities of all parties intended to participate in such an important program.

In my opinion, the Addendum is not consistent with the existing EWA EIS/EIR in addressing the potential impacts and/or mitigating factors in a manner that would be suitable for the level of environmental review required by the County. There also seems to be poor communications regarding these issues between the Project Agencies, buyers, sellers, and Counties where proposed programs are intended to take place, which increases the level of frustration.

Additionally, the Addendum includes incomplete data for acre feet amounts that willing sellers for the 2009 DWB will provide. We recommend that the documents be finalized to increase our confidence that this will be a transparent process and we can all get these times of drought behind us and hopefully be more prepared in the future.

Sincerely

Lester Messina
Water Resource Coordinator

Cc: Teresa Geimer
Dan McManus
Bob Niblack

720 N. Colusa Street
P.O. Box 351
Willows, CA 95988

Phone: (530) 934-6501
Fax: (530) 934-6503
Email: agcommr@countyofglenn.net

GLENN COUNTY WATER TRANSFER GUIDELINES

Part 1: Background

The Preliminary Plan for Groundwater and Coordinated Water Management (Plan) was approved by the Glenn County Water Advisory Committee (WAC) in 2004 and adopted by the Glenn County Board of Supervisors (Board) in May 2006. Items presented in the Plan identified the "next steps" that should be undertaken as components of a program to facilitate the management of water resources by local entities within Glenn County. Below is the text from the Plan as Item G) Evaluate Water Transfer Guidelines:

Evaluate Water Transfer Guidelines

Glenn County, by virtue on its physical and hydrologic setting and foresight of its residents in the past, enjoys an enviable water supply situation in relation to many counties in California. The fact that water transfers within and/or outside the county can be considered is a fortunate circumstance. As stewards of the water resources available to Glenn County the resource should be managed to meet the needs of Glenn County, the Sacramento Valley, and California, to the extent practicable. Water law and guidelines or parameters for water use exist. It would be helpful to the community to have guidelines documented that represent established water law and water use parameters that represent the basis for particular types of water transfers.

Types of water transfers that should be considered include:

- *Surface water with groundwater substitution.*
- *Surface water with fallowing.*
- *Groundwater.*

To the extent water transfers are configured consistent with adopted guidelines, there should be no need for discussion of a mitigation fund or third party impacts. Having water transfer guidelines in place can facilitate the management of water resources within the county.

At the March 11, 2008 WAC meeting a motion was made to begin the process of evaluating transfer guidelines with the intent of developing a clear policy that will be agreeable to all parties.

A presentation was made to the Board on August 5, 2008 discussing the need for the development of a strategic planning process. From that meeting the Department was directed to bring forward practical options that would be necessary to achieve the objectives presented. The first goal of this process would be to identify a secure and sustainable funding source.

A proposal was submitted to the Board on November 4, 2008 that provided some background in methods that can be put in place to provide secure funding. As you are aware, this proposal was not popular and did create some level of concern regarding the intentions of the Department and staff. The Board decided to revisit the proposal presentation on a later date when all supervisors would be present.

On December 16, 2008 the presentation was brought back to the Board and open discussion followed. As a result of that presentation the Board directed staff to begin the process of developing sustainable funding sources. Of the options identified, two were selected to move forward in the short term that would not require a Proposition 218 "Engineers Report". They are: 1) Additional well permit fees for domestic and agricultural well installation, with consideration for other existing permitted activities, and 2) A per acre foot fee on groundwater substitution and a dollar per acre fee on land fallowing programs associated with out-of-County transfers. Discussion on Option 1 is not relevant to this document and will be addressed at a later date.

At this time, neither of the options currently being considered would provide a sustainable funding source as requested pursuant to Minute Order 31 of the December 16 Board meeting. In the future it is anticipated that a County-wide Benefit Assessment may be recommended to be adopted by the citizens of the County.

The option that discussed placing a fee on transfers was presented as:

Water transfer fees consist of fees that the County imposes on out-of-County groundwater or groundwater substitution transfers. The benefits of water transfer fees are:

1. The County's groundwater management activities include reviewing water transfer environmental documentation and enforcing the Basin Management Objectives during water transfers. Consequently, the County incurs groundwater management costs as a result of water transfers, so it is fair that transfer fees are used to offset these costs.
2. If the County will offer clear transfer guidelines and monitoring services as part of the transfer fee, it will simplify transfers for water districts within the County and bring business to the County.
3. Transfer fees should be paid by the buyer, so cost would not be passed on to local participants.

The drawbacks of water transfer fees are:

1. The amount of revenue that could be generated from imposing fees on water transfers is unknown and will probably fluctuate from year to year.
2. Imposing a water transfer fee without providing clear benefits could encourage buyers to seek transfers from other Counties, potentially driving business away from the County.

Current Requirements

Currently the minimum requirements for reporting from County Code 20.03 are:

20.03.110 (E). The Water Advisory Committee shall collect the following data from any district (and) or person engaged in a groundwater substitution program or groundwater export program: the weekly amounts of groundwater extracted from each well, the precise location of the wells, all pumping and non-pumping groundwater level

measurements made during the groundwater substitution period, the time periods during which the groundwater substitution program will occur, and all required environmental documentation. It shall be the responsibility of the district and (or) person involved in the groundwater substitution program to provide this information to the Water Advisory Committee including any monetary costs of providing such data.

These requirements are very basic and they are in place from the efforts of a dedicated group of County citizens committed to preserving their water rights.

Conflict Resolution

Incorporated in to County Code 20.03 is the procedure for all water users in the county to register abnormal groundwater level reports for the purposes of determining its cause. The process begins when a report is received and reviewed by the Technical Advisory Committee who then prepares an initial investigation report and notifies the local sub-watershed Water Advisory Committee member(s). Local groundwater information is assembled and committee representatives make site visits, collect and assemble additional data, and prepare and present their findings and recommendations to the Water Advisory Committee for action. County Code 20.03 and the adopted Basin Management Objective (BMO) concept have provisions for the County's authority to intervene in a tiered fashion that include the implementation of an adaptive management program or the cessation of pumping from wells involved in substitution programs or other agricultural wells.

Monitoring

Incorporated into these water transfer guidelines will be program specific components of the Sacramento Valley Water Resource Monitoring, Data Collection, and Evaluation Framework (developed by the Department of Water Resources, DWR) and the Preliminary Plan Comprehensive Groundwater Monitoring Plan (Glenn County). The Framework document was developed in 2007 by the DWR staff with valuable assistance from a panel of local and regional water resource scientists and engineers that have a vast knowledge of the region. The Comprehensive Groundwater Monitoring Plan was completed in 2007 as part of an AB 303 Local Groundwater Assistance grant with the work performed by Wood Rodgers Inc. Specific monitoring requirements will be identified, discussed, and agreed upon by the County and sellers. Every effort will be made to design program monitoring which is intended to gather information that will be beneficial to overall water resource planning and designed in a manner that promotes sound coordinated water management activities.

Mitigation

All water transfers require a mitigation plan that needs to address factors that may arise as a result of the transfer. The level of detail in the mitigation plan will be a factor in determining the success of the transfer. The County will assume the lead role for conflict resolution. Specific mitigation factors will be identified, discussed, and agreed upon by the County and sellers. Every effort will be made to design a mitigation plan that is intended to adequately address responsibility, response, finances, and methods of avoiding third party impact or injury.

Legal Principles to be Addressed as Part of the Water Transfer

California laws contain numerous protections that apply to water transfers. However, there are three fundamental principles that typically apply: (1) no injury to other legal users of water, (2) no unreasonable affects to fish, wildlife or other in-stream beneficial uses of water, and (3) no unreasonable affects on the overall economy or the environment in the counties from which the water is transferred. The Project Agencies will not support or participate in any water transfer where these basic principles have not been adequately addressed.

Part 2: Guidelines and Principles

The following water transfer principles and guidelines are the most recent version (August 2008) developed by State and Federal Project Agencies, the DWR and the Bureau of Reclamation (USBR). In some instances, transfers can be developed between buyers and sellers outside of an organized program sponsored by DWR and USBR, where they become their own Project Agencies. Glenn County will consider adopting this edited version to be specific to Glenn County based upon thorough review by its WAC and TAC. Their input will be incorporated into the following guidelines prior to adoption:

Glenn County, in collaboration with Project Agencies, recognizes the importance of local leadership in making decisions on how best to manage their local and regional water resources. Accordingly, the County and these agencies will work cooperatively with local water associations, their member agencies, other regional local governments in the Sacramento Valley, and others to assure that local interests have the opportunity to manage their resources in a manner that meets their local objectives. Sellers will be required to contact the County Board of Supervisors and inform them of their intent to sell water for transfer out of the county as soon as discussions on commitments are negotiated.

Before suppliers voluntarily sell and transfer water out of the county, it is recommended that supplies be made available for others in the county. There needs to be assurance that critical local water needs are met before water is transferred out of the county. The project agencies will work with local water agencies and associations and other local interests in the Sacramento Valley and other regions to assure that supplies are reasonably available to meet local needs in those regions.

Glenn County believes **s**trategies for making water supplies available need to be locally driven and developed in cooperation with local public leaders. It is expected that the Project Agencies will respect the right of individual local water entities determining the best way in which local water purveyors can make water available for local, regional, and statewide use. Such local programs shall be in compliance with all applicable laws, including local ordinances. California law

recognizes transfers as a beneficial use of water and protects the underlying water rights involved in a transfer.

Water transfers in Glenn County are to be made without injuring other legal water users and without unreasonably affecting fish, wildlife, or other in-stream beneficial uses, and shall be designed to avoid unreasonable effects on the overall economy or the environment in the county. No more than 20 percent of the crop land can participate in transfers unless additional evaluations are conducted related to both the economic and environmental impacts. Investment of local income from water transfers typically goes back into normal business operations and improvements of local water supply systems. Coordination with the transferring water district, and, as necessary, county government representatives to help identify actions that may become necessary if the cumulative economic effects of water transfers in those counties appear to the Project Agencies to reach unreasonable levels. Water transfer programs need to establish effective mechanisms to ensure that injury to other legal water users is identified and avoided or mitigated. In addition, evaluations of possible economic and environmental effects of the transfer at the countywide level need to be identified. Real-time monitoring programs will be developed to trigger corrective actions that help avoid possible impacts as they may develop. This is especially important for groundwater substitution transfers in where a well defined mitigation program is required that specifies the actions the Seller will take, to prevent injury from occurring.

Actions to develop additional supplies for water users need to be implemented in a manner that is compatible with ongoing environmental protection and restoration programs. Examples of such programs include the Ecosystem Restoration Program and the Central Valley Project Improvement Act implementation efforts as well as any local actions to protect environmental resources. In fulfilling its obligations, the Project Agencies recognize that it must represent the interests of all parts of the State, both those areas needing additional supplies and those that can make supplies available.

Types of Water in Glenn County That Can Be Transferred

Groundwater Substitution – Reduction in surface water use which is offset with additional groundwater pumping. A groundwater substitution transfer generally consists of the following components:

- The location and characteristics of the wells that will be pumped
- The volume and schedule of transfer-related groundwater pumping
- Monitoring plan designed to assess the effects of the transfer

- Mitigation measures to alleviate possible injury issues

When developed, Project Agencies will review and evaluate groundwater substitution transfer proposals to determine whether they meet the following objectives:

- Transfer will have no significant unmitigated environmental effects
- Potential adverse effects to other legal users of water are minimized
- Proposal provides a process for review and response to reported third party effects
- Proposal shows that a monitoring and mitigation strategy is in place prior to the transfer
- Transfer operations will result in providing the agreed upon amount of transferable water

Before beginning transfer operations, the water transfer proponent will develop a groundwater substitution transfer proposal and provide it to the Project Agencies and the County. The proposal will include a detailed description of any transfer-related changes to water management operations and a description of the facilities used in the operation. The details of the proposed water management operations will be included as contractual commitments in the water purchase agreement with the seller or agent of the seller. The proposal shall include a description of the following program components:

- Surface water source that will be replaced by groundwater pumping
- Location and construction details of wells that will be pumped
- Schedule and volume of water to be pumped
- Baseline from which the additional pumping will be measured
- Method of measuring and reporting the volume of water pumped
- Monitoring program
- Mitigation measures

The seller will be responsible for assessing and mitigating significant adverse effects resulting from the transfer within the transfer source area. In addition to the details of the water transfer operations, the seller's proposal shall provide an assessment of potential adverse effects due to transfer-related operations.

Cropland idling/Crop Shifting – Reduction in surface water use resulting from a reduction in the evapotranspiration (ETAW) of applied water to agricultural crops that would have occurred in the absence of the water transfer. (See section titled "Water Transfers Based on Crop Shifting and Idling for DWR's 2009 Drought Water Bank and Bureau of Reclamation's Water Acquisition Program" for ETAW values of crops.)

Types of Water Transfers Not Allowable

Direct Pumping of Groundwater – Water Code Section 1220 establishes significant barriers to the export of groundwater outside the Sacramento Valley. The Project Agencies are not interested in facilitating the direct transfer of groundwater from one area to another.

Transfers that Injure Legal Users of Water or Cause Unreasonable Effects to the Environment – Water transfers that simply reclassify existing stream flows from one category to another, making these flows no longer available to historic downstream users, have the potential to injure other legal users of water and cause harm to the environment. Water transfers should focus on either making new surface flows available or reducing surface water use in such a way as to expand the availability of surface water resources for use by others.

Long-Term Transfers - Arrangements for long-term programs related to cropland idling may be developed if the situation arises. This documentation will determine the number of years acceptable for such a program is intended to help protect the local farm economy and to avoid some environmental impacts.

Environmental Documentation

In some water transfer instances, programmatic CEQA/NEPA environmental review will be considered adequate if it meets all the requirements of the Project Agencies legal requirements to the extent they assure that the proposed transfers and related actions are in compliance with applicable federal and state laws to prevent unreasonable environmental impacts. In instances of groundwater substitution, a greater level of site specific review may be required.

Verification and Reporting

Verification of the actions taken to make water available in a crop shifting or cropland idling program will be conducted by the Project Agencies and participating districts and provides the information to Glenn County staff. Sellers must allow access to fields by staff for verification purposes. Water transfers are based on estimates of water made available through cropland idling/ shifting. A mutually agreeable program needs to be developed for each proposed transfer that allows for monitoring of appropriate field data that can be used to verify the water that was actually made available by the transfer action(s) and to modify future guidelines if warranted. Accurate reporting of the activities undertaken as part of a crop shifting and cropland idling program is an essential provision of any water transfer program agreement. Reporting is the responsibility of the seller and needs to be acceptable to the Project Agencies. Reporting requirements will be

outlined in the contracting process and communicated to Glenn County staff.

Part 3: Proposed Water Transfer Fees

Water transfer fees being developed will be consistent with the adopted Glenn County Groundwater Management Plan (Ordinance 1115) adopted in February 2000 (codified as County Code 20.03) and local irrigation and water district policies. As a result of actions by the Board, it is now necessary for the County to impose fees on out-of-County groundwater substitution transfers and out-of-County land fallowing transfers. The benefits of these types of water transfer fees are necessary because the County will incur groundwater management costs as a result of some types of transfers. The County's groundwater management activities include reviewing environmental documentation, performing additional monitoring, and if necessary, enforcement of the Ordinance. So, as a result, it is only fair that transfer fees cover those costs. It is the County's responsibility to offer clear transfer guidelines and monitoring services to justify any transfer fee. Transfer fees will be paid by the buyer with no added cost to participants. Imposing an excessive water transfer fee without providing clear benefits could encourage buyers to seek transfers from other Counties, potentially driving business away from the County. These fees are in no way to considered part of any level of mitigation for third party impact or injury.

Protection of Water Rights

California law protects the underlying water rights of those parties who wish to transfer a portion of their surface water supply to others. California Water Code Section 1745 et seq. protects the underlying water rights from forfeiture for water transfers. Any water transfer agreement between the buyer and seller for water purchases needs to expressly recognize the legal protections afforded the seller's underlying water rights in a water transfer.

Trust Fund

All funds received by the County from these transfers will be placed in a special trust fund and utilized only for groundwater and coordinated water management activities in the County.

Proposed Fess Are As Follows:

Substitution

For each acre foot of groundwater extracted in the County that is replacing an acre foot of surface supply that is not utilized in the County or District there will be a fee of **$5.00 per acre foot** surcharge paid to the County by the buyer.

Fallowing

For each acre of ground fallowed, that is associated with an out-of-County transfer of surface supply that is not utilized in the County, there will be a fee of **$1.00 per acre foot** surcharge paid to the County by the buyer.

Option Fees

Option fees and dates are usually developed by the buyer and the seller during their negotiations. When an option date and option fee to purchase water is determined by the buyer and the seller, and the buyer exercises the option, there will be a **$1.00 per acre foot** surcharge paid to the County by the buyer, regardless of the ability of the buyer to receive the water from a completed transfer.