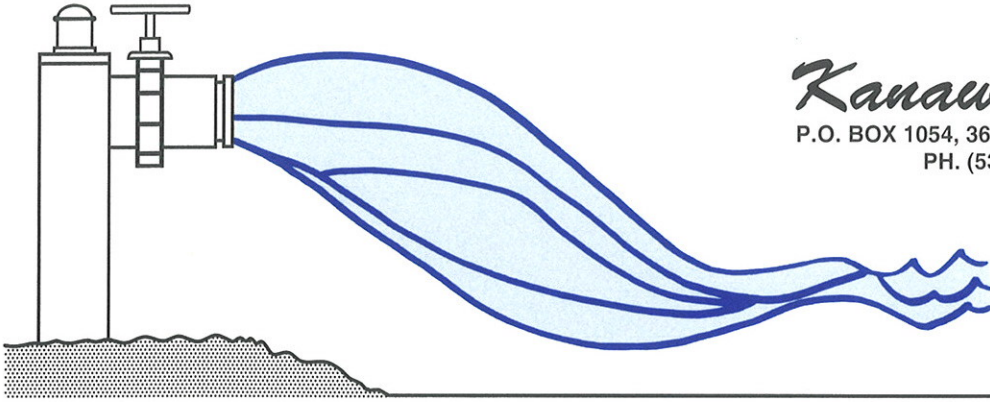


Well Permit Moratorium Exemptions:

1. Repairs of existing water wells that do not increase the ability of the well to extract groundwater at a rate greater than the capacity of the well to extract groundwater before any repair was required.
2. The deepening of an existing water well that does not increase the ability of the well to extract groundwater at a rate greater than the original or historical capacity of the well to extract groundwater before the well was deepened.
3. New replacement wells in the following circumstances:
 - a. The new well replaces an existing well that will be abandoned and destroyed in conformity with the law and to the satisfaction of the Enforcement Agency within 30 days following completion of the new replacement well; and
 - b. The replacement well shall not have a groundwater extraction capacity greater than the original or historical groundwater extraction capacity of the well it is replacing.
4. New wells in the following circumstances:
 - a. The new well does not extract groundwater, or does not extract groundwater for any purpose other than sampling to comply with regulatory requirements. Test holes are not exempt from the moratorium.
 - b. A new domestic well shall have a casing of 6 inches in diameter or less and be used for residential uses only.
 - c. A new Public Water System well when it complies with the State Water Resource Control Board, Division of Drinking Water, Safe Water Drinking Act and related laws.
5. Well Destructions.
6. An approved well permit that has not yet expired may be extended one time for a 12 month period.



Kanawha Water District

P.O. BOX 1054, 360 N. COUNTY ROAD G • WILLOWS, CA 95988
PH. (530) 934-5476 • FAX (530) 934-7926

August 24, 2015

Larry Domenighini, Chair
Glenn County Water Advisory Committee
720 N. Colusa Street
Willows, CA 95988

Re: County Well Moratorium

Dear Larry:

On behalf of Kanawha and Glide Water Districts, I am providing these comments to assist the Water Advisory Committee and Technical Advisory Committee in responding to the direction of the Glenn County Board of Supervisors regarding refinements of their August 18, 2015 action imposing a county-wide moratorium on the issuance of well permits.

The Districts want to make it clear, first, that a county-wide moratorium imposed on every type of land use, adopted as this one was, with no publication of any advance information substantiating the purpose and extent of such a drastic measure, is bad public policy and poses a substantial risk to the County's economy. It is also a terrible precedent not only in terms of how the Board of Supervisors might approach other land use issues in the future, but also specifically with respect to groundwater issues. This is particularly troubling as we have barely embarked upon what we hope will be cooperative efforts to implement the Sustainable Groundwater Management Act. Actions taken like this one were not collaborative. Similar to the Board of Supervisors' action last month to declare itself a county-wide Groundwater Sustainability Agency, enactment of broad groundwater policies before opportunity for stakeholder input, even when coupled to promises to modify the action later after that input, suggests that the Supervisors lack a real commitment to cooperation.

Turning to the subject of focusing on the moratorium, we believe that there should be two levels of exemptions.

The first level should be a geographic one, potentially based upon basin management objective ("BMO") areas. A moratorium should apply only in those areas where BMO compliance is breached. In BMO areas where those conditions do not exist, the moratorium should not apply. Otherwise the moratorium's restrictions on land use and exercise of property rights is based on

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inadequate or no evidence at all. In Kanawha and Glide Water Districts the groundwater conditions are within the stated BMOs and while levels show short term impacts during the irrigation season, they recover and there is no evidence of significant domestic well problems.

In areas where the moratorium *does* apply, we have reviewed the 8/21/15 draft of exemptions that Lisa Hunter circulated. A copy with some questions and comments is attached.

Finally, we believe that the ordinance should include provisions for the Board of Supervisors to consider reasonable variances from the restrictions. We do not accept that every "new" well that is not exempt under the proposed exemptions would, by definition, pose a threat to the future of Glenn County. That is why we suggest a more careful geographic definition of the areas that are subject to a moratorium. Moreover, it is an inescapable fact that the surface water supplies available for Glenn County's farmers who are in organized districts are becoming less reliable both in terms of quantity and cost. The livelihood and future of the County at large is inextricably bound up with the ability of farmers in those organized districts to supplement their traditional water supplies. Imposition of blanket restrictions on their ability to do that is akin to the emotional, knee-jerk opposition to the expansion of surface water supplies by opponents of the Central Valley Project and of the Sites Reservoir Project. Even though support for a wholesale well moratorium comes from different sources, the result would be the same -- a slow but methodical deterioration of Glenn County farming and its communities.

Sincerely yours,



General Manager
Kanawha and Glide Water Districts

cc: Glenn County Board of Supervisors
Glenn-Colusa Irrigation District
Orland-Artois Water District
Orland Unit Water Users Association
Tehama-Colusa Canal Authority
J. Mark Atlas

Comments of Provident ID, Princeton-Codora-Glenn ID, Kanawha WD and Glide WD

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5. Well Destructions.
6. An approved well permit that has not yet expired⁷ may be extended one time for a 12 month period.

¹ How will the county determine what the capacity was before repair was necessary? We are not saying that cannot be done, but what information will be required or acceptable?

² What is the difference between "original" and "historical"?

³ In Ordinance 1237, this is the Board of Supervisors. Should this exemption delegate review of abandonment of wells to a specific department?

⁴ Same issue as footnotes 1 and 2

⁵ We assume "residential" is intended to mean water used for human consumption, but also some level of outdoor irrigation. The outdoor irrigation use should be limited to no more than one acre that surrounds a residence.

⁶ A public water system (PWS) is a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least fifteen service connections or regularly serves at least twenty-five individuals. Such a well could easily place a demand on aquifers that exceeds what the agricultural demand would be on the same land. We do not agree that there should be a blanket exception for PWS wells any more than there should be a blanket prohibition of irrigation wells.

⁷ As of when? Should this say instead that any permit that was issued before August 18, 2015 may be extended for one additional year beyond its expiration date?

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Comments of Provident ID, Princeton-Codora-Glenn ID, Kanawha WD and Glide WD

The definitions of a public water system and different types of public water systems are given below. These definitions are in Section 116275 of the California Safe Drinking Water Act which is contained in Part 12, Chapter 4 of the California Health and Safety Code. The link at the bottom of this page is to a compilation of California statutes related to drinking water including the California Safe Drinking Water Act.

116275. Definitions.

(h) **“Public water system”** means a system for the provision of water for **human consumption** through pipes or other constructed conveyances that has 15 or more **service connections** or regularly serves at least 25 individuals daily at least 60 days out of the year. A public water system includes the following:

- (1) Any collection, treatment, storage, and distribution facilities under control of the operator of the system that are used primarily in connection with the system.
- (2) Any collection or pretreatment storage facilities not under the control of the operator that are used primarily in connection with the system.
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(e) **“Human consumption”** means the use of water for drinking, bathing or showering, handwashing, oral hygiene, or cooking, including, but not limited to, preparing food and washing dishes.

(s) **“Service connection”** means the point of connection between the customer’s piping or constructed conveyance, and the water system’s meter, service pipe, or constructed conveyance. A connection to a system that delivers water by a constructed conveyance other than a pipe shall not be considered a connection in determining if the system is a public water system if any of the following apply:

- (1) The water is used exclusively for purposes other than residential uses, consisting of drinking, bathing, and cooking or other similar uses.
- (2) The department determines that alternative water to achieve the equivalent level of public health protection provided by the applicable primary drinking water regulation is provided for residential or similar uses for drinking and cooking.
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(i) **“Community water system”** means a public water system that serves at least 15 service connections used by yearlong **residents** or regularly serves at least 25 yearlong **residents** of the area served by the system.

(j) **“Noncommunity water system”** means a public water system that is not a community water system.

Comments of Provident ID, Princeton-Codora-Glenn ID, Kanawha WD and Glide WD

(k) **“Nontransient noncommunity water system”** means a public water system that is not a community water system and that regularly serves at least 25 of the same persons over six months per year.

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<http://www.cdph.ca.gov/certlic/drinkingwater/Documents/Lawbook/DWstatutes-2012-01-01a.pdf>

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PROVIDENT
IRRIGATION DISTRICT

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PRINCETON - CODORA - GLENN
IRRIGATION DISTRICT

P.O. Box 98
Princeton, CA 95970
(530) 439-2248
(530) 439-2163 Fax

August 24, 2015

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Glenn County Water Advisory Committee
720 N. Colusa Street
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In areas where the moratorium *does* apply, we have reviewed the 8/21/15 draft of exemptions that Lisa Hunter circulated. A copy with some questions and comments is attached.

Finally, we believe that the ordinance should include provisions for the Board of Supervisors to consider reasonable variances from the restrictions. We do not accept that every "new" well that is not exempt under the proposed exemptions would, by definition, pose a threat to the future of Glenn County. That is why we suggest a more careful geographic definition of the areas that are subject to a moratorium. Moreover, it is an inescapable fact that the surface water supplies available for Glenn County's farmers who are in organized districts are becoming less reliable both in terms of quantity and cost. The livelihood and future of the County at large is inextricably bound up with the ability of farmers in those organized districts to supplement their traditional water supplies. Imposition of blanket restrictions on their ability to do that is akin to the emotional, knee-jerk opposition to the expansion of surface water supplies by opponents of the Central Valley Project and of the Sites Reservoir Project. Even though support for a wholesale well moratorium comes from different sources, the result would be the same -- a slow but methodical deterioration of Glenn County farming and its communities.

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General Manager, PCGID/PID

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