

**SIERRA VALLEY GROUNDWATER MANAGEMENT DISTRICT
SPECIAL BOARD OF DIRECTORS MEETING
SIERRA CHRISTIAN CHURCH
81059 HIGHWAY 70 BECKWOURTH, CA 96129**

Monday, February 19, 2024 at 3:30 p.m.

**This meeting will also be available via Zoom Teleconferencing:
<https://us02web.zoom.us/j/87847235864?pwd=YWFYaTErR1BUTjA3cHFiOHUvRTcydz09>**

**Meeting ID:
878 4723 5864
Passcode:
647657
By Phone:
+1 (669) 900-9128**

**Board of Directors
Einen Grandi, Chairman
Dwight Ceresola, Director
Dave Goicoechea, Director
Greg Ramelli, Director
Jim Roberti, Director
Paul Roen, Director**

SPECIAL MEETING
MINUTES

1) CALL TO ORDER & ROLL CALL OF DIRECTORS

Director Grandi called the meeting to order at 3:31 PM
Directors present: Goicoechea, Roberti, Roen, Ramelli
Directors absent: Ceresola (+ one director vacancy)
Also present: Judie Talbot, Rick Roberti, Kathie Fenley
Via Zoom: Gus Tolley, Tracey Ferguson, Laura Foglia, Elizabeth Morgan, Tracy Schohr, Kristi Jamason

2) PUBLIC COMMENT OPPORTUNITY – limited to 5 minutes per speaker

At this time, members of the public may comment on any item not appearing on the agenda. Under state law, matters presented under this item cannot be discussed or acted upon by the Sierra Valley Groundwater Management District Board of Directors at this time.

Rick Roberti said thank you to the Board. He shared that in his travels he has heard many cattlemen talking about what groundwater basins are dealing with and noted how the SVGMD is far ahead compared to most. Many of the consultants hired by other basins haven't done well and are currently dealing with lawsuits. He commended the Board for their work and thanked them for doing a good job.

3) DISCUSSIONS/ACTIONS

**A. Considerations on Potential Policies and Procedures for Active and Inactive
Large-Capacity Wells**

Chairman Grandi began the discussion with noting the SVGMD recognizes two classifications of large-capacity wells: active and inactive. There are also some that aren't registered. Several years ago, the District sent letters to land owners and put notifications in the newspapers to have well owners register their wells as active or inactive. Now the Board needs to work toward a policy for inactive wells. If an active well owner does not pay the annual \$200 fee, the meter will be removed, the well will become inactive, and it would be unlawful to pump.

Dwight Smith, hydrogeologist with McGinley & Associates, shared that Nevada groundwater rights can be subject to forfeiture if they are inactive for five years. However, the State engineer gives that owner one year to remedy the situation via notification by certified mail. The owner may apply for a multiple year extension with good reason, but they must show reasonable diligence.

Elizabeth Morgan, Sierra County Director of Environmental Health, stated that inactive wells need to be properly covered to protect the well from contamination. There might be wells that aren't any good and are providing a conduit for contamination, but we don't know where those wells are.

Director Goicochea does not want to penalize people for not pumping their active wells.

Grandi asked what the procedure should be if someone wants to reactivate an inactive well?

Director Roen suggested establishing a perimeter that's the same for new well requirements: require a hydrologist report proving it won't adversely affect the basin.

Rick Roberti said the Board is commissioned to take care of the basin and groundwater levels. Those inactive wells have been sitting unused for so long and owners should not be able to drill a new well to replace an old inactive well.

Let the minutes note Director Ceresola joined the meeting at 4:04 p.m.

Grandi asked what the Board should do about inactive wells that are on land that is for sale?

Director Ramelli asked if new landowners should have a right to activate inactive wells?

Rick Roberti suggested that every active well should meet the standards of the wells we have today.

Judie Talbot, GSA Facilitator, asked what will happen to wells that weren't registered as inactive?

Roen thinks one more well registry notification needs to be sent out and then that's it. Any wells not registered have no further rights.

Smith mentioned the new SVGMD Well Evaluation Technical Guidelines & Procedures being drafted. It specifically lists what land owners need to bring before the Board. Those guidelines could also be used for inactive wells wanting to become active? It will give engineers all of the details of what is needed so the Board will be getting consistent details each time, including an evaluation report, drawdown prediction, and a special analysis for wells pumping over 100 acre-feet. It is not intended for domestic wells.

Gus Tolley, hydrogeologist with Daniel B. Stephens & Associates, was asked if the model could help predict the effects of pumping from a new/activated well. Tolley responded that the model can provide a simulation, but if it's in an area where there isn't very good data the numbers could be fuzzy. It depends on the area and the quality of data for how trustworthy the results would be. He also shared that the Groundwater Resource Association is coming out with a white paper about well permitting regarding the Governor's Executive Order.

Director Roberti said it would be a benefit to everyone to do a pump test. Owners must prove inactive wells are viable if they want to activate them, but if they've been inactive for several years they can't be replaced.

Ramelli said owners of inactive wells should have the right to prove activating their well will not affect anybody.

Smith recommended the Board have a third party review the well evaluations.

Laura Foglia, LWA GSP Project Manager, said the minimum threshold for subsidence and drawdown should be included in this process in some way. The Board has to show that they are looking at these decisions from several angles according to the Sustainability Plan.

The clerk asked the Board what will happen to wells that aren't registered as active or inactive? Should there be another registry? Do wells that are not registered lose all rights? What if there are new landowners that did not get a chance to register the wells? Should any well that is not active be considered inactive and if the landowner wants to reactivate it (whether it is registered or not), they will have to go through the same process as a new well applicant?

Due to time constraints, the Board decided to continue this discussion at next month's meeting.

B. Revisions to the SVGMD Well Application

Grandi shared that the procedure for drilling a large-capacity well (currently defined as capable of pumping over 100 gpm) is for the owner to apply with the County. Then the County sends the application to the SVGMD for approval or denial. The District application needs to be updated to match GSA guidelines and the new Executive Order N-7-22. The District application says any well pumping under 100 gpm is a de minimis well, but the new state law defines de minimis as pumping 2 acre-feet or less per year. The problem is, someone could drill several wells that pump under 99 gpm, which would equate to large capacity pumping. District Ordinance 18-01 also needs to be amended to say "less than or equal to 2 acre-feet per year" for domestic wells.

Roan said the District's application and ordinance need to be consistent with the State's rules to be legal.

Goicoechea said the 2023 Annual Report estimates there are ~500 domestic wells in the basin, which would be 1,000 acre-feet annually and 20% of the pumping total this year, if true.

Director Roberti noted that the Yolo County application example doesn't address domestic wells.

Foglia responded that Yolo County relies on the Governor's Executive Order and that wells that will pump less than 2 acre-feet are approved.

Roan recommended putting the exact verbiage from the State into Ordinance 18-01 and the District's application.

Morgan asked if the Board was going to change the application wording from "proposed gallons per minute"? She said the average person drilling a well will have no clue how many acre-feet they will use and won't be able to fill out the application accurately. She also recommended adding a "Repair/Replace" category under "Type of Work" to catch applicants whose wells are going dry.

Grandi said the application will still ask for casing size and what the well will be used for. All SVGMD documents will need to be updated to no longer define large-capacity as capable of pumping over 100 gpm.

Smith shared Nevada also uses the 2 acre-feet definition, but puts on their application that that equates to up to 1,800 gallons per day. The District's application wording could change from "Proposed GPM" to "Proposed Usage".

Roan would like to include a definition of 2 acre-feet on the application that approximates daily gallons of use to help applicants. He also recommended adding a signature line for the well applicant at the bottom of the application.

Goicoechea would like to drop the gallons per minute box on the application because it seems like the Board is approving more than the State's edicts.

The Board clerk will work with the Chairman to amend the application to be in compliance with the State.

4) ADJOURNMENT

Director Grandi adjourned the meeting at 5:50 PM

Jenny Gant, Board Clerk