

Tehama County Well Mitigation Program

Straw Proposal

I. PROGRAM OVERVIEW

In response to Department of Water Resources (DWR) Incomplete Determination Letter, the Tehama County Flood Control and Water Conservation District (District) has committed to undertake mitigation actions for water well impacts resulting from declining groundwater levels that occur from Groundwater Sustainability Agency (GSA) management activities during the Groundwater Sustainability Plan (GSP) Implementation Period. The District will develop and implement a Well Mitigation Program (Program) Program to address these impacts aligned with the requirements under the Sustainable Groundwater Management Act (SGMA).

A. Key Terms Defined

1. District – Tehama County Flood Control and Water Conservation District
2. Dry well – a groundwater well that has gone dry due to GSA-management activities that have resulted in chronic declining groundwater levels.
3. DWR – California Department of Water Resources
4. GSA – Groundwater Sustainability Agency
5. GSP – Groundwater Sustainability Plan
6. NVCF - North Valley Community Foundation
7. Program – refers to the Tehama County Dry Well Mitigation Program
8. RMS – Representative Monitoring Sites (refers to wells in the monitoring network)
9. SGMA – Sustainable Groundwater Management Act
10. SMC – Sustainable Management Criteria (SMC specifics like undesirable results, minimum thresholds, and measurable objectives are defined in subbasin GSPs)

B. Program Structure and Guiding Principles

The Program will be a **single, unified program for all well types (domestic and non-domestic)** with clear, objective criteria that targets wells most likely impacted by GSA management-related chronic groundwater declines and stays financially and operationally viable for the District.

Guiding Principles

1. Mitigate dry-well impacts caused by GSA management-related chronic declines in groundwater levels.
2. Ensure timely access to water via temporary supply, then a replacement well with clear steps and timelines
3. Advance balanced fairness with a single program with a single monetary cap to avoid inequities between domestic and non-domestic wells, while also prioritizing protecting basic household water needs.

4. Balance near-term mitigation with the long-term groundwater sustainability goals established in the GSPs' Sustainable Management Criteria (SMCs).
5. Ensure fiscal responsibility and accountability through objective criteria and processes, requiring competitive bids and appropriate documentation, etc.
6. Be data-driven and adaptive by using nearby monitoring wells, improve monitoring where needed, and adjust as conditions change.

C. Program Services

Key services that the Program will provide include:

- **Educational information** to well owners before applying and paying an application fee.
- **Initial assessment and eligibility determination**
- Coordination support for **temporary drinking water**
- **Monetary-capped reimbursement** to the owner for required well abandonment/sealing and construction of a replacement well (including equipment)

II. PROGRAM ELIGIBILITY AND APPLICATION

A. Who Can Apply

- Applications can only be submitted by Property Owners; lessees may be considered on a case-by-case basis (consult legal counsel).
- No income threshold to be eligible for the Program.
- Applicants must be in good standing with District and Environmental Health Department at the time of application.
- Limited to one reimbursement per parcel. The designated monetary value shall be used once per specified parcel and will be recorded with title.

B. Well Documentation and Requirements

- Applicants must submit documentations pertaining to the well, such as initial installation or maintenance paperwork.
- Applicant will not be eligible if well permit application recommendations were not followed for wells installed on or after October 2021 (e.g., screens or seal depths).

C. Age of Well Pro-ration

- Eligibility will not be limited by age but there will be a pro-rated rate by age of well. The District will apply a 40-year framework with a pro-rated reimbursement value of 2.5% annually up to 40 years.

Note: the 40-year cap aligns with CA Department of Water Resources (DWR) typical well/equipment lifespan standard.

- If age-of-well records are missing, the District may consider proxy evidence (e.g., home age for domestic wells) or initial assessment documentation. This would likely be handled in an administrative appeal.

III. MITIGATION MEASURES AND WELL OWNER OBLIGATIONS

A. Eligible Mitigation Measures

Mitigation measures that are eligible for reimbursement within a single-monetary cap include:

- Abandonment/sealing of the existing well to protect public health and groundwater quality.
- Temporary access to drinking water (if applicable). Well owners may be eligible for receiving drinking water through other programs such as the North Valley Community Foundation (NVCF) DWR-funded emergency water delivery program.
- Construction of replacement well, including necessary equipment.

B. Temporary Drinking Water Support

- The District will be taking actions to mitigate, prior to installation of new well by giving applicant access to drinking water (consult legal).
- The District will cover up to three (3) months with the potential for an extension (up to three additional months) per documentation rationalizing the delay.

C. Initial Assessment and Eligibility Determination

Eligibility determination for mitigation will be based on evaluations of impact being induced by groundwater overdraft conditions such as chronic lowering of groundwater levels.

The appropriate Program mitigation measures for each mitigated well will be informed by and determined following a structured, programmatic initial well evaluation process involving (but not limited to):

- District response and scheduling the in-field initial assessment within ten (10) business days of submitted application. (Note: the eligibility determination may take additional time)
- Inspection of the conditions of the well, including assessment of the current or anticipated operational issue(s) associated with the well and underlying causes of those impacts. Assessment will be conducted by the District or District Contractor.
- Determination that the well impacts are related to groundwater management during the GSP Implementation Period (e.g., not related to effects of normal wear and tear on drinking water wells).

- Determinations should be based on the nearest Representative Monitoring Sites (RMS) and the subbasin's SMCs.

D. Well Owner Obligations

After application is deemed eligible, the well owner will be required to do the following obligations:

1. Complete a course on well education if admitted to the program
2. Ensure the property owner (or the owner's assigned representative at the time of application) is on site at the scheduled appointment for the in-field initial assessment and provide site access.
3. Obtain and provide the District with documentation of at least three (3) competitive bids from contractors to confirm reasonable cost.
4. Seal and abandon the old well once the replacement becomes operational.
5. Post-mitigation responsibilities (ex. operations, maintenance and repair of well)

IV. FUNDING AND FINANCING

- **No Income Threshold.** As previously mentioned, there will be no income threshold to be eligible for the Program.
- **Application Fee.** There will be a non-refundable application fee. The application fee will include an initial assessment of the well, which will offset the cost if approved for the mitigation program.
 - Note: To date, the exact monetary value for the application fee has not been determined. Cost considerations include offsetting the initial assessment costs, deterring frivolous applications, while still remaining affordable.
- **\$40,000 Reimbursement Cap.** Total monetary value will be capped at **\$40,000**. The amount is subject to change (e.g., available funds for the Program). A single monetary cap across all well types supports fair treatment across different well uses.
- Note: To date, the exact reimbursement method and process has not yet been determined. Process considerations include timeliness and efficiency (e.g., possible contingency options if reimbursement takes long than 30 days).

V. PROGRAM IMPLEMENTATION

- **January 1, 2026:** Program adopted upon adoption the District Board of supervisors will, within 180 days, approve the ordinances necessary to implement the program
Note: Additional time will likely be needed after January 1, 2026 before the District is able to complete its first application.
- The GSA will continue to improve the monitoring network. New RMS wells in data-sparse areas will help ensure better accuracy informing eligibility determinations.

- District staff will keep the Groundwater Commission and the Board of Directors apprised of Program activities (e.g., number of applications, approved eligible candidates, well installations, etc.).