



Tehama County
Wednesday, December 10, 2025 8:30
AM
Groundwater Commission
Meeting Minutes

Tehama County Board of Supervisors
Chambers
727 Oak Street, Red Bluff, CA 96080
<https://tehamacounty.legistar.com/Calendar.aspx>
Board Chambers

8:30 AM

Commissioners: Martin Spannaus, City of Corning; Jeff Godwin, City of Red Bluff; Hal Crain, City of Tehama; Kris Lamkin, El Camino Irrigation District; Todd Hamer, Los Molinos Community Services District; Martha Slack, Rio Alto Water District; Liz Merry District 1; Adam Englehardt, District 2; Seth Lawrence, District 3; Michael Ward, District 4; David Lester, District 5;

Justin Jenson, Flood Control/Water Resources Manager; Lena Sequeira, Administration

Call to Order / Pledge of Allegiance / Introductions

8:30am

Present	Commissioner Todd Hamer, Commissioner Martha Slack, Commissioner Kris Lamkin, Commissioner Michael Ward, Commissioner Seth Lawrence, Commissioner Hal Crain, Commissioner Martin Spannaus, Commissioner Adam Englehardt, Commissioner David Lester, and Commissioner Liz Merry
ABSENT	Commissioner Jeff Godwin

Public Comment

Hamer talked about being back and reminded commissioners to please turn on their microphones.

1. Well Mitigation Program

25-2107

Jenson started by reminding the group that they have reviewed the proposed plan at the last meeting and today he is looking for the Commission to make a recommendation to the Board. He will be going over the proposal as it stands now.

He recapped why they are doing this and who has been involved revisiting the key issues, criteria and major considerations for the plan and the ongoing issues for program development/implementation.

Jenson went over the proposal in detail reminding the group that after this is voted on the legislation will still need to be passed and could take up to six months highlighting that adopting this does not put the governance into place and wanted to make sure that there was no expectation that come January 1st 2026 wells would be replaced.

He reviewed that this program is being created because of the resolution stating that we will do this as part of the proposal in our plans. He talked about North Valley Community Foundation being a non profit funded by the state and how it could be funded by the District in the future. He went over the program structure and guiding principles. He highlighted that this resolution did not define well type therefor within Tehama County the purpose for this is because well type can be a gray area. He continued to go over the key program services, program eligibility, application details, well owner and well mitigation obligations, funding, financing and program implementation.

Jenson reiterated that the goal today is to get a recommended path forward for the Board of Directors to pass a program highlighting that this is to start the clock necessary for ordinances and legislation to be put in place. There will be more time after this is voted on to have input and feedback necessary to make small modifications.

Hamer asked if the application fee, if approved would be included in the reimbursement.

Jenson confirmed.

Slack asked how long it would take to determine the cost of the application fee.

Jenson estimated about a month if the board agrees stating there will have to be a simple checklist.

Slack asked if they would be accepting applications prior to ordinances being approved.

Jenson said they would be taking in reports of dry wells and then once the ordinances are in place they would contact people to fill out applications.

Hamer asked if they would have the checklist as the application is turned in so the landowner could get ahead of the game.

Jenson answered that they would start the process as soon as the ordinance is put into place.

The intent is to do as quickly as possible, but the governance to create oversight and laws takes time and public hearings also have to take place which is why it could take up to 180 days.

Merry expressed concerns with the program as written, stating she does not support the cap on domestic wells or the proposed proration structure.

Jenson discussed minimum reimbursement in cases of over-pumping and asked the Commission for direction, noting he is seeking a recommendation before bringing the item to the Board. He also raised the issue of overall program liability.

Ward expressed concerns with proration, noting that many homes built prior to 1980 could be affected. He questioned the 40-year well lifespan assumption, does not support the one-well cap, and stated that if the GSA is responsible, it should remain liable if a replacement well goes dry.

Jenson explained that a separate state program exists to replace wells for low-income residents without age restrictions and provided context on how that program interacts with the District's proposal.

Lester asked whether the state program will continue. Jenson stated he believes it will have a termination date and noted that continued groundwater decline could increase future well replacement needs.

Englehardt commented that the 40-year proration may be too restrictive and suggested adjusting the timeline. He also asked about precedent in other GSAs for including agricultural wells.

Jenson responded that other mitigation plans were reviewed and some do not differentiate by well type. He stated the 40-year cap was intended to prevent misuse and noted that many wells in the county have already been re-drilled, with staff estimating only a limited number may remain eligible.

Discussion occurred regarding disagreement with portions of the proposal and concerns about relying on assumptions without sufficient data.

Lester stated that the discussion appears to assume sustainability may not be achievable. He commented that if the GSA assumes responsibility, agricultural users would ultimately bear the cost of well replacement. He emphasized that someone must pay and questioned how far the responsibility should extend.

Ward stated that the GSA has assumed responsibility and that doing so creates an incentive to achieve sustainability.

Lawrence explained the rationale for the 40-year well lifespan, noting that a well is a piece of equipment and that Environmental Health records extend back 40 years. He compared the concept to car insurance, stating that after 40 years, reimbursement would reflect the value of the equipment rather than full replacement.

Merry stated that it is not the GSA's responsibility to replace wells, but rather to ensure access to water for those without it.

Jenson responded that the statement is open to interpretation.

Lamkin shared that her well was installed in 1975 and that she has replaced the equipment. She noted that if her well were to go dry due to groundwater depletion, she would not qualify under the current criteria.

Englehardt questioned the overall financial exposure for the County. He stated that he understands both perspectives and suggested that excluding agricultural wells and focusing solely on domestic wells could reduce financial exposure and concentrate resources where most needed. He noted that he was unable to find precedent for including agricultural wells, as most programs focus on domestic wells.

Hamer asked whether such a change could be made without the Board defining it.

Jenson responded that the Board would need to define that direction and that there could be other ramifications, though it is not impossible. He emphasized that the decision ultimately rests with the Commission.

Lawrence stated that agricultural wells do not represent significant financial exposure and explained his reasoning.

Englehardt continued to express concerns regarding potential exposure and program structure.

Jenson stated that the purpose of SGMA is to create programs tailored to local communities. He emphasized that each basin's plan is unique and designed to address specific local conditions, and that the Commission's decision should reflect what is best for Tehama County.

Lawrence stated that the intent is to protect small farmers and expressed that he does not believe large agricultural operations would likely utilize the program, but rather smaller producers.

Spannaus stated that the goal is to protect small rural landowners, aligning them more closely with domestic and small rural wells.

Englehardt raised concerns about liability, noting that retaining agricultural wells in the program and increasing the eligible well age would increase potential financial exposure.

Merry commented that as the basin approaches sustainability, the need for the program should decrease.

Hamer asked if there were any additional thoughts regarding the proration structure.

Slack stated she has no issue with increasing the monetary cap or adjusting the depreciation schedule. However, she expressed concern about how wells are classified and suggested

being more specific in defining small users and domestic wells. She noted that many small farmers are impacted and should be included.

Jenson shared that most inquiries he receives are from small-scale agricultural users.

Lamkin noted that El Camino allows irrigation of up to one acre for agricultural use and suggested that acreage-based criteria could be considered.

Public Comment

A resident shared their experience with depleted water levels and suggested backdating the program to reimburse those who have already replaced wells.

A resident commented on the proration portion of the program and asked about access to drinking water.

A resident shared their opinion on including AG wells in the plan and on the proration portion of the program.

Ward expressed concern that good standing should not affect restoring access to water, stating people have a right to water and questioning its use as a program criterion.

Englehardt asked if it would be possible to remove depreciation from the time cap on casing and drilling and apply it only to the pump, noting that equipment naturally wears out.

Jenson explained that some programs only drill and case the well, requiring participants to reuse or purchase equipment, and confirmed such programs do exist.

A resident agreed with Englehardt, stating that the well hole can be reused even if it is old and that age should not be a factor. They felt any well affected by a lowered water table should be mitigated.

A resident shared concerns about the requirement to take a class to drill a well, arguing that professionals can handle it and that the rule adds unnecessary regulation. They expressed opinions on Environmental Health, large well drillers and felt the cap on well reimbursement is too restrictive.

Merry shared her opinion on the requirement to take a class to be eligible for the program.

A resident commented that the focus should be on replenishing water rather than just dry wells. They suggested exploring government land for water storage and noted that with population growth and high agricultural use, water replenishment is critical.

Hamer asked the committee whether they wanted to redline the proposal and address changes now or move forward and make adjustments later, emphasizing the need to advance a program for board approval.

Englehardt made a motion to implement changes, outlining his proposed modifications.

Lawrence discussed the class requirement, noting an online option to demonstrate well maintenance, and explained that new wells funded by the program would follow these maintenance guidelines.

Discussion followed regarding these points.

Hamer asked if there was a second for the motion.

Ward stated that further discussion was needed.

The group discussed the proposed amendments to the program.

Jenson explained that Environmental Health enforces county codes, and being in violation would affect good standing.

The group clarified the motion with amendments and discussed stipulations.

Jenson stated there would be no good standing requirement with Environmental Health, no class requirement, no depreciation or age requirement on the well hole, and the 40-year cap would only apply to equipment.

Ward raised a concern about homeowners having to front the \$30,000 cost before reimbursement.

Jenson suggested that reimbursement be issued within 30 days of completion.

The amendment was approved.

Hamer asked if not prorating the well, would the program cover the full cost of equipment.

Ward noted that a burned-out pump due to groundwater elevation would be partially addressed by proration.

Hamer asked whether the equipment cap should be 40 years or 20 years.

The group reached consensus on 20 years.

The 40-year equipment cap was amended to 20 years, with consensus approval.

Jenson summarized the program modifications: good standing with the GSA only, no class requirement, no depreciation on the drilled hole and casing, 20-year depreciation on pump and equipment, and a 30-day maximum reimbursement timeline.

Lamkin asked if someone living illegally in a travel trailer could access the program.

Jenson clarified that a well is a well if it goes dry on a property, it would be replaced regardless of how the property is used.

Englehardt shared his opinion on including Environmental Health good standing.

Slack sought clarification on separating depreciation for the well versus equipment.

Jenson confirmed no depreciation on the drilled hole and casing, with 20-year depreciation on equipment.

Lester confirmed there is no age cap on the hole, and Jenson agreed.

Discussion was held to clarify the amendments and depreciation numbers.

The final motion was read: program as presented with good standing with the GSA only, no class requirements, no depreciation on drilling, casing, or the hole, 20-year depreciation on equipment, and a 30-day maximum reimbursement period.

RESULT: APPROVE
MOVER: Adam Englehardt
SECONDER: Martha Slack
AYES: Commissioner Hamer, Commissioner Slack, Commissioner Lamkin, Commissioner Ward, Commissioner Lawrence, Commissioner Crain, Commissioner Spannaus, Commissioner Englehardt, and Commissioner Lester
NAYS: Commissioner Merry
ABSENT: Commissioner Godwin

2. Demand Management Program

25-2109

Jenson reviewed the packet documents and noted modifications made after attorney review. He discussed the Farm Bureau's submitted plan versus the staff-recommended plan, highlighting that last week a request was received to provide a recommendation on the Farm Bureau's framework. He explained that the plans involve two separate resolutions requiring Demand Management.

Ward asked about Section 3, noting what is being addressed and that some elements are already in place.

Jenson explained that Phase One involves voluntary, incentivized measures, some already implemented with grant funding, including irrigation efficiency improvements. Phase Two would involve more advanced actions, like pumping restrictions, ready for implementation within five years. Possible measurable categories and additional programs could be added as funding allows, but the program does not preclude funding these efforts. Existing plans include graphic applicability and management zone determinations. If volume is used as the measurement, credits would not apply, and incentives would require fees, which are not part of this program. Ward expressed concern about the credit component and elaborated on potential issues. Jenson described the verification method, the math used to create safe yield, and continued reviewing the program. Section 5 is already incorporated, Section 6 covers monitoring and enforcement with higher fines, and funding and financing are addressed. He clarified that the base administrative fee does not fund or finance anything associated with Demand Management; that work would require its own fees. The admin fees are only for SGMA compliance and do not include any other program work.

Englehardt noted that the base fee covers SGMA administration, while any additional work would be funded through pumping fees, and shared his perspective on the document.

Jenson reviewed Section 4, explaining that incentivized actions will not start immediately while waiting for the long-term program. He prefers not to implement voluntary, incentivized actions at this time.

Ward pointed out that the fee source for voluntary measures is not identified, emphasizing that the base fee covers only administration and that other fees will be required for additional programs.

Jenson agreed, noting that efficiency improvements require dedicated funding. Future funding may come from overuse actions, but upfront support is not included. The current fee structure covers only administrative costs for SGMA compliance.

Jenson summarized the program as previously described, incorporating feedback from independent legal counsel. Legal comments included the need for a technical memo supporting any factual basis for decisions, involvement of a rate consultant for fee creation, and consideration of potential overdraft conditions in the subbasin before 2031, including possible feedback from DWR.

He then reviewed definitions for Demand Management and explained recommended changes to clarify measurable objectives (MOs) and measurable thresholds (MTs).

Attorney Joe Hughes, who drafted the Farm Bureau Demand Management Plan, joined the call and shared his background with the Southern Valley. He highlighted the importance of stakeholder engagement and public outreach under SGMA, emphasizing frontloading these efforts before designing a program. Drawing on his experience in Kern County, he noted that engaging the public early ensures input is incorporated and prevents issues later. He stressed that SGMA is a planning process—submitting a plan does not mean all problems are immediately solved, and the State Board expects to see ongoing implementation.

Jenson agreed with Hughes, noting that fixing everything at once is impossible and that community outreach is a SGMA requirement. He continued reviewing staff-recommended changes from the previous meeting, including program definitions, fees, and trigger-based management actions.

Jenson outlined Management Action One and Two, explaining that adoption of an ordinance would allow fines once sustainable yield is reached. He detailed water trading rules for Tehama County, noting that a separate water trading ordinance will be adopted by the Board of Directors before December 2030.

He presented a slide on Management Action One, illustrating how it would function using hydrographs and associated calculations.

Englehardt asked whether the plan was modeled after other GSA plans.

Jenson clarified that it was not, the plan was developed based on local input received.

A discussion followed regarding this approach.

Jenson explained that the committee made no recommendation. He described the secondary step: as groundwater levels drop below the measurable objective (MO), the maximum fee increases, showing the associated math.

Ward asked if this involves a pumping reduction. Jenson clarified that it does not.

Merry expressed concern that it would charge people more without saving water.

Jenson explained how it would save water.

Crain noted that the numbers currently used are arbitrary and likely would not be upheld by DWR, citing a lack of robust analysis.

Englehardt commented on requirements at this stage, and Crain added that none are required yet based on feedback and civil code.

Jenson clarified that this approach is about fees, not pumping restrictions; as conditions worsen, higher fees apply to incentivize solutions in problem areas. He showed when the second-tier fees would apply and the math behind them, explaining the cost to reduce demand. Step 4 applies when 100% below MO, incurring an 80% fee on excess pumping.

Jenson then reviewed Management Action Number Two and its details.

Merry reminded the group that triggers were supposed to be based on MOs versus MTs. Jenson confirmed but noted this particular section is not based on that.

A discussion followed.

Jenson continued discussing total safe yield, sustainable pumping, and how calculations meet water code requirements. He reviewed community outreach, noting the GSA qualified for assistance and presented CBI reports showing outreach results. He highlighted deadlines, key outcomes, and accomplishments with their timelines.

Englehardt asked if the ad hoc meetings were the GSA's method for complying with outreach requirements. A discussion followed on the legal review and timeline of the document.

Jenson clarified timeline concerns. Englehardt noted the program uses a new methodology not recommended by the committee and is now asking for approval.

Jenson explained that many meetings presented different methodologies, input was incorporated, and a straw plan was developed over time. Some items could not reach consensus. Discussion then turned to the timeline included in the plan.

Hamer noted that the commission reviewed this in September; while some wording has changed, the general outline remains the same, and legal suggested improvements.

Jenson acknowledged consensus issues.

Crain expressed concern that legal review and the technical memo were provided just two days before the meeting, leaving incomplete information.

Jenson disagreed, stating all data had been shared in prior meetings and encouraged members to focus on what they would vote on. He outlined areas needing further discussion, including governance structure, roles of ad hoc and working group members, staff, and consultants, as well as key milestones and timelines. He then reviewed the proposed incentivized demand management, explaining the two methods for offering incentives.

Englehardt asked about using credit programs to reduce water use, noting other GSAs have applied them.

Jenson responded that basin-wide differences create challenges with offsets, but a water trading market could be created separately.

Englehardt said the Farm Bureau specifically recommends credit programs.

Jenson confirmed their plan does as well. Discussion followed on the credit incentive approach.

Jenson reviewed the water trading ordinance included in the plan.

Discussion continued on the credit incentive.

Englehardt stated that the committee has not had sufficient time to review the plan properly and favors the Farm Bureau's approach.

Crain commented on the input that has been received.

Public Comment

A resident from the working group stated they could not support moving forward with the proposed plan and shared their opinions and comments.

Englehardt asked for clarification on the resident's points.

A resident from the Demand Management group noted legal concerns with the polygon method, cited insufficient stakeholder outreach, and stated they do not support the proposed plan, favoring the Farm Bureau plan.

A resident appreciated the attorney's call, noting the program is flexible and the State Water Board seeks a methodology, not a finalized plan. They suggested considering new AG well installations, discussed efficient irrigation, and presented a community outreach document.

A resident serving on multiple committees reviewed the documents and stated the Farm Bureau plan is clearer and preferable. They expressed that they do not support the proposed plan.

A resident commented that public input and outreach were insufficient and expressed support for an alternative plan.

A resident, president of the Tehama Farm Bureau, thanked the commissioners and staff, expressed concern that input from their group was not fully considered, and requested that the Farm Bureau plan be presented to the Board of Directors.

A resident commented that the plan seems to delay action and shared their view that, while the Farm Bureau plan has useful ideas, it is not fully suitable for adoption.

Ward commented that he appreciates the Farm Bureau's work but cannot approve the documents. He finds them readable and understandable, but has concerns about the fee methodology, credit system, and missing short-term goals and objectives.

Englehardt asked what options the group has if they do not make a recommendation, noting the Board of Directors would then decide.

Lester asked about any binding timeline.

Jenson explained that an extension could be requested, but they did not get to fully discuss all input. Extra time might be allowed if requested.

Crain expressed appreciation for considering more time, noting that a previous request to meet again was denied. He emphasized that two more months would still not allow adequate legal review or consideration of data, and that public input and cause-and-effect analysis are necessary.

Ward clarified that he is not asking for specifics but reminded that the GSP defines undesirable results and explained his points further.

Discussion followed regarding legal advice being requested and reviewed.

Crain suggested approving the Farm Bureau plan.

Englehardt noted that Justin has been tasked with presenting something to the Board, so something will be submitted for approval regardless. He suggested there is an opportunity to include caveats and shared his opinion.

Merry proposed presenting both plans, taking the best parts of each, and recommending a merged document. She suggested inviting someone from the local DWR to the working group for input.

Crain clarified that the local DWR cannot direct policy.

Eddy with LSCE confirmed that the local office can assist with data collection but not with policy decisions.

Jenson agreed that the local DWR office cannot provide policy guidance. He noted that with the Farm Bureau plan, it's harder to implement late in the process and emphasized that any plan moving forward needs a funding mechanism, which the current Farm Bureau plan lacks.

Englehardt disagreed, stating that administrative costs are covered.

Jenson clarified that the fees primarily cover administration.

Discussion followed on the fee structure and budget.

Englehardt recommended that the Board adopt the Farm Bureau plan with amendments.

The motion was moved by Englehardt and seconded by Crain.

Merry discussed redlining items in the plan.

Crain shared advice received from a water attorney.

Merry agreed with the suggestion to amend part B and explained her reasoning.

Lester noted that this pertains only to demand management and shared his thoughts on volumetric considerations.

Discussion followed regarding baseline fees and volumetric charges.

Lester stated that he cannot agree with the Farm Bureau plan because he has not seen it and cannot vote as a working group member today.

Crain shared his opinions on timelines.

Discussion followed regarding timelines.

Jenson noted that with the right presentation it could be approved and shared his thoughts on the need for clear objectives.

Crain raised concerns about lack of funding.

Jenson confirmed the funding issue.

Crain emphasized the need for appropriate legal funding.

Discussion continued regarding necessary fees.

Jenson clarified timelines.

Hamer called to return to the motion on the floor.

Ward stated that an intensive legal review is not needed and shared his concerns.

Englehardt shared his opinions on Section 7.3 in relation to Ward's concerns.

Crain expressed support for the concept.

Discussion included the possible striking of Section 7.3 and what to eliminate.

Englehardt explained his proposed amendment regarding a program to govern the creation

and transfer of credits.

Jenson provided clarification.

Further discussion focused on water trading and credits.

The motion did not pass.

Merry recommended to the board that more time is needed.

Jenson noted he will not be at the February meeting and suggested addressing it in April.

Merry amended the recommendation to allow four months.

Crain asked if this includes additional legal review.

Discussion followed on the time needed, with consensus to hold off until April and request this extension from the Board of Directors.

RESULT: APPROVE AS AMENDED
MOVER: Liz Merry
SECONDER: Adam Englehardt
AYES: Commissioner Hamer, Commissioner Slack, Commissioner Ward, Commissioner Lawrence, Commissioner Crain, Commissioner Spannaus, Commissioner Englehardt, Commissioner Lester, and Commissioner Merry
ABSENT: Commissioner Lamkin, and Commissioner Godwin

3. Standing Agenda Items

25-2090

None at this time

Commission Matters

None at this time

Adjourn

12:43pm