

SIERRA VALLEY GROUNDWATER MANAGEMENT DISTRICT ORDINANCE NO. 18-01

Adopting Requirements Pertaining to New Water Well Permits

*(Adopted April 2018)
(Zone Map Amended March 2021)
(Ordinance Amended _____ 2025)*

The Board of Directors of the Sierra Valley Groundwater Management District **DOES ORDAIN** as follows:

Section 1. Purposes.

It is the purpose of this District to manage groundwater in Sierra Valley. The District hereby provides requirements for approval of new water wells in order to ensure that water obtained from wells within the Sierra Valley Groundwater Basin is suitable for the purposes for which it is used and that new wells will not cause adverse impacts to the groundwater within the Basin. In addition, these requirements are established to attempt to reduce potential well interference problems with existing wells and potential adverse impacts which could be caused by the construction of new wells or the repair or deepening of existing wells where a permit is required within this District.

Section 2. Permit required.

No person, firm, association, organization, partnership, joint venture, business trust, corporation, company, federal, state or local agency, or special district formed under the laws of this state shall, within the area of the Sierra Valley Groundwater Management District, construct, repair or deepen any water well, or destroy any abandoned well unless a written permit has first been obtained from the respective District.

Section 3. Pumping capacity and well casing size.

- (a) High-capacity wells are defined as those that pump more than 2 acre-feet per year (~1,800 gallons per day) or constructed with casings larger than a seven (7) inch outside diameter (OD).
- (b) High-capacity wells shall be prohibited from installation within the area specified by the District's appointed hydrogeologist and as adopted by the District's governing Board. The current area of prohibition is identified on a map and attached to this ordinance as Exhibit A.
- (c) Applications for new high-capacity wells outside the prohibition area will require the hydrologic evaluation and information listed in the SVGMD Well Evaluation Technical Guidelines & Procedures, attached to this ordinance as Exhibit B.
- (d) Permit applications for domestic wells constructed with casings seven (7) inches or less outside diameter (OD) will not be affected by the high-capacity well prohibition area described above.

Section 4. Requirements for Reporting, Activating, and Destroying High-Capacity Inactive Wells.

- (a) High-capacity wells, as defined in Section 3(a), are inactive if unmetered. These wells shall be known as high-capacity inactive wells.
- (b) High-capacity inactive wells within the prohibition area indicated in Exhibit A shall only be eligible for activation if registered with the District not later than July 1, 2018. Activation of eligible high-capacity inactive wells shall be subject to application procedures described in Section 4(e).
- (c) High-capacity inactive wells located within the prohibition area not registered with the District by July 1, 2018 shall not be eligible for reactivation in accordance with application procedures described in Section 4(e), but may be considered for activation by the Board of Directors on a case-by-case basis.
- (d) Owners of all high-capacity inactive wells registered with the District shall provide the following information in a form and format acceptable to District:
 - a. The pumping capacity of the well.
 - b. The location of the well.
 - c. The distance from existing operating wells.
 - d. A description of any intent to activate the well.
- (e) High-capacity inactive wells shall not be activated unless an application for activation, containing at least the information set forth subsection (d) above is provided to the Board.
- (f) Upon receipt of a complete application to activate a high-capacity inactive well, the Board of Directors shall perform, or cause to be performed the hydrologic evaluation in accordance with the SVGMD Well Evaluation Technical Guidelines & Procedures, attached to this ordinance as Exhibit B.
- (g) The District shall authorize activation of the inactive well only if the well satisfies the Well Activation Technical Guidelines and Procedures, and the Board finds operation of the well will not increase groundwater impacts to the groundwater basin.
- (h) Board approval shall be evidenced by a permit to activate the high-capacity inactive well.
- (i) Production from any approved well may commence upon site inspection and final approval by all necessary authorities, including District, to confirm compliance with Permit terms and other applicable laws, rules, and regulations.
- (j) No high-capacity inactive well shall be destroyed prior to the issuance of a permit by the County for such destruction and upon notice to the District.

Section 5. Well Spacing Requirements.

- (a) The District will evaluate an application for any new high-capacity well ~~are~~ outside of the prohibited area described in Section 3 of this ordinance in accordance with the hydrologic evaluation required by the SVGMD Well Evaluation Technical Guidelines & Procedures, attached to this ordinance as Exhibit B. Approval of any new high capacity well shall be conditioned upon a finding of no significant impact to the groundwater basin associated with the proposed well.
- (b) New high-capacity wells shall not be located closer than one quarter mile to an existing high-capacity well, unless the District's Board of Directors grants a variance, which shall be considered on a case-by-case basis in accordance with Section 6 of this ordinance.

Section 6. Exemptions from the High-Capacity Well Prohibition and Spacing Requirements.

The following work will be exempt from the high-capacity well prohibition and the spacing requirements of Sections 3 and 4 of this ordinance:

- (a) The repair, deepening, or replacement of an existing active well, if the repair, deepening, or replacement will not increase the maximum pumping capacity of the well, as determined by the Board of Directors based on records such as the well log, pump tests, and the District's historical pumping records.
- (b) Replacement of a well that is destroyed in accordance with District, state and local requirements, provided the replacement well is drilled within two hundred (200) feet of the destroyed well and the replacement well does not increase the maximum pumping capacity. Variances to the two hundred (200) foot spacing requirement may be granted by the District's Board of Directors on a case-by-case basis in accordance with Section 6 of this ordinance
- (c) Monitoring wells.
- (d) Any person, entity, or public water agency claiming an exemption to this prohibition must submit an application to the District. Any application for an exemption should contain sufficient information to establish that the exemption applies.
- (e) The following water management practices are exempt from the prohibitions in this chapter, provided the claimant or public water agency meets the burden of establishing that the exemption applies:
 - 1. Water resources management practices of public water agencies, including municipal services, that have jurisdictional authority within the District, and that are in compliance with and included in groundwater management plans and policies adopted by that agency. This exemption shall not apply if the District determines that the public water agency's groundwater management plan and policies fail to prevent the

increased mining or export of groundwater in areas within the public water agency's service area and that is subject to the District's jurisdiction.

2. Replacement of existing wells that do not increase the well's maximum pumping capacity or produce further decline of groundwater levels, land subsidence, or other significant environmental damage.
3. Water wells in aggregate, on a single parcel delivering two acre-feet of ground water per year or less for domestic use on property under the same ownership as the parcel on which the well is located.

Section 7. Variances.

- (a) Any person whose application for a permit has been revoked or denied due to the prohibited area, well spacing, or hydrologic evaluation required by the SVGMD Well Evaluation Technical Guidelines & Procedures requirements set forth in Sections 3,4, or 5, of this ordinance may, within thirty (30) days after the date of such denial or revocation, appeal therefrom in writing, to the Board of the Sierra Valley Groundwater Management District. Upon the filing of a complete application, the Board clerk shall fix a time and place for a public hearing to consider a variance. Variances can only be granted upon finding of unusual circumstances and upon finding that the variance will not cause well interference problems or adverse impacts to the groundwater within the Basin. The Board shall affirm or overrule the denial or revocation, and transmit such determination to the permitting agency within sixty (60) days. This section does not authorize appeals to the Board from any action of the District authorized or required by state law or regulation.
- (b) If the Board, in its discretion, seeks input from an expert possessing relevant experience, including but not limited to, a geologist or groundwater hydrologist. to inform the Board's decision on appeal, the Board may retain such expert advice, and the costs shall be borne by the appellant. The Board shall inform the appellant of the not-to-exceed cost of such expert advice before the cost is incurred and the appellant may withdraw the appeal before any such costs are incurred. If the Board engages an expert in connection with reviewing an appeal, the hearing on appeal may be continued for up to sixty (60) days to allow the expert time to investigate and to write a report on the results of that investigation. The final report shall be a public document, and a copy of the final report shall be provided to the appellant.
- (c) The applicant shall provide written comments or evidence at least one week prior to the hearing for the Board to review. At the hearing of an appeal to the District Board, any interested party may present oral or written evidence. Following the hearing, the Board shall, not later than 28 days after the close of the hearing, render a decision upon the appeal and may sustain, modify, or reverse any action or decision the Sierra Valley Groundwater Management District Board has taken. The decision of the Board shall be final.

Section 8. Coordination between Plumas and Sierra Counties and the Sierra Valley Groundwater Management District.

- (a) Whenever Plumas or Sierra County receives a permit application for a new or modified high-capacity well, as defined herein, located within the District boundaries, the District Planning Department or Environmental Health Department, as appropriate, shall submit a copy of the application package to the District.

- (b) Upon completion of the new high-capacity well, the Plumas or Sierra District Environmental Health Department or Building Department shall forward copies of the completed permit and the Department of Water Resources well completion report/well log to the District. If the construction permit expires or the well is otherwise not constructed, copies of the appropriate documentation confirming expiration of the permit shall likewise be forwarded.

The foregoing ordinance was duly passed and adopted by the Board of Directors of the Sierra Valley Groundwater Management District, State of California, at a meeting of said Board held on April 9, 2018.

The ordinance was amended by the Board of Directors of the Sierra Valley Groundwater Management District, State of California, at a meeting of said Board held on [DATE] by the following vote:

AYES: DIRECTORS:

NOES:

ABSENT:

Chairman, Board of Directors

ATTEST:

By:_____
Clerk of the Board