
FREQUENTLY ASKED QUESTIONS:

TO SERVE YOU BETTER, WE'VE ASSEMBLED OUR CUSTOMERS' MOST FREQUENTLY ASKED QUESTIONS. IF YOU DON'T FIND YOUR ANSWER HERE, FEEL FREE TO CONTACT US.

WHAT DID THE DISTRICT RECEIVE FROM THE STATE WATER BOARD IN APRIL?

- The District received a letter from the State Water Board's Division of Water Rights dated April 17th on the "Subterranean Stream Investigation of Coyote Valley, Lake County" This was a determination letter by the staff that the State Board agrees with the HVLCSD's studies and assertion that the water it uses is from ground water and not from underflow of Putah Creek.

Subterranean or Underground Stream: Waters that flow underground within a reasonably defined water course/channel or water that passes through or under the surface within an ascertainable channel.

What does this letter mean?

- **Great news**, the SWRCB agreed with District's long-standing position that District's wells extract percolating groundwater, not surface water.

"Percolating Ground waters are those which come up or filter through the soil beneath the surface, without a defined channel, or in a course that is unknown and not discoverable from surface indications.

- The practical implication is that the District's water supply will not be curtailed by State Water Board during drought.
- The Letter included 5 recommendations from Division staff that must be addressed as the District moves forward with the determination.
 1. The appropriate surface water rights held by HVLCSD (Permit 020770B and License 013527A) should be voluntarily or statutorily revoke
 2. Other water rights permits or licenses or Statements of Diversion and Use for water from the Coyote Valley aquifer should be voluntarily or statutorily revoked or inactivated.
 3. If unregulated percolating groundwater extraction results in overdraft, the Department of Water Resources should re-evaluate the Coyote Valley aquifer to determine if the current basin prioritization of "very low priority" under SGMA (Sustainable Groundwater Management Act) should be revised to a higher priority.
 4. HVLCSD and others that are extracting water from the Coyote Valley aquifer should consider forming a Groundwater Sustainability Agency (GSA), or some other local management body, to monitor groundwater levels and ensure that current and future groundwater extractions are sustainable and not in jeopardy of critically over drafting the basin and impacting downstream senior water rights holders or public trust resources.

5. HVLCSD continue to monitor instream flows at the USGS Guenoc gaging station to assure that groundwater extraction is not negatively impacting surface flows, downstream water rights users, and public trust resources.
- Because the groundwater supply is reliable and not subject to curtailment, the Division of Drinking Water should soon lift the Moratorium.

What is next?

- The District's Board met on April 21st, 2020, and received an update from the Interim General Manager, and approved the response to be drafted by the District and its consultants. The District did request the State Water Board Division to act on recommendation 1. (Staff Report attached)
- When that has happened the other Division in the State Water board – the Division of Drinking water would need to act to lift the Moratorium.
- The District is also working on a written response to the SWRCB's five recommendations that includes the following
 - Recommendation 1 – **is already in process**
 - The District will affirmatively state that it manages the groundwater basin sustainably, and the SWRCB's determination will not change that. The District will continue to monitor and report on groundwater conditions.
 - The District will continue to monitor Putah Creek flows and will continue to contribute to the use of the Guenoc USGS gage on Putah Creek.

When will the Moratorium for new hooks ups be lifted and new hookups can be purchased?

It's too early to tell when the Moratorium will be lifted. This letter from the State Board and the Districts response shows that there is good news and there is an end to the Moratorium in sight. As can be seen above, there are State Regulatory processes that need to be accomplished and conjecturing when the State will complete those is hard to predict. The District is preparing for the Moratorium's lifting and will be enacting the processes for new meter hookups when they can be done so.

**ACTION OF
HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT**

DATE: April 21, 2020

FROM: Paul Kelley, Interim General Manager

AGENDA ITEM: Discussion and Possible Action: Board Priorities/ Moratorium

RECOMMENDATIONS: Authorize the Interim General Manager to respond to the State Water Resources Control Board letter from Mr. Vasquez from the Division of Water rights dated April 17th, 2020 (Subterranean Stream Investigation of Coyote Valley, Lake County) and work with District Consultants to respond to the recommendations in this letter. Work with District consultants to fill out the attached State Water Resources control board form for "Request for Revocation of Water Right"

FINANCIAL IMPACT:

FUND/AMT:

DEPARTMENT/AMT:

ACCOUNT/AMT:

BACKGROUND: The Moratorium is one of the Board's highest priorities and they are very aware of the history and challenges related to this issue. Last year the Board authorized Wagner & Bonsignore to do a study related to the water supply in question. This study showed that the water supply was "percolating groundwater" and not under flow from the creek. This study was submitted to the California State Water board staff and the District has been waiting for a response.

On Friday April 17th – near 5pm the District received a letter from Victor Vasquez, Senior Engineer of the Division of Water Rights in Sacramento. The letter and background packet did not come through the District's email servers – we later found out the file was too large for the District's email server. We did receive the letter from Paula Whealen of Wagner & Bonsignore at 5pm on Friday and the paper copy of the letter was received April 20th at the District office.

High points of the letter:

The good news is that the SWRCB staff agreed with the District's position that the District's wells extract percolating groundwater and not surface water. One implication is that the District's water supply will not be curtailed by the State Water board during a drought.

This determination that the groundwater is a reliable supply and not subject to curtailment, along with implementing the recommendations by this letter should help the District get out from under the Moratorium and have the Division of Drinking Water lift the Moratorium. It's too early to give the board a timeline on

when the moratorium would be lifted, but it's incumbent on the district to follow through on these recommendations.

The recommendations related to SGMA compliance, monitoring, and working with other groundwater users in the basin are all elements of what the district will work on to respond to this letter.

Based on discussions with the District's consultants on this issue, I recommend the following:

1. Work with District consultants on a quick response letter:
 - a. Acknowledging the letter and the recommendations
 - b. A direct request on recommendation "1" to revoke the water rights permit in question – and attach the enclosed form
 - c. Acknowledge the other recommendations and that the District will expand its response to those items in a subsequent letter
2. Work with the District consultants to develop a more expansive answer and plan to implement the other recommendations on page 3 of the letter

APPROVED
AS RECOMMENDED

OTHER
(SEE BELOW)

Modification to recommendation and/or other actions:

I, Penny Cuadras, Secretary to the Board, do hereby certify that the foregoing action was regularly introduced, passed, and adopted by said Board of Directors at a regular board meeting thereof held on April 21, 2020 by the following vote:

Ayes:

Noes:

Abstain:

Absent

Secretary to the Board