

DEPARTMENT OF WATER RESOURCES

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SACRAMENTO, CA 94236-0001
(916) 653-5791



Mr. William Vanderwaal
Dunnigan Water District
3817 1st Street
Dunnigan, CA 95937

RE: Self-Certification Form for Executive Order N-7-22, Action 13

Dear Mr. Vanderwaal,

The Department of Water Resources (Department) has reviewed the self-certification form submitted by Dunnigan Water District consistent with the intent and requirements of the Executive Order N-7-22, Action 13 (EO 13). Based upon the unpredictable and severe circumstances created by the state's increasingly hotter and drier climate, Governor Newsom enacted EO 13 to suspend the California Environmental Quality Act (CEQA) for groundwater recharge projects that capture available water for the purposes of recharging groundwater basins through the application on open and working lands to help mitigate drought impacts on groundwater conditions.

The submitted self-certification form (Attachment A) identifies the Dunnigan Area Recharge Program as a project that meets the criteria of EO 13. The Department has reviewed the project information in the submitted self-certification form and has determined that the project is consistent with the requirements of EO 13. As your project efforts progress, all other necessary permits or areas of compliance should be upheld. Please retain a copy of this letter as documentation of the Department's concurrence on your project eligibility.

If you have any questions, please contact our Sustainable Groundwater Management Office at SGMPS@water.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cindy Messer'.

Cindy Messer
Lead Deputy Director
California Department of Water Resources

Date Signed: 11/9/2022

Agency: Reclamation District 108/Dunnigan Water District
Drought Executive Order N-7-22, Action 13
Self-Certification Form

BACKGROUND: *Consistent with the March 28, 2022 Drought Executive Order N-7-22 Action 13, the California Department of Water Resources (DWR) developed this self-certification form to allow local agencies to submit their proposed recharge projects to DWR and that the project is eligible for the CEQA suspension. After reviewing the information submitted via this self-certification form, DWR will review and may concur. A list of activities eligible for the CEQA suspension is maintained on DWR's website at: <https://water.ca.gov/Water-Basics/Drought>.*

INSTRUCTIONS: *Entities carrying out a proposed recharge project that may meet the objectives of Executive Order N-7-22 Action 13 should complete this self-certification form as soon as possible to initiate DWR's review and potential concurrence that the project is eligible for the CEQA suspension. Please submit one self-certification form for each individual project. For questions, please email SGMPS@water.ca.gov.*

- 1. Please provide a short description of the proposed recharge project in which you are seeking a CEQA suspension, demonstrating how it is consistent with Executive Order N-7-22, Action 13 (include historical land use and current land use on the proposed project location):**

This project is called the Dunnigan Area Recharge Program (DARP). It includes Buckeye Creek, Dunnigan Creek, Bird Creek, Oat Creek, and several fields within the Dunnigan Water District service area. All creeks are ephemeral streams. The concept is to trickle flow (1500-3500 gallons per minute) into the ephemeral streams which will be low enough flow to allow the water to seep through the streams' substrate and into the aquifer. It mimics the natural process of recharge which happens when the ephemeral streams have flood waters in them. The source of the water is the Sacramento River, transported via the Tehama-Colusa Canal and the Dunnigan Water District distribution system. Also, it includes the flooding of fields to create shorebird habitat and recharge through seepage. Both techniques have been successfully demonstrated in pilot projects. The trickle-flow to ephemeral streams concept was tested in February 2022 when the Tehama-Colusa Canal had to be drawn down for maintenance/repairs. The shorebird habitat concept was demonstrated by the Nature Conservancy on Davis Ranches in Colusa County and in other locations in 2018 and concluded in the spring of 2021.

- 2. Please describe the anticipated benefits and the basis of those benefits from implementing the proposed recharge project (in acre-feet/year or estimated volume of water, if possible):**

We anticipate that as much as 5,000 AF could be recharged in most years, when the water is available. The trickle flow test run showed that 125-210 AF was recharged within one-week period in just one creek.

Other benefits we believe that will also occur is helping disadvantaged community water supplies; Dunnigan is a disadvantaged community that is reliant on groundwater for drinking water. Shorebirds will benefit from habitat creation during their migration season. Groundwater dependent ecosystems will benefit from the recharge in the nearby ephemeral streams. Finally, subsidence has long been an issue in the Zamora and Arbuckle areas, and Dunnigan is located right in between them, so this recharge will benefit both zones of concern.

3. Please identify the category this proposed recharge project would fall under (multiple answer can be selected):

- ☒ *Flood Managed Aquifer Recharge*
- ☒ *DWR Sustainable Groundwater Management Grant Program*
- ☐ *Other*

4. Please identify which of the objectives the proposed recharge project meets as described in the Executive Order (multiple answers can be selected):

- ☒ *Projects is on Open Lands (which are those lands that are native or largely undeveloped from agricultural or industrial practices. These lands could include flood bypasses, natural areas, wildlife preserves, or existing managed wetlands.)*
- ☒ *Project is on Working Lands (which are those lands that have been previously developed for agricultural or other industrial practices. These lands could include active or fallowed agricultural lands, gravel and sand operations, open storage fields, or other similar working lands.)*

5. Please describe how the proposed recharge project meets the following objectives as described in the Executive Order:

- ☒ *Project will help mitigate groundwater conditions impacted by the drought (To mitigate groundwater conditions impacted by drought, projects should include the replenishment of groundwater resources to the subsurface, especially shallow aquifers, for the purpose of storage, temporary or otherwise. Drought impacts to groundwater conditions would include lowering of groundwater levels that may have occurred due to lack of natural recharge or groundwater pumping that may especially impact shallow aquifers.)*

6. What funding sources are supporting the proposed recharge project? (Please list all local, state, federal, private or public funding sources).

*This project is supported with funding from the following entities/sources:
Dunnigan Water District (\$59,500 over 3 years), California American Water (~\$5,000 to \$15,000 over 3 years), Westside Sacramento IRWM Grant through DWR's 2021 Urban and Multibenefit Drought Relief Program (\$797,500), and possibly the Nature Conservancy. The DWR funds expire March 2026. All funding sources are public except TNC, which is private.*

7. Please provide the estimated project start date:

7/28/2022, this project is immediately implementable.

8. Please provide the estimated project end date or date project can be considered operational:

The Project is anticipated to end on March 31, 2026, when the DWR funds expire, however, it is envisioned to be a permanent program with eventual support from the GSA and/or other local funding sources. It can be considered operational immediately when water becomes available. The Project started in February 2022 during the pilot study conducted along Buckeye Creek when the Tehama-Canal Canal was dewatered for repair.

9. Please identify if the proposed recharge project requires a new water right permit to be issued by the State Water Board under their Groundwater Storage Water Rights Permitting process. If an existing water right is being used, please provide the permit number under the 'Other' category (For more information, visit:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/groundwater_recharge/):

- ☒ No new water right is needed; already have existing water rights or agreements for this proposed recharge project
- ☐ Need a temporary water right for this recharge project (180 days)
- ☐ Need a temporary water right for this recharge project (1 to 5 years)
- ☐ Need a streamlined permit for a standard water right
- ☐ Need a standard water right for this recharge project
- ☒ DWD is pursuing winter water rights to supplement our contract, but they are not needed to proceed with the project.

10. When do you anticipate your proposed recharge project will be ready for construction phase (i.e. shovel ready)?

This project will be implemented as soon as the IRWM grant agreement is put into place. We have been waiting on that from the DWR for a few weeks now. Please note, the completion date in question 8, is just the anticipated date the grant will be complete. The intent is for this program to be in place into perpetuity as long as recharge is needed in the aquifer. We intend to move from grant funding to beneficiary funded eventually when the GSA catches up and places more permanent and flexible funding tools into action.

11. Are there other permitting requirements necessary to carry out the proposed recharge project. If so, please describe.

No additional permits are anticipated at this time. No streambed alteration is required.

12. Please describe if there are any anticipated water quality or other environmental impacts associated with the proposed recharge project (if so, please describe the mitigation measures that will be taken to remedy or offset those impacts):

Weed control in the ephemeral streams is planned and water quality monitoring is included in the monitoring plan, in addition to the groundwater level monitoring. This program is intended to help the local "de minimus" users as well as agricultural users in the area, so water quality monitoring is a high priority.

13. Please provide the name of the Local Agency implementing the proposed recharge project:

Dunnigan Water District is the lead agency. Partners include the Westside Sacramento IRWM, California American Water, Yolo GSA, and possibly The Nature Conservancy.

14. Please provide a Project Manager Point of Contact First and Last Name:

William Vanderwaal

15. Please provide a Project Manager Point of Contact Email and Phone Number:

wvanderwaal@rd108.org, 530.812.6276

16. Please identify the groundwater basin in which the proposed recharge project will be located. If possible, please provide the proposed project location coordinates (latitude, longitude). (For more information, visit:

<https://sgma.water.ca.gov/webgis/index.jsp?appid=gasmaster&rz=true>):

The Project is located within Yolo Subbasin. The approximate latitude and longitude of the project is 38.8776 and -121.9577, respectively. The Project will extend throughout Dunnigan Water District's service area. The coordinates are intended to provide an approximate location for the Project.

17. Please provide the Groundwater Sustainability Agency (GSA) and Groundwater Sustainability Plan (GSP) or Alternative to a GSP that the proposed recharge project is associated:

Yolo Subbasin Groundwater Agency

<https://sgma.water.ca.gov/portal/gsp/preview/96>

18. Please provide any additional information you would like to include in your Self-Certification Form:

A report on the test run for the ephemeral stream recharge can be provided if requested. I am happy to discuss program with DWR and would appreciate contact with you. Thank you!

In signing this self-certification form, I understand that the Department of Water Resources will rely on this signed certification form to determine if a concurrence with the Drought Executive Order N-7-22, Action 13 is granted for the project described and that false and/or inaccurate representations in this self-certification form may result in the invalidation of the CEQA suspension.

Furthermore, I understand that by receiving concurrence from the Department of Water Resources concerning eligibility for the CEQA suspension outlined in EO N-7-22, DWR makes no claims, promises, or guarantees about the project feasibility, benefits claimed from the completed project, adequacy of the project, potential environmental impacts of the construction activities or completed project, and expressly disclaims liability for project performance, environmental impacts during and after construction, project construction disturbances, unmitigated environmental impacts post-construction, or project failures.

william R vanderwaal

William R Vanderwaal

10/14/2022

Name of Authorized Representative

Signature

Date

Manager

Dunnigan Water District

Title

Agency