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PMA Procedural Suggestions and Water Rights Considerations

VINA PROJECT:
ARTIFICIAL RECHARGE

No Project
Native Aquifer healthy aquifer storage space which is capable of water storage capacity recovery with seasonal flows

Water is considered "common" resource for for overlying lands

Native Water=Area of Origin Law protection from exploitation

Beneficial use on overlying lands not for export

Legal protections- Area and Watershed of Origin status superceeds State Water control

Artificial Recharge Project
Recharged aquifer that is currently healthy is considered Infrastructure without paying for construction

co-opting aquifer storage capacity from overlyers with recharged surface water

Surface Water Law unspecified quantity carried over but accounted for as cumulative and privately owned

accumulated storage displacing Native Water storage capacity in aquifer- privately owned -a commodity which can be sold

Legal protections--Surface Water Law 5 yr abandonment subject to Political power

ISSUE-LAWS

Benefical use

Quantity depends on crop or land development
Avalible water depends on inflows and outflows at specified locations, aquifer structure, and soils at site

As much as you can pump, possible marketing H2O
Possible increase if surface water is available for purchase and money is adequate. Possible relocation of water assets to distant lands

Carrying Capacity

Can be zoned to uses close to naturally occurring unimproved lands or densities in General Plan vision

Any development as long as owner has money

Land Use

Opportunity Costs

Potential future diverse development-
Agricultural, Recreational, tourism, residential, industrial uses, environmental sustainability

favors those with big money such as ag business similar to San Juaquin

BUTTE COUNTY VISION?

Economic diversity, and land use

Economy dominated by large landowners

**LEAST RISKY WATER MANAGEMENT
OPTIONS**

**DEMAND SIDE REDUCTION
BUILDING STANDARDS**

- *EFFICIENCY PLUMBING FIXTURES - POINT OF USE WATER HEATER
- *RETROFIT WITH EFFICIENCY PLUMBING AT PROPERTY SALE
- *ROADWAY STANDARDS, DRAINAGE, AND PERMEABLE MATERIALS WHERE POSSIBLE
- *GRAYWATER SYSTEMS (especially as septic tank leach fields are being replaced by water treatment plants and their discharge systems)
- *PROTECT RECHARGE AREAS WITH SPECIFIC PLANS TO PRESERVE LAND RECHARGE FUNCTIONS

ZONING AND LAND USE CONVERSION
including Water budget impact for
major changes to existing uses

*SUGGESTED ZONING BASED ON AQUIFER CAPACITY AND WATER BUDGET IN THE AREA
CONSIDERED (given the NE to SW diagonal groundwater flow).

ADJUDICATION

*OVERLYING LANDS ARE ENTITLED TO A SHARE OF GROUNDWATER FOR BENEFICIAL USE
(correlative water rights) We need to calculate what that would mean in localized water budgets..
That quantity needs to be assigned. Frequently this is done in court.

MISC.

- *MEANDER DRAINAGES-PASSIVE RECHARGE ON PROPERTIES
- *"TREE PEOPLE" LANDSCAPE PLANS WHICH BURN SMALL ELEVATION AROUND YARDS TO
ENCOURAGE GROUND PERCOLATION AND REDUCE OFF- SITE DRAINAGE
- *WETLAND CREATION/FILTRATION = RECREATION AND REDUCE OUR LOSS OF WATER THROUGH
WATER TREATMENT PLANT OUTFLOW TO RIVER
- *ABANDON/SELL WITHIN BASIN ANY SURFACE WATERS WHICH ARE SUPPLANTED BY
GROUNDWATER USE SUCH AS WELL WATER /SPRINKLER FROM FLOOD IRRIGATION

CRITICAL CONSIDERATION

NO ACTIVE RECHARGE PROJECT SHOULD BE CONSIDERED UNTIL LEGAL DEFINITIONS ARE CODIFIED
AT STATE AND LOCAL LEVELS. THIS LAW MUST REFLECT THE CRITICAL DIFFERENCE BETWEEN A
HEALTHY NATIVE AQUIFER WHOSE CAPACITY SERVES OVERLYING LAND AND AN AQUIFER
PERMANENTLY EVACUATED WITH QUANTIFIABLE GUARANTEED AVAILABLE UNUSED STORAGE
SPACE WHICH MAY ARTIFICIALLY BE RECHARGED WITH SURFACE WATER CONSIDERED UNDER
SURFACE WATER RIGHTS.