



Outreach and Communications related to Well Ordinance Update

Oct. 3, 2022

1. What kind of public outreach was conducted subsequent to the Aug. 9 hearing?

- The revised well ordinance was published online on Sept. 9, 2022
- A [press release announcing new revisions to draft well permit ordinance](#) was distributed on Sept. 9, 2022 in which the public was invited to attend the Oct. 4 public hearing and was encouraged to provide feedback and questions by emailing Permit Sonoma at PermitSonoma-Wells-PublicInput@sonoma-county.org.
- The revised ordinance was presented to:
 - Santa Rosa Plain GSA AC on Sept. 12, 2022
 - Sonoma Valley GSA AC on Sept. 13
 - Petaluma Valley GSA AC on Sept. 14
 - *(Links to recordings of these digital meetings are available upon request.)*
- A story about the Well Ordinance update was distributed to the public via the Sept. 14 edition of the county newsletter SoCoCorrespondent.
- The general public was invited to attend a [livestreamed Informational Town Hall](#) on Thursday, Sept. 22 during which Permit Sonoma staff presented the revised ordinance and answered more than 60 questions from the public. More than 200 individuals registered in advance for the webinar and more followed live through the county's Facebook page. Vi and, in Spanish, on YouTube.
- Permit Sonoma published eight social media posts (four on Facebook and four on Twitter) before the event.
 - Total Facebook Reach (amount of people who saw the post at least once): 4,052
 - Total Post Engagement (amount of people who interacted with a post): 121
 - Total Impressions (number of times a post on a user's screen): 4,215
 - Total Impressions on Twitter (number of times a tweet was seen): 188
- The Oct. 4 agenda item and hearing also were promoted at least three times via the county's social media platforms including Facebook and Twitter.
 - Facebook Audience Reach: 6,121
- The board package was published on [Sept. 30](#), and notice was published in the newspaper on [Sept. 29](#), well in advance of the legally required Brown Act notice.
- Because the proposal aligns the county's well ordinance with current law, staff chose to expeditiously bring it to the Board for public input, discussion, and decision.

- The media outreach resulted in newspaper stories being published in [The Press Democrat](#), the [Sonoma County Gazette](#), and [the Sonoma Index-Tribune](#), as well as coverage on local radio stations [including KSRO](#). (See attached Communications Plan.)

2. What feedback was expressed at the GSA meetings?

- Support for consistency with GSPs and coordination with GSAs. Concern that County was usurping authority of GSA.
- Support for metering, and comments in support of expanded monitoring and metering beyond what is proposed. Little negative reaction to proposed metering program.
- Questions and concerns that the proposed public trust review:
 - Will not adequately evaluate cumulative impacts
 - Will not require consideration of impacts to non-navigable high habitat value tributary streams
 - Will add significant uncertainty, expense, and time to the well permitting process
 - Does not include clearly defined thresholds for a substantial adverse impact.
 - Does not clearly define the scope of required studies to evaluate impacts to public trust resources
- Questions about the CEQA review process in association with the discretionary public trust review.
- Support for a medium- to long-term comprehensive groundwater policy development process that would:
 - Include advisory committee comprised of diverse stakeholders
 - Programmatically evaluate impacts
 - Use best available information and hydrogeologic models
 - Clearly define substantial adverse impacts
 - Support development of ministerial well classes and BMPs

3. What were the most common questions from the general public during the outreach events?

- **Why has a well ordinance amendment that is so impactful been so rushed?**
 - Staff recognizes that shifting from ministerial to discretionary permits for public trust review of select well types presents a real shift in permitting, particularly timing, staff work, and costs for permit review. Because the proposal aligns the county's well ordinance with current law, staff chose to expeditiously bring it to the Board for public input, discussion, and decision.
- **If approved, when would public trust review requirements go into effect?**
 - The ordinance would go into effect 30 days after approval. The date of approval would be the 2nd reading, which could occur as early as Oct. 18, 2022, thus the Ordinance could go into effect as early as Nov. 17, 2022.
- **Would permits that have already been submitted, but not yet issued, be impacted?**

- The ordinance includes a “pipeline provision” that specifies that complete applications submitted prior to Oct. 4, 2022 may continue to be processed under the prior version of the ordinance.
- **When would metering requirements go into effect?**
 - Permits submitted after Oct. 4, 2022 (excluding domestic wells) would have monitoring requirements.
 - Under the requirements, those well owners would record meter readings monthly. Permit Sonoma would send out data requests in December of each year and owners would submitted online by Jan. 31 of the following year.
- **How many well permits a year do you expect to require public trust review?**
 - Out of an average of 300 water well permits a year staff expects between 10 and 30 to require public trust review.
 - Roughly 85 percent of wells are residential, and this class of wells will be largely exempt.
 - Of the remaining 15 percent of wells permits, some fraction will be for low water use parcels or serve existing uses. These permits would also be exempt, but subject to water conservation requirements.
- **How much longer will it take an applicant to get a permit?**
 - Current processing time for a ministerial permit is a few weeks.
 - Processing time for ministerial permits should continue to be a few weeks. Additional review and processing time for projects subject to monitoring and water conservation requirements are expected.
 - Staff anticipates three to 12 months for processing time for projects subject to the discretionary public trust review. However, this is a new program and processing may be longer initially.
- **Roughly, how much will it cost in permitting fees - as well as costs for additional reports - to get a permit?**
 - Proposed public trust review fee is “at cost” with a deposit of \$1,392.
 - Additional CEQA review fees may also apply. Permit Sonoma anticipates returning to the Board with a proposed fee to support the groundwater monitoring program. The current fee is \$625 for Class 1 and \$750 for Class 2.
 - Supporting studies could range from as low as few hundred dollars to multiple thousands of dollars.
- **What are “navigable waters” and have we mapped them before?**
 - “Navigable waters” are those “capable of being navigated by oar or motor-propelled small craft,” consistent with the California public right of navigation test.
 - Within Sonoma County, the main stem of the Russian River from Jenner to the Sonoma/Mendocino County line and waterways identified as navigable by the U.S. Army Corp of Engineers survey “Navigable Waterways as of 2 August 1971” are considered navigable and subject to review under and Public Trust Doctrine.
- **How is groundwater usage estimated?**
 - Groundwater use can be estimated using various methods:

- Using default water use rates based off the land use. Permit Sonoma guidance document 8-2-1 Water Supply, Use and Conservation Assessment Guidelines provides default water use rates for various uses.
 - Site specific water use estimate prepared by an engineer, geologist, or other qualified professional.
 - Metered data.
- **Where and what types of wells do (or do not) require discretionary public trust review?**
 - The ordinance provides ministerial review for the following classes:
 - Wells outside the PTR
 - Replacement domestic wells on low water use parcels (less than 2 acre feet a year)
 - Wells where groundwater use of the parcel is limited to 2 AFY or limited to the existing groundwater use of the parcel, whichever is greater. Existing use will be determined based on a 3-to-5-year average prior to Oct. 4, 2022.
 - Public water wells where CEQA is complete.
- **As proposed, the public trust review would be discretionary. Does that mean that these permits are subject to CEQA? What would the CEQA review process look like for wells?**
 - Discretionary projects are subject to CEQA unless an exemption applies. Whether an exemption applies is a case-by-case determination. Staff would also look at whether the requested well is part of a larger project to determine what the project is and the appropriate level of environmental review if it is not exempt. The level of environmental review is also a case-by-case determination.
- **How would you determine if a well is interconnected to surface waters?**
 - Geology, proximity to surface waters, published studies, well completion reports, well design, etc.
- **What would happen if groundwater use is greater than permitted?**
 - In general, the County's goal is to bring properties into compliance.
 - The code provides for notice to the property owner.
 - Compliance efforts may range from educational outreach to more formal notice and enforcement actions.
 - The nature of the remedy pursued may depend on the nature of the violation.
 - The enforcement provisions of Chapter 25B are not changing. Violations may result in administrative fines, suspension or revocation of a permit, or other measures.
- **Will groundwater metering data submitted by well owners be made public?**
 - Yes, that is the intent.