

Discussion Draft

Proposed Act to Create the Alexander Valley Water District

(Source: Russian River Property Owners Association web site)

Legislative Findings

- Landowners in the Alexander Valley region of Sonoma County rely on their own surface water and groundwater rights to meet agricultural water demands, largely for irrigation of some 25,000 acres of premium wine grapes. These landowners are not served by or located within any public water supplier.
- During the 2014-15 and 2021-22 droughts, State Water Board curtailment actions restricted landowner diversions of natural and imported flow from the Russian River and suggest that existing water supplies are inadequate to meet landowner water demands.
- The absence of a public water district in the Alexander Valley also has limited the landowners' ability to effectively engage with local, State and federal agencies to improve water supply reliability in the Alexander Valley.
- The enactment and implementation of Sustainable Groundwater Management Act (SGMA) in 2014 has increased the likelihood of groundwater regulation in the Cloverdale and Alexander area subbasins. Only public agencies are eligible to form Groundwater Sustainability Agencies (GSAs) to prepare Groundwater Sustainability Plans (GSPs).
- Landowners desire to participate in regional water management efforts including groundwater recharge projects and Potter Valley Project re-licensing, but lack the resources to do so individually.
- Agricultural landowners in Alexander Valley desire to form a public agency to represent their land and water rights regarding the aforementioned water management issues.
- Agricultural landowners in Alexander Valley have determined that a California Water District is the best form of public district to represent them because formation petitions and elections are based on land ownership rather than residential population (registered voters). There are approximately 300 individual owners of agricultural parcels encompassing some 25,000 acres in the two sub- basins.
- The California Water District Act allows the petition for formation of a district by "holders of title to a majority in area of land which is capable of using water beneficially for irrigation, domestic, industrial or municipal purposes and which can be serviced from common sources of supply and by the same system of works. . . ." (Water Code section 34153)

- Agricultural landowners in Alexander Valley use water from common sources of supply, namely Russian River surface water and groundwater within the Cloverdale and Alexander area subbasins, and have initiated pre-petition consultation with the Sonoma Local Agency Formation Commission (Sonoma LAFCO).
- Dozens of California Water Districts have been recently formed in other counties to respond to SGMA and related water management needs, but none in Sonoma County. The Sonoma LAFCO has limited resources to oversee the formation of a new California Water District, and Sonoma LAFCO staff have questioned whether the various wells in Alexander Valley are considered “the same system of works” for purposes of a petition for formation pursuant to Water Code section 34153.
- Due to anticipated delays and potential Sonoma LAFCO denial of a landowner petition to form a California Water District, there is an urgent need to create a public water district in the Alexander Valley to facilitate acquisition of additional water supplies in the Alexander Valley and to represent Alexander Valley landowners in local, State and federal processes.

Proposed Legislative Text

1. The Alexander Valley Water District, a California Water District pursuant to Water Code section 34000, et seq., is hereby formed in Sonoma County.
2. The following land area is included within the Alexander Valley Water District: all assessor parcels that overlie (either entirely or partially) the Cloverdale Subbasin and the Alexander Valley Subbasin as that area is depicted in DWR Bulletin 118 (Update 2020) (see attached illustrative map).
3. The Alexander Valley Water District may exercise the authority of a California Water District pursuant to Water Code section 34000, et seq., only as to lands within unincorporated Sonoma County with an agricultural zoning designations, provided however the District may exercise these authorities over any lands annexed into the District in the future at the request of the landowner and the District may provide services to lands outside the District consistent with the California Water District Act.
4. The Alexander Valley Water District shall have the authority to:
 - Become a member of a joint powers authority or other public entity with authority to own and operate water supply and electrical power generation projects, including but not limited to infrastructure to convey water from the Eel River to the Russian River for the purpose of delivering water to Lake Mendocino and to the Alexander Valley;
 - Serve as the Groundwater Sustainability Agency (GSA) or as a member of the entity that would serve as a GSA;
 - Engage in other projects to secure and retain water supplies and promote water conservation for the Alexander Valley;
 - Perform habitat restoration and flood management within the Alexander Valley in cooperation with other public agencies with this authority in Alexander Valley; and
 - Take any other action of a California Water District pursuant to Water Code section 34000 consistent with these authorities. The Alexander Valley Water District shall not have the

authority to require the transfer to the District of any water rights held by any person within the Alexander Valley.

- Raise revenues from special benefit assessments, fees for services rendered, and water rates or related charges pursuant to the provisions of Water Code section 34000.