Memorandum

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TO: Ukiah Valley Basin Groundwater Sustainability Agency Technical Advisory Committee

COPY TO: Ms. Sarah Dukett

SUBJECT: **Data Requests and Confidentiality**

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This memorandum provides information regarding requests for private data that is needed for development of the Ukiah Valley Basin Groundwater Sustainability Plan (GSP), our understanding of concerns regarding the release of private information, the requirements for sharing data used in GSP development and implementation as outlined in the Department of Water Resources' (DWR) GSP Emergency Regulations (Regs), and a suggested approach to move forward.

GSP data needs

To summarize, the following data categories are needed for the GSP development process and should be included in the UVB GSA Data Management System (DMS) according to DWR requirements:

a) **Water budget components:** Such as precipitation and infiltration, surface water flows and infiltration, and soil water budget (including evapotranspiration) and deep percolation;
b) **Well construction information:** Such as approximate well location, total depth, diameter, and screened interval depth to identify potential aquifers screened in each well, and track connectivity of aquifers;
c) **Groundwater Elevation:** groundwater levels for specific wells
d) **Water quality**: groundwater and surface water quality data for specific wells or otherwise obtained from monitoring programs such as Groundwater Ambient Monitoring and Assessment Program (GAMA)

e) **Aquifer properties**: Such as specific storage and yield, transmissivity, etc. resulting from aquifer performance tests
f) **Geology and Land Use**: In the form of shapefiles to help with the understanding of the Basin Setting
g) **Administrative information**: Such as existing surface water and groundwater monitoring and management programs, conjunctive use programs, General Plan provisions, etc.

Available data and existing data gaps have been outlined in the Phase 1 Data Gaps report and in the LWA memorandum sent to the County on 18 Jan 2019. These needs were discussed at a preliminary level in the meeting with the Technical Advisory Committee (TAC) on 8 November 2018, with discussions focused mainly on the data needed to understand the groundwater/surface water interaction along the river. As a next step following the TAC meeting, the County, with the help of Larry Walker Associates (LWA), moved ahead with its application for the DWR Technical Support Services (TSS) grant to request funding for new wells comprising monitoring transects along the Russian River for continuous monitoring of groundwater levels.

Details of the monitoring transects and the specific wells requested are included in the memorandum sent to the County on 27 November 2018 and in the County's TSS application (attached).

As recommended at the Technical Advisory Committee meeting on November 8, 2018, additional specific data gaps to be filled will be more carefully assessed in the process of developing the Hydrogeological Conceptual Model (HCM) and the water budget according to their significance in the ultimate success of the GSP. It is anticipated that some data on private wells will benefit the development of the GSP.

Concerns regarding Privacy of Well Information

Numerous stakeholders have expressed concerns regarding the use of private well data in the GSP development effort. The concern is with public release of sensitive private information. It is our understanding that the type of information of greatest concern is information regarding well locations and pumping records. An important next step will be validation (or modification) of this understanding.

The issue to be addressed is how to avoid public release of private information, since any information provided to the GSA or the LWA team will arguably be publicly available, or subject to release in response to a public request, as described below.

DWR Data Sharing Requirements and Reporting Protocols

DWR requirements for sharing data publicly (data shared only with the DWR can also be publicly requested and retrieved) is not completely clear based solely on the language of the Regs. Our understanding, per the Regs, is that the first classification that determines such requirements is whether a data site (groundwater well, stream, etc.) is included in the monitoring network proposed by the GSP. In this case, data should be stored in the DMS and also reported to DWR in annual reports. As a result of being eligible to be reported, these data must completely satisfy the

requirements of *Regs § 352.4. Data and Reporting Standards*, which leads to forgoing any confidentiality of the information.

On the other hand, if the data site is not considered a monitoring site, the following requirements are applicable:

a) *"Regs § 352.4. Data and Reporting Standards,(c) (3)*; Well information used to develop the basin setting shall be maintained in the Agency's data management system.
b) *Regs § 352.4. Data and Reporting Standards,(d)(1);* Maps submitted to the Department shall meet the following requirements: Data layers, shapefiles, geodatabases, and other information provided with each map, shall be submitted electronically to the Department in accordance with the procedures described in Article 4.
c) *Regs § 352.4. Data and Reporting Standards,(e)(2)*; Hydrographs submitted to the Department shall meet the following requirements: Hydrographs shall include a unique site identification number and the ground surface elevation for each site.
d) *Regs § 352.4. Data and Reporting Standards,(g)*; The Department may request data input and output files used by the Agency, as necessary. The Department may independently evaluate the appropriateness of model results relied upon by the Agency, and use that evaluation in the Department's assessment of the Plan."

Therefore, if the data site is not a well, it will only become public data if it is explicitly included as a Map entry or written in model input files. If it is a well, its respective data will be public if it is written explicitly within a model input file. Otherwise, it shall be maintained in the Agency's data management system.

In conclusion, if obtained data is used to define the Basin Setting, which includes all the analytical sections of the GSP, it should be kept within the GSA's DMS.

There are no specific requirements for the GSA's DMS to be public and/or provide public access to the information unless that information is related to the monitoring network. However, arguably, any data within the DMS can be requested or queried. Similarly, any data within the GSA or LWA Team files can also be requested by the public.

Suggested Approach

A first step is clarifying whether the private information of concern will be needed for the GSP development effort. With regard to pumping information for private wells, the proposed approach by the LWA team will be to produce this information using the modeling tools developed for the GSP effort. An anticipated step will be interacting with stakeholders to "ground truth" the pumping projections developed through the modeling process. That interaction will not require the submittal of private pumping data.

It is anticipated that information on private well construction and approximate private well locations will be useful to the GSP effort. To maintain privacy, it is also important to establish a process for properly formatting the information provided to either the GSA or the LWA team in a way that provides information needed for the GSP development effort. On this point, for private well owners who do not wish to have information regarding exact location of their well (i.e. coordinates), it will be sufficient (for modeling purposes) to have information indicating where the well is located within the modeling grid. For modeling purposes, it will be sufficient to know whether a well is located within a 100 meter by 100 meter grid cell. A map depicting this grid can be used to interface with private well owners to provide an approximate location for specific wells.