

**RESOLUTION NO. 23-01  
OF THE  
BOARD OF DIRECTORS OF THE  
YOLO SUBBASIN GROUNDWATER AGENCY**

***IN THE MATTER OF:*      A RESOLUTION DIRECTING THE PREPARATION AND  
IMPEMENTATION OF UPDATED WELL PERMIT REVIEW  
PROCEDURES IN THE YOLO SUBBASIN GROUNDWATER  
AGENCY**

WHEREAS, Yolo Sustainable Groundwater Agency is the Groundwater Sustainability Agency (“GSA”) for the Yolo Subbasin of the Sacramento Valley Groundwater Basin, California Department of Water Resources Basin No. 5-21.67 (“Subbasin”) and in that role is responsible for implementing the Sustainable Groundwater Management Act (“SGMA”) within the Subbasin; and

WHEREAS, pursuant to Executive Orders N-10-21 and N-7-22, Governor Gavin Newsom proclaimed a statewide State of Emergency due to drought conditions, and directed GSAs and local well permitting authorities to make certain findings before issuing permits for groundwater wells subject to those Orders; and

WHEREAS, Paragraph 9 of each Order provides that a county, city, or other public agency shall not:

“Approve a permit for a new groundwater well or for alteration of an existing well in a basin subject to [SGMA] and classified as medium- or high-priority without first obtaining written verification from a Groundwater Sustainability Agency managing the basin or area of the basin where the well is proposed to be located that groundwater extraction by the proposed well would not be inconsistent with any sustainable groundwater management program established in any applicable Groundwater Sustainability Plan adopted by that Groundwater Sustainability Agency and would not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan;” and

WHEREAS, paragraph 9 further provides that a county, city, or other public agency shall not:

“Issue a permit for a new groundwater well or for alteration of an existing well without first determining that extraction of groundwater from the proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.”; and

WHEREAS, these requirements were renewed and clarified by Executive Order N-3-23, and are currently in effect; and

WHEREAS, Yolo County Department of Environmental Health is the local agency responsible for issuing groundwater well permits under the Executive Orders; and

WHEREAS, YSGA is the Groundwater Sustainability Agency responsible for providing the County with the written verifications required by the Orders, specifically, for determining that the proposed groundwater extraction “would not be inconsistent with any sustainable groundwater

management program” in the Subbasin’s GSP and “would not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan;” and

WHEREAS, in May 2022 YSGA Board adopted Resolution No. 22-01, setting parameters for the development of Well Permit Procedures that would guide YSGA in making the findings required by Paragraph 9; and

WHEREAS, through the process of developing the Well Permit Procedures, YSGA has now identified certain areas where groundwater monitoring data is limited or incomplete (“data gap” regions), as well as areas where landowners have reported concerns regarding potentially decreasing groundwater levels (“Areas of Special Concern”); and

WHEREAS, staff require additional direction from the YSGA Board to develop a suitable review process to address these areas; and

WHEREAS, on September 12, 2023, the Yolo County Board of Supervisors announced its intention to impose 45-day moratorium on new agricultural well permits at their September 26, 2023 Board of Supervisors meeting to allow YSGA to address the Areas of Special Concern and data gaps in its Well Permit Procedures.

NOW, THEREFORE, BE IT RESOLVED:

1. As the exclusive Groundwater Sustainability Agency for the Yolo Subbasin, YSGA is responsible for and committed to achieving the sustainability goals set out in the GSP. Adoption of standardized Well Permit Procedures will support these sustainability goals, in that they will provide YSGA, permit applicants, and the public a clear framework for evaluating a permit application’s consistency with the GSP.
2. YSGA further recognizes that data gaps and localized groundwater conditions may sometimes require a specialized approach for particular portions of the basin; appropriately addressing these issues can assist the YSGA in its pursuit of basinwide sustainability.
3. YSGA staff are directed to prepare proposed Well Permit Procedures for consideration and review by the YSGA Board no later than November 20, 2023.
4. The Well Permit Procedures to be proposed to the Board will include, at a minimum:
  - An outline of the processes to be followed in YSGA’s issuance of the written verifications required by the Executive Orders.
  - A draft map depicting regions proposed to be identified as “Areas of Special Concern,” as well as a description of the characteristics that would trigger that special designation.
  - A draft map depicting regions of known gaps in groundwater monitoring data (“Data Gap Map”), identifying those portions of the basin where additional groundwater monitoring data is necessary to assist the YSGA in achieving the sustainability goals for the Subbasin.
  - Proposed standardized criteria for the hydrogeologist reports or other additional

supporting information that will be required in the “Areas of Special Concern” and “Data Gap” regions for new agricultural well permits.

- A proposed schedule for public review and comment on these materials.
5. In response to stakeholder requests and separate from the Well Permit Procedures, the *Ad Hoc Drought Contingency Planning Committee* is authorized to work with the Executive Officer and Legal Counsel to investigate the potential demand management strategies, including but not limited to voluntary allocation systems, in the designated “Areas of Special Concern.” The Committee’s findings will be reported back to the YSGA Board before the agency takes any binding action to implement such a system.
  6. No later than January 22, 2024, the Executive Officer, supported by Legal Counsel, will present a proposed structure and schedule for the implementation of Management Area Advisory Committees, which shall be tasked with providing feedback on unique regional groundwater concerns, as well as serving as a public advisory forum to inform the Board’s continued pursuit of the sustainability goals.

### **Certification of Secretary**

The undersigned hereby certifies that the foregoing resolution was duly adopted by the Board of Directors of YSGA at a special meeting held on September 18, 2023, by the following vote:

AYES: City of Davis, City of West Sacramento, City of Winters, City of Woodland, Dunnigan Water District, Madison Community Services District, Reclamation District 108, Reclamation District 307, Reclamation District 537, Reclamation District 730, Reclamation District 765, Reclamation District 787, Reclamation District 999, Reclamation District 1600, Rumsey Water Users Association, Yocha Dehe Wintun Nation, Yolo County, Yolo County Flood Control and Water Conservation District, California American Water – Dunnigan, Yolo County Farm Bureau, and Environmental Representative – Ann Brice

NOES: None

ABSENT: Reclamation District 150, Reclamation District 2035, and Colusa Drain Mutual Water Company



Kristin Sicke, Board Secretary

Dated: September 18, 2023