

## YSGA BOARD OF DIRECTORS MEETING

March 18, 2024

- 1. Call to Order and Determination of Quorum
- 2. Adding Items to the Posted Agenda
- 3. Public Forum
- 4. CONSIDERATION Consent Items
- 5. Report of the Chair and Executive Officer
- 6. PRESENTATION GSA Authority
- 7. CONSIDERATION 2-Tier Well Permit Review Procedures
- 8. Member's Reports and Future Agenda Items
- 9. Next Meeting May 20, 2024
- 10. Adjournment

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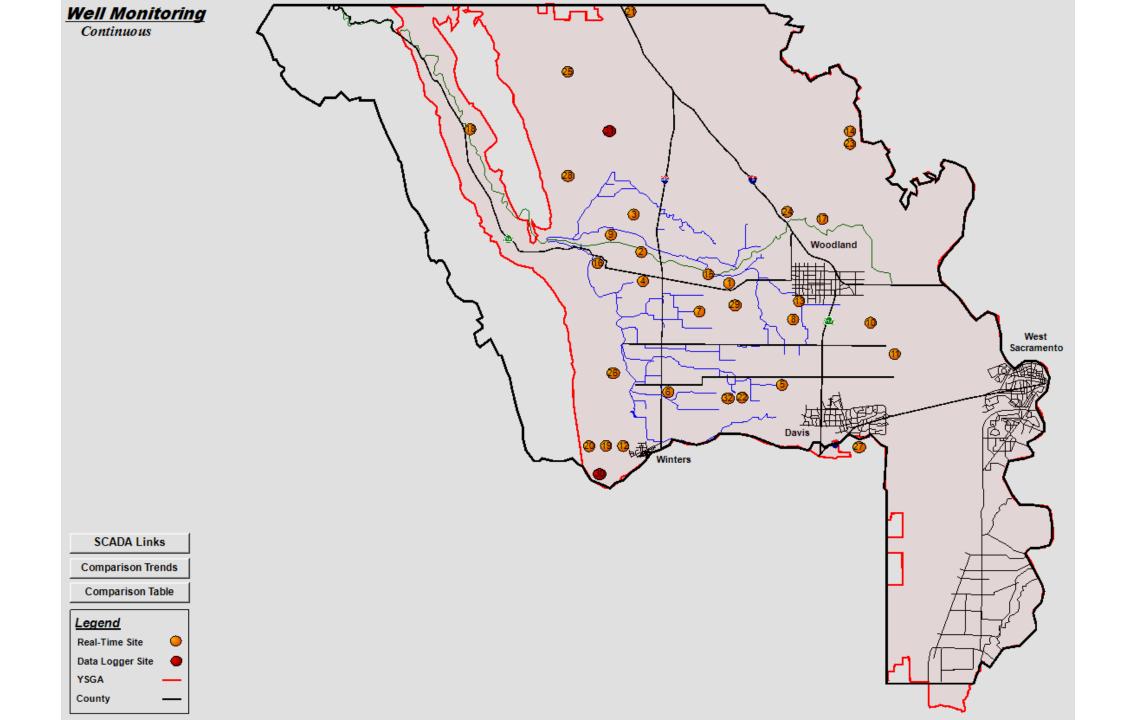
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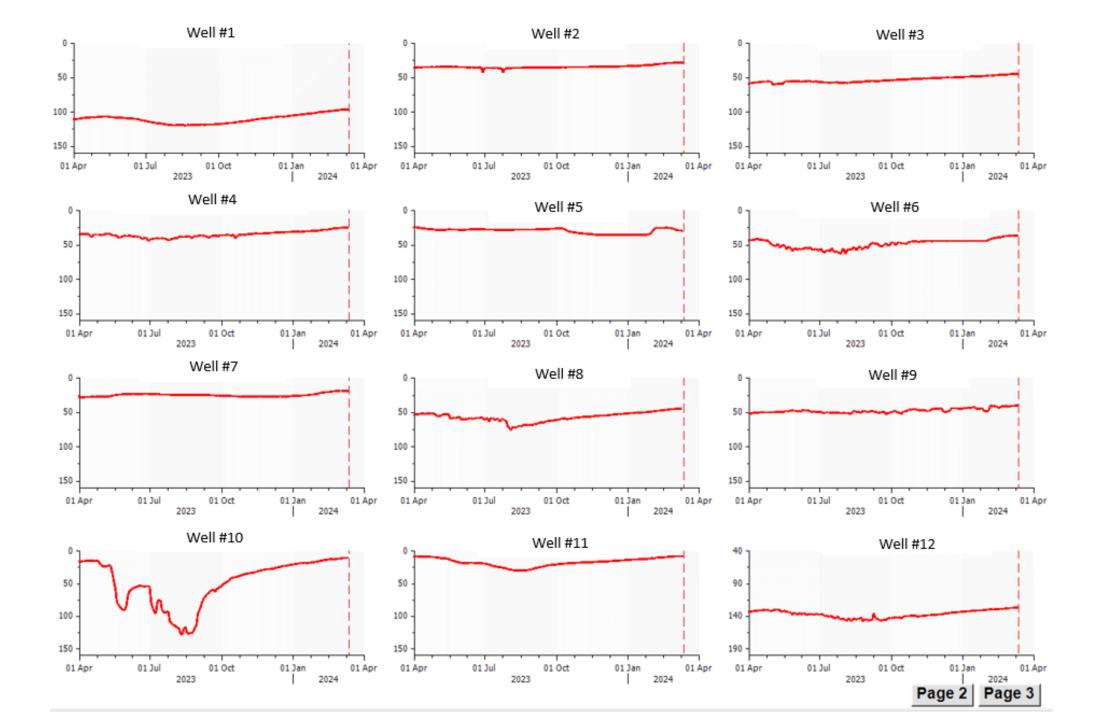
### Consideration: Consent Items

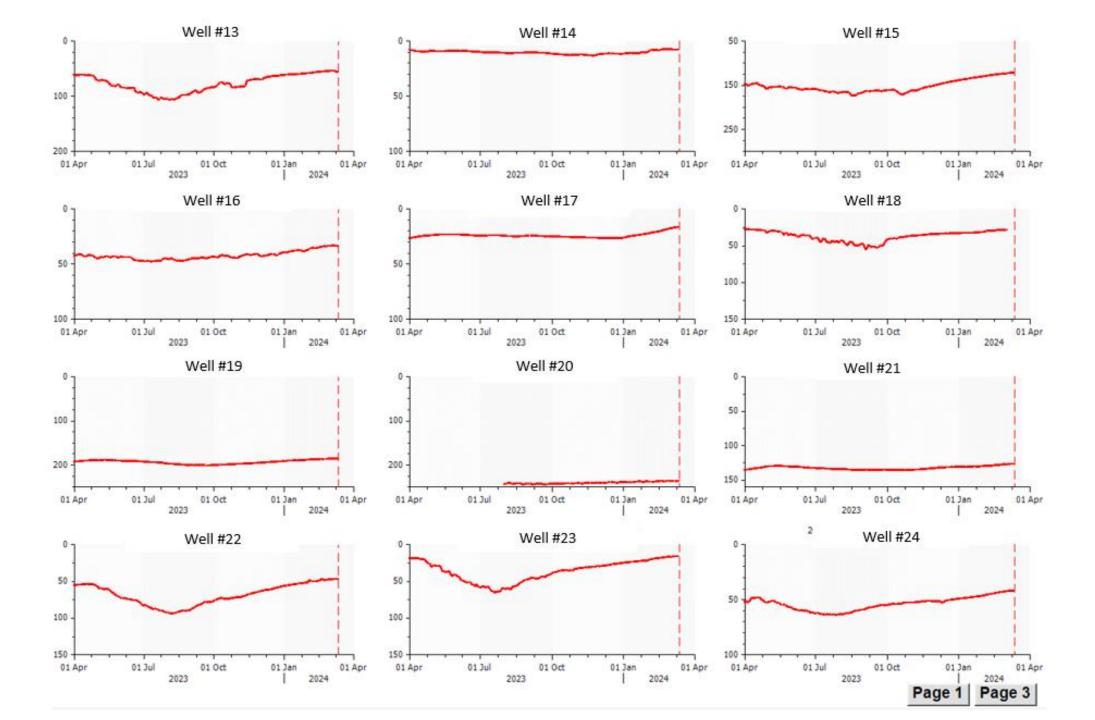
- a) Approve January 22, 2024 Board of Directors Meeting Minutes
- b) Receive Fiscal Year 23/24 Financial Statements: 1/17/24 3/11/24
- c) Receive minutes of Executive Committee: 1/12/24
- d) Authorize Entering into Contract with Frame Surveying and Mapping

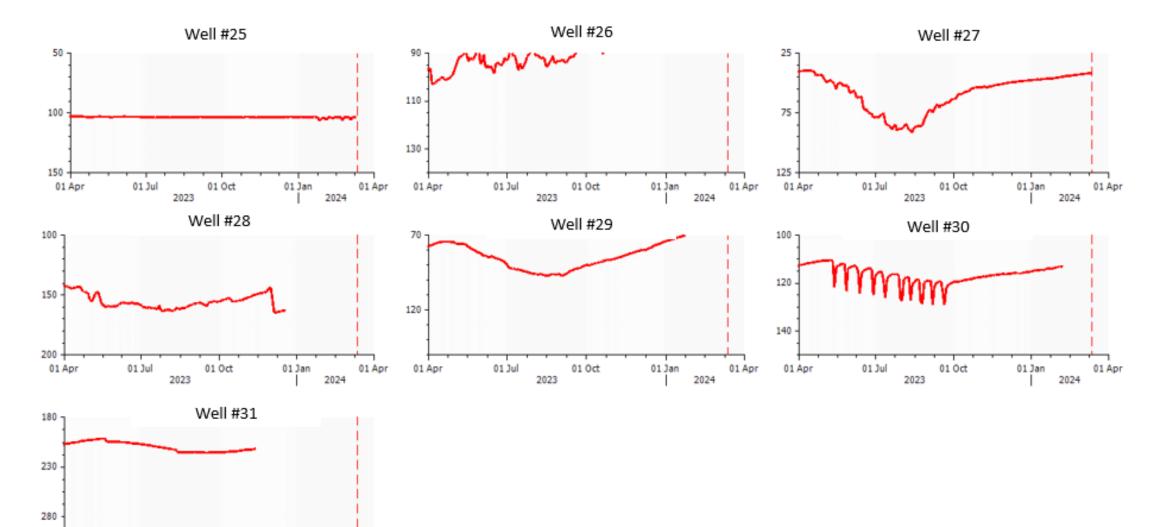
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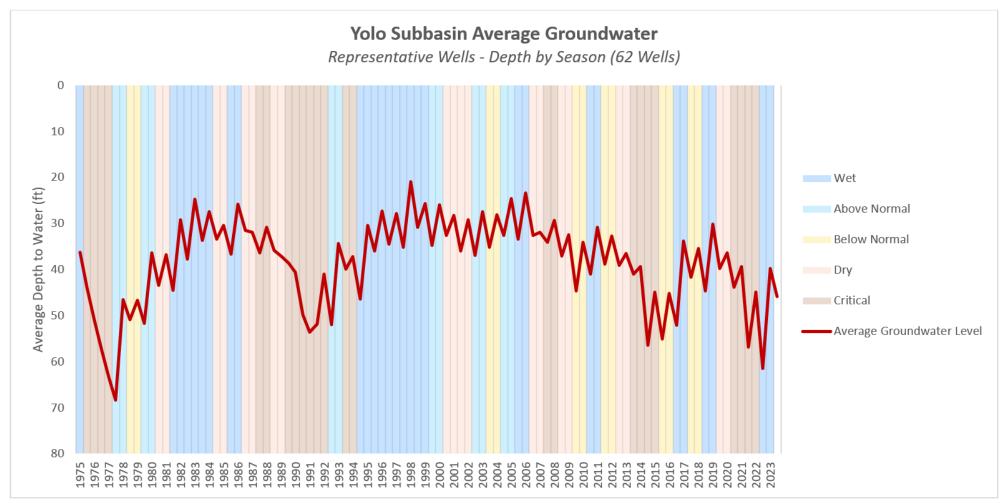
	Well Monitoring										SCADA Links			Мар	S	elect Date	03/18
Well Monitoring Continuous (1)	Depth to Water Historical Comparison (Daily Average DTW in feet)															<b>∆ 202</b> 3	<u>∆ 2015</u>
	<u>Well</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	- 2024	- 2024
	1.	77.1	79.1	79.7	92.4	100.4	102.9	89.9	88.6	90.4	87.1	95.7	113.5	113.4	95.9	17.5	4.5
	2.	28.6	29.7	40.5	35.9	38.9	39.4	23.7	30.2	24.3	30.2	32.3	37.5	38.2	27.5	10.7	11.4
	3.	41.8	39.4	40.5	50.6	59.6	58.5	38.3	40.0	37.5	40.3	44.8	60.9	61.6	43.7	17.9	15.9
() () Furn () ()	4.	24.5	25.9 21.4	27.9 22.8	31.4 29.8	38.8 29.0	38.5 37.9	21.1 17.0	26.9 28.3	18.9 9.4	28.3 23.0	35.7 30.2	39.1 37.9	37.2 27.5	24.6 29.3	12.6 -1.8	3
	6.	$\vdash$	37.3	37.6	44.8	53.0	52.4	27.0	36.0	20.7	36.8	50.2	60.6	47.4	36.4	11.0	5
	7.	H	07.0	01.0	32.0	32.0	33.2	16.4	21.0	15.0	20.1	26.9	33.8	30.7	18.6	12.1	13.4
	8.				49.5	60.6	62.1	45.1	42.9	36.7	41.4	48.0	63.2	56.3	44.1	12.1	16.4
	9.				49.0	56.8	56.8	37.4	40.5	34.1	41.8	48.5	54.6	54.6	39.5	15.1	17.4
Woodland	10.					25.4	25.2	11.8	13.0	7.4	14.5	19.7	30.7	18.3	9.9	8.4	15.5
	11.					11.4	10.9	5.6	8.6	5.5	9.8	13.0	15.2	9.0	7.9	1.1	3.5
SCADA Links	12.									113.2	106.8	118.3	132.4	135.1	126.1	9.1	
Comparison Trends	13.				_				60.1	46.0	53.9	61.3	75.9	65.1	55.6	9.5	
Comparison Table	14.									7.3	10.0	10.1	11.2	8.2	8.2	.0	
	15s. 15d.				-					33.2 104.1	37.0 110.7	45.6 128.8	44.0 161.5	40.1 150.5	34.9 120.2	5.2 30.3	
Real-Time Site	16.	$\square$								33.2	34.5	36.5	47.2	46.2	33.2	13.0	
Data Logger Site	17.										20.7	26.9	30.6	28.8	15.8	13.0	
Cache Creek —	18.										33.3	42.1	39.4	29.2	28.0	1.2	
Canal System — Roadway — @ @ 19 12 Winters Uniters	19.										165.5	175.0	187.8	193.9	184.3	9.6	
Roadway — Winters	20.														236.4		
	21.											127.3	136.2	137.8	125.8	12.0	
	22.				_							_	68.9	57.6	46.2	11.5	
	23.				<u> </u>				_			_	41.3	21.6	17.3	4.3	
	24. 25.				-				-			-	65.6	55.6	41.5	14.1	
	26.		-									-	-	102.8 101.5	103.9 73.2	-1.1 28.2	
	27.	$\vdash$											-	_	41.7	1.1	
	28.	$\vdash$											<u> </u>	143.8			
	29.													82.2			
	30.													113.8			
	31.													210.2	190.8	20.1	
	32.														105.7		







01 Apr 01 Jul 01 Oct 01 Jan 2023 2024 01 Apr

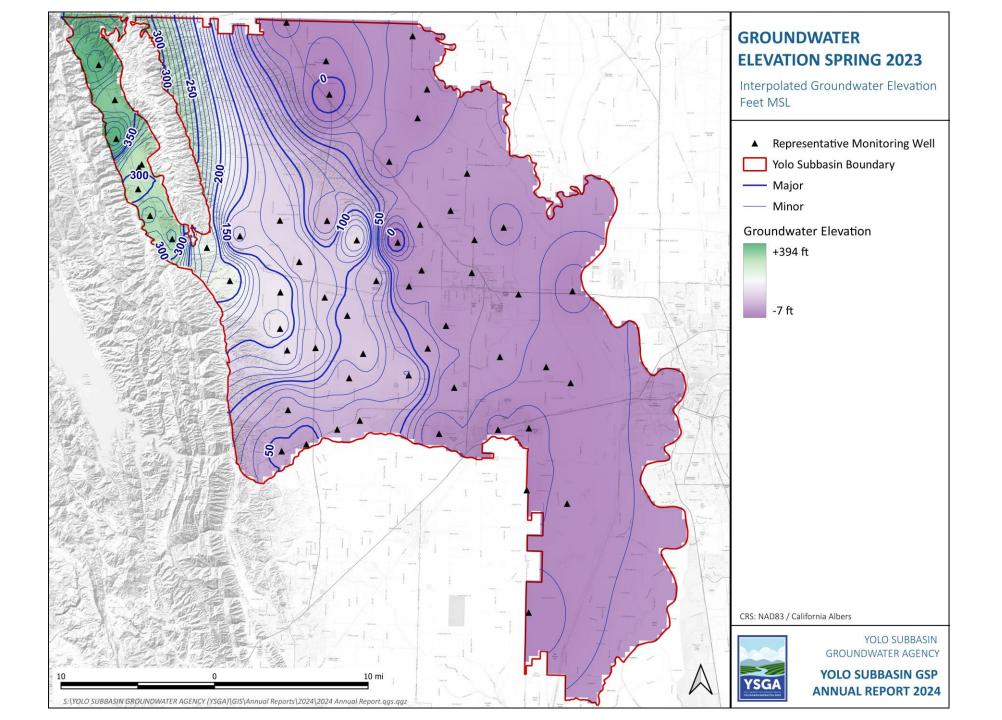


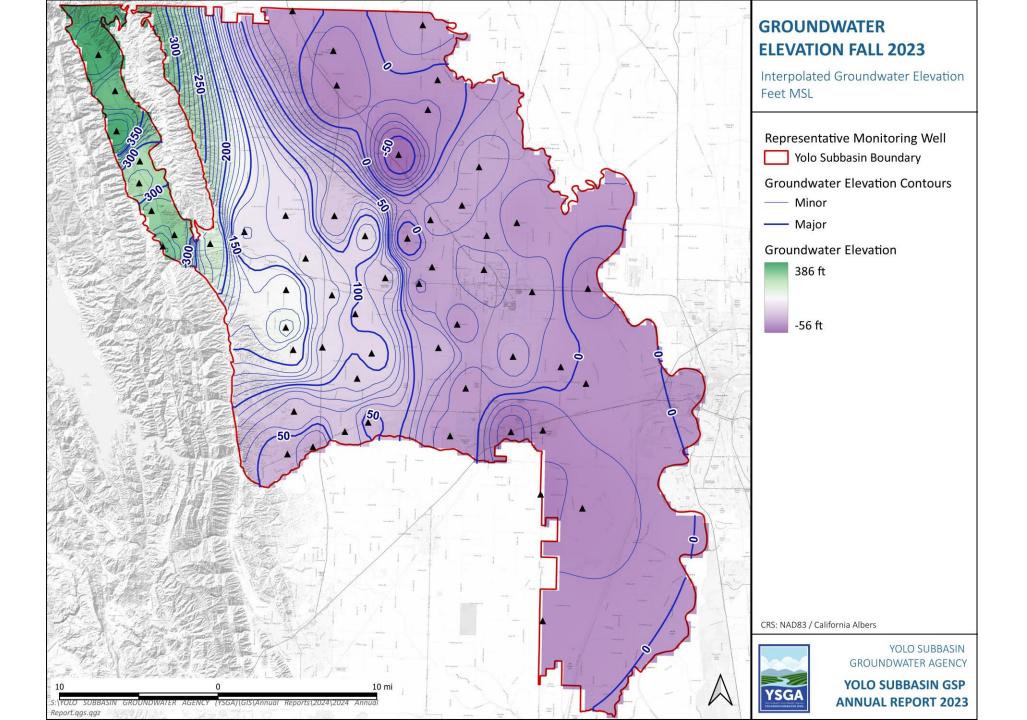
September 2022 Average Depth to Water ~ 62 feet October 2023 Average Depth to Water ~ 46 feet

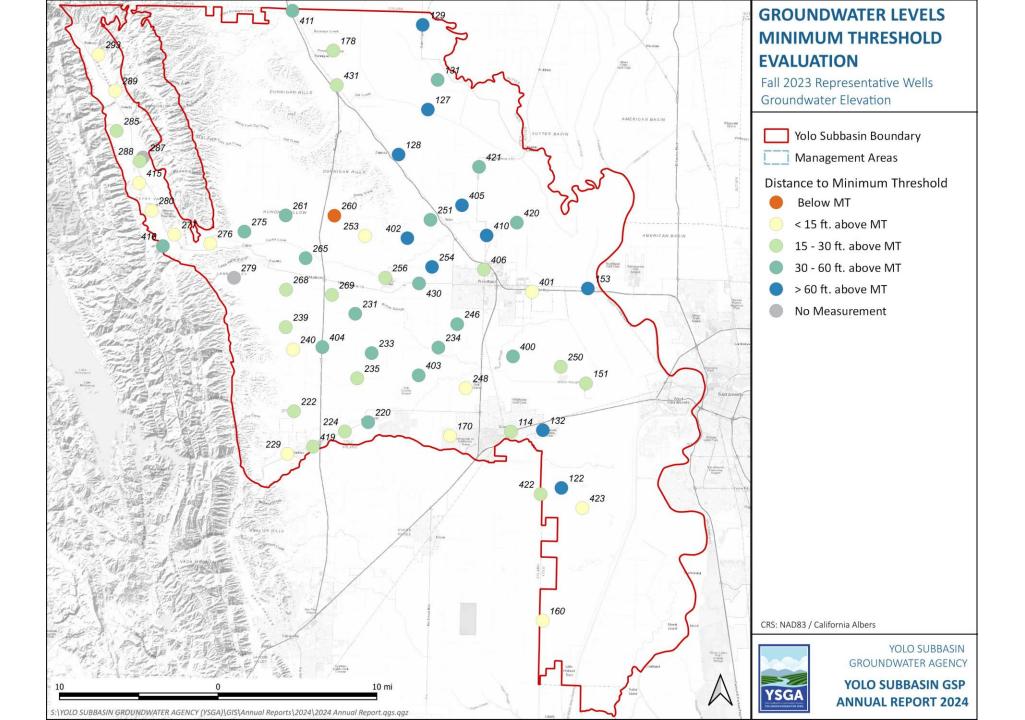
Of Note:

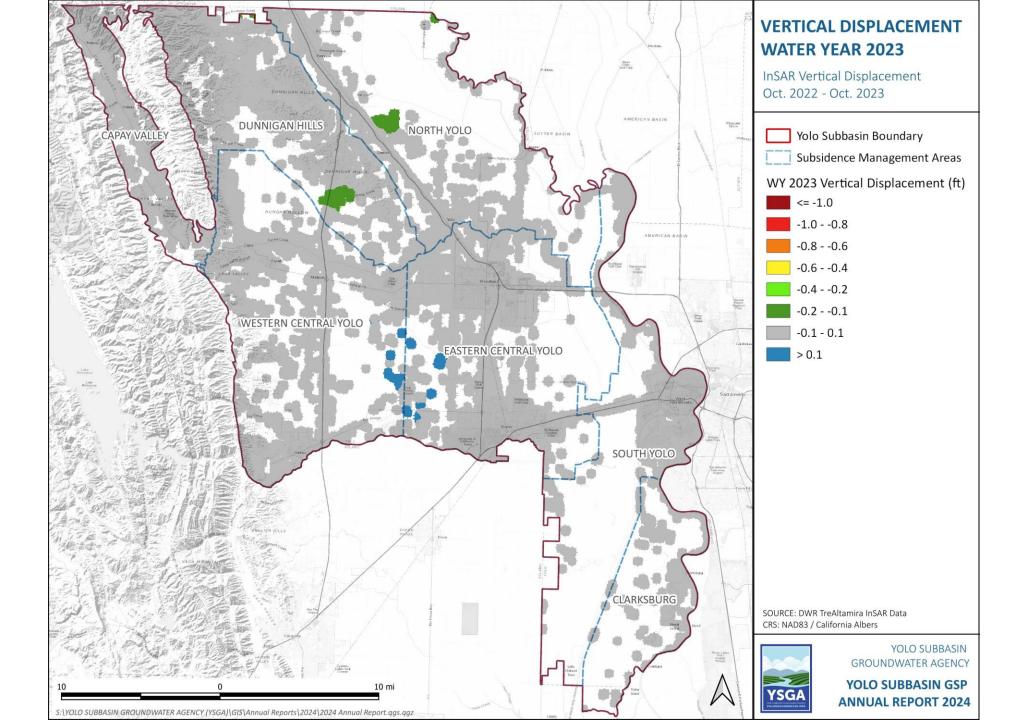
Fall 1975 to Fall 1977 Drawdown ~ 25 feet 2014 Drawdown from Spring to Fall ~ 17 feet 2019 Drawdown from Spring to Fall ~ 9.5 ft 2022 Drawdown from Spring to Fall ~ 17 feet 2023 Drawdown from Spring to Fall ~ 6 feet

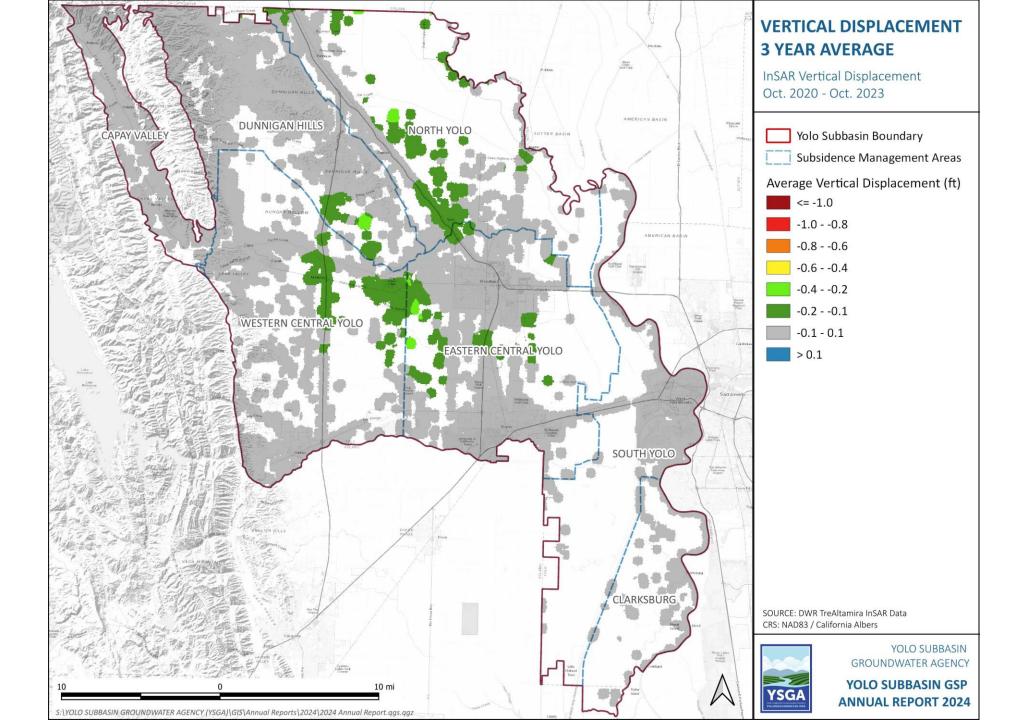
## Draft Water Year 2023 Annual Report

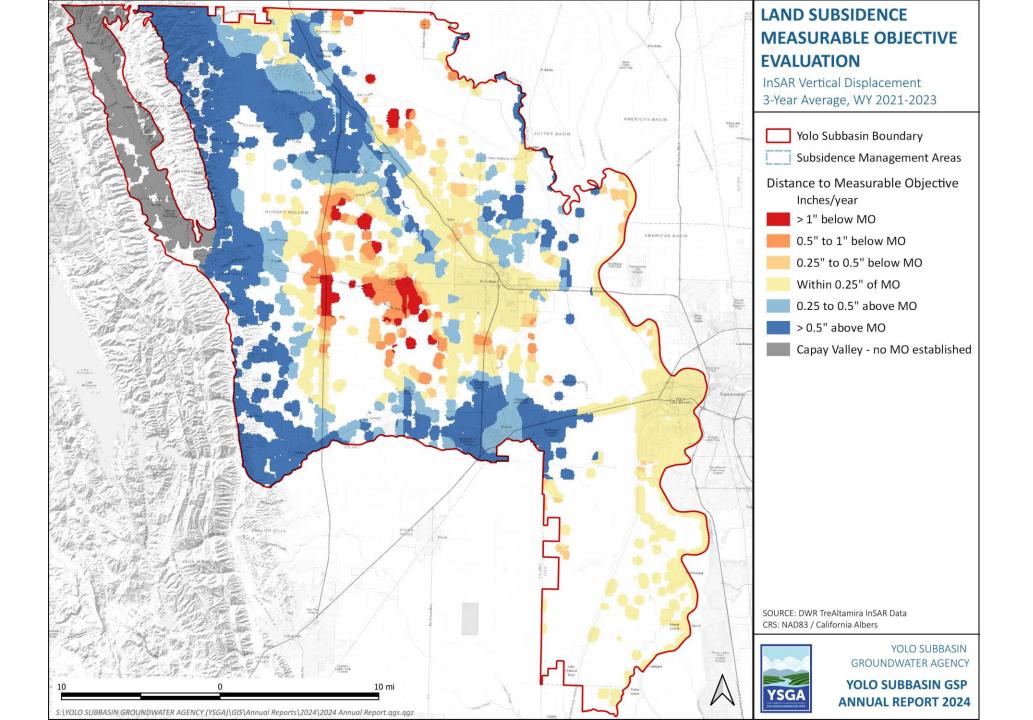


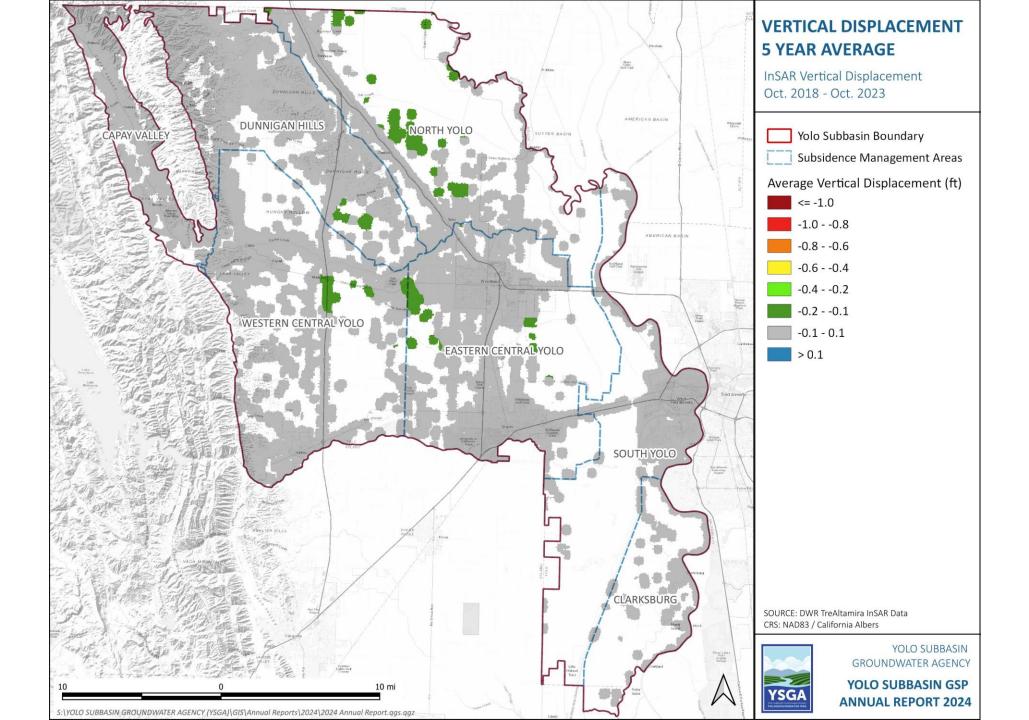


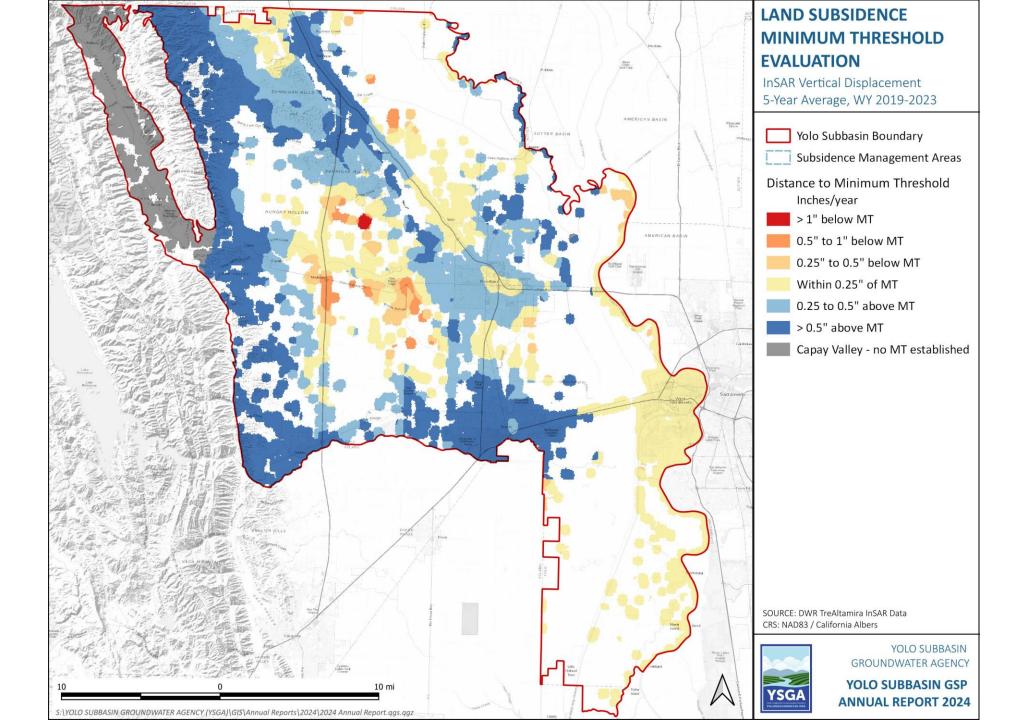


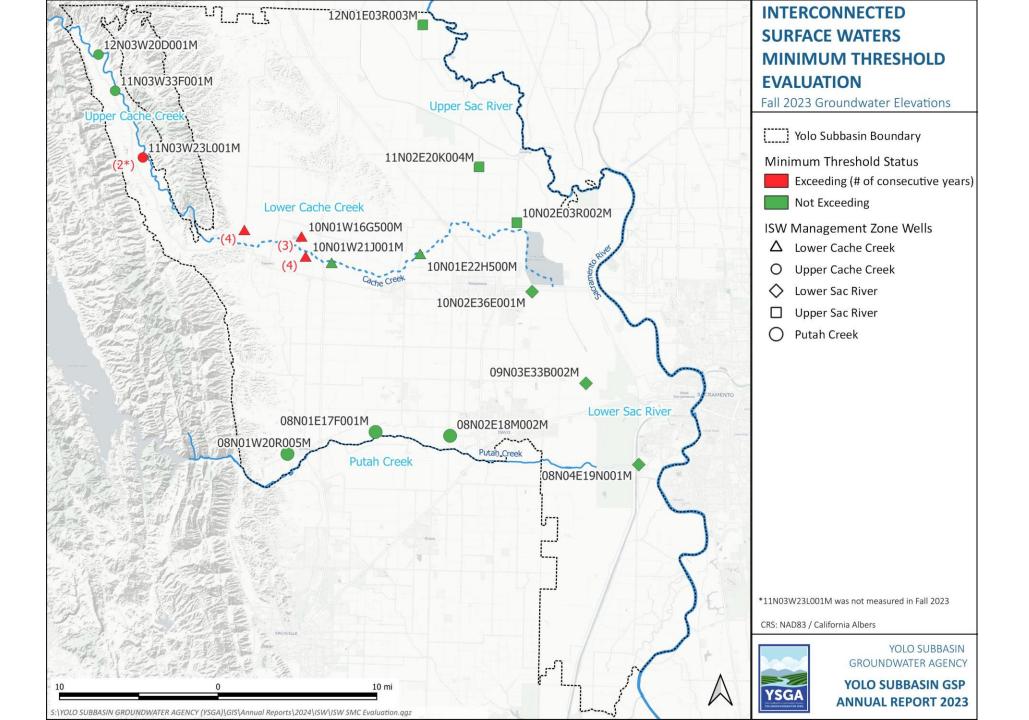


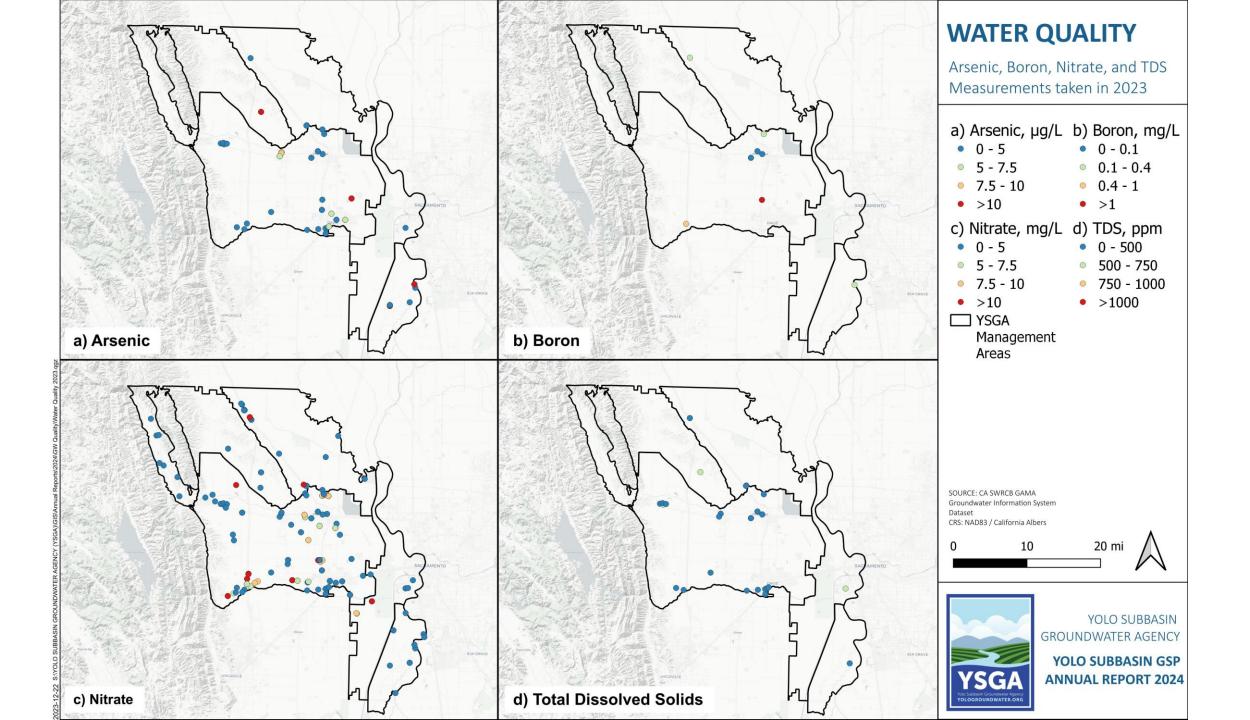


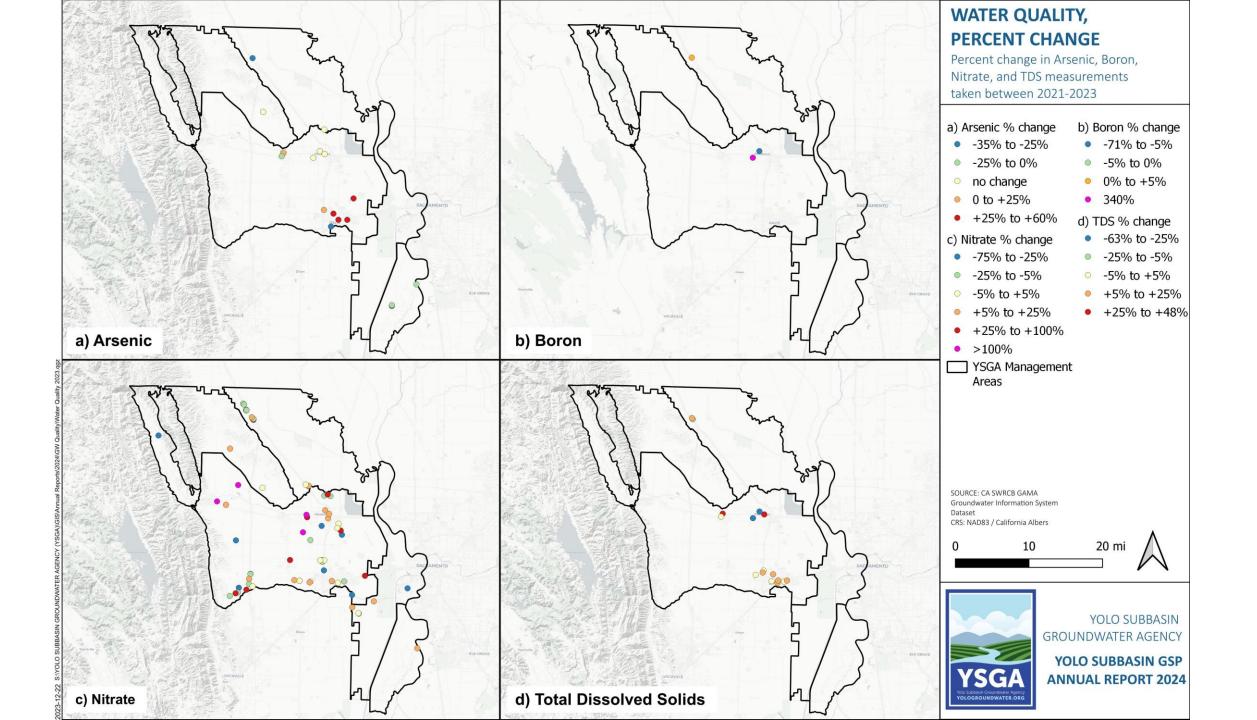






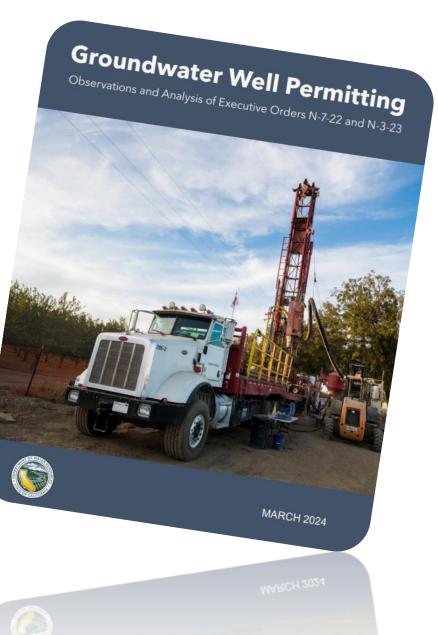






## Groundwater Well Permitting: DWR Recommendations

- Statutory provisions should be enacted that provides public disclosure of applications
- Statutorily set well spacing and well depth standards to reduce future impacts to community supplies and domestic wells
  - The prohibition of new well permits in areas where subsidence impacts are occurring will minimize or eliminate subsidence and impacts to critical infrastructure



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### Tools, Rules & Legal Principles for the Implementation of a Groundwater Sustainability Plan

Rebecca R. A. Smith Downey Brand LLP rsmith@downeybrand.com

downeybrand.com

## **Fundamental Principles**

#### Sustainability

Basins "must be managed sustainably for long-term reliability and multiple economic, social and environmental benefits for current and future beneficial uses." §113

#### No alteration of water rights

"Nothing in this part, or in any groundwater management plan adopted pursuant to this part, determines or alters surface water rights or groundwater rights under common law or any provision of law that determines or grants surface water rights." § 10720.5(b)

#### Local Primacy, with State backstop

Management "is best achieved locally through the development, implementation, and updating of plans and programs based on the best available science." §113.

### The Regulatory Framework

Step 1: Establishment of Groundwater Sustainability Agency

GSAs must be formed across the basin by June 30, 2017.
If no GSA by June 30, 2017, County is the GSA by default.
If no GSA or alternative plan by deadline, basin is at risk of being designated "probationary" by SWRCB

Step 2: Adoption of a Groundwater Sustainability Plan Each medium/high priority basin must be covered by a GSP by the statutory deadline (2020/2022)
Basins may be covered by multiple coordinated GSPs
If no GSP or approved alternative covers the entire basin, basin is at risk of being designated "probationary" by SWRCB

Step 3: Attainment of Sustainability Goal

Basin must be sustainably managed within 20 years of plan implementation

• Plans must be designed to achieve and maintain their designated sustainability goals over a 50-year planning and implementation horizon

### **Boiling Down the Requirements**

Basins subject to SGMA...

- Must be <u>managed under a GSP</u> or coordinated GSPs;
- That are <u>implemented by one or more GSAs</u>;
- To achieve the <u>sustainability goals of the</u> <u>basin</u>

...by the statutory deadline.

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### Role of the Groundwater Sustainability Agency

- The GSA is responsible for <u>developing</u> and <u>implementing</u> the GSP for the basin.
  - Sustainability Goals
  - Minimum Thresholds
  - Measurable Objectives

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## Implementing the GSP

The GSP sets a **sustainability goal** that:

- 1. Culminates in the absence of <u>undesirable</u> <u>results</u> in the basin by 2040 (critically overdrafted) or 2042 (medium/high priority basins).
- 2. Maintains sustainability in the basin through the **planning and implementation horizon**.

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## Implementing the GSP

Through the GSP, the GSA must establish **Measurable Objectives**, including interim milestones in increments of 5 years to:

- Achieve the sustainability goal within the statutory deadline.
- Continue to manage the basin sustainably over the planning and implementation horizon.

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## Implementing the GSP

# GSP sets minimum thresholds for certain sustainability indicators:

- Chronic lowering of groundwater levels
- Reduction of groundwater storage
- Seawater Intrusion
- Degraded water quality
- Land subsidence
- Depletion of interconnected surface water

Minimum thresholds quantify groundwater conditions at a monitoring site. When the minimum threshold for a sustainability indicator is exceeded, an <u>undesirable result</u> occurs.

 $\rightarrow$  See GSP Regs §§ 354.22-28; Water Code § 10721(w)

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## SGMA's Tools for GSAS

### Two Important Caveats:

- The GSA's authorities are meant to be exercised in coordination with other local water and land use planning efforts.
- SGMA is an addition to, not a limitation on, the authority granted to a local agency under any other law:
  - The local agency may use the local agency's authority under any other law to apply and enforce any requirements of this part, including, but not limited to, the collection of fees. [Water Code § 10726.8(a)]

## SGMA's Tools for GSAs

- Investigatory authority to prepare plan, and to monitor compliance and enforcement. §10725.4
- May require registration of groundwater extraction facilities, and may impose measurement requirements. §§ 10725.6, 10725.8 (but see de minimus exception)
- May impose spacing requirements on new groundwater well construction and impose "reasonable operating regulations on existing groundwater wells to minimize well interference, including requiring extractors to operate on a rotation basis." §10726.4(a)(1)
- May control groundwater extractions by "regulating, limiting, or suspending" extractions from individual wells or wells in the aggregate. §10726.4(a)(2)

## SGMA's Tools for GSAs

- Investigatory authority to prepare plan, and to monitor compliance and enforcement. §10725.4
- May require that every groundwater extraction facility be measured by a device satisfactory to the GSA (§10725.9(a))
- May require registration of groundwater extraction facilities, and may impose measurement requirements. §§ 10725.6, 10725.8 (but see de minimus exception)
- May impose spacing requirements on new wells and may impose "reasonable operating regulations on existing groundwater wells to minimize well interference, including requiring extractors to operate on a rotation basis." (§10726.4(a)(1))

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## SGMA's Tools for GSAs

- May regulate groundwater extractions from individual groundwater wells or extractions from groundwater wells in the aggregate. (§10726.4(a)(2))
- May regulate "construction of new groundwater wells, enlargement of existing groundwater wells, or reactivation of abandoned groundwater wells, or otherwise establish[] groundwater extraction allocations." (§10726.4(a)(2))
- May regulate groundwater extractions from individual groundwater wells or extractions from groundwater wells in the aggregate. (§10726.4(a)(2))
- May impose fees, including:
  - Fees to develop or implement the plan Water Code § 10730, 10730.2
  - (Meter installation cost recovery fee Water Code § 10725.8(b)
  - Fees on other state and local governments Water Code § 10726.8(d)
  - Fees and penalties for violation of GSA ordinances

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#### GSA Verifications: Another Piece of the Puzzle

The Executive Orders require that, before a well permit can issue (for covered applications), the GSA must issue a written verification that:

- The groundwater extraction from the proposed well "would not be inconsistent with any sustainable groundwater management program established in the Groundwater Sustainability Plan" for that area; and
- The groundwater extraction by the proposed well "would not decrease the likelihood of achieving a sustainability goal for the basin"

GSA does not waive its enforcement authority/responsibility under the GSP by issuing a point-in-time verification.

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### Questions?

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### Consideration: 2-Tier Well Permit Review Procedures

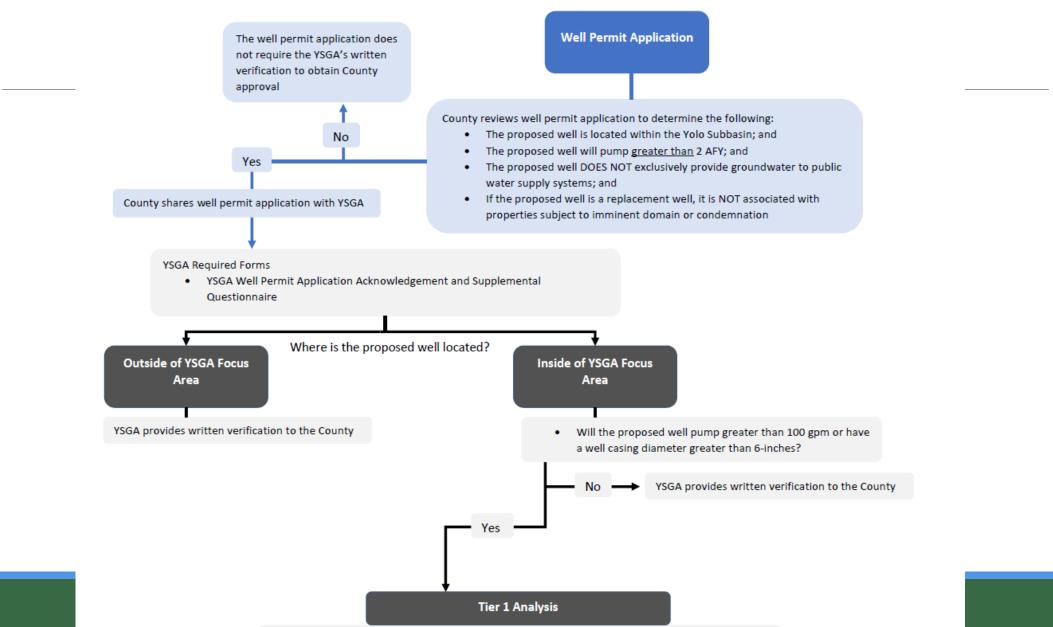
#### a) Update on Draft 2-Tier Well Permit Review Process

b) Approve Updated Well Permitting Procedures and Public Comment Period for Draft Technical Memorandum and Focus Areas Map

# Background

- YSGA Board direction to YSGA staff on January 22, 2024
  - Draft the TM for the 2-tiered evaluation approach and outline Tier 1 and Tier 2 requirements
  - Clearly delineate the reasoning for an application to move from Tier 1 to 2
  - Authorized DCPC to proceed with finalizing the Well Permit Review Procedures and providing clearance for YSGA staff to post the TM for public review

### Tiered Well Application Review Process



### Tiered Well Application Review Process



YSGA Required Forms

Tier 1 Analysis Form

Determine if any of the following are identified of concern:

- Anticipated impacts on groundwater levels at neighboring wells and groundwater storage.
- Anticipated conjunctive use.
- Anticipated impacts on nearby interconnected surface waters.
- Anticipated impacts on Total Dissolved Solids (TDS) concentrations in the target aquifer(s).
- Anticipated impacts to land subsidence



### **Tiered Well Application Review Process**

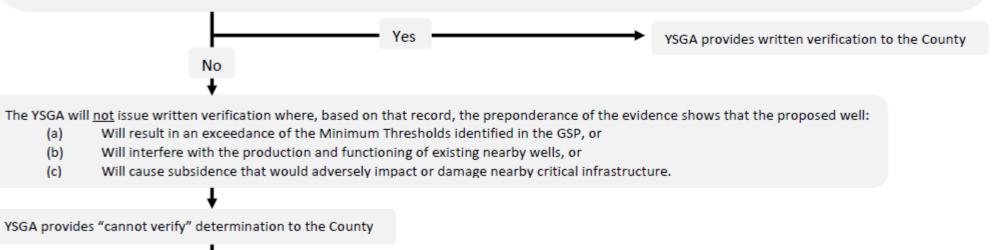
#### **Tier 2 Analysis**

YSGA Required Forms/Reports Completed by PG or CHG licensed in California

Tier 2 Analysis Form and Hydrogeologist Report

**Review Process** 

- YSGA will review the Tier 2 Analysis Form and Hydrogeologist Report to check that concerns identified in the Tier 1 Analysis have been fully addressed and all required information is provided.
- Evaluate the findings of the hydrogeologist report to verify the following is true:
  - The well or alteration to an existing well is not inconsistent with any sustainable management plan in the adopted YSGA GSP.
  - The well or alteration to an existing well will not decrease the likelihood of achieving a sustainability goal for the basin.
  - The well or alteration to an existing well will not interfere with the production and functioning of existing nearby wells.
  - o The well or alteration to an existing well will not cause subsidence that would adversely impact or damage nearby infrastructure.



Yes

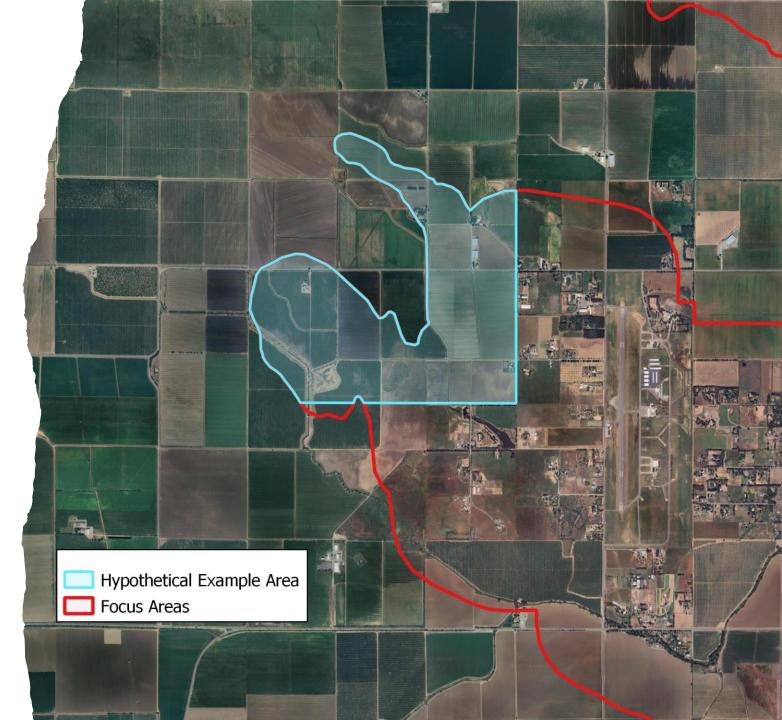
No

# Tier 1 Analysis

- Tier 1 Analysis Form to be completed by applicant
- YSGA determines if any of the following concerns:
  - Anticipated impacts on groundwater levels at neighboring wells and groundwater storage
    - Will factor in anticipated conjunctive use
  - Anticipated impacts on nearby interconnected surface waters
  - Anticipated impacts on Total Dissolved Solids (TDS) concentrations in the target aquifer(s)
  - Anticipated impacts to land subsidence

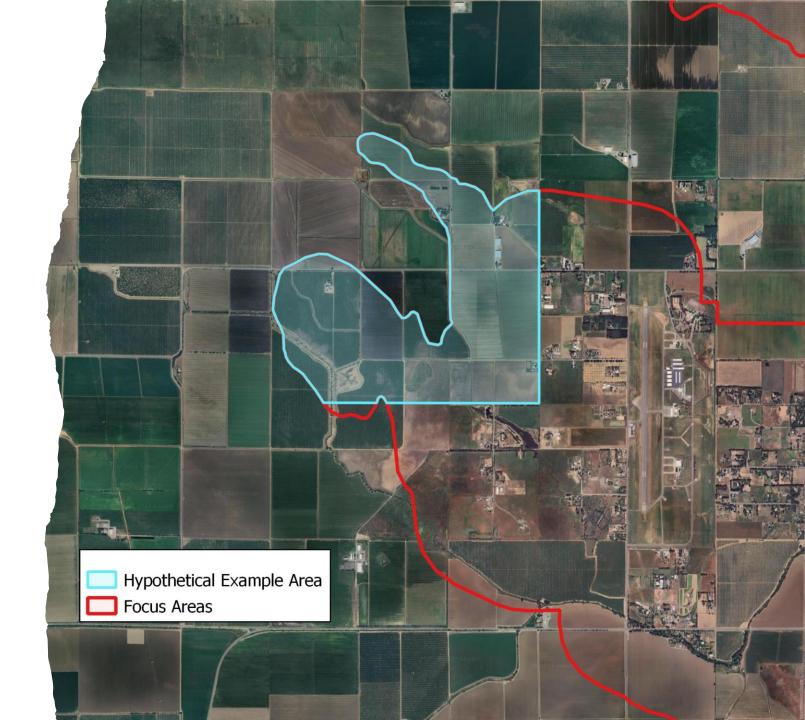
#### Hypothetical Example 1 -Central Yolo



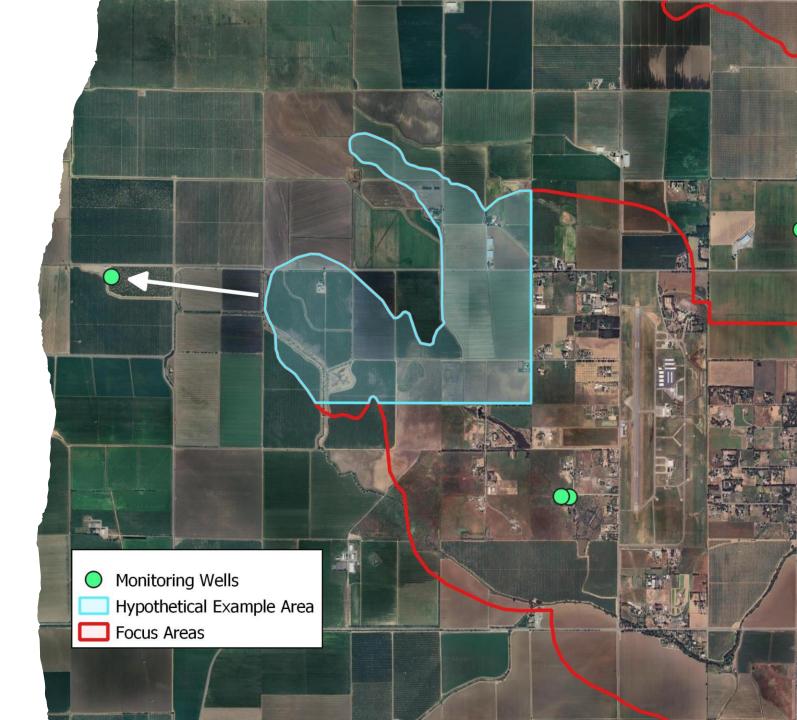


#### Hypothetical Example 1 -Central Yolo

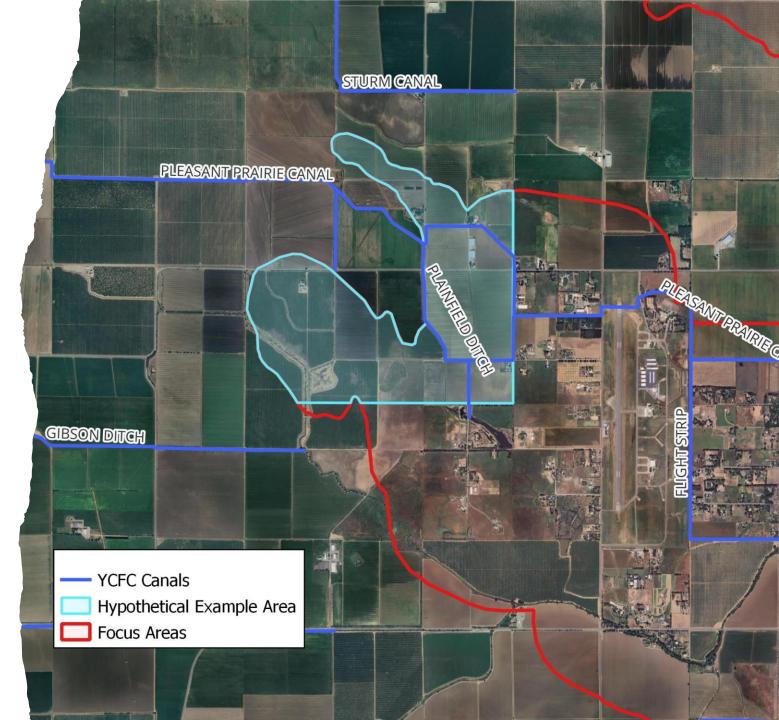
- Hypothetical well located within the blue zone
- 400 feet deep with 10 in. casing
- Applicant proposes to pump 400 GPM
- Property has historically used groundwater
- Connected to surface water supplies via YCFC&WCD



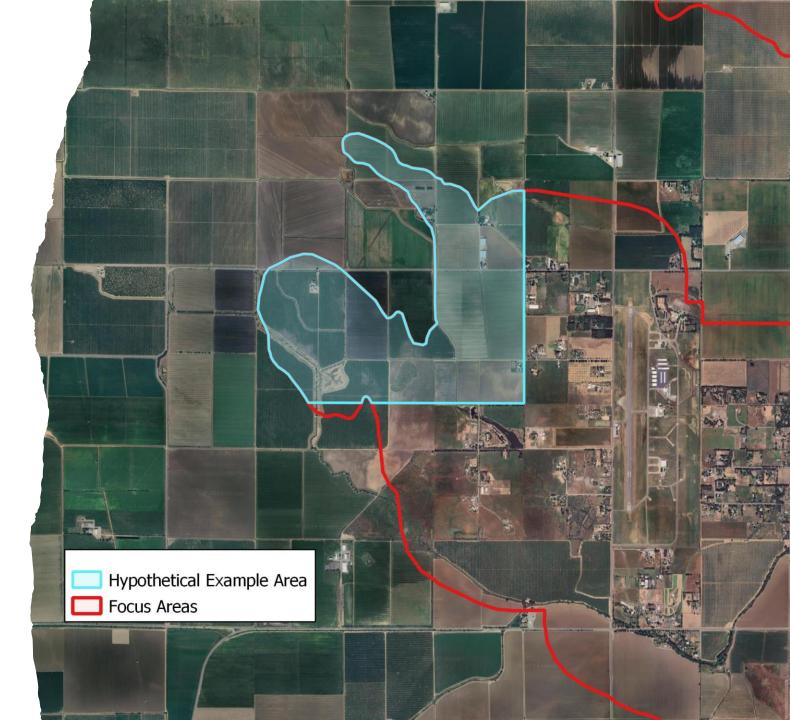
• Groundwater levels: Operation of the new well will not lower nearby RMWs below the minimum threshold



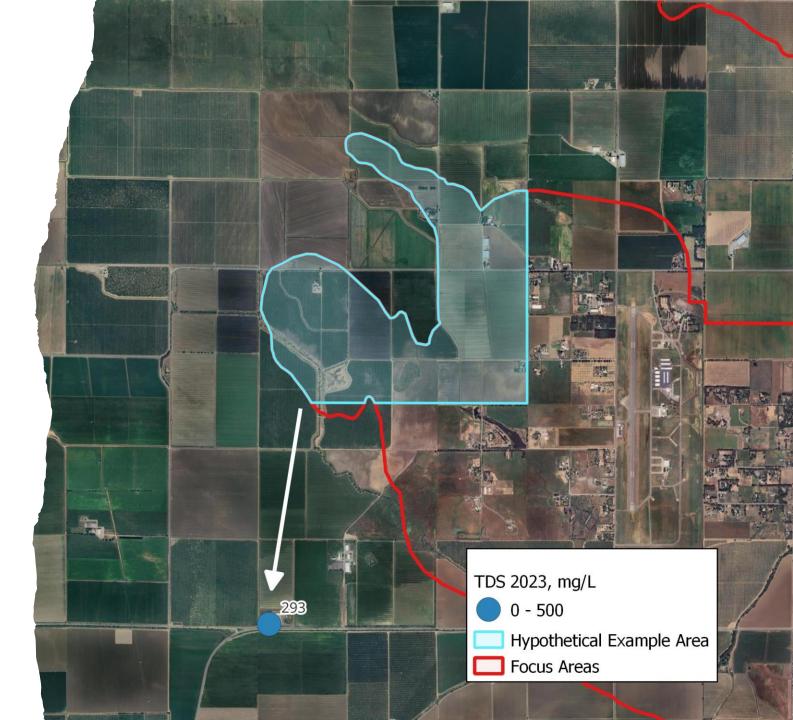
• Conjunctive use: YCFC surface water utilized when available



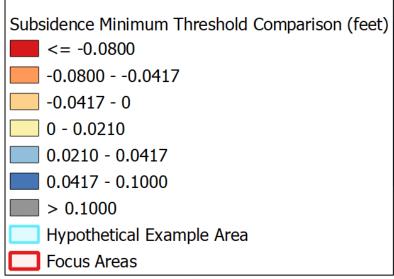
 Interconnected surface waters: no ISW within 2,000 feet



 Water quality: Proposed well is not in an area with known/historical elevated TDS

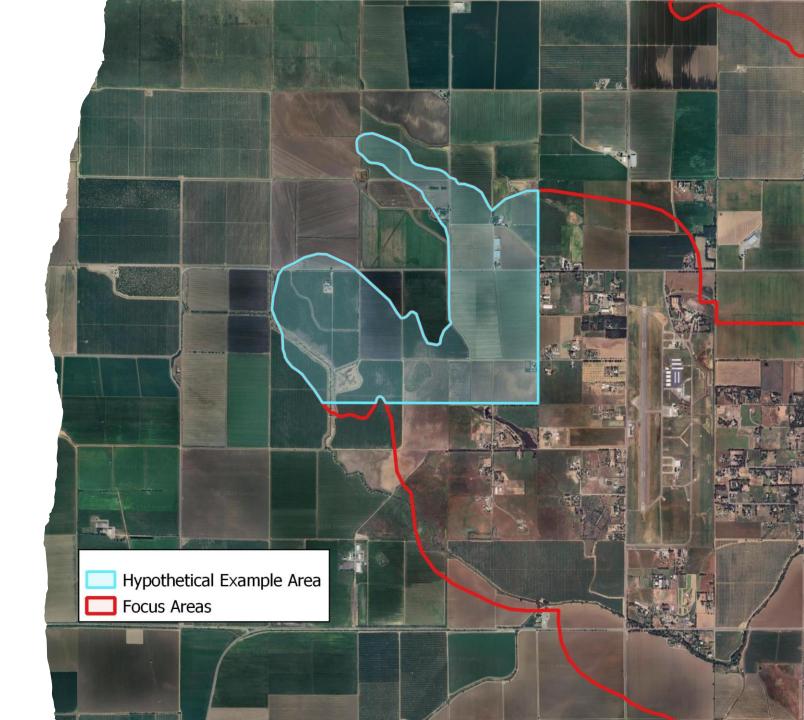


• Subsidence: Well is not in an area experiencing subsidence

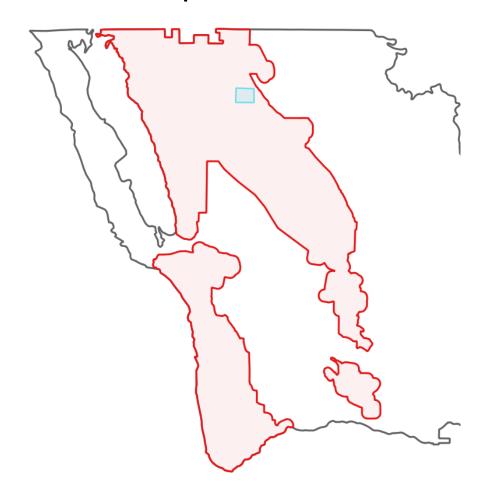


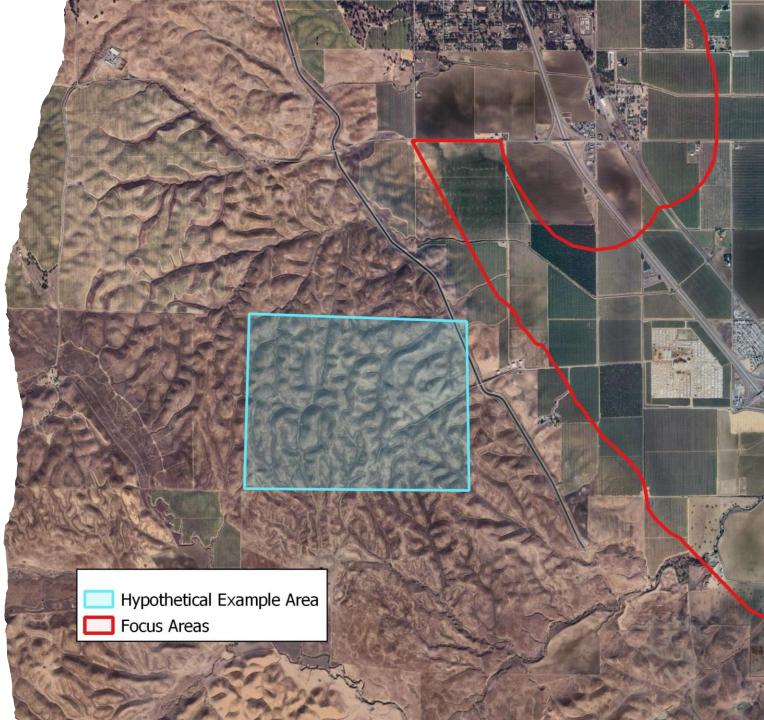
- Groundwater levels: Operation of the new well will not lower nearby RMWs below the minimum threshold
- Conjunctive use: YCFC surface water utilized when available
- Interconnected surface waters: no ISW within 2,000 feet
- Water quality: Proposed well is not in an area with known/historical elevated TDS
- Subsidence: Well is not in an area experiencing subsidence

Determination: Proposed well clears Tier 1 analysis and written verification is issued by YSGA



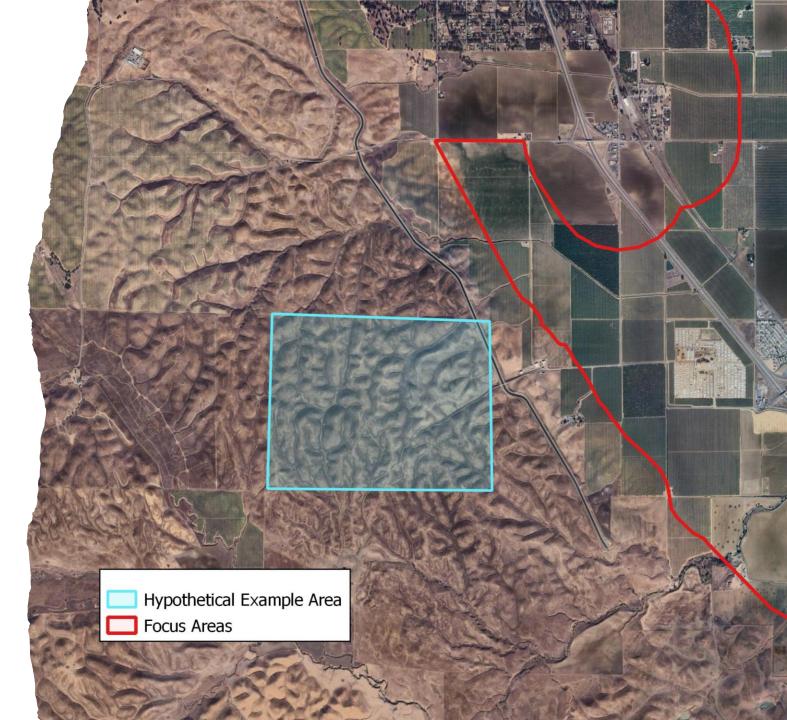
#### Hypothetical Example 2 -Data Gap Area



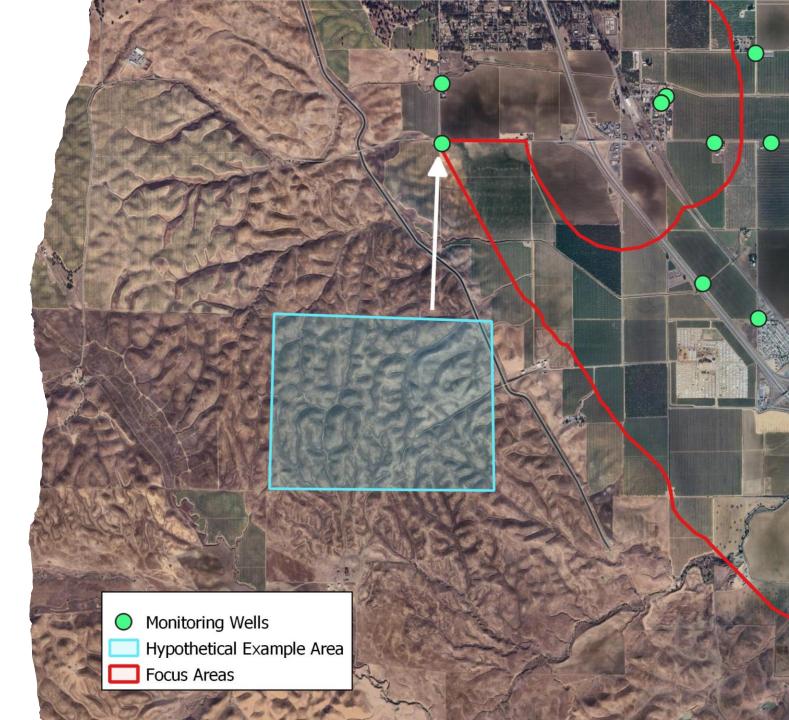


#### Hypothetical Example 2 -Data Gap Area

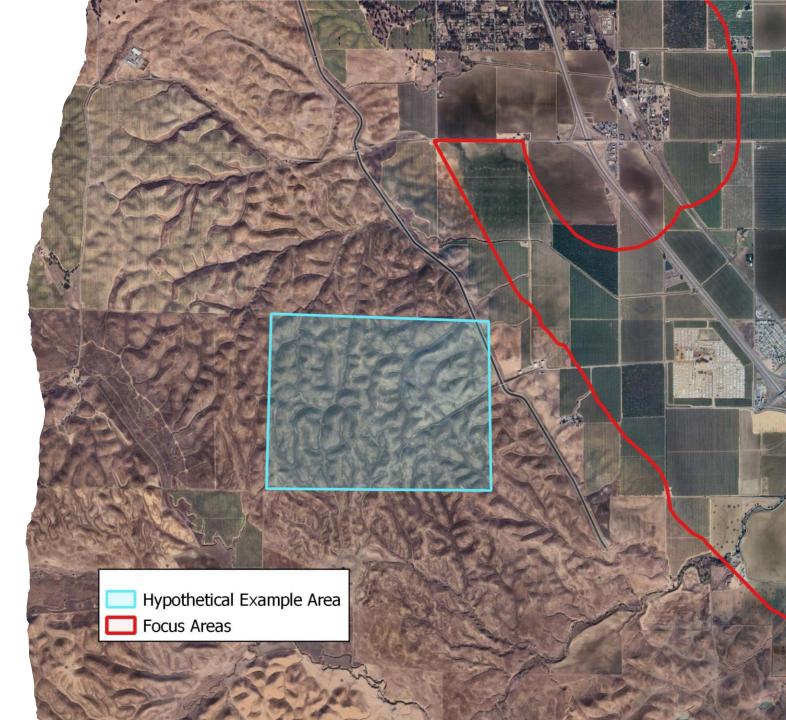
- Hypothetical well located within the blue square
- 1,000 feet deep with 16 in. casing
- Applicant proposes to pump 1200 GPM
- No historic groundwater use on the property
- No surface water connection



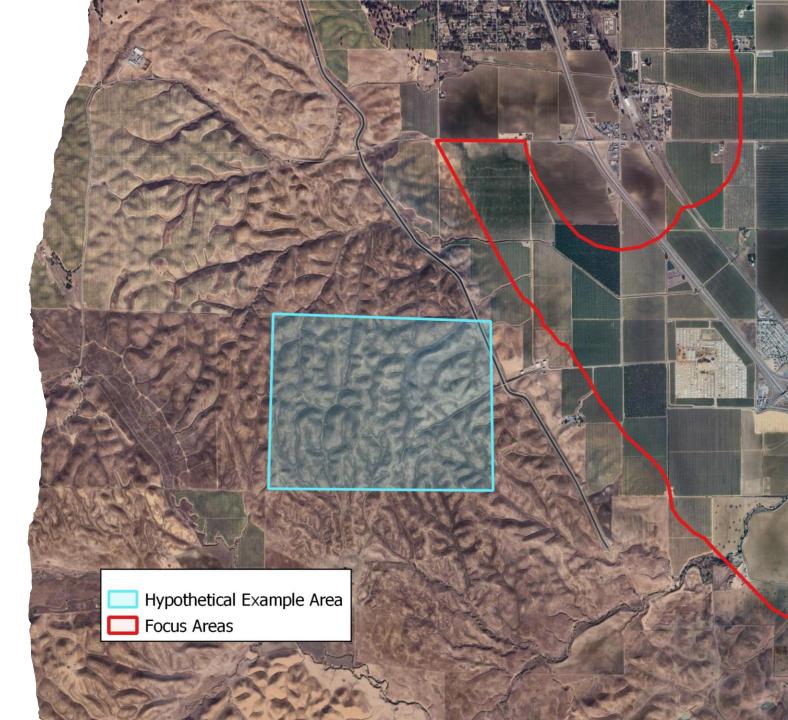
• Groundwater levels: operation would result in >10% decline at nearest monitoring well



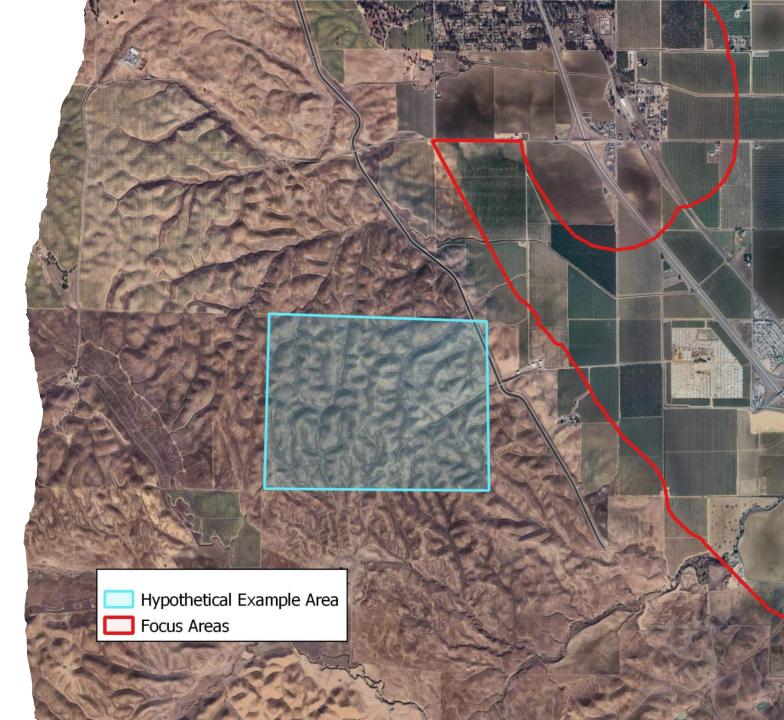
• Conjunctive use: no surface water connection



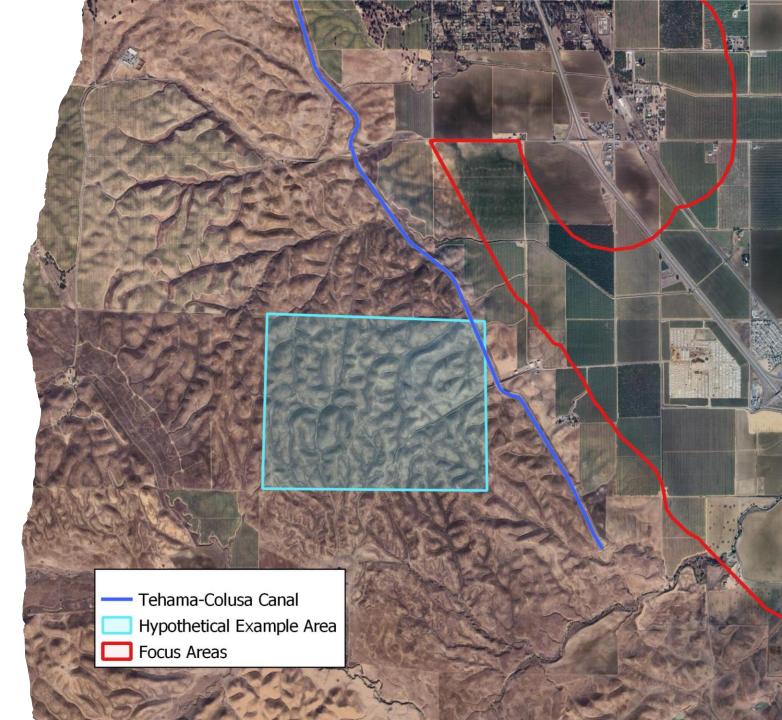
• Interconnected surface waters: no ISW within 2,000 feet



• Water quality: Well operation likely to lead to TDS migration from the deep aquifer

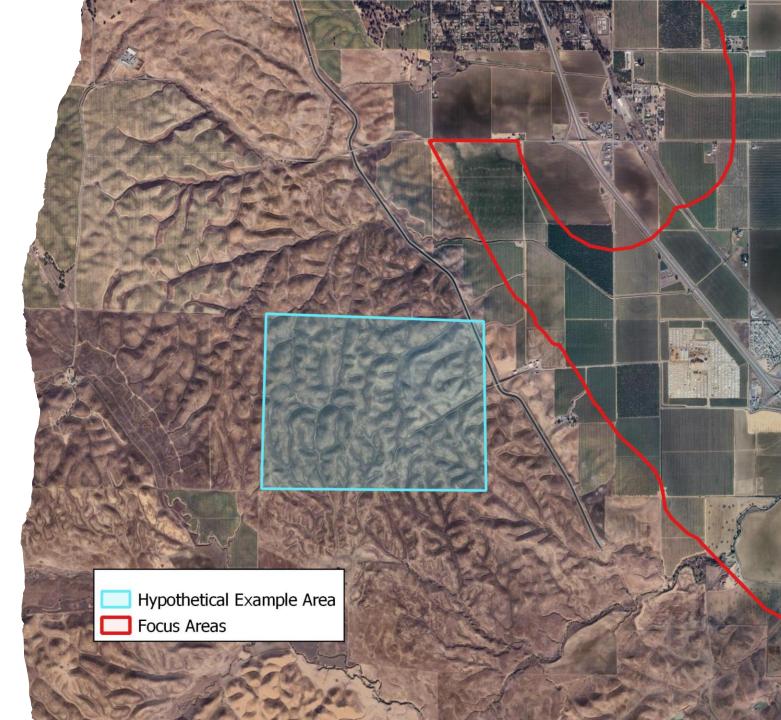


• Subsidence: Critical infrastructure (TC canal) is within 2,000 feet and subsidence conditions would need to be investigated



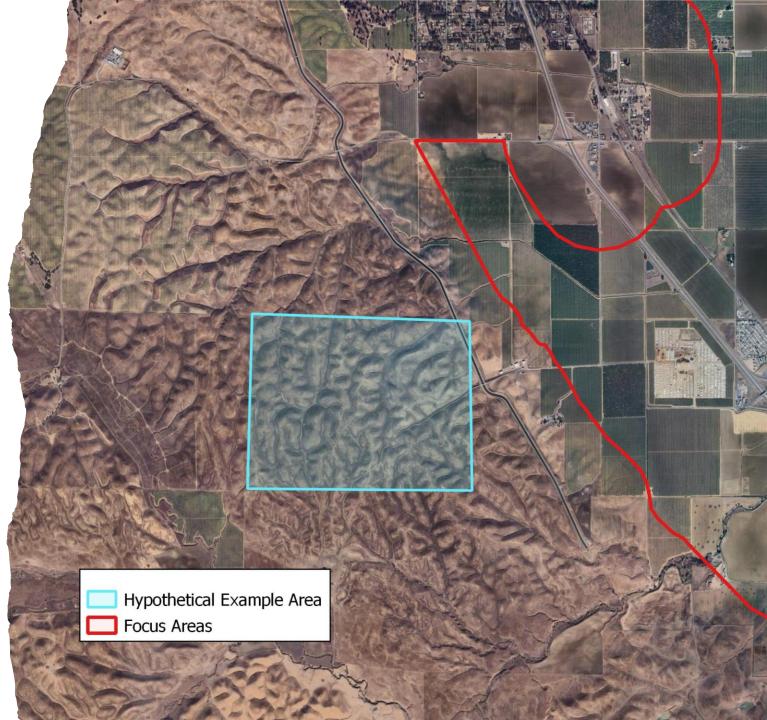
- Groundwater levels: operation would result in >10% decline at nearest monitoring well
- Conjunctive use: no surface water connection
- Interconnected surface waters: no ISW within 2,000 feet
- Water quality: Well operation likely to lead to TDS migration from the deep aquifer
- Subsidence: Critical infrastructure (TC canal) is within 2,000 feet

Determination: Groundwater levels, water quality, and subsidence indicators warrants Tier 2 analysis



### Hypothetical Example 2 -Tier 2 Analysis

- If the prepared HR provides evidence that alleviates the concerns around groundwater levels, water quality, and subsidence that arose in Tier 1, the YSGA will issue written verification of the well application.
- If one or more indicators remain a concern to the YSGA, the YSGA will document these concerns and request a meeting with the well applicant to discuss options to bring the well into compliance with the EO.



# Other Requirements

- Geophysical logs for wells and borings exceeding 200 feet in depth within the Yolo Subbasin (including outside of the Focus Areas) within 30 calendar days of conducting the geophysical logging. <u>Benefit: better understand the subsurface geology where the</u> <u>well will be extracting from.</u>
- Final 'as built' well construction diagram produced by a C-57 well drilling contractor, PG, or CHG prepared using the well diagram template in Appendix J. <u>Benefit: better</u> <u>understand the wells construction once completed.</u>
- Completed DWR Well Completion Report signed by applicant's C-57 well drilling contractor. <u>Benefit: verify the well construction matches what was proposed by the</u> <u>applicant. The County may choose to take action if there is a discrepancy (i.e. casing</u> <u>diameter deviates from what was proposed).</u>

### Any questions on material covered so far?

## Discussion and Next Steps

- Public Review Process (March 19-April 2): assuming BOD approval of Procedures
- Updated County TM / Coordination with the County
- County Board of Supervisors Meeting: April 9, 2024

### Consideration: 2-Tier Well Permit Review Procedures

- a) Update on *Draft* 2-Tier Well Permit Review Process
- b) Approve Updated Well Permitting Procedures and Public Comment Period for Draft Technical Memorandum and Focus Areas Map

- 1. Call to Order and Determination of Quorum
- 2. Adding Items to the Posted Agenda
- 3. Public Forum
- 4. CONSIDERATION Consent Items
- 5. Report of the Chair and Executive Officer
- 6. PRESENTATION GSA Authority
- 7. CONSIDERATION 2-Tier Well Permit Review Procedures
- 8. Member's Reports and Future Agenda Items
- 9. Next Meeting May 20, 2024
- 10. Adjournment

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#### **10.Adjournment**