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EUNIE KANG

NOTICE AND AGENDA OF SPECIAL BOARD MEETING OF SANTA CLARITA VALLEY GROUNDWATER SUSTAINABILITY AGENCY BOARD

Santa Clarita Valley Water Agency – Board Room
Rio Vista Treatment Plant Facility
27234 Bouquet Canyon Road
Santa Clarita, CA 91350

Thursday, July 27, 2023 at 2:30 PM

IMPORTANT NOTICE

This meeting is conducted in person at the address listed above. As a convenience to the public, members of the public may also participate virtually by using the **Agency's Call-In Number 1-833-568-8864, Webinar ID: 161 876 7559 or Zoom Webinar by clicking on the link: https://scvwa.zoomgov.com/j/1618767559** Any member of the public may listen to the meeting or make comments to the Board using the call-in number or Zoom Webinar link above. However, in the event there is a disruption of service which prevents the Agency from broadcasting the meeting to members of the public using either the call-in option or internet-based service, this meeting will not be postponed but will continue without remote participation. The remote participation option is provided as a convenience to the public and is not required.

Attendees should be aware that while the Agency is following all applicable requirements and guidelines regarding COVID-19, the Agency cannot ensure the health of anyone attending the Board meeting. Attendees should therefore use their own judgement to protect themselves from exposure to COVID-19.

We request that the public submit any comments in writing if practicable, which can be sent to ekang@scvwa.org or mailed to Eunie Kang, Board Secretary, Santa Clarita Valley Groundwater Sustainability Agency, 27234 Bouquet Canyon Road, Santa Clarita, CA 91350. All written comments received before 12:00 PM the day of the meeting will be distributed to the Board members and posted on the SCV-GSA website prior to the start of the meeting. Anything received after 12:00 PM the day of the meeting will be posted on the SCV-GSA website the following day.

1. REGULAR PROCEDURES

1.1 Call to Order

1.2 Pledge of Allegiance

1.3 Public Comments – Members of the public may comment as to items within the subject matter jurisdiction of the Agency that are not on the Agenda at this time. Members of the public wishing to comment on items covered in this Agenda may do so now or at the time each item is considered. (Comments may, at the discretion of the Board's presiding officer, be limited to three minutes for each speaker.)

1.4 Approval of Agenda

2. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine and non-controversial and will be acted upon by the Board by one motion. There will be no separate discussion on these items prior to the time the Board votes unless any Board member, staff or the public, requests specific items be discussed and/or removed from the Consent Calendar for separate action.

		ITEMS	PAGE
2.1	*	Approve Minutes of the June 5, 2023, Santa Clarita Valley Groundwater Sustainability Agency Regular Board of Directors Meeting	1

3. DISCUSSION AND/OR ACTION AGENDA ITEMS

		ITEMS	PAGE
3.1	*	Consideration of New or Replacement Well Review Process Required by Governor's Executive Order N-3-23	3

4. SCV-GSA EXECUTIVE DIRECTOR'S REPORT

5. DIRECTOR REQUESTS FOR FUTURE AGENDA ITEMS

6. ADJOURMENT

*** Indicates attachment**
♦ To be distribute

NOTICES:

Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by telephoning Eunie Kang, Secretary to the Board of Directors, at (661) 297-1600 or writing to Santa Clarita Valley Groundwater Sustainability Agency at 27234 Bouquet Canyon Road, Santa Clarita, CA 91350. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that Agency staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the Agency to provide the requested accommodation.

Pursuant to Government Code Section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection at the Santa Clarita Valley Water Agency, located at 27234 Bouquet Canyon Road, Santa Clarita, California 91350, during regular business hours. When practical, these public records will also be made available on the Agency's Internet Website, accessible at http://www.scvgsa.org.

Posted on July 21, 2023

DRAFT

ITEM NO. 2.1

Minutes of the Regular Board Meeting of the Board of Directors of the Santa Clarita Valley Groundwater Sustainability Agency – June 5, 2023

A regular board meeting of the Board of Directors of the Santa Clarita Valley Groundwater Sustainability Agency (SCV-GSA) was held in person at 2:30 PM on Monday, June 5, 2023. A copy of the Agenda is inserted in the Minute Book of the SCV-GSA preceding these minutes.

DIRECTORS PRESENT: Russ Bryden, William C. Cooper, Maria Gutzeit, Gary Martin, Gina Natoli, Piotr Orzechowski, Laurene Weste (Alternate for Jason Gibbs)

DIRECTORS ABSENT: Jason Gibbs

Also present in person: SCV-GSA General Counsel Tom Bunn, SCV-GSA Board Secretary Eunie Kang; SCV Water Agency Assistant General Manager Steve Cole, Director of Water Resources Ali Elhassan, Principal Water Resource Planner Rick Viergutz, Communications Manager Kathie Martin and Kevin Strauss and virtually: John Porcello with GSI Water Solutions, Inc. and various members of the public.

President Bryden called the meeting to order at 2:30 PM. A quorum was present.

Item 1.3: There was no public comment.

Item 1.4: There were no changes to the June 5, 2023 Board Agenda and it was accepted as presented.

Item 2: Upon motion of Director Gutzeit, seconded by Vice President Martin and carried, the Board approved the Consent Calendar by the following roll call votes:

President Bryden	Yes	Vice President Martin	Yes
Director Cooper	Yes	Director Natoli	Yes
Director Gibbs	Absent	Director Orzechowski	Yes
Director Gutzeit	Yes	Director Weste (alternate)	Yes

Item 3.1: Upon motion of Vice President Martin, seconded by Director Natoli and carried, the Board adopted the Fiscal Year 2023/24 Budget by the following roll call votes:

President Bryden	Yes	Vice President Martin	Yes
Director Cooper	Yes	Director Natoli	Yes
Director Gibbs	Absent	Director Orzechowski	Yes
Director Gutzeit	Yes	Director Weste (alternate)	Yes

There was public comment on item 3.1.

Item 3.2: Upon motion of Director Natoli, seconded by Director Cooper and carried, the Board asked to schedule a Special Board meeting to present this item for further discussion and consideration by the following roll call votes:

President Bryden	Yes	Vice President Martin	Yes
Director Cooper	Yes	Director Natoli	Yes
Director Gibbs	Absent	Director Orzechowski	Yes
Director Gutzeit	Yes	Director Weste (alternate)	Yes

Item 3.3: Upon motion of Director Gutzeit, seconded by Director Orzechowski and carried, the Board appointed Vice President Martin as the SCV-GSA Voting Delegate for the Association of California Water Agency (ACWA) Election for the 2024-2025 Term by the following roll call votes:

President Bryden	Yes	Vice President Martin	Yes
Director Cooper	Yes	Director Natoli	Yes
Director Gibbs	Absent	Director Orzechowski	Yes
Director Gutzeit	Yes	Director Weste (alternate)	Yes

Item 3.4: The SCV-GSA Board of Directors were informed that as JPA Members any changes in Director positions, or Director reappointments, shall be submitted to the Board Secretary via written notice signed by an authorized representatives of the Member no later than October 2, 2023. This item is informational only and no action required.

Item 3.5: Rick Viergutz provided an update on the status of the Groundwater Sustainability Plan (GSP) implementation. The key updates included the following:

- SCV Water, on behalf of the SCV-GSA has received a draft award for the 5.3M grant project.
- Basin wide review of available DWR well records.
- Filling data gaps in the Saugus Aquifer via installation of deep monitoring wells.
- Flowmodel updates and calibration completed.

Staff's presentation is available at: https://scvgsa.org/wp-content/uploads/2023/06/Presentation-Item-3.5-Status-Update-of-GSP-Implementation.pdf

Item 4: No future agenda items requested.

Item 5: The meeting was adjourned at 4:19 PM.

_____
Eunie Kang, Board Secretary

ATTEST:

_____
President of the Board

ITEM NO. 3.1

Santa Clarita Valley Groundwater Sustainability Agency Board Memorandum

DATE: July 27, 2023

TO: SCV-GSA Board of Directors

FROM: SCV-GSA Staff

SUBJECT: Consideration of New or Replacement Well Review Process Required by Governor's Executive Order N-3-23

SUMMARY:

With the Governor's revised Executive Order regarding GSAs and review of potential wells, staff has developed revised proposed procedures for GSA review of potential new extraction wells. The revised procedures follow discussion at the Board's June 5, 2023, regular board meeting. Key revisions since June 5, 2023 are described below. The process described in this Board memo is adapted from the Santa Monica Basin Groundwater Sustainability Agency's newly adopted process.

BACKGROUND:

On February 13, 2023, the Governor's office released a new Executive Order N-3-23. This latest Order replaced the previous Order's paragraph regarding GSA review of proposed wells.

The Executive Order requires additional steps be taken by GSAs and county, city, or other public agencies in review and permitting of wells. In the SCV-GSA service area, there are two agencies that issue well permits, the County of Los Angeles, and the County of Ventura. Most of the SCV-GSA area is in Los Angeles County, but approximately 70 acres is within Ventura County. Staff has had regular communication with both permitting agencies and have advised them that the SCV-GSA is considering procedures to address the requirements in the Executive Order.

Under Paragraph 4.a. and 4.b. of the Executive Order, a county, city, or other public agency shall not:

- 4.a. Approve a permit for a new groundwater well or for alteration of an existing well in a basin subject to the Sustainable Groundwater Management Act 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; or

- 4.b. 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.

Limited Exemptions

The Executive Order paragraph 4 does not apply to permits for wells (i) that will provide less than two acre-feet per year of groundwater for individual domestic users, (ii) that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code, or (iii) that are replacing existing, currently permitted wells with new wells that will produce an equivalent quantity of water as the well being replaced when the existing well is being replaced because it has been acquired by eminent domain or acquired while under threat of condemnation.

Executive Order Creates Need for each GSA to Develop a Well Review Process

Staff reviewed procedures from two local GSAs, the Santa Monica Basin GSA, and Fillmore and Piru Basin GSA. Each of these GSAs have different pressures from new wells and have developed procedures tailored to their basin.

The need for County well permits in the SCV-GSA is anticipated to relate to: a) future well permit requests in canyon areas for either de-minimis wells (see item “i” above) or domestic wells that are not de minimis, b) municipal wells consistent with item “ii” above, c) larger capacity private wells for agriculture or potentially industry, and d) undetermined types of replacement wells.

The SCV-GSA will not be issuing well permits per se, it will be providing the consistency determination to County well permitting agencies required by Section 4.a. of the Executive Order to your Board for final consideration. Upon Board approval, the information will be provided to the appropriate County well permitting agency.

General Process for Well Review

GSA Staff and County well permitting agencies would work together to funnel any well permit requests to the SCV-GSA for making the 4.a. determination and determinations for Limited Exemptions above. In some cases, the potential applicant for a County well permit may contact the SCV GSA directly to begin this process before submitting a County well permit request.

Staff would advise the landowner of the potential new well to fill out and submit Attachment 1. Then staff would determine if the proposed well is exempt from additional review (see exemptions “i, ii, iii” above). Staff suggest that such a review for exemption be handled at the staff level. If exempt, staff would fill out Attachment 3 and provide it to the landowner, and the landowner could then initiate the County well permitting process.

If not exempt, then staff would advise the landowner to follow the process in Attachment 2. A hydrogeologic report signed by a California Certified Hydrogeologist would be required. Along with the submittal of the Hydrogeologic report to the SCV-GSA, the landowner would be required to deposit funding with SCV Water so that SCV Water can utilize consultant services to review the hydrogeologic report. Consultant services would include use of the groundwater flowmodel (as needed) to perform the evaluations generally described in the Executive Order.

Following that the GSA staff would draft a memo making the 4.a. consistency findings. This information would be provided to the landowner and included in a Board memo with a recommendation to find the proposed well consistent or not consistent. The Board would take final action to find the well consistent or not consistent with the 4.a. requirements, and a confirmation letter would be provided to the landowner and the County.

Process to Appeal Staff Decision

The landowner cost to hire a consultant to prepare a hydrogeologic report and to fund SCV-GSA review costs will be in the thousands and possibly in the tens of thousands of dollars depending on well size and complexity. The Board recognized some landowners may seek to appeal the staff decision that a hydrogeologic report is required. Our best information at this time is the number of proposed well reviews per year that would require a hydrogeologic report are expected to be small, and the potential number of "gray area" cases that could be expected to generate an appeal of the staff decision even smaller. Nevertheless, staff recommend an appeal process be available where the applicant can be heard in front of the Board at a public noticed Board meeting. If an impasse were reached between the staff and the landowner, and an appeal requested by the landowner, the item would be placed on the next regularly scheduled board meeting to consider the landowner's appeal of the staff decision.

After hearing from the landowner and staff, the Board would determine if there was merit to the landowner's appeal. At that time, the board would provide direction to staff which may include, a) collecting additional information and reporting back to the Board, b) finding a hydrogeologic report is required, or c) that a hydrogeologic report is not required.

Attachment 1 Revisions

The expectation that the Counties will perform the 4.b. evaluation identified in the Executive Order is made clearer. We are in the early stages of coordination with LA County on this topic and will continue to advise the Board on progress in this regard. Ventura County currently has a process to make the 4.b determination. The specific information the Counties may require is not currently known, but the hydrogeologic report criteria (Attachment 2) will provide a good basis for the 4.b. determination.

Attachment 1 specifies that if the SCV-GSA requires additional information, it will be requested. The form now allows for identification of the landowner, but also a well owner if different from the landowner. Additional questions are included for well motor size, manufacturer's GPM rating, maximum well design capacity, and anticipated run times. Attachment 1 also clarifies that landowners will be required to legally destroy a well or wells that are replaced by the new well. There may be a case where eminent domain is involved (Executive Order exceptions) and the landowner may not have property access to legally destroy a well, so this would need to be handled on a case-by-case basis. The property owner acknowledgment form includes several new rows with added text, including text related to 1) GSA use of statutory authority for enforcing compliance with requirements via its statutory authority, 2) certification that groundwater extraction will not exceed proposed values, 3) acknowledgement that well inspection at a reasonable time in coordination with landowner may be required to verify consistency with proposed well construction and operation, 4) proof of legal destruction of wells if required, 5) required monitoring by the landowner, 6) that the County will also impose conditions on wells found to be consistent with the Executive Order.

Attachment 2 Revisions

Attachment 2 has been separated with headings to better distinguish Report Requirements from Review Procedures. Report Requirements is revised to call for a description of the Hydrogeologist's local experience in the Santa Clara River Basin or similar basins, as well as requiring the Hydrogeologist describe his or her understanding of the GSPs sustainable management criteria. Given the complexity of the document and requested analysis, it makes sense to verify the Hydrogeologist understands the key GSP details correctly to assist in understanding the Hydrogeologist's analysis in the report. Further it clarifies the Hydrogeologic report contents would restate any facts and figures already identified in the (previously provided) Attachment 1, including any updates to Attachment 1. It includes clarified report requirements to make them more specific to GSP sustainable management criteria.

The Review Procedures section is clarified to identify that the GSA may seek additional information if needed, or the SCV-GSA reserves the right to reject the review process if insufficient information is provided after reasonable requests are made. The fee structure remains the same as presented in June, but text has been added to clarify that unused fees will be returned to the landowner, but if SCV-GSA requires additional fees, it will notify the landowner in writing. After additional fees are provided, the review would recommence.

CONCLUSION:

The revised attachments, and discussion above reflect the discussion at the June 5, 2023, SCV-GSA Regular Board meeting. We will continue to work with Los Angeles County and Ventura County to support their determination of the 4.b condition. With experience in reviewing potential new wells more will be learned about how to make this process better and we will recommend any improvements along the way.

RECOMMENDATION:

That the SCV-GSA Board of Directors adopt the approach in this Board memo and its attachments to review potential wells so that the SCV-GSA can adhere to the Governor's Executive Order N-3-23.

Attachments

1) Draft SCV GSA New or Replacement Groundwater Production Well Form
2) Draft SCV GSA Hydrogeologic Report Requirements and Review Procedures
3) Draft SCV GSA Consistency Determination Form
4) Summary of Comments Made June 5, 2023 and Responses
5) Executive Order N-3-23

Santa Clarita Valley GSA (Draft)

New or Replacement Groundwater Production Well Form

The Santa Clarita Valley Groundwater Sustainability Agency (SCV-GSA) is required by State law to manage groundwater in the Santa Clara River Valley Groundwater Basin, East Subbasin (DWR Basin No. 4-4.07) consistent with its Board-Adopted Groundwater Sustainability Plan (GSP). The State of California has identified this basin to be a "High Priority" basin. The Basin covers approximately 100 square miles, and is located mostly in Los Angeles County, with a small portion located in Ventura County.

The Governor's Executive Order N-3-23 requires additional steps be taken by GSAs and county, city, or other public agencies in review and permitting of wells. In the SCV-GSA service area, there are two agencies that issue well permits, the County of Los Angeles, and the County of Ventura. Most of the SCV-GSA area is in Los Angeles County, but approximately 70 acres is within Ventura County. Staff has had regular communication with both permitting agencies regarding coordination with SCV-GSA procedures to address the requirements in the Executive Order.

Under Paragraph 4.a. and 4.b. of the Executive Order, a county, city, or other public agency shall not:

- 4.a. Approve a permit for a new groundwater well or for alteration of an existing well in a basin subject to the Sustainable Groundwater Management Act 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; or

- 4.b. 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.

<u>Limited Exemptions</u>

The Executive Order paragraph 4 does not apply to permits for wells (i) that will provide less than two acre-feet per year of groundwater for individual domestic users, (ii) that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code, or (iii) that are replacing existing, currently permitted wells with new wells that will produce an equivalent quantity of water as the well being replaced when the existing well is being replaced because it has been acquired by eminent domain or acquired while under threat of condemnation.

<u>Coordination with Counties</u>

GSA Staff and County well permitting agencies will work together to funnel any well permit requests to the SCV-GSA for making the 4.a. determination and determinations for Limited Exemptions above. In some cases, the potential applicant for a County well permit may contact the SCV GSA directly to begin this process before submitting a County well permit request.

We expect both Counties will perform the 4.b. evaluation identified in the Executive Order. Specific information each County may require for the 4.b determination is not currently known, but the hydrogeologic report criteria (Attachment 2) will provide good information for the 4.b. determination.

The purpose of this form is for the SCV-GSA to collect relevant information about the proposed well so that it can make a determination if the proposed well is subject to, or exempt from, the Governor's Executive Order. If SCV-GSA staff determine[1] the well is subject to the analyses required by Paragraph 4 of the Governor's Executive Order, the SCV-GSA requires that the Property Owner prepare and submit a hydrogeologic report on the new or replacement well(s) and deposit funds with SCV Water for application review, which may include use of the groundwater flowmodel, and would include completing the required analysis. Report requirements are attached.

Following submittal of the hydrogeologic report by the landowner, the SCV-GSA will review the report and prepare the analysis required by the Executive Order and communicate the results back to the landowner and the County. If the SCV-GSA needs additional information to prepare the SCV-GSA analysis, the information will be requested from the landowner. Following completion of the SCV-GSA analysis, the proposed well owner will be provided the analysis and the analysis will be provided to the SCV-GSA Board of Directors for consideration and a final determination of the proposed well's consistency with the requirements in the Executive Order. If insufficient information is provided and the landowner is not responsive to requests for clarification, the SCV-GSA reserves the right to reject further review of materials.

This form must be completed, signed, and submitted by the Property Owner with each well permit application for a new or replacement groundwater production well in the Santa Clara River Valley Groundwater Basin, East Subbasin. The SCV-GSA must take action as described above before the well can be approved by the County of Los Angeles or County of Ventura.

1 https://www.gov.ca.gov/wp-content/uploads/2023/02/Feb-13-2023-Executive-Order.pdf?emrc=b12708

Notes:

De-Minimis Well is a groundwater production well that will provide less than two acre-feet per year of groundwater for individual domestic users.

Property Owner and Well Owner Information

Property Owner

Name (Last, First, Middle Initial)	
Street Address	
Email	
Telephone	

[1] The Board of Directors may consider an appeal to the staff determination at a publicly noticed Board of Directors meeting.

☐ **Check Box if Property Owner is Same as Well Owner, or**
☐ **Check Box if Well Owner is Different than Property Owner and Fill out Table Below**

Well Owner

Name (Last, First, Middle Initial)	
Street Address	
Email	
Telephone	

Type of Proposed Well (Applicant to Fill Out – Check

☐ **New Well** ☐ **Replacement Well**

Well Site and Use Information (Applicant to Fill Out)

Well Site Address (if different from above):	
Attach site location map showing proposed well on property	
Assessor Parcel Number	
Proposed Wellhead GPS Coordinates:	
Well Motor Size (horsepower) and manufacturer's gpm rating.	
Maximum well design capacity (gallons per minute)	
Anticipated daily well motor run time (hours per day)	
Estimated Annual Groundwater Production (acre-feet per year)	
Proposed Well Use	☐Domestic / Individual ☐Agricultural ☐Community ☐Other (specify)
Anticipated well depth, casing diameter, casing material, screen interval(s)	

California Environmental Quality Act (CEQA) Information (Applicant to Fill Out)

Description of required CEQA compliance and status of CEQA compliance.	

Well Driller Information (Applicant to Fill Out)

Well Driller Name and Phone Number	
Well Driller Business Address	
County Registration Number	
C-57 License Number	
Anticipated Construction Start Date	
Anticipated Construction End Date	

Review for Exemption from Governor's Executive Order (Applicant to Fill Out)

Will the well provide less than two acre-feet per year of groundwater for individual domestic users?	Yes ☐ No ☐
Will the well exclusively provide groundwater to public water supply systems as defined in Section 116275 of the Health and Safety Code?	Yes ☐ No ☐
Will the proposed well replace an existing, currently permitted well with a new well that will produce an equivalent quantity of water as the well being replaced because the existing well has been acquired by eminent domain or acquired while under threat of condemnation? Note the following Acknowledgement Form requires the landowner destroy the well or wells being replaced under County permit. Proof of destruction under County permit must be provided within 90 days of the proposed well being permitted by the County.	Yes ☐ No ☐

Property Owner Acknowledgement Form (Applicant to Fill Out)

	I acknowledge that the Sustainable Groundwater Management Act (SGMA) requires groundwater in the Santa Clara River Valley Groundwater Basin, East Subbasin (DWR Basin No. 4-4.07) be managed by a Groundwater Sustainability Agency (GSA). The SCV-GSA, as the exclusive GSA for the Basin No. 4-4.07, has groundwater management authority over the Subbasin in which the well site is located.
	I acknowledge that SCV-GSA has authority under SGMA to limit groundwater extractions, including extractions from any well permitted pursuant to this form, within its jurisdiction for the purposes of complying with SGMA.
	I acknowledge the landowner or owners of the parcel the well is drilled on are responsible for compliance with conditions set by the SCV-GSA. In the event the landowner fails to comply with requirements, e.g. reporting extractions, the SCV-GSA retains all statutory authorities granted by the State to enforce conditions.
	I acknowledge that management of the Santa Clara River Valley Groundwater Basin, East Subbasin (DWR Basin No. 4-4.07) includes sustainable management criteria (e.g. minimum thresholds) defined to avoid undesirable results and agree that I shall not operate the well in a manner that is inconsistent with these criteria. A description of the sustainable management criteria can be found in the GSP, which is publicly available at: www.scvgsa.org
	I understand that if groundwater conditions in the Santa Clara River Valley Groundwater Basin, East Subbasin (DWR Basin No. 4-4.07) warrant development of projects to avoid undesirable results, the SCV-GSA has the authority to implement a fee to support development of such projects and I agree to pay, or understand I may be made to pay, any applicable fee levied under the authority of SCV-GSA.
	I acknowledge that the SCV-GSA is not responsible for or otherwise liable for any costs, investments, or payments related to any groundwater well permitted pursuant to this form. This may include, now or in the future, pumping assessments or fees, extraction limits, costs related to well failure, well deepening, increased maintenance, replacement, or operational costs.
	I certify that the information in the Well Site and Use Information table properly represents the proposed well and that groundwater extraction will not exceed the values included in the table, unless otherwise approved by the SCV-GSA.
	I acknowledge the SCV-GSA may inspect the well at a reasonable time to verify its construction and operation is consistent with the Well Site and Use information form above. The SCV-GSA will coordinate any necessary property access for a well inspection with the landowner before any inspection.
	If this well is a replacement well, I acknowledge I will provide proof of legally destroying the well or wells being replaced by the proposed well. Well destruction permits will be submitted to the SCV-GSA within 90 days of the proposed well being permitted by the County.
	I acknowledge additional monitoring requirements may be imposed by the SCV-GSA, including but not limited to installation of dedicated monitoring wells, to ensure groundwater production is not interfering with existing groundwater remediation programs in the Subbasin, groundwater production is not inducing the migration of contaminant plumes, and that groundwater elevations are maintained above the minimum thresholds set in the GSP.

	I acknowledge that the County well permitting agency will put other conditions on the proposed well, such as for construction, operation, and monitoring.
Additional Requirements for Non-De Minimis Wells	
	I agree the new or replacement well considered herein, and all existing non-de-minimis extraction wells on the property will be outfitted with a properly installed and calibrated flowmeter within six (6) months of County approval of the constructed new or replacement well.
	I acknowledge that the SCV-GSA may require flowmeter recalibration at reasonable times, such as every five years or when the flowmeter is repaired or replaced, and the cost of this work is the well owner's responsibility.
	I acknowledge semi-annual groundwater extraction from the well, or wells, will be reported to the SCV-GSA by April 30 of each year (for the October-March period) and by October 31 of each year (for the April -September period). well.
	I acknowledge that reporting of groundwater quality from the well evaluated above is required once per year for total dissolved solids (TDS), sulfate, chloride, boron, nitrate, and total coliform bacteria. The landowner is responsible for these costs, unless the well is included as an SCV-GSA monitoring well.

By signing below, the Property Owner certifies that the acknowledgements and agreements made in this Form are understood and accepted.

Printed Name:_____

Signature:_____

Date:_____

SCV-GSA Determination if Proposed Well is subject to Governor's Executive Order

Subject to EO N-3-23 (GSA to Fill Out)

Is the proposed well subject to further GSA review under EO N-3-23? YES ☐ NO ☐

The above determination has been made on behalf of the SCV-GSA, the exclusive GSA for the Santa

Clara River Valley Groundwater Basin, East Subbasin (DWR Basin No. 4-4.07), by the undersigned.

This determination is valid for 12 months after the signed date below or until the expiration of Governor's Executive Order N-3-23, whichever comes first.

Printed Name:	
Title:	
Signature:	
Date:	

If the SCV-GSA has determined that the proposed well is subject to further GSA review under EO N-3-23, and you wish to continue to seek approval for the well, please prepare and submit to the SCV-GSA Secretary the required hydrogeologic report consistent with SCV-GSA Hydrogeologic Report Requirements and Review Procedures.

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Hydrogeologic Report Requirements and Review Procedures
Santa Clarita Valley Groundwater Sustainability Agency
July 2023 (Draft)

Report Requirements

1) Landowner shall prepare and submit a hydrogeologic report to the GSA, signed by a California Certified Hydrogeologist with relevant work experience in Santa Clara River Valley Groundwater Basin, East Subbasin (DWR Basin No. 4-4.07) or similar basins, that includes, at a minimum, the following:
2) Discussion of Certified Hydrogeologist's experience in preparation of hydrogeologic reports in the Santa Clara River Valley Groundwater Basin, East Subbasin (DWR Basin No. 4-4.07) or similar basins.
3) Discussion of Certified Hydrogeologist's understanding of the Sustainable Management Criteria in the SCV-GSA's Groundwater Sustainability Plan.
4) Discussion of the proposed well construction and well use that includes all details, or clearly identified updates, from the Landowner's previously submitted New or Replacement Groundwater Production Well form including but not limited to:
    a) If the proposed well is a new well, or is a well replacing one or more wells, and the proposed well's intended use (agricultural, domestic, etc.)
    b) Well site Information
    c) Well construction and well operation information
    d) Well driller information.
    e) Other considerations identified by the Hydrogeologist or Landowner, e.g. known or potential issues regarding water quality, water levels, other nearby wells, etc.
5) A summary of all existing groundwater production wells (locations, age, depths, use type, etc.) on the proposed well's property, including:
6) Measured or estimated historical production volumes from any existing wells. Historical production is defined as the time period from initial well operation to January 1, 2015.
7) Measured or estimated current production volumes from the existing wells. Current production is defined as the time period from January 1, 2015, to time of application.
8) Measured historical groundwater depths below ground surface for existing wells (from the time the well was constructed until January 1, 2015) and current (from January 1, 2015, through the time of the application).
9) Flowmeter information – meter type, measurement precision, calibration history
10) Proximity to nearest known groundwater contamination site(s) and documentation of contaminants of concern for each site
11) Proximity to nearest groundwater dependent ecosystem, or potential groundwater dependent ecosystem in the GSP

12) Proximity of the proposed well to disadvantaged communities in the Santa Clara River Valley Groundwater Basin, East Subbasin (DWR Basin No. 4-4.07) (https://sgma.water.ca.gov/webgis/?appid=SGMADataViewer#boundaries)

13) Description of Landowner's understanding of SCV-GSA requirements for the well's flowmeter installation and calibration, extraction reporting, and water quality analysis and reporting.

14) Well operation and maintenance plan including:

    a) Plan to inform the GSA of transfer of ownership of the well and contact information for the new owner

    b) Estimated length of service of the proposed well

    c) Plan for destroying the well at the end of service

15) The report on hydrogeology shall include any initial findings or recommendations by the hydrogeologist regarding anticipated effects of the well upon:

    1. Sustainable Management Criteria identified in the Groundwater Sustainability plan, and/or requirements in Executive Order N-3-23 including but not necessarily limited to:

        a. Well interference with existing groundwater production wells

        b. Groundwater extraction related subsidence

        c. Disadvantaged communities

        d. Groundwater Dependent Ecosystems and GDE Triggers.

        e. Minimum thresholds for groundwater elevations, and

        f. Measurable objectives as specified in the GSP

        g. The potential impact on migration or remediation of a known area of groundwater contamination

        h. Whether the proposed production is likely to cause or contribute to an exceedance of the sustainable yield of the Subbasin

16) Additional items may be required, as necessary, to ensure compliance with the SCV-GSA's Groundwater Sustainability Plan and/or the Sustainable Groundwater Management Act.

17) If insufficient information is provided and the landowner is not response to requests for clarification, the SCV-GSA reserves the right to reject further review of materials.

Review Procedures

1. The Landowner shall place funds on deposit with SCV Water so that its staff and or consultant team can be reimbursed for the state-required consistency determination. Estimated costs for the consistency determination were determined based on proposed groundwater production volumes. These costs are based on the estimated time required to evaluate an individual well. The estimated costs will be updated annually. Unused funds will be returned to the landowner. If additional fees are required of the landowner, the landowner will be notified in writing and after additional fees are provided, the review will continue.
    a. Wells expected to produce between 2 AFY and < 50 AFY - $10,000
    b. Wells expected to produce between 50 AFY and < 100 AFY - $15,000
    c. Wells expected to produce between 100 and < 500 AFY - $30,000
    d. Wells expected to produce 500 or more AFY - $50,000

2. The hydrogeologic report received by the GSA will be reviewed by GSA staff and/or a consultant contracted by the GSA within 30 business days of receiving a complete report and payment for the evaluation. If during the review process the SCV-GSA determines the hydrogeologic report is deficient, or clarification is needed then the SCV GSA will seek additional information from the Landowner and re start the review after information is provided.

3. The review will include an evaluation of the proposed well's effect(s) to Sustainable Management Criteria identified in the Groundwater Sustainability plan, and/or requirements in Executive Order N-3-23 including but not necessarily limited to:
    a. Well interference with existing groundwater production wells
    b. Groundwater extraction related subsidence
    c. Disadvantaged communities
    d. Groundwater Dependent Ecosystems and GDE Triggers.
    e. Minimum thresholds for groundwater elevations, and
    f. Measurable objectives as specified in the GSP
    g. The potential impact on migration or remediation of a known area of groundwater contamination
    h. Whether the proposed production is likely to cause or contribute to an exceedance of the sustainable yield of the Subbasin

4. Following SCV-GSA review, it will provide its findings to the landowner, and prepare a Board memo and technical report for the SCV-GSA Board of Directors that contains a recommendation on consistency of the proposed well with the requirements of the Governor's Executive Order N-3-23 Paragraph 4 and the SCV-GSA adopted Groundwater Sustainability Plan.

5. Consideration of the Board memo will be provided at a publicly noticed SCV-GSA Board meeting. During that meeting staff and/or consultants contracted by the GSA will present findings and recommendations to the GSA for review, and the landowner and/or

Hydrogeologist will be provided with an opportunity to make a short presentation to the Board of Directors.

6. After the Board of Directors considers the staff recommended consistency finding and any discussion, it will confirm or reject the staff recommendation via majority vote.

7. Providing the Board determines the proposed well is consistent, it will require the Landowner also comply with required well operation conditions described in Attachment 1 and 2, such as requirements for flowmeters, recalibration, water quality monitoring, etc..

SCV-GSA Well Consistency Determination Form (Draft)

Consistency with the GSP (GSA to Fill Out)

Based on the information on the information attached to this Form, the well permit application made available by the County, the review of the hydrogeologic report provided by the applicant, and the acknowledgments and agreements accepted by the Property Owner above, and any other relevant information known at the time, the SCV-GSA makes the following determination

☐ The well permit application ***is not inconsistent*** with the sustainable groundwater management program established in the Groundwater Sustainability Plan for the Santa Clarita Valley Groundwater Sustainability Agency and would not decrease the likelihood of maintaining sustainability in the Santa Clara River Valley Groundwater Basin, East Subbasin.

☐ The construction and/or operation of the well identified on this Form and the associated well permit application ***is inconsistent*** with the sustainable groundwater management program established in the Groundwater Sustainability Plan for the Santa Clarita Valley Groundwater Sustainability Agency. The SCV-GSA has made this determination for the following reasons:

[Additional text or information may be included as Attachment A to this Form]

The above determination has been made on behalf of the SCV-GSA, the exclusive GSA for the Santa Clara River Valley Groundwater Basin, East Subbasin (DWR Basin No. 4-4.07), by the undersigned. This determination is valid for 12 months after the signed date below or until the expiration of Governor's Executive Order N-3-23, whichever comes first.

Printed Name:	
Title:	
Signature:	
Date:	

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Attachment 4. Summary of Comments Made June 5, 2023 and Responses

Attachment 1, Page 1 of 5	**Response**
Third paragraph, clarify which entity is charged with conducting analysis for Executive Order 4.a., 4.b, and the section following 4.b. that includes i, ii, and iii	Attachment 1 has been clarified to reflect the SCV-GSA makes the 4.a. finding, and findings for exemptions in i, ii, iii. It describes the SCV-GSA expects the Counties to make the finding for 4.b., but with support of the information required in the hydrogeologic report requirements.
Fourth paragraph, clarify that the SCV-GSA has the opportunity to seek clarification from the applicant at any point in the process, and to reject the hydrogeologic report if not made sufficiently clear.	Attachment 1 and 2 modified accordingly.
The first table should allow for separate identification of landowner versus well owner (if not the same).	Table modified to reflect
Consider use of an appeal process following staff review of Attachment 1 related to requirement of Hydrogeologic Report	Appeal of staff decision's requirement to prepare Hydrogeologic Report considered and described in the Board Memorandum for the July 27, 2023, Board meeting. Simple footnote added to Attachment 1 regarding same.
Please verify SCV-GSA Basin is a high priority basin.	SCV-GSA Basin is a high priority basin

Attachment 1, Page 2 of 5 (Well Site and Use Information Table)	**Response**
Add well motor size, maximum design capacity, typical GPM to table.	Table modified to include well motor size (horsepower), manufacturer's gpm rating, maximum well design capacity, anticipated daily well motor run time, clarified diameter means well casing diameter.

Attachment 1, Page 3 of 5 (Review for Exemption Table)	**Response**
Add that if the proposed well is a replacement well, then the well being replaced must be legally destroyed. Further, proof of legal destruction must be provided in a reasonable amount of time.	Review for Exemption table, and Property Owner Acknowledgement Table modified to reflect requirements for destruction of well or wells, and submittal of proof of destruction within 90 days of proposed well being permitted by the County.

Attachment 1, Page 4 of 5 (Property Owner Acknowledgement Table)	**Response**
Clarify to reflect certain conditions do not apply to de-minimis wells for flowmeter installation and extraction reporting.	Table modified accordingly.
Add applicant acknowledgement that the well won't extract more than proposed, unless approved by SCV-GSA	Property Owner Acknowledgement table now includes text for certification that groundwater extraction will not exceed proposed, unless approved by SCV-GSA.
Identify proposed wells will also be conditioned by the County well permitting agencies, such as to meet public health criteria and other items deemed necessary.	Property Owner Acknowledgement table now includes text describing County adding additional conditions, such as for construction, operation, monitoring.
Property owner should acknowledge that there will be no functional changes from what is being presented to the SCV-GSA, such as modifying well screens, enlarging well, and that the well is subject to SCV-GSA inspection.	Property Owner Acknowledgement form includes that groundwater extraction values proposed to the SCV-GSA will not be exceeded unless otherwise approved by the SCV-GSA, and that wells are subject to SCV-GSA inspection to verify they are the same as proposed to the SCV-GSA.
Clarify SCV-GSA retains statutory authority to enforce conditions set by the SCV-GSA	Text added to Property Owner Acknowledgement table.

Attachment 2, Hydrogeologic Report	**Response**
Be clearer about property owner, landowner, and well owner	Text clarified
Be clearer about when semiannual reporting is required.	Text about the reporting requirements moved to Attachment 1 Property Owner Acknowledgement form. Clarified to apply to non-de-minimis wells.
Typographical error on 7d. between "produce" and "500"	Corrected
Need ability to request more information and time to complete the review of hydrogeologic report. Need ability to reject report if applicant unable to make it clear	Text clarified in Attachment 1, and Attachment 2.
Strengthen Requirement for Certified Hydrogeologist	Text clarified to require the Certified Hydrogeologist describe experience in the Santa Clara River Basin locally, or similar basins. Requirement that the Certified Hydrogeologist also summarize understanding of the GSPs Sustainable Management Criteria.

Santa Clarita Valley GSA (June 5, 2023 Draft)

New or Replacement Groundwater Production Well Form

The Santa Clarita Valley Groundwater Sustainability Agency (SCV-GSA) is required by State law to manage groundwater in the Santa Clara River Valley Groundwater Basin, East Subbasin (DWR Basin No. 4-4.07) consistent with its Board-Adopted Groundwater Sustainability Plan (GSP). The State of California has identified this basin to be a "High Priority" basin. The Basin covers approximately 100 square miles, and is located mostly in Los Angeles County, with a small portion located in Ventura County.

The Governor's Executive Order N-3-23[1] requires that local well permitting agencies not issue certain kinds of well permits until the local GSA verifies that the new or replacement well operation is consistent with the GSP and its sustainability goals, and the proposed groundwater extraction is not likely to interfere with nearby wells and is not likely to cause subsidence that would adversely impact infrastructure.

The purpose of this form is for the SCV-GSA to collect relevant information about the proposed well so that it can make a determination if the proposed well is subject to, or exempt from, the Governor's Executive Order. If the well is subject to the analyses required by Paragraph 4 of the Governor's Executive Order, the SCV-GSA requires that the Property Owner prepare and submit a hydrogeologic report on the new or replacement well(s) and deposit funds with SCV Water for application review, which may include use of the groundwater flowmodel, and would include completing the required analysis. Report requirements are attached.

Following submittal of the hydrogeologic report by the proposed well owner, the SCV-GSA will review the report and prepare the analysis required by the Executive Order and communicate the results back to the proposed well owner and the County. This would be followed by SCV-GSA Board of Directors consideration of the analysis and a final determination of the proposed well's consistency with the requirements in the Executive Order.

This form must be completed, signed, and submitted by the Property Owner with each well permit application for a new or replacement groundwater production well in the Santa Clara River Valley Groundwater Basin, East Subbasin. The SCV-GSA must take action as described above before the well can be approved by the County of Los Angeles or County of Ventura.

1 https://www.gov.ca.gov/wp-content/uploads/2023/02/Feb-13-2023-Executive-Order.pdf?emrc=b12708

Property Owner Information (Applicant to Fill Out)

Name (Last, First, Middle Initial)	
Street Address	
Email	
Telephone	

Type of Proposed Well (Applicant to Fill Out – Check

☐ **New Well** ☐ **Replacement Well**

Well Site and Use Information (Applicant to Fill Out)

Well Site Address (if different from above):	
Assessor Parcel Number	
Proposed Wellhead GPS Coordinates:	
Estimated Annual Groundwater Production	
Proposed Well Use	☐Domestic / Individual ☐Agricultural ☐Community ☐Other (specify)
Anticipated Well depth, diameter, casing material, screen interval	
Attach site location map showing proposed well on property	

Well Driller Information (Applicant to Fill Out)

Well Driller Name	
Well Driller Address	
County Registration Number	
C-57 License Number	
Anticipated Construction Start Date	
Anticipated Construction End Date	

Review for Exemption from Governor's Executive Order (Applicant to Fill Out)

Will the well provide less than two acre-feet per year of groundwater for individual domestic users?	Yes ☐ No ☐
Will the well exclusively provide groundwater to public water supply systems as defined in Section 116275 of the Health and Safety Code?	Yes ☐ No ☐
Will the proposed well replace an existing, currently permitted well with a new well that will produce an equivalent quantity of water as the well being replaced because it has been acquired by eminent domain or acquired while under threat of condemnation?	Yes ☐ No ☐

Property Owner Acknowledgement Form (Applicant to Fill Out)

	I acknowledge that the Sustainable Groundwater Management Act (SGMA) requires groundwater in the Santa Clara River Valley Groundwater Basin, East Subbasin (DWR Basin No. 4-4.07) be managed by a Groundwater Sustainability Agency (GSA). The SCV-GSA, as the exclusive GSA for the Basin No. 4-4.07, has groundwater management authority over the Subbasin in which the well site is located.
	I acknowledge that SCV-GSA has authority under SGMA to limit groundwater extractions, including extractions from any well permitted pursuant to this form, within its jurisdiction for the purposes of complying with SGMA.
	I acknowledge that management of the Santa Clara River Valley Groundwater Basin, East Subbasin (DWR Basin No. 4-4.07) includes sustainable management criteria (e.g. minimum thresholds) defined to avoid undesirable results and agree that I shall not operate the well in a manner that is inconsistent with these criteria. A description of the sustainable management criteria can be found in the GSP, which is publicly available at: www.scvgsa.org
	I acknowledge that the SCV-GSA requires all existing extraction wells on the property be outfitted with a calibrated flowmeter within six (6) months of receiving the approved well permit application, and that the SCV-GSA requires total extraction volumes from each well to be reported to the SCV-GSA at a minimum of two times per year, and at least one time per year groundwater quality results from the well for total dissolved solids (TDS), sulfate, chloride, boron, nitrate, and total coliform bacteria are to be reported.
	I acknowledge that the SCV-GSA may require flowmeter recalibration at reasonable times, such as every five years or when the flowmeter is repaired or replaced, and the cost of this work is the well owner's responsibility.
	I understand that if groundwater conditions in the Santa Clara River Valley Groundwater Basin, East Subbasin (DWR Basin No. 4-4.07) warrant development of projects to avoid undesirable results, the SCV-GSA has the authority to implement a fee to support development of such projects and I agree to pay, or understand I may be made to pay, any applicable fee levied under the authority of SCV-GSA.
	I acknowledge that the SCV-GSA is not responsible for or otherwise liable for any costs, investments, or payments related to any groundwater well permitted pursuant to this form. This may include, now or in the future, pumping assessments or fees, extraction limits, costs related to well failure, well deepening, increased maintenance, replacement, or operational costs.

By signing below, the Property Owner certifies that the acknowledgements and agreements made in this Form are understood and accepted.

Printed Name:_____

Signature:_____

Date:_____

SCV-GSA Determination if Proposed Well is subject to Governor's Executive Order

Subject to EO N-3-23 (GSA to Fill Out)

Is the proposed well subject to further GSA review under EO N-3-23? YES ☐ NO ☐

The above determination has been made on behalf of the SCV-GSA, the exclusive GSA for the Santa Clara River Valley Groundwater Basin, East Subbasin (DWR Basin No. 4-4.07), by the undersigned.

This determination is valid for 12 months after the signed date below or until the expiration of Governor's Executive Order N-3-23, whichever comes first.

Printed Name:

Title:	
Signature:	
Date:	

If the SCV-GSA has determined that the proposed well is subject to further GSA review under EO N-3-23, and you wish to continue to seek approval for the well, please prepare and submit to the SCV-GSA Secretary the required hydrogeologic report consistent with SCV-GSA Hydrogeologic Report Requirements and Review Procedures.

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Hydrogeologic Report Requirements and Review Procedures
Santa Clarita Valley Groundwater Sustainability Agency
June 5, 2023 (Draft)

1) Proposed well owner shall prepare and submit a hydrogeologic report to the GSA, signed by a California Certified Hydrogeologist, that includes, at a minimum, the following:
   a) Site location map, at a scale that is sufficient to locate the property on which the well will be drilled and location of the well on the property
   b) Documentation of whether this is a new well or a replacement well.
   c) The proposed well(s) construction details and expected groundwater production rate.
   d) The proposed use of groundwater produced from the well.
   e) A summary of all existing groundwater production wells on the property of the proposed new or replacement well, including:
      i. Measured or estimated historical production volumes from the existing wells. Historical production is defined as the time period from initial well operation to January 1, 2015.
      ii. Measured or estimated current production volumes from the existing wells. Current production is defined as the time period from January 1, 2015, to time of application
      iii. Flowmeter information – meter type, measurement precision, calibration history
      iv. Measured historical (from the time the well was constructed until January 1, 2015) and current (from January 1, 2015, through the time of the application) groundwater elevations
   f) Confirmation that:
      i. The proposed well will be instrumented with a calibrated flowmeter prior to operation of the well and the metered extractions will be reported to the GSA two times per year.
      ii. All existing groundwater production wells on the property or APN of the proposed new or replacement well will be instrumented with a flowmeter within six months of receiving approval to drill the new or replacement well from Los Angeles County or Ventura County and that measured extractions from these wells will be reported to the GSA two times per year.
   g) Proximity to nearest known groundwater contamination site(s) and documentation of contaminants of concern for each site
   h) Proximity to nearest groundwater dependent ecosystem, or potential groundwater dependent ecosystem in the GSP

i) Proximity of the proposed well to disadvantaged communities in the Santa Clara River Valley Groundwater Basin, East Subbasin (DWR Basin No. 4-4.07) (https://sgma.water.ca.gov/webgis/?appid=SGMADataViewer#boundaries)

j) Confirmation of CEQA compliance.

k) Well operation and maintenance plan including:

   i. Plan to inform the GSA of transfer of ownership of the well and contact information for the new owner

   ii. Estimated length of service of the proposed well

   iii. Plan for destroying the well at the end of service

l) Additional items may be required, as necessary, to ensure compliance with the SCV-GSA's Groundwater Sustainability Plan and/or the Sustainable Groundwater Management Act.

2) The owner of the proposed well has the option to make a short presentation at a regular GSA Board Meeting to summarize the hydrogeologic report.

3) The hydrogeologic report received by the GSA will be reviewed by GSA staff and/or a consultant contracted by the GSA within 30 business days of receiving a complete report and payment for the evaluation. The review will include:

   a) An evaluation of the estimated drawdown resulting from well operation including to:

      i. Existing wells (e.g. domestic, municipal, agricultural)

      ii. Disadvantaged communities

      iii. Potential or known groundwater dependent ecosystems

   b) An assessment of

      i. Whether the well operation is likely to cause exceedances of groundwater dependent ecosystem triggers, minimum thresholds for groundwater elevations, and measurable objectives as specified in the GSP

      ii. The potential impact on migration or remediation of a known area of groundwater contamination

      iii. Whether the proposed production is likely to cause or contribute to an exceedance of the sustainable yield of the Subbasin

   c) A recommendation on consistency of the proposed well with the requirements of the Governor's Executive Order Paragraph 4 and the SCV-GSA adopted Groundwater Sustainability Plan.

4) GSA staff and/or consultant contracted by the GSA will prepare a technical report that summarizes the findings and recommendations of the review to the GSA, verifying whether

the proposed new and/or replacement wells are in compliance with the adopted Groundwater Sustainability Plan

a) Wells that are found to be consistent with the GSP will be required, at a minimum, to:
    i) Report groundwater extractions to the GSA at a minimum of two times per year on a water year basis (October 1 through September 30).
    ii) Report total dissolved solids (TDS), sulfate, chloride, boron, nitrate, and total coliform bacteria at least annually on a water year basis.

b) Additional monitoring requirements may be imposed, including but not limited to installation of dedicated monitoring wells, to ensure groundwater production is not interfering with existing groundwater remediation programs in the Subbasin, groundwater production is not inducing the migration of contaminant plumes, and that groundwater elevations are maintained above the minimum thresholds set in the GSP.

5) GSA staff and/or consultants contracted by the GSA will present its findings and recommendations to the GSA for review during a public hearing where the applicant is provided with an opportunity to make a short presentation or comment on their position.

6) Following the public hearing, the GSA will confirm or reject the requested verification via majority vote.

7) Estimated costs for the well consistency evaluation were determined based on proposed groundwater production volumes. These costs are based on the estimated time required to evaluate an individual permit application. The estimated costs will be updated annually.
    a) Wells expected to produce between 2 AFY and < 50 AFY - $10,000
    b) Wells expected to produce between 50 AFY and < 100 AFY - $15,000
    c) Wells expected to produce between 100 and < 500 AFY - $30,000
    d) Wells expected to produce > 500 and < 500 AFY - $50,000

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EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-3-23

WHEREAS on April 21, 2021, May 10, 2021, July 8, 2021, and October 19, 2021, I proclaimed States of Emergency due to drought conditions that continue today and exist across California; and

WHEREAS climate change continues to intensify the impacts of droughts on our communities, environment, and economy, and these impacts continue to affect groundwater basins, local water supplies, and ecosystems, resulting in continuing drought in the State; and

WHEREAS the ongoing drought continues to have significant, immediate impacts on communities with vulnerable water supplies, farms that rely on irrigation to grow food and fiber, and fish and wildlife that rely on stream flows and cool water; and

WHEREAS early, substantial rains in October and December 2021 gave way to the driest January-February-March period in over 100 years in California, leading the October 2021 to September 2022 water year to end with statewide precipitation at 76 percent of average, with statewide reservoir storage at 69 percent of average, and with Lake Oroville—the State Water Project's largest reservoir—at 64 percent of average; and

WHEREAS in January 2023, the State experienced one of the wettest three-week periods on record, yielding a snowpack that was at 205 percent of average on February 1, 2023, yet to date February has been drier than average; and

WHEREAS the current snowpack has not reduced stresses upon the State's water resources, including low storage levels, depleted aquifers, and diminished local water supplies; and

WHEREAS the State can expect continued swings between extreme wet and extreme dry periods that can present risks of severe flooding and extreme drought in the same year; and

WHEREAS California must adapt to a hotter, drier future in which a greater share of rain and snowfall during the wetter months will be absorbed by dry soils, consumed by plants, and evaporated into the air, leaving less water for communities, species, and agriculture; and

WHEREAS the frequency of hydrologic extremes experienced in the State is indicative of an overarching need to continually reexamine policies to promote resiliency in a changing climate; and

WHEREAS Californians continue to make progress conserving water, with urban water users conserving 17.1 percent statewide in December 2022 compared to December 2020 and agricultural producers continuing to invest in more efficient irrigation; and

WHEREAS despite this progress, the uncertainty of precipitation during the remainder of the winter and spring, and the potential of dry conditions next

winter and of drought conditions extending to a fifth year, make it necessary for the State to continue water-conservation measures and drought-resilience actions to extend available supplies, protect water reserves, and maintain critical flows for fish and wildlife; and

WHEREAS as directed in "California's Water Supply Strategy: Adapting to a Hotter, Drier Future," the State plans to stretch water supplies by storing, recycling, de-salting, and conserving the water it will need to keep up with the increasing pace of climate change; and

WHEREAS multiple regions of the State, such as the Klamath Basin and the Colorado River system, face severe water shortage conditions, and groundwater basins in the Central Valley continue to be depleted from years of drought and overdraft; and

WHEREAS groundwater use accounts for 41 percent of the State's total water supply on an average annual basis but as much as 58 percent in a critically dry year, and approximately 85 percent of public water systems rely on groundwater as their primary supply; and

WHEREAS capturing and storing storm and snowpack runoff underground to recharge aquifers is an important strategy to help regions stabilize water supplies in the face of hydrologic extremes; and

WHEREAS state agencies have created streamlined permitting pathways to enable groundwater recharge that augments natural aquifer recharge, while protecting the environment and other water users, but more opportunities exist to facilitate groundwater recharge; and

WHEREAS coordination between local entities that approve permits for new groundwater wells and local groundwater sustainability agencies is important to achieving sustainable levels of groundwater in critically overdrafted basins; and

WHEREAS to protect public health and safety, it is critical the State take certain immediate actions without undue delay to prepare for and mitigate the effects of the drought conditions, and under Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would prevent, hinder, or delay the mitigation of the effects of the drought conditions.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. The orders and provisions contained in my State of Emergency Proclamations dated April 21, 2021, May 10, 2021, July 8, 2021, and October 19, 2021, and Executive Orders N-10-21 (July 8, 2021) and N-7-22 (March 28, 2022), remain in full force and effect, except as modified by those proclamations and orders and herein. State agencies shall

continue to implement all directions from those proclamations and orders and accelerate implementation where feasible.

2. To maximize the extent to which winter precipitation recharges underground aquifers, the Department of Water Resources, the State Water Resources Control Board (Water Board), and the Department of Fish and Wildlife shall continue to collaborate on expediting permitting of recharge projects and shall work with local water districts to facilitate recharge projects.

3. Paragraph 4 of my State of Emergency Proclamation dated May 10, 2021 and Paragraph 4 of my State of Emergency Proclamation dated July 8, 2021 are withdrawn, and each is replaced with the following text:

   To ensure adequate water supplies for purposes of health, safety, the environment, or drought resilient water supplies, the Water Board shall consider modifying requirements for reservoir releases or diversion limitations in Central Valley Project or State Water Project facilities to: (i) conserve water upstream later in the year in order to protect cold water pools for salmon and steelhead, (ii) enhance instream conditions for fish and wildlife, (iii) improve water quality, (iv) protect carry-over storage, (v) ensure minimum health and safety water supplies, or (vi) provide opportunities to maintain or to expand water supplies north and south of the Delta. The Water Board shall require monitoring and evaluation of any such changes to inform future actions. For any actions taken pursuant to this paragraph and any approvals granted in furtherance of this paragraph, Water Code Section 13247 and Public Resources Code, Division 13 (commencing with Section 21000) and regulations adopted pursuant to that Division are suspended. Nothing in this Paragraph affects or limits the validity of actions already taken or ongoing under Paragraph 4 of my May 10, 2021 Proclamation or Paragraph 4 of my July 8, 2021 Proclamation.

4. Paragraph 9 of Executive Order N-7-22 is withdrawn and replaced with the following text:

   To protect health, safety, and the environment during this drought emergency, a county, city, or other public agency shall not:

   a. Approve a permit for a new groundwater well or for alteration of an existing well in a basin subject to the Sustainable Groundwater Management Act 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; or

b. 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.

This Paragraph shall not apply to permits for wells (i) that will provide less than two acre-feet per year of groundwater for individual domestic users, (ii) that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code, or (iii) that are replacing existing, currently permitted wells with new wells that will produce an equivalent quantity of water as the well being replaced when the existing well is being replaced because it has been acquired by eminent domain or acquired while under threat of condemnation.

5. No later than April 28, 2023, state agencies shall send me their recommendations for what further actions, if any, are necessary for on-going emergency drought response, and their views on whether any existing provisions in my proclamations and executive orders related to the drought emergency are no longer needed to prepare for and mitigate the effects of the drought conditions.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 13th day of February 2023.

GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, PH.D.
Secretary of State