

<admin@midcountygroundwater.org>

Wondering About Status of Required Approval of MidCounty Groundwater Agency for Well Permits?

Fri, Oct 25, 2024 at 7:43 AM

Santa Cruz Mid-County Groundwater Agency <admin@midcountygroundwater.org>

To: Becky Steinbruner <ki6tkb@yahoo.com>

Cc: MidCounty Groundwater Agency Board <comment@midcountygroundwater.org>

Dear Ms. Steinbruner,

Thank you for your inquiry. The MGA Board approved a policy in December 2022 for reviewing well permits to provide written verification to Santa Cruz County that groundwater extraction by a new proposed well or alteration of an existing well would not be inconsistent with the Groundwater Sustainability Plan adopted by the MGA. The policy was required under Executive Order N-7-22 signed by Governor Newsom on March 22, 2022. The policy was to remain in effect so long as Executive Order N-7-22 remains in effect.

On September 5, 2024, Governor Newsom signed Executive Order N-3-24 (attached), which ended the drought emergency in eighteen counties, including Santa Cruz County. This effectively terminated the MGA policy. During the time that the policy was active, no permit applications were received by the County that required MGA review. At this time, the County has indicated that it intends to forward notifications of permit applications of non-domestic and non-de minimis uses. While a response from MGA would not be required, MGA would make the County aware of any concerns from the proposed well with respect to potential impacts to our groundwater sustainability efforts.

With respect to the now dead bills, AB1563 is generally consistent with our most recent practices under Executive Order N-7-22. AB2079 would not affect MGA as the County is the local enforcement agency. At any rate, we do not expect to discuss these at the Board as they are dead and the discussion would be speculative. If/when future legislation related to this matter advances further through the legislature, we would bring it to the attention of the Board which is consistent with the overall intent to keep the Board informed on new legislation pertinent to SGMA.

Regards,

Tim Carson

Administrative Services
Santa Cruz Mid-County Groundwater Agency
admin@midcountygroundwater.org

On Sun, Oct 6, 2024 at 8:52 AM Becky Steinbruner <ki6tkb@yahoo.com> wrote:

Dear MidCounty Groundwater Agency Board,

I remember your Board discussing the need to approve new well permits, per a new regulation, and the process that would occur. This week, I saw information in the Rural County Representatives of California (RCRC) legislative digest that describes a stalled bill that would require the same MGA approval, but that may return to the legislature.

What is the current status of well permit approvals required by the MGA Board or staff?

AB 1563 (Bennett) Groundwater sustainability agency: groundwater extraction permit: verification. This bill would have required a county, city, or any other water well permitting agency to obtain a written verification from the groundwater sustainability agency that manages the basin or area of the basin where the well is proposed to be located determining that, among other things, the extraction by the proposed well is consistent with any sustainable groundwater management program. **Location:** Senate Dead **Status:** 7/2/2024-Failed Deadline pursuant to Rule 61(b)(13). (Last location was L. GOV. on 5/22/2024) **Position:** Oppose **Staff:** Sidd (1)
<https://www.rcrcnet.org/barbed-wire-october-4-2024#story-7>

Also, I would appreciate a Board discussion of implications of another bill that may be amended and brought forward:

AB 2079 (Bennett) Groundwater extraction: large-diameter, high-capacity water wells: permits. The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans, except as specified. Current law authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin and imposes specified duties upon that agency or combination of agencies, as provided. Current law requires the State Water Resources Control Board to adopt a model water well, cathodic protection well, and monitoring well drilling and abandonment ordinance implementing certain standards for water well construction, maintenance, and abandonment and requires each county, city, or water agency, where appropriate, not later than January 15, 1990, to adopt a water well, cathodic protection well, and monitoring well drilling and abandonment ordinance that meets or exceeds certain standards. Under current law, if a county, city, or water agency, where appropriate, fails to adopt an ordinance establishing water well, cathodic protection well, and monitoring well drilling and abandonment standards, the model ordinance adopted by the state board is required to take effect on February 15, 1990, and is required to be enforced by the county or city and have the same force and effect as if adopted as a county or city ordinance. This bill would require a local enforcement agency, as defined, to perform specified activities at least 30 days before determining whether to approve a permit for a new large-diameter, high-capacity well, as defined. By imposing additional requirements on a local enforcement agency, the bill would impose a state-mandated local program. **Location:** Senate Dead **Status:** 7/2/2024-Failed Deadline pursuant to Rule 61(b)(13). (Last location was N.R. & W. on 5/29/2024) **Position:** Oppose Unless Amended **Staff:** Sidd (1)
<https://www.rcrcnet.org/barbed-wire-october-4-2024#story-7>

Thank you for your consideration of these two issues.

Sincerely,
Becky Steinbruner

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

EXECUTIVE ORDER N-3-24

WHEREAS on April 21, 2021, May 10, 2021, July 8, 2021, and October 19, 2021, I proclaimed States of Emergency to exist across all counties in the State due to drought conditions; and

WHEREAS the drought emergency has required a dynamic and flexible response from the State, and several provisions in my prior Proclamations and Orders have already been terminated or superseded; and

WHEREAS drought conditions have improved substantially, and lingering effects of the drought have largely abated in several areas of the California coast, Southern California, and the eastern Sierra Nevada; and

WHEREAS today I have therefore terminated the drought State of Emergency in the Counties of Imperial, Inyo, Los Angeles, Marin, Mendocino, Mono, Monterey, Orange, Riverside, San Bernardino, San Diego, San Francisco, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Sonoma, and Ventura; and

WHEREAS the multi-year nature of this drought, which began three years after the record-setting drought of 2012-2016, continues to have ongoing, significant impacts on the Sacramento and San Joaquin River basins, the Tulare Lake basin, the Scott, Shasta, and Klamath River watersheds, and the Clear Lake watershed, which include many 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 improved conditions have helped rehabilitate surface water supplies, but have not eliminated the effects of the drought that remain in the Sacramento and San Joaquin River basins, the Tulare Lake basin, the Scott, Shasta, and Klamath River watersheds, and the Clear Lake watershed, and many groundwater basins remain depleted from overreliance and successive multi-year droughts; and

WHEREAS continued action by the State is needed to address ongoing consequences of the drought emergency in the Sacramento and San Joaquin River basins and the Klamath River and Clear Lake watersheds, including groundwater supply shortages, domestic well failures, and drought-related harm to native fishes; and

WHEREAS improved conditions even in the counties where the drought State of Emergency remains in effect warrant a more targeted State response, and certain provisions in my prior Proclamations and Orders provide authority that is no longer needed to mitigate the effects of the drought conditions, or direct actions by state agencies, departments, and boards that have already been completed; and

WHEREAS notwithstanding the rescission of certain emergency authorities for emergency drinking water action, state agencies have existing legal authority and funding to continue expedited work to advance the human right to water, and state agencies will continue all ongoing drought resilience

planning work, including through coordination with local agencies and tribes;
and

WHEREAS the coming winter's hydrology is uncertain and the most efficient way to preserve the State's improved surface water supplies is for Californians to continue their ongoing efforts to make conservation a way of life;
and

WHEREAS on March 1, March 8, March 12, March 14, March 28, April 20, May 15, and June 16, 2023, I proclaimed a State of Emergency to exist in 53 counties, cumulatively, as a result of a series of winter storms that initially struck California beginning in late February 2023; and

WHEREAS on March 31, 2023, and May 17, 2023, respectively, I issued Executive Orders N-6-23 and N-7-23 to further bolster the emergency response to the 2023 Late Winter Storms, particularly in the Tulare Lake Basin; and

WHEREAS improved conditions in the Tulare Lake Basin and other regions affected by the 2023 Late Winter Storms warrant a more targeted emergency response to the effects of those storms.

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; October 19, 2021; March 1, 2023; March 8, 2023; March 12, 2023; March 14, 2023; March 28, 2023; April 20, 2023; and May 15, 2023, and Executive Orders N-10-21 (July 8, 2021), N-7-22 (March 28, 2022), N-3-23 (February 13, 2023), N-4-23 (March 10, 2023), N-6-23 (March 31, 2023), and N-7-23 (May 17, 2023), remain in full force and effect, except as modified by those Proclamations and Orders, Executive Order N-5-23, my Proclamation Terminating the Drought States of Emergency in 19 counties dated today, and this Order. State agencies shall continue to implement all directions from those Proclamations and Orders and accelerate implementation where feasible.
2. The following provisions of my State of Emergency Proclamation dated May 10, 2021, are terminated:
 - a. Paragraph 8; and
 - b. Paragraphs 11–13.
3. The following provisions of my State of Emergency Proclamation dated October 19, 2021, are terminated:
 - a. Paragraphs 6–7;
 - b. Paragraph 9; and
 - c. Paragraph 12.

4. The following provision of Executive Order N-10-21 is terminated:
 - a. Paragraph 2.
5. The following provisions of Executive Order N-7-22 are terminated:
 - a. Paragraph 4;
 - b. Paragraphs 7–8; and
 - c. Paragraph 10.
6. The following provisions of Executive Order N-3-23 are terminated:
 - a. Paragraph 2; and
 - b. Paragraphs 4–5, except to the extent that Paragraph 4 withdraws Paragraph 9 of Executive Order N-7-22.
7. The following provisions of Executive Order N-4-23 are terminated:
 - a. Paragraphs 2–7.
8. The following provisions of Executive Order N-6-23 are terminated:
 - a. Paragraphs 7–10.
9. The following provisions of Executive Order N-7-23 are terminated:
 - a. Paragraphs 2–11, except to the extent that they withdraw provisions of prior Executive Orders.

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 5th day of September 2024.



GAVIN NEWSOM
Governor of California

ATTEST:



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

