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August 25, 2025

**VIA EMAIL**

Yolo County Board of Supervisors  
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Re: August 26, 2025 Board of Supervisors Meeting Agenda Item No. 37 - Consideration of a 45-Day Well Drilling Permit Moratorium

Dear Chair of the Board and Members of the Yolo County Board of Supervisors:

I am writing on behalf of Boundary Bend Olives, Inc. regarding Agenda item No. 37 for the August 26, 2025 Board of Supervisors Meeting. Agenda item No. 37 proposes to enact an urgency ordinance that would place a 45-day moratorium on all new permits for agricultural wells within a specific portion of the County referred to as the “Focus Area.” If adopted, this urgency ordinance can be extended for an additional 10 months and 15 days following a public hearing on October 7, 2025.

In effect, Agenda Item No. 37 asks this Board to halt all work on pending well permit applications and rewrite the rules for these pending applications **less than a year** after it adopted an entirely new permitting program. This existing program was developed by geotechnical experts and County staff with input from stakeholders. Now, without any new data about the efficacy of this new permitting program, Agenda Item No. 37 proposes slamming the brakes on all agricultural investment within the Focus Area so that County staff can engage in undefined studies regarding existing and future agricultural land uses. This whiplash approach to policy making, brought about without any meaningful data on the existing program, raises serious concerns for constituents that want clear rules in place that are supported by the best available science.

The immense harm that this moratorium will have on agricultural development is not discussed at all in the staff report, despite it being one of the foremost considerations for the Board when considering this course of action. The first research deliverable highlighted in the staff report, a water budget and white paper on the Hungry Hollow region, won't be completed until April 2026. The staff report did not identify any other specific studies, or forecast a reasonable timeframe to conduct studies, making it inevitable that all new agricultural development will be delayed an additional 10 ½ months on October 7, 2025.

Importantly, the explicit statutory purpose of the Yolo Subbasin Groundwater Authority (“YSGA”) is to evaluate overlying land uses within the basin and determine policies to ensure that those land uses are carried out consistently with groundwater sustainability goals. Item No. 37 proposes a heavy-handed approach to regulating groundwater use that seeks to duplicate or second guess – as opposed to supplement – the governance responsibilities that have been explicitly delegated to the YSGA. This duplication of roles spreads public resources thin and creates added uncertainty for stakeholders.

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In conclusion, the proposed well drilling moratorium is unsupported by data, represents a whiplash approach to governance, and appears to establish processes that are redundant to YSGA's ongoing efforts to evaluate overlying water use within the basin. An indefinite moratorium with no clearly defined objectives will only extract financial harm and does nothing to focus on the ultimate solutions to these problems, which involve maximizing recharge opportunities and conjunctive use. Boundary Bend respectfully suggests that, instead of adopting the moratorium proposed by Item No. 37, Yolo County focus its limited resources on working with YSGA and the agricultural community to maximize recharge and conjunctive use opportunities that will result in meaningful improvements in long-term groundwater sustainability.

Very truly yours,

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Professional Corporation



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