

November 4, 2025

Paul Higley

BY _____
DEPUTY CLERK OF THE BOARD

ORDINANCE NO. 1580

AN URGENCY ORDINANCE OF THE YOLO COUNTY BOARD OF SUPERVISORS AMENDING THE TEMPORARY MORATORIUM ON THE APPROVAL OF NEW AGRICULTURAL WATER WELL PERMITS IN THE YOLO SUBBASIN GROUNDWATER MANAGEMENT AGENCY'S FOCUS AREAS (ORDINANCE NO. 1577) TO ADD AN ADDITIONAL EXEMPTION FOR CERTAIN REPLACEMENT WELLS

The Board of Supervisors of the County of Yolo, State of California, ordains as follows:

Section I. Findings and Purpose.

A. On August 26, 2025, the Board of Supervisors adopted Urgency Ordinance No. 1576 imposing a temporary 45-day moratorium on the approval or issuance of well permits for new agricultural, non-exempt wells located within the Yolo Sustainable Groundwater Agency's (YSGA) designated Focus Areas of the Yolo Subbasin.

B. On October 7, 2025, the Board of Supervisors adopted Ordinance No. 1577, an urgency ordinance extending the temporary moratorium for up to an additional 10 months and 15 days (through August 25, 2026) to, among other things, allow time to better understand the impacts of land use changes, particularly the hardening of groundwater demands with increased conversion of land in the Focus Areas to perennial crops, on the sustainability of groundwater supplies.

C. Ordinance No. 1577 exempts certain wells, including domestic wells producing less than two acre-feet per year, public supply system wells, monitoring wells, and minor alterations of production wells from the moratorium. However, there is no exemption for replacement wells in Ordinance No. 1577.

D. At the public hearing considering the extension of the moratorium and adoption of Ordinance No. 1577, concerns were raised regarding the ability of landowners and farmers to timely replace existing wells that may fail or need replacement while the moratorium is in effect, which could in turn result in public safety, health and welfare concerns. Although the moratorium contains a hardship exemption, the delay with such a process for replacement wells may leave property without a well to irrigate existing crops. Such replacement wells may be necessary to sustain existing agricultural operations and would not impose an increase on existing groundwater demands if the existing well is of similar pumping capacity and the permit contains a condition prohibiting the applicant/owner from converting agricultural lands to perennial crops while the moratorium is in effect.

E. In accordance with California Constitution, article XI, section 7, Government Code section 25123(d), and Government Code section 65858, given the need to protect existing crops, adding an additional, narrow exemption to the moratorium for replacement wells, the Board of Supervisors find that adoption of this amendment to Ordinance No. 1577 is necessary for the immediate preservation of the public peace, health, and safety. The Board of Supervisors further finds that the proposed replacement well exemption properly balances the interests in not impeding current agricultural operations, while ensuring there is a pause on additional agricultural wells to study and consider the potential well permit and crop conversion regulations related to the concerns stemming from hardening of groundwater demands with the increase in perennial crops. This legislative finding is

based upon the foregoing factual findings and declarations, as well as the record before the Board of Supervisors, including the record and findings regarding the adoption of Ordinance No. 1577, which are incorporated herein by reference.

Section II. Replacement Well Exemption – Amendment to Section 3.A of Ordinance No. 1577 (Exempt Wells).

Section 3.A of Ordinance No. 1577 regarding wells exempt from the temporary well permit moratorium in the Focus Areas is amended to add an additional exemption for replacement wells as provided herein. Section 3.A. of Ordinance No. 1577 is amended to read as follows:

Section 3. Exempt Wells.

A. Exempt Wells

The following wells are exempt from the temporary moratorium:

1. Wells producing less than two acre-feet per year for individual domestic water use on the same parcel as the well. Domestic water uses include those non-commercial uses associated with a residential dwelling and related yard, garden, and barnyard uses, and small personal crops within the same parcel as the residential dwelling;
2. Public supply system wells as defined in Health & Safety Code § 116275;
3. Monitoring wells or other wells not intended for extraction of groundwater;
4. Minor alterations of production wells that do not increase the discharge rate for the well or significantly alter the depth interval from which groundwater is extracted with the well. Minor alterations may include activities such as installing casing liners, patches, or other work although such work must not modify the well in a manner that increases the total groundwater pumping capacity;
5. Wells located entirely outside of the boundaries of the Focus Areas; and
6. A well replacing an existing well, provided the replacement well meets the following conditions:
 - i. The replacement well has the same or smaller casing diameter and substantially similar or deeper casing depth, pump size/pump horsepower, and screen interval(s) to the existing well;
 - ii. The replacement well has a substantially similar or lower pumping capacity (gallons per minute or GPM) in comparison to the existing well;
 - iii. If records of the construction details, such as well depth and screen intervals are not available for a well being replaced, the applicant should make reasonable efforts to obtain the information through downhole investigative methods including tagging the total completed depth of the well or other methods.
 - iv. The existing well being replaced is destroyed or abandoned under permit as set forth in Section 6-8.1011 of the Yolo County Code of Ordinances;
 - v. The replacement well will be located on the same legal parcel(s) irrigated by the existing well being replaced (i.e., the replacement well will be used to irrigate the same farmed area as the well being replaced); and
 - vi. The replacement well permit shall include the following conditions: (1) while the moratorium is in effect, prohibiting certain crop conversions, as described below, within the area irrigated by the replacement well on or after the date Ordinance No.

1577 was adopted (October 7, 2025); and (2) requiring the applicant and property owner to comply with any post-issuance conditions that may be imposed to align the permit with requirements included in any ordinance adopted by the Board of Supervisors in connection with the moratorium review process, e.g., potential requirement to install a meter. The procedure for imposing post-issuance conditions shall be included in any such ordinance. For purposes of the prohibition on crop conversions, the intent is to maintain the status quo with respect to groundwater consumption while the moratorium is in place and to protect against changes in classifications of agricultural crops that may increase or harden groundwater demands in the Focus Areas before completion of the studies contemplated in Ordinance No. 1577. Accordingly, the prohibition on crop conversions applies to changes in classifications of crops (dry-farmed, annual, or perennial) cultivated on lands served by the replacement well that would result in planting of a higher water demand type of crop. For instance, converting dry farmed land to irrigated row or perennial crops or converting annual crops (e.g., tomatoes or corn) to perennial crops (e.g., almonds, walnuts, olives, pistachios, and grapes) would be prohibited while the moratorium is in place. However, conversion of a crop to lower water demand crop classification, e.g., conversion from a perennial crop to an annual row crop would be permitted.

Exempt wells and wells not subject to the temporary moratorium, including replacement wells as defined herein, remain subject to Urgency Ordinance No. 1578, as that Urgency Ordinance may be amended, extended, or replaced by further well permit ordinance updates, including the verification review required by the applicable GSA, well separation distance requirements, and submittal of well completion and well pumping capacity reports.

Section III. Severability.

The provisions of this Urgency Ordinance are separate and severable. If any provision of this Urgency Ordinance is for any reason held by a court to be unconstitutional or invalid, the Board declares that it would have passed this Urgency Ordinance irrespective of the invalidity of the provision held to be unconstitutional or invalid. Such unconstitutionality or invalidity shall therefore not affect the remaining provisions of this Urgency Ordinance, or the validity of its application to other persons or circumstances.

Section IV. CEQA

The Board of Supervisors hereby finds that it can be seen with certainty that there is no possibility that the adoption of this Urgency Ordinance will have a significant effect on the environment because the Urgency Ordinance will simply exempt replacement wells from the moratorium to allow for the replacement of existing wells while prohibiting conversion of the property on which the replacement well will be located from being converted to new perennial crops while the moratorium is pending. It is therefore not a project under CEQA as the well permit procedures on the will not result in a direct or reasonably foreseeable indirect change in the environment. (CEQA Guidelines, Section 15060(c)(2).) It is further exempt from CEQA pursuant to Sections 15307 and 15308 of the CEQA Guidelines (Class 7 and 8 categorical exemptions) as an action taken to assure the maintenance, restoration, enhancement, and protection of natural resources and the environment where the regulatory process involves procedures for protection of the environment.

In addition, this Urgency Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility that this Urgency Ordinance may have a significant effect on the environment.

Section V. Effective Date and Term of Temporary Moratorium.

This uncodified Urgency Ordinance shall take effect immediately as an interim urgency ordinance upon its passage by a 4/5 or greater vote of the Board of Supervisors and is applicable to pending well and renewal permit applications, in addition to any new replacement well permit applications received after the effective date of this Urgency Ordinance.

Section VI. Publication.

This Urgency Ordinance or a summary thereof shall be published once within 15 days of its passage or as may otherwise be required by State law.

PASSED AND ADOPTED by the Yolo County Board of Supervisors at its regular meeting on November 4, 2025, by the following vote:

AYES: **Allen, Barajas, Villegas, Frerichs, Vixie Sandy.**

NOES: **None.**

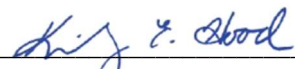
ABSENT: **None.**

ABSTENTION: **None.**




Mary Vixie Sandy, Chair
Yolo County Board of Supervisors

Approved as to form:
Philip J. Pogledich, County Counsel

By: 

Kimberly Hood,
Chief Asst. County Counsel

Attest: Julie Dachtler, Senior Deputy Clerk
Yolo County Board of Supervisors

By: 

Deputy (Seal)

