

ORDINANCE NO. 1588

**AN INTERIM URGENCY ORDINANCE OF THE YOLO COUNTY BOARD OF SUPERVISORS  
EXTENDING THE TEMPORARY MORATORIUM ON THE APPROVAL OF NEW  
AGRICULTURAL WATER WELL PERMITS IN THE YOLO SUBBASIN GROUNDWATER  
MANAGEMENT AGENCY'S FOCUS AREAS THROUGH AUGUST 25, 2027, WITH  
SPECIFIED EXEMPTIONS, PENDING THE COUNTY'S STUDY AND CONSIDERATION OF  
WELL PERMIT AND ZONING REGULATIONS**

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

**Section 1. Findings and Purpose.**

A. Pursuant to Article XI, section 7 of the California Constitution, the County may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens.

B. Pursuant to Government Code section 65858, to protect the public safety, health, and welfare, the County may, as an urgency measure, adopt and extend an interim ordinance temporarily prohibiting land uses that may be in conflict with contemplated land use regulations that the County is studying and considering or intends to study within a reasonable time. Such interim ordinances may be effective immediately upon a four-fifths vote of the Board of Supervisors. See Gov. Code § 25123(d).

C. In accordance with California Constitution, article XI, section 7, Government Code section 25123(d), and Government Code section 65858, the Board of Supervisors finds that there is a current, continued, and immediate threat to the public health, safety, or welfare related to the reduction and depletion of groundwater in specified areas within Yolo County, and that the approval of additional well permits for agricultural uses without any additional review of conversions to perennial crops on agriculturally-zoned properties or requirements for additional monitoring measures, such as meters, within the Focus Areas defined herein would result in a threat to public health, safety, or welfare. This legislative finding is based upon the following factual findings and declarations, as well as the record before the Board of Supervisors in support of the adoption of Ordinance No. 1576, Ordinance No. 1577, Ordinance No. 1580, and this interim urgency ordinance ("Urgency Ordinance"):

**1. SGMA and Creation of the Yolo Subbasin Groundwater Agency**

Groundwater is a vital resource and essential to the health and safety of the many areas in the County. On September 16, 2014, Governor Jerry Brown signed three bills into law that are collectively known as the Sustainable Groundwater Management Act ("SGMA"). SGMA

provides for local control of groundwater while requiring the sustainable management of groundwater resources. SGMA was adopted, in part, because:

- Groundwater provides a significant portion of California’s water supply. Groundwater accounts for more than one-third of the water used by Californians in an average year and more than one-half of the water used by Californians in a drought year when other sources are unavailable.
- Excessive groundwater extraction can cause overdraft, failed wells, deteriorated water quality, environmental damage, and irreversible land subsidence that damages infrastructure and diminishes the capacity of aquifers to store water for the future.
- When properly managed, groundwater resources will help protect communities, farms, and the environment against prolonged dry periods and climate change, preserving water supplies for existing and potential beneficial use.

(AB 1739 (2014), uncoded Legislative findings and declaration.)

SGMA required the establishment of local groundwater sustainability agencies with the authority to develop, adopt, and implement a Groundwater Sustainability Plan (“GSP”).

Further, SGMA required the California Department of Water Resources to classify groundwater basins throughout California as “high,” “medium,” or “low” priority. The Yolo Subbasin, which covers nearly all of Yolo County, is classified as a high priority basin. Through the creation of a joint powers agency, of which Yolo County is a member, the Yolo Subbasin Groundwater Agency (“YSGA”) was formed and is the recognized groundwater sustainability agency for the entire Yolo Subbasin and responsible for developing and implementing a GSP. The YSGA adopted a GSP in January 2022. The intent of the GSP is to ensure that groundwater use in the Yolo Subbasin is sustainable and to work within the framework of the GSP and SGMA to ensure a sustainable future for all beneficial users of groundwater in each management area of the Yolo Subbasin.

## 2. County Well Permits

While the YSGA is responsible for the sustainability of the groundwater basin, the County’s Environmental Health Division (also known as “Yolo County Environmental Health” or “YCEH”) is the local enforcement agency responsible for issuing permits for groundwater wells in the County, including new wells, alterations to existing wells, and replacement wells. YCEH reviews well permits for consistency with the Yolo County Code and other regulatory requirements to protect the quality of groundwater via public health and safety construction standards.

### 3. Drought & Changes to the Well Permit Process to Comply with the Governor's Executive Order

On July 27, 2021, the Board of Supervisors adopted Resolution No. 21-98 proclaiming the existence of a local drought emergency. On October 19, 2021, Governor Newsom issued a proclamation extending the drought emergency statewide and further urging Californians to step up water conservation efforts.

Following the third consecutive dry winter, Governor Newsom issued Executive Order ("EO") N-7-22 on March 28, 2022. The Governor has issued various other executive orders related to the State's drought conditions, including EO N-3-23, which reissued and modified components of the EO and other orders. Recognizing that "coordination between local entities that approve permits for new groundwater wells and local groundwater sustainability agencies is important to achieving sustainable levels of groundwater," EO N-3-23 included a provision that required additional review and analysis of applications for groundwater well permits in medium and high priority groundwater basins. As a high priority basin, wells in the Yolo Subbasin, and thus throughout the County, were subject to the EOs.

Domestic wells and public water supply system wells are exempt from the EOs, so the primary impact of the EOs has been on agricultural, non-domestic well applications.

Section 9a of EO N-7-22, now set forth in Paragraph 4a of EO N-3-23, requires the County to obtain a written verification from YSGA that the proposed well is not inconsistent with any sustainable groundwater management program established in the applicable Groundwater Sustainability Plan adopted by YSGA and will not decrease the likelihood of achieving a sustainability goal for the Yolo Subbasin.

Section 9b of EO N-7-22, now set forth in Paragraph 4b of EO N-3-23, requires that YCEH also determine that the proposed agricultural well is:

- not likely to interfere with the production and functioning of existing nearby wells, and
- not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

On March 24, 2023, as drought conditions eased with record-setting snow and rainfall, Governor Newsom rolled back some provisions of the drought emergency but maintained certain measures to protect lingering water supply effects of the drought with EO N-5-23. Among the emergency provisions that remain are the well permit requirements set forth in paragraph 4 of EO N-3-23. As stated in paragraph 4 of EO N-3-23, "to protect health safety and the environment," the County is prohibited from issuing well permits subject to the EO without the appropriate verification from the YSGA and determination that the proposed well is not likely to interfere with the production and functioning of existing nearby wells and not likely to cause subsidence.

#### 4. Identification of Focus Areas

Following the issuance of EO N-7-22, County staff collaborated with staff from the YSGA on implementation processes. The YSGA Board adopted Resolution No. 23-01 to formalize the YSGA's process of completing the GSP consistency review for compliance with the EO's written verification requirements required for new wells, i.e., that the groundwater extraction by the proposed well would not be inconsistent with the Yolo GSP and will not decrease the likelihood of achieving the YSGA's sustainability goals for the Yolo Subbasin.

The YSGA, working with hydrogeologists from West Yost, further identified areas of the County called "Focus Areas" that may be sensitive to groundwater pumping and warrant additional information and analysis. The Focus Area Map (the current version of which is attached hereto as **Exhibit A** and incorporated herein) identifies those sites in the Yolo Subbasin where local hydrogeology, data gaps, monitoring trends, or other considerations make it prudent for YSGA to collect additional information from applicants prior to issuing a verification under the EOs. Specifically, YSGA's Focus Areas boundaries were identified based on the following factors:

- Groundwater levels in Spring 2023 were below the minimum thresholds (MTs) defined in the Yolo Subbasin Groundwater sustainability Plan (GSP).
- Groundwater levels have declined more than 25 feet over 10 years (Spring 2013 – Spring 2023).
- Dry wells and citizen concerns are reported.
- Domestic well densities are high. A 2,000-foot buffer which corresponds to the County's maximum setback distance requirement (Table 1) was added around areas of high domestic well density.
- Small water systems are present.
- Permeability and recharge potential is low.
- Groundwater data are limited.

(See West Yost, Technical Memorandum, March 14, 2024, to YSGA Board of Directors re *Delineation of Focus Areas Map and Guidelines and Evaluation Criteria for Hydrogeologist Reports*, Appendix I (Technical Data and Methods for Delineating Focus Areas).)

The YSGA Board of Directors approved the final Focus Area map and developed a tiered review process on March 18, 2024, for its review of the wells within these Focus Areas that may be used to provide further direction for the YSGA and the County in establishing long-term well permitting procedures that will maintain sustainable groundwater use.

YCEH also worked with a hydrogeologist from Luhdorff & Scalmanini, Consulting Engineers ("LSCE"), to develop temporary well permit processing procedures to address the new EO requirements. The well permit processing procedures were most recently updated on

March 28, 2024 and approved by the Board of Supervisors for non-exempt wells (primarily agricultural wells) on April 9, 2024. LSCE's updated Technical Memorandum (the "TM") required well separation distances based on the data studied by LSCE that would demonstrate a proposed well is unlikely to interfere with the function and operation of existing nearby wells. Alternatively, a well applicant could submit a report prepared by a professional geologist or hydrogeologist (licensed in the State of California) analyzing whether a proposed well is unlikely to interfere with nearby wells. Additionally, the TM outlined the GSA verification review process required by the EO.

#### 5. Lifting of EO Requirements and Adoption of Ordinance No. 1579

On September 5, 2024, Governor Newsom issued a new Executive Order N-3-24, which ended the drought state of emergency in 19 counties while maintaining it in the remaining 39 counties, including Yolo County, where it continues to support long-term recovery from the driest three-year period on record. As part of EO N-3-24, however, the Governor rescinded certain provisions of prior EOs related to the drought, including the well permitting procedures required by EO N-3-23 (Paragraph 4).

Recognizing the important progress and protections reflected in the EO process developed for new agricultural wells in the County, particularly within the Yolo Subbasin, the Board of Supervisors adopted an interim urgency ordinance, Ordinance No. 1569, on October 22, 2024, to extend the well permitting procedures enacted in compliance with the EOs in the unincorporated areas of the County to protect the public health, safety, and welfare while considering long-term revisions to well permitting regulations through October 31, 2025. In adopting Ordinance No. 1569, the Board of Supervisors found that the EOs' interim well permit review process provided additional analysis resulting in the identification of well separation distances to minimize interference with nearby wells and further resulted in the identification of the Focus Areas to ensure new wells are consistent with the adopted GSP and do not exceed sustainable management criteria established in the GSP.

The Board of Supervisors introduced an ordinance on October 21, 2025, before Ordinance 1569 expired, to make the interim well permit procedures permanent and codifying the changes in the Yolo County Code. This new ordinance (Ordinance No. 1579) was adopted at second reading on November 4, 2025. In adopting Ordinance No. 1579, the Board of Supervisors found that the EOs' interim well permit review process provided additional analysis resulting in the identification of well separation distances to minimize interference with nearby wells and further resulted in the identification of the Focus Areas to ensure new wells are consistent with the adopted GSP and do not exceed sustainable management criteria established in the GSP. The well permitting requirements approved and codified by Ordinance No. 1579 also added a well pumping verification test requirement for new ag wells to confirm the pumping capacity of the well after the pump is installed prior to final approval.

6. Implementation of the Urgency Ordinance and Continued Concerns in Focus Areas, Particularly A-X Zoned Areas

Since the YSGA adopted its tiered review procedures in March 2024 for new agricultural wells in the Focus Areas, it has verified 42 well permits total: 25 well permits outside of the Focus Areas (18 new wells; 7 replacement wells) and 17 well permits in the Focus Areas (7 verified as replacement wells; 4 permits verified after Tier 1 review; 6 permits verified after Tier 2 review). Of those in the Focus Areas, four permits were verified after a Tier 1 review (basic hydrogeologic evaluation and impact assessment) and six were verified following a Tier 2 review (including a detailed hydrology report). However, four of the Tier 2 review permits were issued on a single parcel located in Hungry Hollow for olive orchards. Additionally, another replacement well was approved to replace a prior well but the use of the prior well raised questions that resulted in an appeal before this Board regarding the conversion of the property on which the replacement well was to be relocated from dry farming uses to olive orchards.

Such changes in agricultural use to perennial crops (e.g., almonds, pistachios, and olives) represented by the recent Focus Area well permit approvals are representative of larger changes observed in the unincorporated areas of the County, and are of particular concern in Focus Areas because the perennial crops have resulted in a hardening of demand for groundwater resources, particularly in dry years when less surface water is available to meet crop demands. As explained in the Yolo Subbasin GSP, approved in 2022:

- The Yolo Subbasin GSP includes future projections based on various climate change model simulations to estimate the potential impacts of climate changes to groundwater resources. An important element of the future projections are land use changes. Recently, in the Yolo Subbasin, there has been an increase in total irrigated acres and total perennial acres. This type of land use change can result in an increase and “hardening” of irrigation demand. Unfortunately, due to budget and time constraints, the future model simulations for the Yolo Subbasin GSP did not include land use change forecasts but held the 2016 land use patterns constant into the future. It is important that we invest in future scenario simulations to consider the impact to the overall water budget given the continued land use changes, increases in agricultural development, and new demand on groundwater. We intend to conduct this analysis during the implementation of the GSP and to incorporate the results in the first 5-year update [2027 update] to the Yolo Subbasin GSP. (GSP, Preface, p. ii.)
- An important feature of land use changes in the Subbasin is an increasing acreage of perennial crops (deciduous, subtropical, and vines), which have partly replaced field crops, and brought previously uncultivated area into production in some regions. The Future Baseline and Historical scenarios have the same climate, but different land use inputs; Future Baseline holds 2016 land use constant, while the Historical scenario relies on the historical land use datasets in Table 2-23.

Comparing the Future Baseline scenario to Historical demonstrates the impact of the increased perennial acreage in 2016 relative to historical land use data. Perennial acreage is generally associated with more efficient irrigation practices. Because these crops are permanent, they also decrease the flexibility of water demand (“demand hardening”). (GSP, Sec. 2.3.2.)

- The Future Baseline scenario predicts less deep percolation than historically and slightly more outflow than inflow, reflecting increased perennial acreage and changing irrigation management (GSP, Sec. 2.3.5 [explaining key finding for the future average groundwater budgets].)
- Groundwater extraction increases over the past decade were driven by the extended drought and acceleration of perennial acreage. (GSP, Sec. 2.3.6.)
- In the last 15 years in the Dunnigan Hills Management Area (a significant portion of which is within the Focus Areas), many thousands of acres olives, grapes, and almonds have been planted. Many new wells have been drilled to service these new plantings.” (GSP, Sec. 2.4.1.)

In the 2025 Annual Yolo Subbasin Report, YSGA noted with respect to the accuracy of water use estimates that the “largest source of uncertainty is land use data and irrigation applications” and that “[m]odeled water use estimates are highly sensitive to changes in land use and to assumptions about whether crops are fully irrigated or not.”

The YSGA continues to improve and enhance its groundwater model to better estimate the total annual groundwater extracted from the Yolo Subbasin, including enhancements to better forecast land use changes and the impact on the annual water budget. However, the land use model enhancements will not occur until after the 5-year GSP update (2027 update) is completed.

While YSGA’s 2025 Annual Subbasin Report indicated groundwater conditions in many areas of the County have continued to display significant recovery and stabilization since the 2020-22 drought, that is not the case throughout the Focus Areas and recovery is still in process.

- In the northwestern portion of the unincorporated area near Dunnigan, some wells are showing a longer-term negative trend. In the areas around Winters and along the western edge of the [Central Yolo] Management Area lacked the same recovery and some wells are showing a longer-term negative trend. (See Yolo Subbasin Annual Report, Water Year 2025, pgs. 21-22.)
- As summarized on YSGA’s website: Fall 2025 water levels are around three feet above where they were this time last year, and this year’s seasonal drawdown from spring to fall was slightly lower than that of 2024. While conditions have improved significantly from the historic 2020-2022 drought, it will take several years for the

groundwater to fully recover from the drought. Average groundwater levels this fall [Fall 2025] are still around three feet lower than that of Fall 2019.

There are continued concerns from stakeholders regarding groundwater level declines in Focus Areas where unique hydrogeologic conditions exist, and stakeholders are requesting additional analyses as the County reviews applications for new ag wells. The Board has received substantial correspondence from small farms and rural residents who have experienced dropping groundwater levels in the Focus Areas, particularly in Dunnigan Hills and Hungry Hollow. According to Hungry Hollow residents who have been collecting groundwater data, of 20 landowners, 17 have had to lower their pumps and four have had to replace dry wells in the last 10 years. However, there are currently 27 agricultural well permits in the application review queue, 10 of which are within the Focus Areas (3 require Tier 2 review; 7 are pending submittal of Tier 1 form). The conditions in these particular areas and data gaps support the necessity of gathering additional information to better inform YSGA and the County's evaluation of proposed new ag wells in the Focus Areas without jeopardizing the sustainability of groundwater resources.

YSGA has been working diligently with the Hungry Hollow property owners via its working group to develop water budgets and prioritize projects to improve groundwater sustainability, including supporting conjunctive use and recharge projects. The YSGA's Hungry Hollow White Paper is anticipated to be publicly released in September 2026, and a summary of the White Paper findings was provided to the County's Ag Well Working Group on August 12, 2026. The YSGA's White Paper summary flyer notes some of the issues facing that area, which appear to be reflected to differing extents throughout the Focus Areas, thus requiring further analysis:

- Over the last 20 years, groundwater has become an increasing concern in Hungry Hollow. Several historic droughts reduced surface water supplies and precipitation, increasing reliance on groundwater. The amount of water stored in the aquifer has decreased by 6,600 acre-feet (AF)/year on average since 2004.
- Total water demand has increased 7% from 2008-2024. There have been reductions in some water-intensive-non-tree crops, like alfalfa (80% decrease), and 86% more land is classified as "idle," but there has also been a 320% increase in tree crops and a 64% increase in vineyards.
- Work is in progress, but additional assistance is needed from the property owners and funding to complete the six sustainability projects identified so far.

Additionally, further understanding of the availability of surface water is important in evaluating the expansion of irrigated lands with issuance of well permits in the Focus Areas, particularly in the A-X (Agricultural Extensive) zones of the County. The A-X zones occupy large portions of the Focus Areas, particularly in the Dunnigan Hills and western boundary of the County. The County's 2030 General Plan, adopted in 2009, emphasizes the importance of agriculture in Yolo County, with nearly all areas of the unincorporated areas (with a few exceptions) designated in the Land Use Map as "Agriculture (AG)." (See

General Plan, Figure LU-1A.) The AG Land Use Designation is in turn broadly defined to include “the full range of cultivated agriculture, such as row crops, cannabis cultivation, cannabis nurseries, cannabis processing, orchards, vineyards, dryland farming, livestock grazing, forest products, horticulture, floriculture, apiaries, confined animal facilities and equestrian facilities. It also includes agricultural industrial uses as well as agricultural commercial uses serving rural areas. Agriculture also includes farmworker housing, surface mining, and incidental habitat.”

The County implements the General Plan through its zoning regulations, codified at Title 8, Chapter 2 of the County Code. Consistent with the General Plan, the County amended the zoning code in 2014 to create new agricultural zones. Pertinent to groundwater concerns and the Focus Areas are the A-N and A-X zones:

- The **Agricultural Intensive (A-N) Zone** is applied to preserve lands best suited for intensive agricultural uses typically dependent on higher quality soils, water availability, and relatively flat topography. The purpose of the zone is to promote those uses, while preventing the encroachment of nonagricultural uses. Uses in the A-N Zone are primarily limited to intensive agricultural production and other activities compatible with agricultural uses. This includes allowing agriculturally-related support uses, excluding incompatible uses, and protecting the viability of the family farm. Minimum lot size for newly created parcels in the A-N Zone is forty (40) acres for irrigated parcels primarily planted in permanent crops, such as orchards or vineyards; eighty (80) acres for irrigated parcels that are cultivated; one hundred sixty (160) acres for parcels that are generally uncultivated and/or not irrigated.
- The **Agricultural Extensive (A-X) Zone** is applied to protect and preserve lands that are typically less dependent on high soil quality and available water for irrigation. Such lands require considerably larger parcel sizes to allow extensive agricultural activities such as livestock and ranching operations, and dry land farming. These lands may also be used for open space functions that are often connected with foothill and wetlands locations, such as grazing and pasture land, and wildlife habitat and recreational areas. Minimum lot parcel size for newly created parcels in the A-X Zone is one hundred sixty (160) acres for dry land farming and three hundred twenty (320) acres for rangeland. However, zoning code Table 8-2.304(a) clarifies that “[c]rop production, orchards and vineyards” are allowed by right in both the A-X and A-N zones. Although crop production, orchards and vineyards and other AG-related uses are allowed by right, owners are still subject to other County permit requirements, such as YCEH’s well permit requirements to the extent such permits may be required for particular uses. No limitations exist currently in the County’s Zoning Regulations with respect to changes in AG land uses on a property from dry farm or other non-irrigated uses to irrigated crop production. Instead, to the extent an owner seeks to install a well, such a well is subject to YCEH’s well permitting requirements. New agricultural well permits in the Focus Areas are subject to the additional YSGA tiered review but the tiered review does not currently include permit conditions, such as a connection to surface water. (See, e.g., Yolo County

Code, Sec. 8-2.302.) An understanding of the impact of such agricultural conversions and hardening of demand is critical to determine if further regulations should be implemented with respect to such changes to protect against unsustainable groundwater impacts. Prohibiting (with certain exceptions) additional wells in the Focus Areas pending completion of a study of these impacts is warranted to avoid the risks of further unconstrained groundwater pumping in the meantime.

Because of the physical characteristics of the A-X Zones, substantial planting of irrigated crops do not appear to have been contemplated in 2014. While not inconsistent with the General Plan to allow irrigated uses in the A-X zones by right, greater increases in irrigated crops and well permits in or near the A-X zones have been identified and agricultural well permits to date have not added an express requirement to demonstrate availability of surface water or other resources to manage further impacts on groundwater demands. Concerns have also been raised regarding A-X parcels that neighbor A-N zoned parcels under common ownership with wells that may be utilized to irrigated A-X lands. Such changes in irrigation patterns justify further analysis to determine whether continuing to allow the expanded use of irrigated crops in A-X zones may warrant changes to zoning regulations, such as use permit requirements (or other discretionary review of conversions of land use in agricultural zones to perennials crops or other crops that may increase groundwater demands), or requiring confirmation of surface water connections to offset groundwater use in wet years. Any such potential changes require consideration of the various General Plan policies, including the policies that encourage “enhanc[ing] the County’s four key agricultural sectors” and “growth of emerging crops” (Policy AG-1.1), “support[ing] high value and intensive farming practices on appropriate agricultural soils” (Policy AG-2.5), and “promot[ing] marketplace-initiated conversion from lower to higher value added crops and agricultural commodities” (Policy AG-3.13), along with other policies to encourage that note the importance of “manag[ing] groundwater resources on a sustainable yield basis that can provide water purveyors and individual users with reliable, high quality groundwater to serve existing and planned land uses during prolonged drought periods” (Policy CO-5.3).

Researchers from UCLA and Caltech also issued a report that was published by the Proceedings of the National Academy of Sciences (PNAS) in July 2026, entitled “Abrupt transition to irreversible damage in the overdrafted Sacramento Valley aquifer system.” The report detailed permanent damage that occurred to the aquifer beneath the Sacramento Valley, including Yolo County, during the most recent prolonged drought (2020-2022). As stated in the report: “Subsidence rates reaching several decimeters per year and not following groundwater levels indicate lasting damage to the aquifer system and underscore the need for more conservative groundwater management.” (S. Laroche, K. Chanard, et al., “Abrupt transition to irreversible damage in the overdrafted Sacramento Valley aquifer system,” *Proc. Natl. Acad. Sci. U.S.A.*, vol. 123, <https://doi.org/10.1073/pnas.2526041123> (Aug. 4, 2026).) The increased pumping during the drought was a result of significantly reduced surface water supplies (some of

which were reduced to zero). The report was a snapshot in time and does not capture improvements in groundwater levels after 2023, according to Northern California Water Association (NCWA) President David Guy in the Sacramento Bee article regarding the PNAS report. (A. Anderson, “Sacramento Valley land sank during drought pumping, study says. Why it matters,” Sacramento Bee (Aug. 2, 2026).) As the YSGA has noted, the report emphasizes the importance of surface water availability in groundwater management and, as summarized in the Sacramento Bee article, one of the PNAS report authors (J. Chanard) and Mr. Guy “pointed to two main ways to prevent future damage to the aquifer: groundwater recharge, which means redirecting excess surface water to fill and replenish aquifers, and demand management, which means limiting groundwater pumping.” (See id.) However, this takes time and further consideration with respect to well permits in the Focus Areas, particularly the A-X zones, should be more carefully considered.

## 7. Identification of Hydrogeologically-Constrained Areas (HCAs)

The County has also worked with LSCE over the past year based on Ag Well Working Group input on updating the well separation distances in the County’s ordinance, which currently just distinguish between the Valley Floor and the Upland Areas. LSCE identified hydrogeologically-constrained areas (HCAs) in the unincorporated areas of the County. The HCAs were developed by taking into consideration local geology and dry well reports. The HCAs include areas within a half-mile of the Tehama formation, where wells are likely to encounter less productive portions of the aquifer that experience greater drawdowns. The HCAs encompass the Focus Areas and A-X zones outside of the Upland Areas, as well as additional areas of the County. The overlap between the Focus Area map, the A-X zone map, and the HCA map reflect the particular groundwater concerns that exist in the Focus Areas.

The Board needs additional time to finalize and implement the updated well separation distances the HCAs, as developed by LSCE. Additional changes will also be considered, such as implementation of surface water conditions on well permits in the Focus Areas. Such measures will assist with better addressing groundwater pumping demands to minimize the chronic lowering of groundwater levels, avoid land subsidence, and minimize impacts on neighboring wells.

## **Section 2. Moratorium Extension.**

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 YSGA’s designated Focus Areas of the Yolo Subbasin.

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.

On November 4, 2025, the Board of Supervisors adopted Ordinance No. 1580, an urgency ordinance adding an additional exception for replacement wells. The replacement well exemption was adopted in response to concerns 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.

The report required by Government Code section 65858(d) prior to considering an extension of an urgency ordinance was presented to the Board of Supervisors on July 21, 2026, and a more extensive summary of steps taken to alleviate the conditions that led to the adoption of the temporary moratorium was posted to the Environmental Health Well Permit Program website on August 13, 2026. Notice of the August 25, 2026, public hearing was published on August 14, 2026, in accordance with Government Code sections 65858(a) and 65090.

The intent and purpose of this Urgency Ordinance is to extend Urgency Ordinance No. 1576's temporary pause, as modified herein, on the issuance of new agricultural water well permits sited in the denoted Focus Areas. While efforts are underway to address the concerns that led to the adoption of Urgency Ordinance No. 1576, those concerns remain and require more detailed analysis that require additional time and extension of the moratorium. This moratorium will maintain the status quo established by the current moratorium through August 25, 2027, to enable the County to study and develop policies and regulations and implement other recommended actions for well permits within the Focus Areas. This Urgency Ordinance does not prohibit agricultural uses, nor does it prohibit conversion of agricultural lands to perennial crops, but well permits will not be issued while this moratorium is in effect. Absent this Urgency Ordinance, applicants could continue to obtain agricultural water well permits that might exacerbate conditions in the Focus Areas without the appropriate analysis regarding the potential impacts of such additional wells and implementation of measures to address the potential impacts with such increased demands on groundwater.

The Board of Supervisors hereby enacts this interim Urgency Ordinance pursuant to article XI, section 7 of the California Constitution, Government Code section 25123(d), and Government Code section 65858, which authorize adoption of an interim urgency ordinance for the immediate preservation of the public peace, health, or safety. The moratorium prohibits the approval or issuance of well permits for new agricultural, non-exempt wells located within the Focus Areas of the Yolo Subbasin, as shown on the map attached hereto as **Exhibit A**, through August 25, 2027, unless this Urgency Ordinance is rescinded by the Board of Supervisors prior to August 25, 2027. This moratorium only applies to new and pending well permits applications and shall not apply to well permits already approved by the County.

### **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 on parcels located entirely outside of the boundaries of the Focus Areas.
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 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 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 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 Ordinance No. 1579 as Ordinance that may be amended, extended, or replaced by further well permit ordinance updates.

#### B. Hardship Exemption

Any person may apply for an exemption from the provisions of this Urgency Ordinance on the grounds of economic or health and safety hardship. Such application shall state the nature of the hardship and the reasons why an exception to this Urgency Ordinance is warranted. The application shall provide the results of the applicable YSGA verification review for the proposed well, explain the need for the well, whether surface water is an available alternative, and the impact the proposed well may have on surrounding groundwater levels. The application shall state why the delay in pursuing the use until the County completes its evaluation of the regulations, and makes those amendments, revisions, or modifications to the regulations as the Board deems appropriate, would constitute a hardship. The application shall also explain whether there are alternatives to the proposed well that have been investigated and the applicant's opinion of such alternatives. Such explanation shall, if appropriate, be accompanied by technical information to support the explanation. The application for a hardship exemption shall be heard by the Planning Commission pursuant to the procedures established in Section 8-2.225 of the Yolo County Code of Ordinances. The Planning Commission's decision may be appealed to the Board of Supervisors upon payment of the customary appeal fees established for appeals of Planning Commission actions.

**Section 4. Savings Clause.**

The provisions of this Urgency Ordinance do not apply to the extent that their application would result in a taking requiring compensation, would deprive any person of constitutional or statutory rights or privileges, or would otherwise be inconsistent with State or federal law.

**Section 5. 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 6. CEQA.**

The Board of Supervisors finds and determines that this Urgency Ordinance is exempt from the California Environmental Quality Act ("CEQA") because the temporary moratorium on the issuance of well permits will not result in a direct or reasonably foreseeable indirect change in the environment. (CEQA Guidelines, Section 15060(c)(2).) It can be seen with certainty that there is no possibility that this Urgency Ordinance may have a significant effect on the environment. (CEQA Guidelines § 15061(b)(3).) This Urgency Ordinance 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 collect data for research and for information gathering that may lead to an action not yet approved, adopted, or funded for the maintenance, restoration, and enhancement of a natural resource and the environment. The basis for this determination is that this Urgency Ordinance establishes a temporary moratorium on the approval of permits for certain water supply wells in the Focus Areas to maintain the status quo of the existing moratorium on new agricultural wells, pending further review of potential changes to well permitting procedures and land use regulations related to certain crop conversions. This one-year extension of the moratorium will not result in any significant adverse direct or indirect physical changes to the environment from the prior year, but will instead maintain an important natural resource (i.e., groundwater). The Director of Community Services or the Director's designee is directed to file a Notice of Exemption.

**Section 7. 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 well permit applications received after the effective date of this Urgency Ordinance. This Urgency Ordinance does not apply to any well for which a well permit has been issued by the County prior to the effective date of this Urgency Ordinance. This Urgency Ordinance shall expire on August 25, 2027, without further action by the Board of Supervisors.

### Section 8. Applications

The County may continue to accept applications for non-exempt well permits in Focus Areas while this Urgency Ordinance is in effect to the extent required by State law. Applications for non-exempt wells within the Focus Areas pending as of the effective date of this Urgency Ordinance will be processed in accordance with the Yolo County Code and Yolo County Code, as that Yolo County Code may be amended, extended, or replaced by further ordinance updates. However, all non-exempt well applications received shall only be accepted and processed with the applicant's acknowledgment and understanding that no permit for a non-exempt well permit located in a Focus Area may be issued and no drilling may occur while this temporary moratorium or any extension thereof is in effect. All new and pending well permit applications will further be subject to any new procedures or regulations adopted by the Board of Supervisors governing non-exempt well permits.

### Section 9. 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.

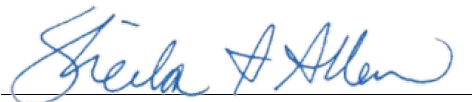
**PASSED AND ADOPTED** by the Yolo County Board of Supervisors at its regular meeting on August 25, 2026, by the following vote:

AYES: Villegas, Frerichs, Vixie Sandy, Barajas.

NOES: None.

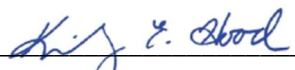
ABSENT: Allen.

ABSTENTION: None.



Sheila A. Allen, 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)

CAPAY VALLEY

DUNNIGAN HILLS

NORTH YOLO

CENTRAL YOLO

SOUTH YOLO

CLARKSBURG

## Legend

-  YSGA Focus Areas
-  YSGA Management Areas
-  Yolo Subbasin Boundary

## Data sources:

ESRI (basemap)

## CRS:

NAD 1983 California (Teale) Albers



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