

# Tracy Subbasin GSP Coordination Committee Meeting

Thursday April 21, 2022  
1:00 PM to 3:00 PM

## Teleconference Meeting Only

Teleconference Link: <https://stantec.zoom.us/j/93541056999>

Phone Number: 1-669-900-6833

Meeting ID: 935 4105 6999

### **NOTICE: CORONAVIRUS COVID-19**

Assembly Bill 361 amends Section 54953 of the Government Code to allow the legislative body of a local agency to meet remotely without complying with the normal teleconference rules for agenda posting, physical location access, or quorum rules. To do so, one of three scenarios must exist, all of which require that the Governor has proclaimed a State of Emergency pursuant to Government Code section 8625:

- A. State or local officials have imposed or recommended measures to promote social distancing;
- B. The agency is holding a meeting for the purpose of determining whether meeting in person would present imminent risks to the health or safety of attendees; or
- C. The agency is holding a meeting and has determined that meeting in person would present imminent risks to the health or safety of attendees.

Assuming the State of Emergency remains in effect and an agency wishes to continue meeting under the modified rules, it must adopt an initial resolution within 30 days of the first teleconference meeting (which applies retroactively to that first meeting), and then must adopt an extension resolution at least every 30 days thereafter. (Id. at subd. (e)(3).)

California Governor Gavin Newsom declared a state of emergency on March 4, 2020 in response to the COVID-19 pandemic. The state of emergency declaration remains in place. Pursuant to the requirements of Section 54953 of the Government Code, the Tracy Subbasin Sustainability Agencies have adopted a resolution determining that meeting in person would present imminent risks to the health and safety of attendees. This resolution allows the GSP Coordination Committee to continue to hold meetings remotely for a period of at least 30-days.

The following options are available to members of the public to listen to these meetings and provide comments to the Committee Members before and during the meeting:

### **CALL-IN**

Member of the public are encouraged to use the call-in number, which will allow them to fully participate in the meeting without having to be present in person. ***Once connected, we request you kindly mute your phone.***

### **PUBLIC COMMENT**

If you wish to make a comment on a specific agenda item, please submit your comment via email by 5:00 p.m. on the Wednesday prior to the meeting. Please submit your comment via email to Matt Zidar, San Joaquin County, at [mzidar@sjgov.org](mailto:mzidar@sjgov.org). Your comment will be shared with the Tracy Subbasin Groundwater Sustainability Agencies members and placed into the record at the meeting. Every effort will be made to read comments received during the meeting into the record but some comments may not be read due to time limitations. Comments received after an agenda item will be made part of the record if received prior to the end of the meeting.

### **DISABILITY-RELATED MODIFICATIONS**

If you need disability-related modification or accommodation in order to participate in this meeting, please call 1 (209) 468-3089 at least 48 hours prior to the start of the meeting.

## **AGENDA**

### **I. Opening of Meeting/Roll Call**

### **II. Scheduled Items**

- A. Approval to Extend Resolution Proclaiming a Local Emergency, Ratifying the COVID-19 State of Emergency, and Authorizing Remote Teleconference Meetings of the Tracy Subbasin GSP Coordination Committee Pursuant to the Ralph M. Brown Act – *Action Item*
- B. Approval of February 17 and March 23 GSP Coordination Committee Meeting Minutes – *Action Item*
- C. GSP Annual Report and Status of GSP Submittal – *Discussion Item*
- D. Draft FY 2022 Annual Budget – *Discussion Item*
- E. Approval of Scope and Budget for Tracy Subbasin Public Outreach and Coordination Support – *Action Item*
- F. Executive Order N-7-22 and County Well Ordinance – *Discussion Item*
- G. Update on AEM Surveys – *Discussion Item*
- H. DWR Status Report – *Discussion Item*

### **III. Public Comments**

### **IV. Agency Comments**

### **V. Next GSP Coordination Committee Meeting – May 19, 2022**

### **VI. Adjournment**

# **Tracy Subbasin GSP Coordination Committee Meeting**

**Wednesday, March 23, 2022**

**1:00 PM to 3:00 PM**

## **Teleconference Meeting Only**

Teleconference Link: <https://stantec.zoom.us/j/93541056999>

Phone Number: 1-669-900-6833

Meeting ID: 935 4105 6999

## **DRAFT MEETING SUMMARY**

### **I. Opening of Meeting/Roll Call**

The meeting was called to order at 1:10 PM.

Roll call found the following Sustainable Groundwater Management Act (SMGA)

Groundwater Sustainability Agency (GSA) representatives present via teleconference:

- Lea Emmons, City of Tracy GSA
- Lemar Saffi, City of Tracy GSA
- David Weisenberger, BCID
- Greg Gibson, City of Lathrop GSA
- Greg Young, BBID
- Ryan Alameda, Stewart Tract
- Matt Zidar, San Joaquin County

Other attendees:

- Emily Finnegan, Stantec
- Khandriale Clark, Stantec
- Richard Shatz, GEI
- Jackson Cook, California Department of Water Resources
- Jose Coronado, San Joaquin County

**II. Scheduled Items**

- A. Approval to Extend Resolution Proclaiming a Local Emergency, Ratifying the COVID-19 State of Emergency, and Authorizing Remote Teleconference Meetings of the Tracy Subbasin GSP Coordination Committee Pursuant to the Ralph M. Brown Act – *Action Item*

**RESULT:** APPROVED

**MOVER:** Greg Young

**SECONDER:** Matt Zidar

**AYES:** All

**NOES:** None

**ABSENT:** David Weisenberger/Ryan Alameda (absent at the time of vote)

**ABSTAIN:** None

- B. Approval of February 17 GSP Coordination Committee Meeting Minutes – *Action Item*

**RESULT:** APPROVED (with the caveat that a clarification will be made in the notes regarding a comment made by Greg Gibson on a figure shown in the draft annual report materials presented during that meeting)

**MOVER:** Matt Zidar

**SECONDER:** Greg Young

**AYES:** All

**NOES:** None

**ABSENT:** David Weisenberger/Ryan Alameda (absent at the time of vote)

**ABSTAIN:** None

- C. Adoption of Annual Report – *Action Item*

**RESULT:** APPROVED

**MOVER:** Matt Zidar

**SECONDER:** Greg Young

**AYES:** ALL

**NOES:** NONE

**ABSENT:** David Weisenberger/Ryan Alameda (absent at the time of vote)

**ABSTAIN:** None

Only minor comments from Mr. Gibson were received. The changes to the report, as present in this version of the draft document, include minor wording changes, corrections to the surface water supplies noted for the City of Lathrop, and corrections to the water supply noted for the South San Joaquin Irrigation District.

D. Update on AEM Surveys – *Discussion Item*

- The California Department of Water Resources (DWR) has begun conducting Airborne Electromagnetic (AEM) surveys across the State of California, and the San Joaquin Valley is scheduled to be the next region for surveying. Surveys for the Tracy Subbasin are slated for April, and DWR has already begun notifying parcel owners within the zone of the defined flight path. A press release is also planned ahead of the region's surveying activities. As such, DWR is looking for recommendations regarding local media outlets to filter communications through. Ms. Finnegan intends to pull information from the Tracy Subbasin communications plan in the absence of suggestions from the Committee.
- Mr. Gibson asked if there were any information sharing efforts occurring between the Tracy Subbasin GSAs and DWR's AEM group. Mr. Shatz responded that the AEM group has asked for a list of possible areas of interest for surveys within the Tracy Subbasin. He has provided them with a number of locations—the most common being the Corcoran clay layer to the west, beneath the delta portion of the Subbasin, and potential recharge areas in the foothills to the south. Mr. Shatz has also provided them with well and geophysical logs that note depths 700 feet below the ground's surface.

E. Discussion of Data Gaps – *Discussion Item*

- This discussion topic focused on the data gaps within the Tracy Subbasin's monitoring well network. By filling these gaps, we can learn more about the extent of the Corcoran Clay layer and other important geologic and flow-related information.
- There are three primary areas of focus, including well 28N (located within the San Joaquin County GSA's jurisdiction) which needs to have its total depth measured. DWR already has an agreement with the well owner to conduct the measurement. The ORL-1W monitoring well (located within the BBID GSA's jurisdiction) was originally constructed by DWR but is currently residing on private land. Mr. Shatz has parcel map numbers; however, access to the land has yet to be acquired. BBID would take over the monitoring responsibilities for the well. There are also three TSS wells (located within the San Joaquin County GSA's jurisdiction) whose locations have been verified.
- Mr. Gibson noted that he had some information regarding aquifer storage and recovery. He will forward that information to Mr. Shatz.

F. Review New DWR Data and Resources – *Discussion Item*

- Ms. Finnegan showed the group the DWR groundwater live webpage, which comprises groundwater levels in feet, but it does not show wells above and below the Corcoran Clay later. The webpage can also be filtered by subbasin.
- During the demonstration, Mr. Gibson noted a downward trend in water levels amongst the well information shown. He asked if that downward trend also reflected the conditions within the Tracy Subbasin. Mr. Shatz confirmed that downward trends such as these coincided with declining water levels, which could naturally be attributed to the drought.
- Ms. Finnegan also showed the group the webpage for "My Dry Well," a webpage where landowners are able to submit reports about their wells running dry. Mr. Shatz noted that this information is grouped by county area.
- Additionally, links to the following resources were shared:
  - <https://storymaps.arcgis.com/stories/85eaa231caee4fc695c6b7801ca1b8a9>

- <https://sgma.water.ca.gov/CalGWLIVE/>
- [https://storymaps.arcgis.com/stories/41574a6d980b4e5d8d4ed7b90f9698d2?utm\\_medium=email&utm\\_source=govdelivery](https://storymaps.arcgis.com/stories/41574a6d980b4e5d8d4ed7b90f9698d2?utm_medium=email&utm_source=govdelivery)
- <https://water.ca.gov/Programs/Groundwater-Management/Drinking-Water-Principles>

G. DWR Status Report – *Discussion Item*

- Jackson Cook, DWR, relayed a few reminders to the group. First was that it was prudent to ensure that all Tracy Subbasin information was up to date within DWR's SGMA portal. Second was that a request for groundwater elevation and monitoring well data by DWR and their CASGEM program was put forth. Both types of data are now asked to be submitted on a voluntary basis and can be done so via the SGMA portal or directly to the CASGEM program. Finally, Mr. Cook reminded the group that both Facilitation Support and Technical Support Services were still available to GSAs even after GSP submission and encouraged all to apply.
- Additionally, links to the following resources were shared:
  - [https://sgma.water.ca.gov/SgmaWell/resources/data/docs/CASGEM\\_MNM\\_Transition\\_FAQ\\_Final.pdf](https://sgma.water.ca.gov/SgmaWell/resources/data/docs/CASGEM_MNM_Transition_FAQ_Final.pdf)
  - [https://sgma.water.ca.gov/portal/resources/data/GSP\\_Reporting\\_System\\_Manual.pdf](https://sgma.water.ca.gov/portal/resources/data/GSP_Reporting_System_Manual.pdf)

III. **Public Comments**

No additional comments were provided.

IV. **Agency Comments**

The group discussed various ordinances and the importance and effects of drought planning as part of a general discussion, not pursuant to any of the aforementioned action items or discussion topics.

V. **Next GSP Coordination Committee Meeting – April 21, 2022**

No additional comments were provided.

**VI. Adjournment**

Ms. Finnegan adjourned the meeting at 2:44 pm.



# Drought Well Permitting Requirements

## *Drought Executive Order N-7-22*

On March 28, 2022 Governor Newsom issued [Drought Executive Order N-7-22](#) that included new well permitting requirements for local agencies to prepare for and lessen the effects of drought conditions (Action 9).

### *Well Permitting Authority and Groundwater Management Oversight*

In California, regulatory authority over well construction, alteration, and destruction activities resides with local agencies (cities, counties, or water agencies), who have the authority to adopt a local well ordinance. Well permits are administered and enforced by local agencies (or local enforcing agencies, [LEAs](#)), often the Department of Environmental Health within a given county.

With the enactment of the Sustainable Groundwater Management Act ([SGMA](#)) in 2014, local public agencies – called [groundwater sustainability agencies](#) or GSAs – formed to provide specific oversight and management of groundwater resources, and to achieve sustainable groundwater management within 20 years through the development and implementation of groundwater sustainability plans (GSPs) and associated projects and management actions. The local GSAs are required to include in their GSPs a discussion of how they will coordinate these efforts with local land use authorities, including local well permitting agencies.

### *Drought Well Permitting Requirements*

Local well ordinances authorize the conditions for agencies to issue a well permit or permit modification. Given the record drought conditions the state has faced over the last three years, Drought Executive Order N-7-22 requires additional actions be taken by local well permitting agencies prior to issuing a well permit.

#### **Excerpt of Action 9 from Drought Executive Order N-7-22:**

*9. 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 that will provide less than two acre-feet per year of groundwater for individual domestic users, or that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code.*

Local well permitting agencies retain existing well permitting authorities, including reviewing and administering well permits. Under the Executive Order Action 9, local well permitting agencies must take the following steps during the well permitting process for wells intending to extract groundwater:

1. Consultation with the GSA – If the proposed well would be in a high or medium priority groundwater basin, the well permitting agency must consult with the GSA and receive written verification from the GSA that the proposed well location is generally consistent (not inconsistent) with the applicable GSP and will not decrease the likelihood of achieving the sustainability goals that the GSAs have developed under SGMA.
2. Permit Evaluation – For every well permit application, the local well permitting agency must determine before issuing a well permit that extraction of groundwater from the proposed well is not likely to interfere with the production and functioning of existing nearby wells and is not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

These requirements do not apply to wells that pump less than 2 acre-feet per year (de minimus users) and wells that exclusively provide groundwater to public water supply systems as defined in [section 116275](#) of the Health and Safety Code.

### *State Resources Available to Local Agencies*

The California Department of Water Resources (DWR) provides technical and other support services to local agencies to support decision-making. The following resources are available to help local agencies navigate the well permitting requirements in this Drought Executive Order:

- To find the **groundwater basins subject to SGMA** and classified as medium or high priority: [Basin Prioritization Dashboard](#)
- To find the **Groundwater Sustainability Agency** managing the applicable basin or area of the basin: [GSA Map Viewer](#)
- To find the **Groundwater Sustainability Plan** adopted by the local Groundwater Sustainability Agency: [GSP Map Viewer](#)
- To view **existing nearby wells** (domestic, irrigation, public supply and reported dry wells): [California's Groundwater Live – Well Infrastructure](#)
- To view **groundwater levels and trends**: [California's Groundwater Live – Groundwater Levels](#)
- To view **subsidence data** and nearby infrastructure: [California's Groundwater Live – Subsidence Data](#)

For more information or questions, please contact DWR's Sustainable Groundwater Management Office at: [SGMPS@water.ca.gov](mailto:SGMPS@water.ca.gov).

*For more information about the State's Drought Response and Assistance, please visit [drought.ca.gov](http://drought.ca.gov).*

EXECUTIVE DEPARTMENT  
STATE OF CALIFORNIA

EXECUTIVE ORDER N-7-22

**WHEREAS** on April 12, 2021, May 10, 2021, July 8, 2021, and October 19, 2021, I proclaimed states of emergency that continue today and exist across all the counties of California, due to extreme and expanding drought conditions; and

**WHEREAS** climate change continues to intensify the impacts of droughts on our communities, environment, and economy, and California is in a third consecutive year of dry conditions, resulting in continuing drought in all parts of the State; and

**WHEREAS** the 21st century to date has been characterized by record warmth and predominantly dry conditions, and the 2021 meteorological summer in California and the rest of the western United States was the hottest on record; and

**WHEREAS** since my October 19, 2021 Proclamation, early rains in October and December 2021 gave way to the driest January and February in recorded history for the watersheds that provide much of California's water supply; and

**WHEREAS** the ongoing drought will 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** the two largest reservoirs of the Central Valley Project, which supplies water to farms and communities in the Central Valley and the Santa Clara Valley and provides critical cold-water habitat for salmon and other anadromous fish, have water storage levels that are approximately 1.1 million acre-feet below last year's low levels on this date; and

**WHEREAS** the record-breaking dry period in January and February and the absence of significant rains in March have required the Department of Water Resources to reduce anticipated deliveries from the State Water Project to 5 percent of requested supplies; and

**WHEREAS** delivery of water by bottle or truck is necessary to protect human safety and public health in those places where water supplies are disrupted; 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** 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** the duration of the drought, especially following a multiyear drought that abated only five years ago, underscores the need for California to redouble near-, medium-, and long-term efforts to adapt its water management and delivery systems to a changing climate, shifting precipitation patterns, and water scarcity; and

**WHEREAS** the most consequential, immediate action Californians can take to extend available supplies is to voluntarily reduce their water use by 15 percent from their 2020 levels by implementing the commonsense measures identified in operative paragraph 1 of Executive Order N-10-21 (July 8, 2021); 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 Proclamation 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 April 21, 2021, May 10, 2021, July 8, 2021, and October 19, 2021 Proclamations remain in full force and effect, except as modified by those Proclamations and herein. State agencies shall continue to implement all directions from those Proclamations and accelerate implementation where feasible.
2. To help the State achieve its conservation goals and ensure sufficient water for essential indoor and outdoor use, I call on all Californians to strive to limit summertime water use and to use water more efficiently indoors and out. The statewide Save Our Water conservation campaign at [SaveOurWater.com](https://www.SaveOurWater.com) provides simple ways for Californians to reduce water use in their everyday lives. Furthermore, I encourage Californians to understand and track the amount of water they use and measure their progress toward their conservation goals.
3. By May 25, 2022, the State Water Resources Control Board (Water Board) shall consider adopting emergency regulations that include all of the following:
  - a. A requirement that each urban water supplier, as defined in section 10617 of the Water Code, shall submit to the Department of Water Resources a preliminary annual water supply and demand assessment consistent with section 10632.1 of the Water Code no later than June 1, 2022, and submit a final annual water

supply and demand assessment to the Department of Water Resources no later than the deadline set by section 10632.1 of the Water Code;

- b. A requirement that each urban water supplier that has submitted a water shortage contingency plan to the Department of Water Resources implement, at a minimum, the shortage response actions adopted under section 10632 of the Water Code for a shortage level of up to twenty percent (Level 2), by a date to be set by the Water Board; and
- c. A requirement that each urban water supplier that has not submitted a water shortage contingency plan to the Department of Water Resources implement, at a minimum, shortage response actions established by the Water Board, which shall take into consideration model actions that the Department of Water Resources shall develop for urban water supplier water shortage contingency planning for Level 2, by a date to be set by the Water Board.

To further conserve water and improve drought resiliency if the drought lasts beyond this year, I encourage urban water suppliers to conserve more than required by the emergency regulations described in this paragraph and to voluntarily activate more stringent local requirements based on a shortage level of up to thirty percent (Level 3).

- 4. To promote water conservation, the Department of Water Resources shall consult with leaders in the commercial, industrial, and institutional sectors to develop strategies for improving water conservation, including direct technical assistance, financial assistance, and other approaches. By May 25, 2022, the Water Board shall consider adopting emergency regulations defining “non-functional turf” (that is, a definition of turf that is ornamental and not otherwise used for human recreation purposes such as school fields, sports fields, and parks) and banning irrigation of non-functional turf in the commercial, industrial, and institutional sectors except as it may be required to ensure the health of trees and other perennial non-turf plantings.
- 5. In order to maximize the efficient use of water and to preserve water supplies critical to human health and safety and the environment, Public Resources Code, Division 13 (commencing with section 21000) and regulations adopted pursuant to that Division are hereby suspended, with respect to the directives in paragraphs 3 and 4 of this Order and any other projects and activities for the purpose of water conservation to the extent necessary to address the impacts of the drought, and any permits necessary to carry out such projects or activities. Entities that desire to conduct activities under this suspension, other than the directives in paragraphs 3 and 4 of this Order, shall first request that the Secretary of the Natural Resources Agency make a determination that the proposed activities are eligible to be conducted under this suspension. The Secretary shall use sound discretion in applying this Executive Order to ensure that the suspension serves the purpose of accelerating conservation projects that are necessary to address impacts of the drought, while at the same time

protecting public health and the environment. The entities implementing these directives or conducting activities under this suspension shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.

6. To support voluntary approaches to improve fish habitat that would require change petitions under Water Code section 1707 and either Water Code sections 1425 through 1432 or Water Code sections 1725 through 1732, and where the primary purpose is to improve conditions for fish, the Water Board shall expeditiously consider petitions that add a fish and wildlife beneficial use or point of diversion and place of storage to improve conditions for anadromous fish. California Code of Regulations, title 23, section 1064, subdivisions (a)(1)(A)(i)-(ii) are suspended with respect to any petition that is subject to this paragraph.
7. To facilitate the hauling of water for domestic use by local communities and domestic water users threatened with the loss of water supply or degraded water quality resulting from drought, any ordinance, regulation, prohibition, policy, or requirement of any kind adopted by a public agency that prohibits the hauling of water out of the water's basin of origin or a public agency's jurisdiction is hereby suspended. The suspension authorized pursuant to this paragraph shall be limited to the hauling of water by truck or bottle to be used for human consumption, cooking, or sanitation in communities or residences threatened with the loss of affordable safe drinking water. Nothing in this paragraph limits any public health or safety requirement to ensure the safety of hauled water.
8. The Water Board shall expand inspections to determine whether illegal diversions or wasteful or unreasonable use of water are occurring and bring enforcement actions against illegal diverters and those engaging in the wasteful and unreasonable use of water. When access is not granted by a property owner, the Water Board may obtain an inspection warrant pursuant to the procedures set forth in Title 13 (commencing with section 1822.50) of Part 3 of the Code of Civil Procedure for the purposes of conducting an inspection pursuant to this directive.
9. 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 that will provide less than two acre-feet per year of groundwater for individual domestic users, or that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code.

10. To address household or small community drinking water shortages dependent upon groundwater wells that have failed due to drought conditions, the Department of Water Resources shall work with other state agencies to investigate expedited regulatory pathways to modify, repair, or reconstruct failed household or small community or public supply wells, while recognizing the need to ensure the sustainability of such wells as provided for in paragraph 9.
11. State agencies shall collaborate with tribes and federal, regional, and local agencies on actions related to promoting groundwater recharge and increasing storage.
12. To help advance groundwater recharge projects, and to demonstrate the feasibility of projects that can use available high water flows to recharge local groundwater while minimizing flood risks, the Water Board and Regional Water Quality Control Boards shall prioritize water right permits, water quality certifications, waste discharge requirements, and conditional waivers of waste discharge requirements to accelerate approvals for projects that enhance the ability of a local or state agency to capture high precipitation events for local storage or recharge, consistent with water right priorities and protections for fish and wildlife. For the purposes of carrying out this paragraph, Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division, and Chapter 3 (commencing with section 85225) of Part 3 of Division 35 of the Water Code and regulations adopted pursuant thereto are hereby suspended to the extent necessary to address the impacts of the drought. This suspension applies to (a) any actions taken by state agencies, (b) any actions taken by local agencies where the state agency with primary responsibility for the implementation of the directives concurs that local action is required, and (c) permits necessary to carry out actions under (a) or (b). The entities implementing these directives shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.
13. With respect to recharge projects under either Flood-Managed Aquifer Recharge or the Department of Water Resources Sustainable

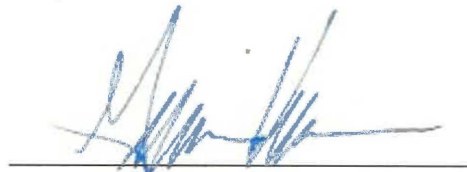
Groundwater Management Grant Program occurring on open and working lands to replenish and store water in groundwater basins that will help mitigate groundwater conditions impacted by drought, for any (a) actions taken by state agencies, (b) actions taken by a local agency where the Department of Water Resources concurs that local action is required, and (c) permits necessary to carry out actions under (a) or (b), Public Resources Code, Division 13 (commencing with section 21000) and regulations adopted pursuant to that Division are hereby suspended to the extent necessary to address the impacts of the drought. The entities implementing these directives shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.

14. To increase resilience of state water supplies during prolonged drought conditions, the Department of Water Resources shall prepare for the potential creation and implementation of a multi-year transfer program pilot project for the purpose of acquiring water from willing partners and storing and conveying water to areas of need.
15. By April 15, 2022, state agencies shall submit to the Department of Finance for my consideration proposals to mitigate the worsening effects of severe drought, including emergency assistance to communities and households and others facing water shortages as a result of the drought, facilitation of groundwater recharge and wastewater recycling, improvements in water use efficiency, protection of fish and wildlife, mitigation of drought-related economic or water-supply disruption, and other potential investments to support short- and long-term drought response.

**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 28th day of March 2022.



GAVIN NEWSOM  
Governor of California

**ATTEST:**

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