

RESOLUTION NO. 2025-01**RESOLUTION OF THE YUCAIPA GROUNDWATER SUSTAINABILITY AGENCY TO
ADOPT A WELL ORDINANCE FOR THE YUCAIPA SUBBASIN (BASIN NO. 8-002.07)**

WHEREAS, on September 16, 2014, Governor Jerry Brown signed into law Senate Bills 1168 and 1319, and Assembly Bill 1739, collectively known as the Sustainable Groundwater Management Act ("SGMA"), codified in certain provisions of the California Government Code, including commencing with Section 65350.5, and codified in Part 2.74 of Division 6 of the California Water Code, commencing with Section 10720, and amending other provisions of the California Government Code and California Water Code; and,

WHEREAS, the SGMA went into effect on January 1, 2015; and,

WHEREAS, various clarifying amendments to the SGMA were signed into law in 2015, including Senate Bills 13 and 226, and Assembly Bills 617 and 939, which were codified in part in California Water Code Section 10723.6(a), authorizing a combination of local agencies to form a Groundwater Sustainability Agency ("GSA") pursuant to a joint powers agreement, a memorandum of agreement, or other legal agreement; and, California Water Code Section 10723.6(b), authorizing water corporations regulated by the California Public Utilities Commission and mutual water companies to participate in a GSA through a memorandum of agreement or other legal agreement; and,

WHEREAS, the legislative intent and effect of the SGMA, as set forth in California Water Code Section 10720.1, includes the following: (1) to provide for the sustainable management of groundwater basins; (2) to enhance local management of groundwater consistent with rights to use or store groundwater and Section 2 of Article X Water of the California Constitution, and to preserve the security of water rights in the state to the greatest extent possible consistent with the sustainable management of groundwater; (3) to establish minimum standards for sustainable groundwater management; (4) to provide local groundwater agencies with the authority and the technical and financial assistance necessary to sustainably manage groundwater; (5) to avoid or minimize subsidence; (6) to improve data collection and understanding about groundwater; (7) to increase groundwater storage and remove impediments to recharge; (8) to manage groundwater basins through the actions of local governmental agencies to the greatest extent feasible, while minimizing state intervention to only when necessary to ensure that local agencies manage groundwater in a sustainable manner; and (9) to provide a more efficient and cost-effective groundwater adjudication process that protects water rights, ensures due process, prevents unnecessary delay, and furthers the objectives of the SGMA; and,

WHEREAS, the SGMA affords GSAs specific powers to manage groundwater in addition to existing legal authorities, which powers may be used to provide the maximum degree of local control and flexibility consistent with the sustainability goals of SGMA; and,

WHEREAS, the SGMA includes several un-codified findings by the California Legislature, including the determination that the people of the state have a primary interest in the protection, management, and reasonable beneficial use of the water resources of the

state, both surface and underground, and that the integrated management of the state's water resources is essential to meeting its water management goals; and,

WHEREAS, the Yucaipa Subbasin ("SUBBASIN") is identified by the California Department of Water Resources Bulletin 118 as Sub-basin No. 8-002.07 of the Upper Santa Ana Valley Groundwater Basin, and is designated by the California Department of Water Resources ("DWR") as a high-priority basin; and,

WHEREAS, California Water Code Section 10720.7 requires the SUBBASIN, as a high-priority basin that is not designated by DWR as being subject to critical conditions of overdraft, to be managed by a Groundwater Sustainability Plan ("GSP") by January 31, 2022; and,

WHEREAS, South Mesa Water Company ("SOUTH MESA"), South Mountain Water Company ("SOUTH MOUNTAIN"), Western Heights Water Company ("WHWC") and Yucaipa Valley Water District ("YVWD"), herein collectively referred to as the "WATER PURVEYORS"; and the City of Calimesa ("CALIMESA"), the City of Redlands ("REDLANDS") and the City of Yucaipa ("YUCAIPA"), herein collectively referred to as the "MUNICIPALITIES"; and the San Bernardino Valley Municipal Water District ("SBVMWD") and the San Gorgonio Pass Water Agency ("SGPWA"), herein collectively referred to as the "REGIONALS", entered into a Memorandum of Agreement ("MOA") in June 2017 to form a GSA called the Yucaipa Groundwater Sustainability Agency ("YUCAIPA GSA"), and,

WHEREAS, each of the above-described entities is individually referred to as a "PARTY" and are collectively referred to as the "PARTIES". SOUTH MESA, SOUTH MOUNTAIN and WHWC are collectively referred to as the "MUTUALS"; and, the PARTIES other than the MUTUALS are collectively referred to as the "LOCAL AGENCIES," and,

WHEREAS, The County of Riverside ("RIVERSIDE") and the County of San Bernardino ("SAN BERNARDINO"), collectively referred to as the "COUNTIES," are stakeholders but not PARTIES in the YUCAIPA GSA, and,

WHEREAS, CALIMESA submitted a written Notice of Withdrawal dated November 19, 2018 and the Yucaipa GSA subsequently acknowledged the withdrawal of CALIMESA from the Yucaipa GSA at the January 23, 2019 YUCAIPA GSA Board meeting, and,

WHEREAS, REDLANDS submitted a written Notice of Withdrawal dated June 5, 2024 and the Yucaipa GSA subsequently acknowledged the withdrawal of REDLANDS from the Yucaipa GSA at the October 30, 2024 YUCAIPA GSA Board meeting by adopting Resolution 2024-01, and,

WHEREAS, the LOCAL AGENCIES have water supply, water management, and/or land use responsibilities for their respective jurisdictional areas overlying the SUBBASIN and are local agencies as defined by the SGMA in California Water Code Section 10721(n), and thus each is authorized by the SGMA to form a GSA; and,

WHEREAS, the LOCAL AGENCIES' individually have jurisdictional and/or service

areas within and their collective jurisdictional areas and/or service areas that cover the entirety of the SUBBASIN, with no gaps in coverage; and,

WHEREAS, the WATER PURVEYORS produce groundwater and provide water service within the SUBBASIN; and,

WHEREAS, the REGIONALS are State Water Contractors, and have the rights and duties of such, including for the delivery of State Water Project Water within the SUBBASIN; and,

WHEREAS, the PARTIES have worked with local stakeholders and interested parties in the SUBBASIN that are not PARTIES in YUCAIPA GSA to carry out the policy, purposes, and requirements of the SGMA in the SUBBASIN; and,

WHEREAS, the YUCAIPA GSA has developed a GSP for the SUBBASIN as required by the SGMA; and,

WHEREAS, the GSP for the SUBBASIN contains all the elements required by Water Code sections 10727.2 and 10727.4; and,

WHEREAS, the YUCAIPA GSA adopted the GSP for the SUBBASIN at a public hearing held on January 26, 2022; and,

WHEREAS, the DWR approved the GSP for the SUBBASIN on January 18, 2024; and,

WHEREAS, the YUCAIPA GSA, pursuant to its authority under the SGMA, has developed an ordinance to provide minimum standards for the construction, reconstruction, abandonment, and destruction of all wells in the SUBBASIN in order to: (a) protect and sustainably manage the groundwater resources in the SUBBASIN, (b) ensure that the construction and use of groundwater supply wells and monitoring wells are consistent with the groundwater sustainable management criteria and monitoring protocols established in the GSP for the SUBBASIN, and (c) provide safe water for the beneficial use by all groundwater users in the SUBBASIN; and,

WHEREAS, In 1986, the Board of Supervisors for San Bernardino County adopted Ordinance 3105, codified as Article 3 (commencing with Section 33.0630) of Chapter 6 of Division 3 of Title 3 of the San Bernardino County Code of Ordinances (SB Ordinance), which establishes requirements for well permit applications, the conditions for approving or denying well permit applications, the licensing and registration of water well drillers and contractors, the selection of well sites, water well surface construction features, inspections by County staff during certain aspects of well construction and destruction, and references the recommended well standards in DWR Bulletin 74-81 and adopts these standards as the well standards for San Bernardino County; and,

WHEREAS, In 1989, the Board of Supervisors of the County of Riverside adopted Riverside County Ordinance 682, amended in its entirety in 2021 by Ordinance 682.6, entitled “An Ordinance of the County of Riverside Regulating the Construction, Reconstruction, Abandonment and Destruction of Wells and Incorporating by Reference Ordinance No. 725” (Riverside Ordinance); and,

WHEREAS, the YUCAIPA GSA has incorporated by reference the SB Ordinance and the Riverside Ordinance as minimum standards for the construction, reconstruction, abandonment, and destruction of wells in those portions of the SUBBASIN that are within San Bernardino County and Riverside County, respectively; and,

WHEREAS, the YUCAIPA GSA ordinance requires additional information be included in well permit applications submitted to San Bernardino County and Riverside County, the installation of a sounding tube to measure depths-to-water in the well, a totalizing flow meter to measure and record the rate and total volume of groundwater produced, and a sampling port to collect groundwater quality samples;

NOW, THEREFORE, BE IT RESOLVED:

1. The above Recitals are true and correct.
2. The Yucaipa GSA adopts An Ordinance of the Yucaipa Groundwater Sustainability Agency Regulating the Construction, Reconstruction, Abandonment, and Destruction of Wells and Incorporating by Reference San Bernardino County Code Sections 33.0630 to 33.0645 and Riverside County Ordinance 682.6.
3. The YUCAIPA GSA hereby votes on adopting Ordinance 2025-01:

PARTIES	“Yea”	“Nay”
South Mesa Water Company	X	
South Mountain Water Company	X	
Western Heights Water Company	X	
Yucaipa Valley Water District	X	
City of Yucaipa	X	
San Bernardino Valley Municipal Water District	X	
San Gorgonio Pass Water Agency	X	



PASSED AND ADOPTED on this 23rd day of July, 2025, by the following vote, to-wit:

YUCAIPA GSA

By: Mark Iverson
Mark Iverson, President
YUCAIPA GSA