

Notice and Agenda of a Workshop of the Yucaipa Sustainable Groundwater Management Agency

Policy Workshop

Thursday, October 8, 2026 at 9:00 a.m.

(909) 797-2489 | www.yucaipasgma.org

Yucaipa Valley Regional Water Filtration Facility
35477 Oak Glen Road
Yucaipa, California 92399

- I. Call to Order
- II. Discussion Regarding Draft Ordinance No. 2026-01 - An Ordinance of the Board of Directors of the Yucaipa Sustainable Groundwater Management Agency Adopting Rules and Regulations to Implement the Yucaipa Subbasin Groundwater Sustainability Plan [[Page 31 of 49](#)]
- III. Next Yucaipa Sustainable Groundwater Management Agency Board Meeting - Wednesday, October 28, 2026 at 10:30 am at the City of Yucaipa
- IV. Adjournment

Memorandum

Date: September 28, 2026

To: Board of Directors, Yucaipa Sustainable Groundwater Management Agency
Private Well Owners
Public Stakeholders

From: Joseph B. Zoba, Yucaipa Valley Water District

Subject: Ordinance No. 2026-01 – *Adopting Rules and Regulations to Implement the Yucaipa Subbasin Groundwater Sustainability Plan*

Purpose: To finalize the latest version of Ordinance No. 2026-01 and prepare the document for consideration and adoption at the Yucaipa Sustainable Groundwater Management Agency meeting on October 28, 2026

Background

Development of rules and regulations to implement the Yucaipa Subbasin Groundwater Sustainability Plan (GSP), with particular emphasis on Management Actions #2 and #3, has been an ongoing priority of the Yucaipa Sustainable Groundwater Management Agency since the GSP's adoption in January 2022 and subsequent approval by the Department of Water Resources in January 2024. The Board's deliberate, transparent, and iterative process to translate these Management Actions into enforceable Rules and Regulations culminated in the attached draft Ordinance No. 2026-01.

At the regular Board meeting held on January 28, 2026, copies of a preliminary draft resolution addressing the accounting and use of unused pumping credits were distributed. At that time, I explained that the draft had been prepared based on discussions, concepts, and preliminary direction provided by Board members and Member Agency representatives during several meetings and workshops throughout 2025. The January 28 document distribution provided a concrete starting point for focused Board discussion and to solicit formal written comments from the Member Agencies.

A dedicated workshop meeting was held on March 11, 2026, to review and discuss the written comments that had been submitted on the draft resolution. Three Member Agencies provided detailed comments: San Bernardino Valley Municipal Water District submitted 17 comments, San Geronio Pass Water Agency submitted 64 comments, and South Mesa Water Company submitted 32 comments. Collectively, these 113 comments addressed a wide range of technical, legal, administrative, and policy issues. The workshop provided a valuable forum for Board members to examine the comments in depth, understand differing perspectives among the Member Agencies, and provide direction on how the document should be revised.

At the regular Board meeting held on April 22, 2026, following consideration of the March workshop discussion and the breadth of issues raised in the comments, the Board reached

consensus that a resolution format was insufficient for the intended purpose of this document and that a comprehensive ordinance would better serve as the Rules and Regulations of the Agency.

On June 25, 2026, the draft ordinance was discussed with board members, member agency representatives, the California Department of Water Resources, private well owners, elected officials, and members of the public. Participants had the opportunity to review the comprehensive ordinance in its new format. Several comments and questions raised at the workshop centered on confirmation that the proposed rules and regulations were consistent with applicable law (including SGMA), the Agency's Memorandum of Agreement, the Agency Bylaws, and the adopted Groundwater Sustainability Plan. These consistency questions were noted and subsequently addressed. At the end of the workshop, there was a consensus to forward any final comments by Thursday, July 9, 2026, for the next iteration of the ordinance. As of July 11, 2026, no further comments were provided.

The next policy workshop was held on July 23, 2026, which included a general discussion about various aspects of the ordinance and only one proposed change to the text of the document. The Board directed clarification that any action requires the affirmative vote of a majority of all Member Agencies, now in Section 2.07.

As it appeared that written comments were beginning to subside, the policy workshop scheduled for Thursday, August 20, 2026, was cancelled on Monday, August 17, 2026, when written comments were received from the San Bernardino Valley Municipal Water District, San Geronio Pass Water Agency, and South Mesa Water Company the week of the meeting. The comment letters are attached to this memorandum for your review.

Description of the Proposed Ordinance

Ordinance No. 2026-01 provides an important foundation for the Yucaipa Sustainable Groundwater Management Agency as it defines an operational implementation strategy for the accounting, accumulation, utilization, and transfer of unused sustainable yield allocations and supplemental recharged water. It operationalizes and provides the framework for GSP Management Actions #2 (sustainable yield pumping allocations and storage credits) and #3 (supplemental recharged water accounting), while remaining fully consistent with the sustainable management criteria, adaptive management provisions under Management Action #1, and all requirements of the Sustainable Groundwater Management Act (SGMA).

Revisions over the past year have resulted in a mature, balanced, practical, and legally sound document that translates high-level Management Actions of the GSP into a clear, and administratively workable document that will be the foundation for successful resource management in the region.

The Agency Board, stakeholders, and interested parties have dedicated considerable effort, expertise, and collaborative energy to reach this point. The attached draft Ordinance represents the culmination of that work and is now in a form that is appropriate for consideration at our next meeting to demonstrate the Board's commitment to practical, transparent, and effective implementation of the GSP for the long-term benefit of all groundwater users in the Subbasin.

Thank you for your continued leadership, thoughtful engagement, and commitment to building a sustainable groundwater management strategy for the Yucaipa Subbasin.

Respectfully submitted,

Joseph B. Zoba

Secretary, Yucaipa Sustainable Groundwater Management Agency
General Manager, Yucaipa Valley Water District

Attachments:

- Draft Ordinance No. 2026-01 – Rules and Regulations to Implement the Yucaipa Subbasin Groundwater Sustainability Plan (dated September 28, 2026)



**SAN BERNARDINO
VALLEY**
A REGIONAL WATER
AGENCY SINCE 1954



**SAN GORGONIO PASS
WATER AGENCY**
• Established 1961 •

RECEIVED
AUG 19 2026
BY: _____

August 17, 2026

To: Yucaipa Sustainable Groundwater Management Agency

Subject: Draft Ordinance No. 2026-01—Rules and Regulations (Draft Dated August 11, 2026)

The San Gorgonio Pass Water Agency (Pass Agency) and the San Bernardino Valley Municipal Water District (SBV) offer the following comments in advance of the August 20 workshop, at which the Yucaipa Sustainable Groundwater Management Agency (Yucaipa SGMA) will continue its discussion of proposed Ordinance No. 2026-01.

Pass Agency and SBV appreciate the considerable thought and effort that Yucaipa Valley Water District (YVWD), the other member agencies, consultants, and stakeholders have devoted to developing the proposed draft ordinance over the past year. Our purpose in providing these written comments is to identify specific matters that we believe warrant further collective discussion and consideration before the ordinance is finalized.

Background

The 2022 Yucaipa Subbasin Groundwater Sustainability Plan (GSP) identifies three management actions. Management Action No. 2 establishes sustainable-yield pumping allocations for groundwater users within the Subbasin and its management areas. It also establishes a five-year rolling-credit methodology under which unused pumping allocations may be carried forward for use within a five-year period.

The GSP was adopted by the governing boards of the Yucaipa SGMA member agencies¹, submitted to the California Department of Water Resources (DWR), and subsequently approved by DWR.

The draft ordinance proposes a material change to the accounting and use of unused pumping allocations. Specifically, it would replace the time-limited methodology described in Management Action No. 2 with a volume-based storage approach under which unused pumping credits would not expire and could accumulate, subject to specified limitations, to as much as ten times an account holder's annual sustainable-yield allocation.

Pass Agency and SBV Considerations and Recommendations

Pass Agency and SBV support the flexibility reflected in the draft ordinance and the expanded opportunities it could provide water purveyors and other eligible groundwater users to manage

¹ The original member agencies of the Yucaipa SGMA were the San Gorgonio Pass Water Agency, San Bernardino Valley Municipal Water District, South Mesa Water Company, Yucaipa Valley Water District, South Mountain Water Company, Western Heights Mutual Water Company, City of Yucaipa, City of Calimesa, and City of Redlands. The Cities of Calimesa and Redlands subsequently withdrew from the GSA.

and use their pumping allocations effectively. We also support, in concept, transitioning from a time-limited credit methodology to a volume-based storage program.

However, the proposed approach differs materially from Management Action No. 2 in the approved GSP. The GSP provides for a five-year rolling pumping-credit system under which credits earned and not used after five years are lost. By contrast, the draft ordinance would provide storage credits that have no expiration date and could accumulate up to ten times an account holder's annual allocation. Section 1.05 of the draft ordinance, "Hierarchy of Documents," provides that the GSP prevails over the ordinance in the event of an inconsistency between the two.

Maintaining these different methodologies in the two governing documents could create uncertainty regarding the accounting, availability, accumulation, and expiration of unused pumping credits. In particular, questions could arise regarding whether the five-year expiration provision in the existing GSP would continue to apply notwithstanding the evergreen storage methodology contemplated by the draft ordinance.

To avoid that uncertainty and promote consistency among the Yucaipa SGMA's governing documents, Pass Agency and SBV recommend that the Yucaipa SGMA pursue an amendment to Management Action No. 2 in coordination with its consideration and continued development of the draft ordinance. One potential approach would be to develop the GSP amendment and necessary supporting materials concurrently with refinement of the ordinance and its implementing rules.

The proposed ten-times-allocation storage limit also warrants appropriate technical evaluation. The existing GSP evaluates sustainability based upon the pumping-allocation and five-year credit framework contained in Management Action No. 2; it does not specifically evaluate a non-expiring storage program with balances potentially reaching ten times an annual allocation. The draft ordinance appropriately recognizes the importance of technical evaluation by requiring an Implementation Manual that includes a technical memorandum evaluating potential basin impacts of the Storage Container system. Pass Agency and SBV recommend that the technical basis for the proposed storage framework be developed and considered as part of the GSP amendment process and, to the extent practicable, before final implementation of the new storage methodology.

Under California Code of Regulations, title 23, section 355.10(d)(3), an amendment to a DWR-approved GSP is evaluated in accordance with section 355.6. Accordingly, Pass Agency and SBV recommend asking Dudek to identify and prepare the technical information needed to support the proposed amendment in coordination with its work on the five-year periodic evaluation of the GSP. This effort could include evaluation of the potential hydrologic effects of accumulated storage credits, the relationship between credit utilization and the GSP's measurable objectives and minimum thresholds, and appropriate safeguards necessary to ensure that the revised accounting framework remains consistent with the sustainable management criteria for each Management Area.

Pass Agency and SBV recommend that the technical basis for the proposed storage framework be developed and considered as part of the GSP amendment process and, to the extent practicable, before final implementation of the new storage methodology. That evaluation should also consider how long-term accumulation of unused pumping allocations may affect the efficient use of available sustainable yield within each Management Area. In particular, the analysis should evaluate circumstances in which one account holder accumulates substantial unused pumping credits while another groundwater user incurs a replenishment obligation and imports supplemental water to offset pumping. The analysis should explain how such circumstances would be reconciled with the Management Area water budget, the GSP's sustainable management criteria, the five-year consistency requirement of Water Code section 10726.4(a)(4), and the reasonable and beneficial use principles of Article X, section 2 of the California Constitution.

Management Action No. 1

Pass Agency and SBV also recommend correcting the draft ordinance's description of Management Action No. 1. The recitals characterize Management Action No. 1 as providing for staged reductions in net groundwater use of 5, 10, 15, and 20 percent. That description does not fully reflect the management-action requirements contained in the approved GSP. For example, the North Bench Management Area includes a 25-percent reduction when specified measurable-objective conditions persist and a 35-percent reduction when specified minimum-threshold conditions persist.

Because the ordinance states that it is intended to remain fully consistent with Management Action No. 1 and the sustainable management criteria established in the GSP, we recommend revising the recital to accurately summarize the management-action framework or, alternatively, referring directly to Management Action No. 1 without attempting to summarize the applicable percentages.

Replenishment Obligations Under Management Action No. 2

Pass Agency and SBV further recommend that the ordinance expressly preserve the replenishment component of Management Action No. 2.

Under the approved GSP, pumping credits and available supplemental water may be used to offset groundwater production above an annual sustainable-yield pumping allocation. If an exceedance remains after those available offsets are applied, the GSP provides for a replenishment fee based on the volume of the remaining exceedance and the applicable cost of supplemental water.

As the ordinance and its implementation procedures are refined, the relationship among annual allocations, Storage Credits, Supplemental Water Storage Accounts, pumping exceedances, and replenishment obligations should be stated clearly. The ordinance should make clear that an exceedance not otherwise offset by valid credits or supplemental water remains subject to the replenishment requirements established under Management Action No. 2, as those requirements may be amended through the coordinated GSP amendment process.

Future Adjustments by Resolution

Pass Agency and SBV recognize the importance of providing the Board with sufficient administrative flexibility to implement the ordinance and respond to updated hydrologic information. At the same time, the draft ordinance authorizes certain allocations, storage limits, methodologies, fees, and other implementation provisions to be established or adjusted through future Board resolutions.

We recommend clarifying that resolutions adopted pursuant to the ordinance may implement and administer the GSP and ordinance, but may not be used to make a substantive modification to a sustainable-yield determination, management-action requirement, or other provision established in the GSP where such a modification would require amendment of the GSP.

Such a clarification would be consistent with the hierarchy established in Section 1.05 of the draft ordinance and would help distinguish routine administrative implementation from policy changes that should be considered through the GSP amendment and periodic-evaluation processes.

Supplemental Recharge

The draft ordinance also proposes changes in how supplemental recharge, including net-new recycled-water recharge, would be recognized through storage credits. Pass Agency and SBV support the concept of appropriately recognizing supplemental water that is physically introduced into the Subbasin and available to support sustainable groundwater management.

Because the proposed accounting framework includes provisions beyond those presently described in Management Action No. 3, including long-term storage, transfer provisions, and specific accounting assumptions, we recommend that these elements likewise be addressed in the proposed GSP amendment and supported by appropriate technical analysis and documentation.

Recommended Workshop Discussion

At the August 20 workshop, Pass Agency and SBV recommend that the Yucaipa SGMA discuss:

1. The administrative and approval steps required to amend Management Action No. 2 and other affected portions of the GSP;
2. The technical analysis and supporting documentation needed for DWR's evaluation of a volume-based storage program, including the proposed ten-times-allocation storage limit;
3. Whether the technical evaluation of the Storage Container system should be completed as part of, or in advance of, implementation of the new storage methodology;
4. How preparation of the amendment can be coordinated with the five-year periodic evaluation;
5. How the ordinance will preserve the replenishment obligations established under Management Action No. 2 for pumping exceedances not otherwise offset by valid credits or supplemental water;

6. How the ordinance should distinguish between administrative actions that may appropriately be adopted by resolution and substantive changes that require amendment of the GSP;
7. Correction of the ordinance's description of Management Action No. 1 so that it accurately reflects the approved GSP; and
8. A plan for continued development of the draft ordinance in coordination with efforts to amend Management Action No. 2 and other affected portions of the GSP.

Conclusion

Pass Agency and SBV support consideration of an amendment to Management Action No. 2 that would establish a volume-based storage program for unused pumping credits, subject to concurrence among the Yucaipa SGMA member agencies and adequate technical support. We likewise support an appropriate framework for recognizing net-new recycled-water and supplemental recharge through storage credits.

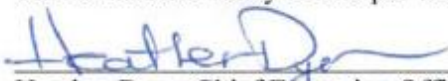
We believe that the technical analysis developed for the proposed GSP amendment, together with the substantial work already completed by YVWD, Dudek, the member agencies, and other stakeholders, can provide a sound basis for DWR's evaluation and for implementation of a durable storage-accounting program.

Coordinating the GSP amendment and ordinance will help ensure that the Yucaipa SGMA's governing documents are clear, internally consistent, technically supported, and aligned with the sustainable management criteria established for the Yucaipa Subbasin. It will also provide greater certainty to the member agencies, water purveyors, private well owners, and other stakeholders regarding how allocations, storage credits, supplemental water, and replenishment obligations will be administered over the long term.

Pass Agency and SBV look forward to discussing these matters collaboratively at the August 20 workshop.

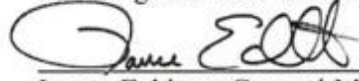
Thank you,

San Bernardino Valley Municipal Water District



Heather Dyer, Chief Executive Officer,
MS, MBA

San Geronimo Pass Water Agency



Lance Eckhart, General Manager,
PG, CHG



South Mesa Water Company

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August 17, 2026

Via Email

Steve Stuart

ssstuart@dudek.com

Dudek

605 3rd Street

Encinitas, California 92024

Re: Yucaipa SGMA – South Mesa Water Company **Additional** Comments on July 11, 2026 **Draft** Ordinance No. 2026-01 Adopting Rules and Regulations to Implement the Yucaipa Sub-basin GSP

Dear Mr. Stuart:

On behalf of South Mesa Water Company (“South Mesa”), we write to provide further comments regarding the July 11, 2026 Draft Ordinance No. 2026-01 (“Draft Ordinance”) that was prepared by Mr. Zoba of Yucaipa Valley Water District (“YVWD”). This is in addition to the comments in our letters dated February 27, 2026 and July 21, 2026. Please provide this letter to all Yucaipa GSA Board Members for discussion at the August 20, 2026 Public Workshop, and include this letter in the meeting minutes.

I. The YVWD Draft Ordinance Conflicts with the Yucaipa GSP

Having reviewed more closely the Draft Ordinance, South Mesa finds that it is **not consistent with our adopted GSP and would create unsubstantiated conflicts with our GSP**. Rather than implementing our GSP, it attempts to create new or different projects and management actions, which would comprise an *unauthorized GSP Amendment*.

Attachment 1 to this letter includes excerpts from the GSP that conflict with the YVWD proposed Draft Ordinance. We provide this attachment as a reference for discussion at the Workshop. Section IV of this letter also includes excerpts from the GSP Executive Summary that reflect areas where the Draft Ordinance is not consistent with the GSP.

SGMA provides for a GSA:

“To establish accounting rules to allow unused groundwater extraction allocations issued by the agency to be carried over from one year to another and voluntarily transferred, if the total quantity of groundwater extracted in any five-year period **is consistent with the provisions of the groundwater sustainability plan.** (Water Code section 10726.4.)”

The Draft Ordinance states that in the event of conflict with the GSP, the GSP controls. Adopting an ordinance that immediately conflicts with the GSP would create confusion, uncertainty and poor management.

The Draft Ordinance does not merely implement the GSP. Rather, it provides for an entirely new system of accounting for fundamental aspects of the GSP including but not limited to: (1) unused pumping credits; (2) storage; (3) transfers; and (4) replenishment fees structure.

II. Amending a GSP Requires a Clear, Different and More Formal Process

First, the GSP should not be amended unless and until there is a clear and necessary reason to do so. DWR approved our 2022 GSP. Our GSP 5-year Periodic Review is due to DWR in 2027. Dudek has not yet presented this Board with the draft Periodic Review, and accordingly, it is not clear what issues, if any, a GSP Amendment would address.

Second, under SGMA, a *GSP Amendment* requires a different and more formal process:

“A groundwater sustainability agency may adopt **or amend** a groundwater sustainability plan **after a public hearing, held at least 90 days after providing notice** to a city or county within the area of the proposed plan or amendment. The **groundwater sustainability agency shall review and consider comments from any city or county that receives notice** pursuant to this section and shall consult with a city or county that requests consultation within 30 days of receipt of the notice. Nothing in this section is intended to preclude an agency and a city or county from otherwise consulting or commenting regarding the adoption or amendment of a plan.”

(Wat. Code, § 10728.4.)

Third, any request to amend the GSP should be clearly stated and presented. The Draft Ordinance was initially a proposed pumping credits and allocation concept, but has broadened and morphed into something much broader. Adopting a Draft Ordinance that conflicts with the GSP will not advance our Periodic Review. Rather, the Periodic Review should be presented *by Dudek* for this board to consider before considering any proposed Amendment to the GSP.

III. Proposed SGMA Compliance Process

Rather than waste time and resources working on a Draft Ordinance that does not comply with our GSP, SMWC strongly recommends an alternative process:

1. **Receive and Review Dudek's Draft 5-Year GSP Periodic Review.** Dudek should first prepare and provide to this Board the Draft 5-Year Periodic Review. That will be a robust document that describes basin conditions, our progress toward long-term sustainability, new data and remaining data gaps, the status of compliance with DWR recommendations to maintain an approved GSP, and other information necessary for this Board to make informed decisions.
2. **Dudek Technical Memorandum.** If Dudek proposes any updates to our GSP, it should prepare a technical memorandum to Board that identifies: (1) the need for the amendment; (2) a clear statement of the project, management action or other aspect of the GSP that Dudek proposes to amend; and (3) the technical data supporting the projected outcome of the amendment.
3. **Consider GSP Amendment Only If Necessary.** After completing the appropriate steps outlined above, the Yucaipa GSA could potentially consider adopting an Amended GSP. This is a significant and important process that will require support from all GSA Member entities.

IV. Overview of Draft Ordinance Inconsistencies with GSP

In addition to the annotated GSP Executive Summary enclosed as Attachment 1, below are important excerpts from the GSP Executive Summary that reflect conflict with the Draft Ordinance:

Management Action No 1: Reduce Net Use of Groundwater When Groundwater Levels Decline Below Measurable Objectives

The drought buffers established for the North Bench, Calimesa and Western Heights management areas provide operational flexibility to implement management actions when groundwater conditions decline below their respective measurable objectives. The following management action will prevent undesirable results related to the chronic lowering of groundwater levels, reduction in groundwater storage, and land subsidence for these three management areas.

...

If groundwater elevations decline below the measurable objective levels established at 50% or more of the RMPs for two consecutive years in a management area, then the net use of groundwater in that management area will be reduced by a minimum 5% (Calimesa and Western Heights management areas) to 25% (North Bench management area) of the estimated sustainable yield for that management area.

The net reductions in groundwater use may be achieved *by either reducing groundwater production, artificially recharging the aquifer with supplemental water, using supplemental water for in lieu use¹, enacting water conservation programs and/or other programs that result in a net reduction of groundwater use, or any combination of these actions that result in a net reduction of groundwater use by the required reduction amount stipulated in this management action for a management area.* Groundwater production may increase when groundwater levels recover to a higher tier in the drought buffer or rise above the measurable objective for two consecutive years. If the management action is implemented and conditions do not improve over a 5-year evaluation period, then the Yucaipa GSA will reevaluate and, possibly, recalibrate the YIHM to improve the accuracy of the model in estimating the sustainable yield and predicting future conditions.

Management Action No. 2: Sustainable Yield Pumping Allocations and Groundwater Replenishment

At the adoption of the GSP, groundwater sustainable yield pumping allocations will be assigned to YVWD and private water users in the North Bench Management Area, to South Mountain, South Mesa, YVWD and private water users in the Calimesa Management Area, and to WHWC in the Western Heights management area.

The pumping allocations are designed to regulate the annual volume of groundwater produced by each groundwater user per water year and maintain the total groundwater produced at or below the estimated sustainable yields for these management areas. As an incentive to manage groundwater production at or below the sustainable yield pumping allocation, a groundwater user may earn pumping credits in the amount of the sustainable yield pumping allocation less the groundwater pumped.

The Yucaipa GSA will apply a 5-year rolling pumping credit system to keep account of the pumping credits earned by each groundwater user, meaning pumping credits that are earned and not used after 5 years will be lost. Pumping credits, if available, may be used to offset the volume of groundwater produced in excess of the sustainable yield pumping allocation to the extent that the credits equal the pumping exceedance. Any remaining deficit will be charged a replenishment fee. The replenishment fee will be equivalent to the volume of groundwater that exceeds the sustainable yield pumping allocation multiplied by the rate per AF to purchase supplemental water at San Bernardino Valley Municipal Water District or San Gorgonio Pass Water Agency rates for imported SWP water. The supplemental water may be used to artificially recharge a management area, or as in lieu use to offset the pumping exceedance. Any pumping credits remaining will carry over into the next water year under the 5-year rolling pumping credit system.

¹ Importantly, SGMA directs that “in-lieu use” means “the use of *surface water* by persons that could otherwise extract groundwater in order to leave groundwater in the basin.” (Water Code section 10721(m).)

The assessment for pumping credits will begin with the 2022 WY. The volume of water pumped per user will be accounted for on a monthly basis beginning October 1, 2021. Pumping credits will be earned by users that pump less than their respective sustainable yield pumping allocations for the 2022 WY. Pumping credits cannot be transferred or sold to another entity within a given management area or with the Subbasin. The sustainable yield pumping allocations will be reassessed during every periodic evaluation when the water budget analysis is updated and the sustainable yield reevaluated.

Management Action No. 3: Surplus Supplemental Water Spreading

Surplus supplemental water, which is not associated with Management Action #2, and discharged to a spreading basin to facilitate the artificial recharge of the Subbasin will have a separate accounting by the Yucaipa GSA. The surplus supplemental water will be accessible to the water purveyor that purchased the water and percolated it at a spreading basin. This water will be available to help offset production exceedances above the sustainable yield pumping allocations instead of pumping credits earned via Management Action #2.

(2022 GSP Executive Summary.)

In short, the premise of GSP Management Actions 2 and 3 is:

- Sustainable yield allocations are based upon 50-year pumping histories.
- Unused sustainable yield allocations may be carried over from year to year in the form of pumping credits to offset over pumping annual sustainable yield allocations within a rolling five-year cycle
- Pumping in excess of the five-year cycle allocations and credits requires either purchasing supplemental State Water Project Water or reducing pumping until pumping levels re-align with five year cycle limitations.

The Draft Ordinance does not create a carryover and transferability program “consistent with the GSP” as required by Water Code 10726.4.

V. Next Steps

The Draft Ordinance would immediately conflict with the GSP and create governance confusion. As stated previously, South Mesa does **not** support rushing to adopt the Draft Ordinance at the October Board Meeting, especially if the substance being urged by YVWD would require a formal GSP Amendment. For these reasons, SMWC proposes the GSA continue to evaluate the framework and concepts being proposed, but implementation should be informed by Dudek’s 5-Year GSP Periodic Evaluation.

At the July 23 Workshop, the GSA Board began a discussion of the Draft Ordinance, and requested Dudek bring back analyses of certain technical issues. South Mesa looks forward to receiving that report from Dudek, in addition to receiving responses to the questions raised in this letter and our prior letters.

South Mesa remains committed to thoughtful and sustainable management of the Yucaipa Subbasin. We look forward to receiving and carefully reviewing all responses to these comments, as well as the comments and responses to other Yucaipa GSA members.

Sincerely,

/s/

Dave Armstrong, General Manager

ATTACHMENT 1

Executive Summary

ES-1 Introduction

The Yucaipa Groundwater Sustainability Agency (GSA), acting as the GSA for the Yucaipa Subbasin (Plan Area, Subbasin), developed this Groundwater Sustainability Plan (GSP) in compliance with the 2014 Sustainable Groundwater Management Act (SGMA) and the California Department of Water Resources (DWR) GSP Regulations. The Yucaipa Subbasin lies within the Upper Santa Ana River Basin Hydrologic Region (DWR Basin Number 8-002.07) and underlies an area of approximately 25,300 acres under portions of the cities of Calimesa, Redlands, and Yucaipa, as well as unincorporated San Bernardino and Riverside Counties.

DWR designated the Yucaipa Subbasin a high priority basin based primarily on its reliance on groundwater for water supply. However, this Subbasin is not in a state of critical overdraft. Under SGMA, GSAs “have the responsibility for adopting a Plan that defines the basin setting and establishes criteria that will maintain or achieve sustainable groundwater management.” The requirement of the GSP is to maintain or achieve sustainable groundwater management in the Yucaipa Subbasin by 2042.

Nine local agencies entered into a Memorandum of Agreement in 2017 to form the Yucaipa GSA. The local agencies included South Mesa Water Company, South Mountain Water Company, Western Heights Water Company, and Yucaipa Valley Water District, collectively referred to herein as the “Water Purveyors”; the Cities of Calimesa, Redlands, and Yucaipa, collectively referred to herein as the “Municipalities”; and San Bernardino Valley Municipal Water District and San Geronimo Pass Water Agency, collectively referred to herein as the “Regionals.” The County of Riverside and the County of San Bernardino, collectively referred to as the “Counties,” are stakeholders. The City of Calimesa submitted a written Notice of Withdrawal dated November 19, 2018, and the Yucaipa GSA subsequently acknowledged the withdrawal of the City of Calimesa from the Yucaipa GSA at the January 23, 2019, GSA Board meeting. The City of Calimesa is now considered a stakeholder in the Plan Area.

A number of water resources monitoring and management programs have been implemented throughout the Plan Area by several Yucaipa GSA member agencies and stakeholders seeking to maintain and/or enhance water resources management in the region, and to comply with state and federal laws applicable to water supply, water quality, watershed health and/or wildlife habitat. These programs will be integral in the sustainable management of groundwater in the Plan Area.

The Southern California Association of Governments maintains a land use dataset that combines regional data from general plans, specific plans, zoning codes, and existing land use. The Southern California Association of Governments dataset includes land use designations for the Plan Area and San Timoteo Wash Watershed for years 1990, 1993, 2001, 2005, 2012 and 2016. The predominant land use types in the Plan Area from 1990 to 2016 include Vacant and Undeveloped or Protected Land and Single Family Residential, which combined, made up 82% of the Plan Area in 1990 and 70% of the Plan Area in 2016. The primary land use changes within the Plan Area from 1990 to 2016 include a decrease in Vacant and Undeveloped or Protected Land (19% decrease) and an increase in Single Family Residential (10% increase) and Open Space and Recreation (7% increase). Rural Residential, Facilities, and to a lesser extent, Commercial, Office, and Industrial, and Multi-Family Residential have increased since 1990, while Agriculture land use has decreased.

Water resources utilized in the Plan Area include local groundwater produced from the principal aquifer in the Yucaipa Subbasin, imported State Water Project (SWP) water from the San Bernardino Valley Municipal Water

District and San Geronimo Pass Water Agency, surface water diverted from Oak Glen Creek, recycled water from the Henry N. Wochholz Regional Water Reclamation Facility (WRWRF), and captured stormwater at the Oak Glen Creek spreading basins (and Wilson Creek basins during significant runoff events). Beneficial uses of groundwater include municipal and domestic supply, industrial and commercial, agricultural and environmental uses. Yucaipa Valley Water District (YVWD) diverts surface water from Oak Glen Creek and Birch Creek to the Oak Glen Filtration Plant located in the Oak Glen subbasin. Recycled water produced from the WRWRF is served to YVWD customers via the recycled water distribution system for irrigation purposes only, or is discharged to San Timoteo Creek at a point upstream of the Yucaipa Subbasin.

Land use in the Yucaipa Subbasin in 2016 was 42% residential (single-family, rural, and multi-family), 8% facilities and commercial/industrial, 8% open space and recreational, 7% agricultural, and the remaining 35% vacant and undeveloped land. The 2015 RUWMP noted that approximately 96% of the water served by YVWD is for residential use. Approximately 2.4% is for commercial, institutional and industrial use, with another 1.4% used for irrigation purposes. Groundwater dependent ecosystems (GDEs) are the primary environmental users of groundwater in the Subbasin. The discharge of recycled water to San Timoteo Creek helps sustain the GDEs downstream of the WRWRF outfall. GDEs located in the upper elevations in the Oak Glen subarea and in the lower region of the Live Oak subarea are currently considered to be dependent on shallow groundwater.

ES-2 Basin Setting

The Yucaipa Subbasin (DWR Basin Number 8-2.07) comprises an eastern portion of the Upper Santa Ana Valley Groundwater Basin. The Subbasin is bounded to the north and northeast by the San Andreas Fault Zone and the San Bernardino Mountains, to the east by the Yucaipa Hills, to the south by San Timoteo Wash and the San Timoteo Badlands, and to the west by the Crafton Hills and the San Bernardino Basin Area. The Yucaipa Subbasin is overlain by the Yucaipa plain, a gently sloping area of unconsolidated deposits of late Pleistocene and Holocene sediments originating from the surrounding mountains and hills. The Yucaipa Subbasin ranges in elevation from 1,300 feet above the North American Vertical Datum of 1988 (NAVD88) to approximately 5,100 feet above NAVD88.

The bottom of the Yucaipa Subbasin consists of crystalline bedrock. Overlying the bedrock are late Pleistocene to Holocene deposits of alluvial sediments originating from the surrounding Crafton Hills, San Bernardino Mountains, and Yucaipa Hills. The deeper sedimentary deposits consist of units representing the San Timoteo Formation, the Sedimentary deposits of Live Oak Canyon, and surficial materials. The primary water-bearing formations in the Yucaipa Subbasin that form the principal aquifer are the Sedimentary deposits of Live Oak Canyon and the San Timoteo Formation.

ES-2.1 Precipitation and Surface Water

The Yucaipa Subbasin lies within the San Timoteo Wash watershed. The primary surface water drainage features are Wilson Creek, Oak Glen Creek, Yucaipa Creek and San Timoteo Creek. The headwaters for Wilson Creek and Oak Glen Creek originate in the San Bernardino Mountains. Yucaipa Creek begins in the Yucaipa Hills and flows east to west out of Wildwood Canyon. San Timoteo Creek is the major drainage feature in the San Timoteo Wash watershed. It enters the Yucaipa Subbasin at the southern end of the Live Oak subarea and runs approximately 3.5 miles before exiting the Plan Area. San Timoteo Creek is tributary to the Santa Ana River.

Stream flow near the upper reaches of Wilson Creek and Oak Glen Creek may be diverted to the Wilson Creek spreading basins and the Oak Glen spreading basins, respectively. The Wilson Creek spreading basins are used for the infiltration of imported SWP water and stormwater. The Oak Glen Creek spreading basins were designed to reduce flooding downstream of Bryant Street, collect debris and sediment in the basins to improve downstream water quality, enhance groundwater recharge by capturing stormwater runoff, and provide additional open space and habitat.

The San Bernardino County Flood Control District (SBCFCD), a division of the Department of Public Works, installed a network of climate stations throughout San Bernardino County to collect precipitation, stream flow and temperature data. Mean annual precipitation per water year (WY; defined as the 12-month period between October 1 and September 30 of the following calendar year) ranged from 11.15 inches in the Crafton subarea to 24.50 inches in the Triple Falls Creek subarea. The weighted mean annual precipitation across the Plan Area is 15.86 inches based on precipitation data collected at the 17 SBCDPW climate stations from the 1953 WY to the 2018 WY.

Periods of above or below average precipitation affect the volume of water that naturally recharges the groundwater aquifer underlying the Plan Area. To characterize the effects of total water year precipitation on local groundwater supplies and demands, and the volume of groundwater in storage, the precipitation measurements were categorized into six water year types. Water year type was characterized by normalizing measured water year precipitation by the long-term water-year precipitation averages measured at each of the 17 SBCFCD climate stations in the Subbasin. The normalized water year precipitation measurements were then categorized into the following water year types:

1. Critically Dry: < 50% of the long-term precipitation mean
2. Dry: ≥ 50%, but < 75% of the long-term precipitation mean
3. Below Normal: ≥ 75%, but < 90% of the long-term precipitation mean
4. Normal: ≥ 90%, but < 110% of the long-term precipitation mean
5. Above Normal: ≥ 110%, but < 150% of the long-term precipitation mean
6. Wet: ≥ 150% of the long-term precipitation mean

ES-2.2 Hydrogeological Conceptual Model

The Yucaipa Subbasin exists in a “right-step-over” zone between the active San Andreas and San Jacinto Fault Zones. The Yucaipa Plain lies between these two fault systems and comprises an extensive deposition of Quaternary sediments originating from the San Bernardino Mountains and Yucaipa Hills. The “right-step-over” zone created by the lateral displacement along the San Andreas and San Jacinto Fault Zones created a series of northeast-southwest trending normal-slip faults. Displacement along these faults, in turn, created drop-down structures that filled in with Quaternary alluvial sediments.

The geologic units defined within the Yucaipa Subbasin are Mesozoic and older crystalline bedrock, the Plio-Pleistocene San Timoteo Formation, and the Quaternary Sedimentary Deposits of Live Oak Canyon and surficial alluvial deposits. The crystalline bedrock provides the base for the sedimentary deposits in the Yucaipa Subbasin. The San Timoteo Formation and the Sedimentary Deposits of Live Oak Canyon define the principal aquifer in the Yucaipa Subbasin. The primary use of groundwater produced from the principal aquifer is for municipal water supply. The Yucaipa Subbasin is divided into nine hydrogeologic subareas based on the apparent influences of faults (both mapped and inferred) on groundwater flow.

San Timoteo Creek conveys surface water out of the Plan Area and is tributary to the Santa Ana River. Surficial soils mapped in the Plan Area indicate that the surface water drainages are underlain by highly permeable loamy sand with relatively high infiltration rates; thereby, indicating that leakage from stream flow is a major contributor to groundwater recharge. Geologic cross-sections provide scaled details of the physical features that influence groundwater flow and provide a visual approximation of the storage capacity of the Subbasin.

ES-2.3 Current and Historical Groundwater Conditions

Current Groundwater Elevations

The current condition for groundwater levels in the Yucaipa Subbasin is represented by static water levels measured in September 2018. The 2018 WY was characterized as a “dry” water year type. The preceding 2017 WY was characterized as an “above normal” water year type with precipitation ranging from 14.42 inches at SBCFCD station 3023 to 21.49 inches at SBCFCD station 3126A.

Static groundwater levels measured in September 2018, which represents the current water year low, ranged from 1,723.93 feet above NAVD88 at well WHWC-11 in the Western Heights subbasin to 3,331.80 feet above NAVD88 at well YVWD-14 in the Oak Glen subbasin. In general, groundwater flowed from the northeast to the southwest in the Yucaipa Subbasin. Static groundwater levels measured in March 2018 represent the current water year high. Groundwater levels ranged from 1,743.93 feet above NAVD88 at WHWC-11 to 3,297.90 feet above NAVD88 at YVWD-14.

Historical Groundwater Elevations

The earliest groundwater elevation data was collected in the 1920s. The first recorded static groundwater elevation was at YVWD-37 at 2,556 feet above NAVD88 in April 1921. This well is located in the northern part of the Crafton subarea. Historically, groundwater elevations in the Yucaipa Subbasin have ranged from 1,350.63 feet above NAVD88 in the Live Oak subarea to 3,355.80 feet above NAVD88 in the Oak Glen subarea.

In the 50-year historical period from 1966 to 2016, the highest static groundwater elevations (i.e., historical high) observed in the Calimesa, Wilson Creek and Gateway subareas occurred in the spring of 1988. Static groundwater elevations in the Subbasin ranged from 3,165.89 feet above NAVD88 at YVWD-13 in the Oak Glen subarea to 1,793.70 feet above NAVD88 at WHWC-02A in the Western Heights subarea. The hydraulic gradient in the principal aquifer in the spring of 1988 was 0.0448 feet/foot. The groundwater flow direction was to the southwest at an azimuth of 239 degrees.

The lowest groundwater elevations (i.e., historical low) observed in the Subbasin occurred in the Fall of 2007. The historical low in groundwater elevations occurred right before the marked increase in SWP water imported into the Subbasin by YVWD in the 2007 WY, and subsequent decline in groundwater production from 13,000 acre-feet per year (AFY) in the 2007 WY to 10,000 AFY in the 2009 WY. Static groundwater elevations in the Subbasin ranged from 3,346.50 feet above NAVD88 at YVWD-13 in the Oak Glen subarea to 1,728.90 feet above NAVD88 at WHWC-14 in the Western Heights subarea. The hydraulic gradient in the principal aquifer in Fall 2007 was 0.049 feet/foot. The groundwater flow direction was to the southwest at an azimuth of 232 degrees.

Groundwater in Storage

GSSI conducted a study in 2021 to estimate the volume of groundwater in storage at the end of the 2016 WY. GSSI's 2021 study used the integrated Santa Ana River numerical model as a tool to estimate the volume in storage. The model includes the full alluvial thickness of the Subbasin, in that the bottom of the model is defined by the contact between bedrock and the overlying alluvium. The estimated volume of groundwater in storage in the Yucaipa Subbasin at the end of the 2016 WY was 2,233,000 acre-feet (AF).

Groundwater Quality

The Regional Water Quality Control Board Santa Ana Region recognized in the 1975 and 1983 Basin Plans that the most serious water quality issue to the Santa Ana River Basin "was the buildup of dissolved minerals, or salts, in the ground and surface waters." The historical use of water for irrigation purposes, particularly for citrus that demanded large volumes of applied water, was a main contributor to increasing concentrations of total dissolved solids (TDS) and nitrate. The Regional Water Quality Control Board recognized the need to implement salt and nutrient management plans to control the salt and nutrient loading to the basin.

The 2004 Basin Plan update included the creation of new groundwater management zones (GMZs) and set "maximum benefit" objectives for TDS and nitrate-nitrogen in the Chino North, Cucamonga, San Jacinto Upper Pressure, Yucaipa, Beaumont, and San Timoteo GMZs. The majority of the Yucaipa Subbasin is within the Yucaipa GMZ, with part of the lower sections in the Beaumont and San Timoteo GMZs. In 2014, the Regional Board adopted order number R8-2014-0005, an amendment to the Basin Plan that revised the maximum benefit commitments in the Yucaipa, San Timoteo, and Beaumont GMZs.

The implementation of reverse-osmosis treatment at the YVWD WRWRF facility has reduced the TDS concentration in recycled water to an average of <300 milligrams per liter (mg/L). YVWD is serving some recycled water to its customers, with plans to increase the usage of recycled water, for irrigation purposes. The application of recycled water for irrigation purposes has not increased TDS concentrations in the principal aquifer. Nitrate concentrations observed in the Subbasin have, in general, remained steady at <10 mg/L after agricultural practices in the Plan Area decreased significantly after the 1970s and septic systems were replaced with sanitary sewer services in the 1980s, with the exception of the Western Heights subarea. There are no TDS or nitrate water quality issues that may affect the long-term supply and beneficial uses of groundwater produced from the principal aquifer.

Land Subsidence

Historical records of land subsidence in the Plan Area do not indicate that land subsidence resulted from past groundwater production from the principal aquifer. Land subsidence was attributed to past tectonic activity associated with movement along the San Andreas and San Jacinto Fault Zones. Land subsidence data obtained from the SGMA Data Portal indicated a range of subsidence for the Plan Area from 0.0 feet to 0.054 feet, or 0.65 inches, from June 2015 to October 1, 2018. This does not constitute a significant and unreasonable vertical displacement of land surface that "substantially interferes with surface land uses and may lead to undesirable results."

Because the minimum thresholds established in this GSP are based on groundwater elevations at or below the historical low groundwater elevations observed in the Plan Area, there exists the potential for land subsidence to occur should groundwater levels fall below the historical lows over a long period. Subsidence related to declining

groundwater levels as a result of groundwater withdrawals cannot be directly measured in the Plan Area, so the minimum thresholds established for the chronic lowering of groundwater levels will be used as a surrogate for direct measurements of land subsidence. Should groundwater levels fall below the historical lows and persist at such a level for more than 12 months, then the Yucaipa GSA will refer to the integrated Santa Ana River data set included in the SGMA Data Portal and periodically obtain future data to compare to the baseline dataset compiled from June 2015 to October 1, 2018.

Groundwater – Surface Water Connections

Wilson Creek, Oak Glen Creek, and Yucaipa Creek are the major surface water drainages in the Yucaipa Subbasin that may have a hydrologic connection with the underlying principal aquifer. However, no direct investigations have been conducted to characterize the relationship between surface water flows in these drainages with the underlying groundwater. Groundwater elevation data collected at wells located near these drainages indicated depths-to-water greater than 200 feet below ground surface (bgs), except at the upper elevations in Oak Glen and in Wildwood Canyon. Shallow observation wells installed adjacent to San Timoteo Creek indicated that San Timoteo Creek was a gaining stream upstream of its confluence with Yucaipa Creek and the reach downstream of Alessandro Road was characterized as a losing stream. The best available estimates for groundwater-surface water connections derive from the U.S. Geological Survey integrated hydrological numerical model. The numerical model simulates the amount of runoff originating from precipitation over the San Timoteo Wash watershed and computes leakage from flows in the creeks to the underlying aquifer.

Groundwater Dependent Ecosystems

GDEs in the Plan Area were characterized by reviewing the NCCAG dataset alongside measured groundwater elevations, aerial photographs, and Landsat data analyzed by The Nature Conservancy. The Nature Conservancy used Landsat data to calculate historical variations in the Normalized Derived Vegetation Index (NDVI) and Normalized Derived Moisture Index (NDMI). The Nature Conservancy calculated average values of NDVI and NDMI between July 9 and September 7 of each year to estimate vegetation health during the driest period of the year, when the overlying habitats are most likely to depend on groundwater. GDEs were identified adjacent to San Timoteo Creek, Oak Glen Creek, and Wildwood Canyon Creek. The habitats located along Oak Glen Creek, Wildwood Canyon Creek, and San Timoteo Creek consist of coast live oak (*Quercus agrifolia*), riparian mixed hardwood, Fremont cottonwood (*Populus fremontii*), and willow (*Salix* spp.).

ES-2.4 Water Budget

A historical water budget was prepared for the 50-year period starting in the 1965 WY and ending in the 2014 WY (October 1, 1965, to September 30, 2014). Current conditions in the Subbasin were characterized by quantifying the water budget for the period from the 2015 WY through the 2018 WY (October 1, 2014, to September 30, 2018). Three future scenarios were assessed to characterize projected conditions in the Subbasin. These scenarios characterize projected water budgets for the period extending from the 2019 WY through the 2069 WY (October 1, 2018, to September 30, 2069). Individual components of the water budget are described in units of acre-feet (AF) or acre-feet per year (AFY).

Estimates of the individual water budget components for the historical and current conditions in the Basin are based on simulation results from the Yucaipa Integrated Hydrologic Model (YIHM). The YIHM is an integrated surface water and groundwater numerical model developed by the U.S. Geological Survey to simulate the effects of native and non-native water supplies and demands on groundwater conditions across the entire Yucaipa Valley

watershed. Individual water budget components were extracted from the YIHM based on the B118 boundary for the Yucaipa Subbasin.

ES-2.5 Management Areas

In order to sustainably manage the groundwater resources of the Yucaipa Subbasin, the Subbasin was divided into four management areas. The boundaries of the management areas were based on the geologic structures (i.e., faults, hydraulic barriers) that influence groundwater flow and defined the hydrogeologic subareas in the Subbasin, the distribution of water supply wells by the different water purveyors, and the identification and location of GDEs in the Subbasin. The geologic structures, or faults and hydraulic barriers, that influence groundwater flow across them (e.g., the Chicken Hill Fault and South Mesa Barrier) are effective boundaries to establish management areas as groundwater production on one side of the structure will not significantly affect groundwater levels at wells located on the other side. Each management area was assigned minimum thresholds and measurable objectives that will define sustainability within their individual boundaries.

The following management areas, listed in order from the highest to lowest along the hydraulic gradient in the Subbasin, are based on the geologic structures that defined the hydrogeologic subareas in the Subbasin, the distribution of public water supply wells, and presence of GDEs:

1. North Bench Management Area
2. Calimesa Management Area
3. Western Heights Management Area
4. San Timoteo Management Area

ES-3 Sustainable Management Criteria

The goal is to manage groundwater resources for sustainable, long-term use in the Yucaipa Subbasin. Long-term sustainable management includes:

- Maintaining sufficient groundwater in storage to allow for ongoing groundwater production that meets the operational demands of South Mesa, South Mountain, WHWC and YVWD and private well users, and the regulatory commitments established in the Plan Area
- Ensuring that groundwater production does not result in significant and unreasonable loss of GDEs

The sustainability goal for the Plan Area was developed using historical groundwater elevations, groundwater in storage, and the identification of GDEs in the Plan Area. The importation of SWP water into the Subbasin in 2003 has provided a supplemental source of water, which led to a reduction in groundwater production in the Yucaipa Subbasin. This supplemental source of water, which averaged approximately 8,000 AFY since 2008, has led to an average reduction in groundwater production by 3,000 AFY. Consequently, groundwater levels have recovered between 50 feet in the Calimesa Management Area and 200 feet in the North Bench Management Area in the past 10 years, with the volume of groundwater in storage in the Subbasin increasing by approximately 18,000 AF. The cessation of the decline in groundwater levels observed from 1997 to 2007, and observed storage increase over the last 10 years, indicates that the Yucaipa GSA member agencies have been managing the groundwater resource sustainably.

ES-3.1 Undesirable Results

Under SGMA, undesirable results occur when groundwater conditions in the Plan Area cause significant and unreasonable effects to any of the six sustainability indicators:

- Chronic Lowering of Groundwater Levels
- Reduction of Groundwater Storage
- Degraded Water Quality
- Land Subsidence
- Depletions of Interconnected Surface Water
- Seawater Intrusion

The four sustainability indicators that do apply to the Yucaipa Subbasin, and which will be used to evaluate sustainable management in the Subbasin, include (1) chronic lowering of groundwater levels, (2) reduction of groundwater storage, (3) land subsidence, and (4) interconnected surface water. Minimum thresholds and measurable objectives were defined for each of these four sustainability indicators, where applicable, for the four management areas. A minimum threshold represents a condition in the management area when undesirable results are experienced. A measurable objective represents a condition when the groundwater resource is managed sustainably and no undesirable results are experienced.

For the North Bench, Calimesa and Western Heights management areas, the minimum thresholds and measurable objectives are based on historical lows in groundwater in storage and drought buffers that the Yucaipa GSA identified as providing operational flexibility before undesirable results are experienced. For the San Timoteo Management Area, the minimum threshold and measurable objective are based on shallow groundwater levels that sustain GDEs along San Timoteo Creek and potential GDEs along Yucaipa Creek.

The following minimum thresholds and measurable objectives established for each management area are applicable for these sustainability indicators: chronic lowering of groundwater levels, reduction of groundwater storage, land subsidence, and depletion of interconnected surface water. Degraded water quality and seawater intrusion are not applicable in the Subbasin.

North Bench Management Area: The current volume of groundwater in storage in the North Bench Management Area is 255,000 AF. The minimum threshold is established at the historical low for groundwater in storage at 220,000 AF. The top of the drought buffer is at a volume in storage of 230,000 AF, 10,000 AF above the minimum threshold. This represents the measurable objective and provides operational flexibility to implement management actions and/or programs to prevent undesirable results when groundwater conditions decline below the minimum threshold. Groundwater conditions are defined by static groundwater levels measured at 8 wells, or representative monitoring points, in the management area. Specific groundwater elevations were defined at each representative monitoring point (RMP) that represent the minimum threshold (220,000 AF) and measurable objective (230,000 AF). Monitoring of groundwater elevations at the RMPs will provide a spatial and temporal characterization of groundwater conditions to help guide management actions to sustainably managed the Subbasin.

Calimesa Management Area: The current volume of groundwater in storage in the Calimesa Management Area is 800,400 AF. The minimum threshold is established at the bottom of a drought buffer at 772,700 AF. The measurable objective was established at the historical low volume in storage of 798,700 AF, which is

26,000 AF above the minimum threshold and represents the beginning of the drought buffer. Groundwater conditions are defined by static groundwater levels measured at 13 RMPs in the management area. Specific groundwater elevations were defined at each RMP that represent the minimum threshold (772,700 AF) and measurable objective (798,700 AF). Monitoring of groundwater elevations at the RMPs will provide a spatial and temporal characterization of groundwater conditions to help guide management actions to sustainably managed the Subbasin.

Western Heights Management Area: The current volume of groundwater in storage in the Calimesa Management Area is 800,400 AF. A drought buffer was defined from the historical low in the volume of groundwater in storage at 408,800 AF to 398,800 AF. The minimum threshold is established at 398,800 AF, the bottom of the drought buffer. The measurable objective is established at a volume in storage of 408,800 AF. Groundwater conditions are defined by static groundwater levels measured at 7 RMPs in the management area. Specific groundwater elevations were defined at each RMP that represent the minimum threshold (398,800 AF) and measurable objective (408,800 AF). Monitoring of groundwater elevations at the RMPs will provide a spatial and temporal characterization of groundwater conditions to help guide management actions to sustainably managed the Subbasin.

San Timoteo Management Area: A minimum threshold for this management area was established for the GDEs identified along San Timoteo Creek. At this time, no sustainability criteria are established for the other sustainability indicators because there are no existing municipal water supply wells that extract groundwater from the principal aquifer. If a water purveyor plans to install and operate a municipal water supply well and produce from the principal aquifer, then the water purveyor must investigate the potential influences of pumping from the principal aquifer on the shallow groundwater table sustaining the GDEs identified along San Timoteo Creek and the potential GDEs identified along Yucaipa Creek upstream of its confluence with San Timoteo Creek. Additionally, the average long-term groundwater production from the principal aquifer in the San Timoteo Management Area will be held at or below the estimated sustainable yield of 325 AFY.

The undesirable result identified for the San Timoteo Management Area is the condition when the shallow groundwater table sustaining the GDEs falls below 30 feet bgs as a result of groundwater production from the principal aquifer. A measurable objective of 20 feet bgs for the shallow groundwater table was defined and provides a reasonable margin of operational flexibility under adverse conditions by allowing for changes to groundwater production (if demonstrated to influence shallow groundwater) or the implementation of projects and/or programs to prevent groundwater levels falling below 30 feet bgs. Groundwater conditions are defined by static groundwater levels measured at six RMPs in the management area.

ES-3.2 Monitoring Network

The objective of a monitoring network is to track and monitor parameters that demonstrate “short-term, seasonal, and long-term trends in groundwater and related surface conditions, and yield representative information about groundwater conditions as necessary to evaluate Plan implementation.” To accomplish this objective, the monitoring network must be capable of the following:

- Monitoring changes in groundwater and surface water conditions that may impact the beneficial uses or users of groundwater
- Monitoring groundwater conditions relative to the sustainable management criteria
- Quantifying annual changes in water budget components

Groundwater Monitoring

The groundwater monitoring network includes 77 wells. Groundwater elevation data is collected at 73 of these wells; water quality data is collected at 40 of these wells; and groundwater production data is collected at 31 wells. Groundwater elevation and groundwater production data is collected on a monthly basis by the water purveyors. Groundwater quality data is collected quarterly to annually by the water purveyors. Four of the municipal wells in the monitoring network are located outside the Plan Area and supply water to the Subbasin. This water supply is characterized as an imported groundwater supply to the Subbasin. The majority of the wells are municipal supply and monitoring wells; however, the network does include two irrigation wells operated by South Mountain.

Surface Water Monitoring

The SBCFCD manages five stream gauges within the Plan Area. Two stream gauges are located on Yucaipa Creek, one is located on Wilson Creek upstream of the confluence with Oak Glen Creek, and two stream gages are located on Oak Glen Creek upstream of its confluence with Yucaipa Creek. These stream gauges record mean daily flow rates. These stations were designed to measure peak flow events and, therefore, do not accurately measure flow outside of those peak events. SBCFCD has confidence in measurements collected at the two farthest downstream gauging stations in the Subbasin. The Yucaipa GSA will evaluate the feasibility of installing new gauging stations, if funding becomes available, or work with SBCFCD to improve the existing stations to more accurately measure stream flows in the Subbasin. Stream flow measurements are recognized as a data gap in this GSP.

Precipitation

Precipitation is monitored at 17 precipitation stations managed by SBCFCD within the Plan Area and three National Oceanographic and Atmospheric Administration stations with one in the Plan Area, one in the City of Redlands, and one in Beaumont. Daily precipitation is recorded at these stations, which provides adequate temporal resolution to evaluate short-term and seasonal impacts of precipitation on groundwater conditions in the Plan Area. The longest continuous records of daily precipitation have been measured at two SBCFCD climate stations dating back to 1932. The lengths of these records, plus long-term records for other stations, are adequate to evaluate long-term trends in precipitation within the Plan Area.

Monitoring Protocols

Monitoring protocols have been established in this GSP for the collection of groundwater elevation, groundwater production, and groundwater quality data at all wells in the Subbasin (and for those outside the Subbasin that provide water to it) to ensure a consistent recording of information to accurately represent groundwater conditions and effectively evaluate the sustainable management of the groundwater resource.

Monitoring Network Improvements

The Yucaipa GSA is required to review and evaluate the monitoring network for the Plan Area during every 5-year assessment of this GSP. Specifically, "each agency shall identify data gaps wherever the basin does not contain a sufficient number of monitoring sites, does not monitor sites at a sufficient frequency, or utilizes monitoring sites that are unreliable, including those that do not satisfy minimum standards of the monitoring network adopted by the Agency." While the existing monitoring network satisfies the requirements to "demonstrate short-

term, seasonal, and long-term trends in groundwater and related surface conditions,” there are improvements that can be made to improve local spatial coverage. Future improvements to the monitoring network have been identified for the following:

- Stream flow gauging
- Interconnected surface water
- Information on private well users
- Spatial and temporal gaps in groundwater level measurements

ES-4 Projects and Management Actions

Future projections using the YIHM with groundwater production constrained to the estimated sustainable yield of 10,980 AFY indicate that the Subbasin will not experience undesirable results over the 50-year planning and implementation period. The simulated Future Baseline with Climate Change II scenario indicated that conditions in the Calimesa Management Area may decline below the measurable objective and trend toward the minimum threshold at the end of the 50-year planning and implementation period. Under such conditions, the Yucaipa GSA has defined management actions that will be implemented to prevent undesirable results.

The management actions described are not currently necessary to achieve sustainability in the Plan Area, which has experienced rising groundwater levels and increased groundwater in storage since 2008. They would be implemented, as necessary, to respond to declining conditions that deviate from the future predictions by the YIHM.

The Yucaipa GSA identified projects that have been designed, permitted, and are undergoing development or will in the near future. These include the Wilson Creek III Basins, the Pendleton Avenue Low Water Crossing, and the Upper Wildwood Creek Basin. These basins are designed to capture stormwater flows and enhance recharge to the Subbasin. These basins will be located in the North Bench Management Area. The Yucaipa GSA is evaluating potential sites to construct and operate spreading basins to enhance recharge in the Calimesa Management Area. The YIHM predicts that groundwater elevations will decline below the measurable objective under the Future Baseline with Climate Change II scenario within the 50-year planning and implementation horizon. The Yucaipa GSA will evaluate the proposed basin(s) after more details of their construction and operation are developed. The basins will be included in the YIHM and evaluated during the 5-year evaluation study after this GSP is adopted.

ES-4.1 Management Action No. 1

Management Action No 1: Reduce Net Use of Groundwater When Groundwater Levels Decline Below Measurable Objectives

The drought buffers established for the North Bench, Calimesa and Western Heights management areas provide operational flexibility to implement management actions when groundwater conditions decline below their respective measurable objectives. The following management action will prevent undesirable results related to the chronic lowering of groundwater levels, reduction in groundwater storage, and land subsidence for these three management areas. Management actions will be implemented when groundwater levels decline below measurable objectives established to protect the GDEs identified in the North Bench and San Timoteo Management Areas. The management actions will prevent significant and unreasonable effects resulting in a loss in surface water interconnected with shallow groundwater that sustain the GDEs.

If groundwater elevations decline below the measurable objective levels established at 50% or more of the RMPs for two consecutive years in a management area, then the net use of groundwater in that management area will be reduced by a minimum 5% (Calimesa and Western Heights management areas) to 25% (North Bench management area) of the estimated sustainable yield for that management area. Groundwater elevations below the measurable objectives fall within drought buffers established in the North Bench, Calimesa and Western Heights management areas. Reductions in the net use of groundwater in the Calimesa and Western Heights management areas are based on a tier structure that incrementally increases the reduction in groundwater use should groundwater elevations continue to decline.

If groundwater elevations decline below the minimum threshold levels established at 50% or more of the RMPs for two consecutive years in a management area, then the net use of groundwater in that management area will be reduced by a minimum 15% (Western Heights management area) to 35% (North Bench management area) of the estimated sustainable yield for that management area.

The net reductions in groundwater use may be achieved by either reducing groundwater production, artificially recharging the aquifer with supplemental water, using supplemental water for in lieu use, enacting water conservation programs and/or other programs that result in a net reduction of groundwater use, or any combination of these actions that result in a net reduction of groundwater use by the required reduction amount stipulated in this management action for a management area. Groundwater production may increase when groundwater levels recover to a higher tier in the drought buffer or rise above the measurable objective for two consecutive years. If the management action is implemented and conditions do not improve over a 5-year evaluation period, then the Yucaipa GSA will reevaluate and, possibly, recalibrate the YIHM to improve the accuracy of the model in estimating the sustainable yield and predicting future conditions.

For the San Timoteo Management Area, six RMPs were identified to characterize shallow groundwater elevations and evaluate whether groundwater production from the principal aquifer will cause significant and unreasonable effects on the interconnection between surface water and groundwater. GDEs have been identified along the reach of San Timoteo Creek in the Plan Area. GDEs were also identified in the upper reach of Oak Glen Creek and Yucaipa Creek. If groundwater levels decline below 20 feet bgs for two consecutive years at 50% or more of the RMPs in the San Timoteo management area or at the two RMPs in the North Bench management area, then the Yucaipa GSA will investigate to confirm that the decline in the water table is a result of groundwater production from the principal aquifer. This may include observing groundwater levels at the RMPs and measuring stream flow when the principal aquifer well(s) is operating, or designing and implementing an aquifer test to confirm the influence of groundwater production from the principal aquifer on stream flow and the groundwater table. If an aquifer test is conducted and confirms the influence of production from the principal aquifer on the surface water/groundwater interconnection and a subsequent drawdown of the water table, then production from the principal aquifer will be reduced to the extent that it no longer causes a significant and unreasonable effect.

ES-4.2 Management Action No. 2

Management Action No. 2: Sustainable Yield Pumping Allocations and Groundwater Replenishment

At the adoption of the GSP, groundwater sustainable yield pumping allocations will be assigned to YVWD and private water users in the North Bench Management Area, to South Mountain, South Mesa, YVWD and private water users in the Calimesa Management Area, and to WHWC in the Western Heights management area. No sustainable yield pumping allocations were assigned in the San Timoteo management area at this time because the Yucaipa GSA

needs to confirm the location and volume of private pumping from the principal aquifer and determine whether sustainable yield pumping allocations are appropriate to manage groundwater production in this management area.

The pumping allocations are designed to regulate the annual volume of groundwater produced by each groundwater user per water year and maintain the total groundwater produced at or below the estimated sustainable yields for these management areas. As an incentive to manage groundwater production at or below the sustainable yield pumping allocation, a groundwater user may earn pumping credits in the amount of the sustainable yield pumping allocation less the groundwater pumped.

The Yucaipa GSA will apply a 5-year rolling pumping credit system to keep account of the pumping credits earned by each groundwater user, meaning pumping credits that are earned and not used after 5 years will be lost. Pumping credits, if available, may be used to offset the volume of groundwater produced in excess of the sustainable yield pumping allocation to the extent that the credits equal the pumping exceedance. Any remaining deficit will be charged a replenishment fee. The replenishment fee will be equivalent to the volume of groundwater that exceeds the sustainable yield pumping allocation multiplied by the rate per AF to purchase supplemental water at San Bernardino Valley Municipal Water District or San Geronimo Pass Water Agency rates for imported SWP water. The supplemental water may be used to artificially recharge a management area, or as in lieu use to offset the pumping exceedance. Any pumping credits remaining will carry over into the next water year under the 5-year rolling pumping credit system.

The assessment for pumping credits will begin with the 2022 WY. The volume of water pumped per user will be accounted for on a monthly basis beginning October 1, 2021. Pumping credits will be earned by users that pump less than their respective sustainable yield pumping allocations for the 2022 WY. Pumping credits cannot be transferred or sold to another entity within a given management area or with the Subbasin. The sustainable yield pumping allocations will be reassessed during every periodic evaluation when the water budget analysis is updated and the sustainable yield reevaluated.

ES-4.3 Management Action No. 3

Management Action No. 3: Surplus Supplemental Water Spreading

Surplus supplemental water, which is not associated with Management Action #2, and discharged to a spreading basin to facilitate the artificial recharge of the Subbasin will have a separate accounting by the Yucaipa GSA. The surplus supplemental water will be accessible to the water purveyor that purchased the water and percolated it at a spreading basin. This water will be available to help offset production exceedances above the sustainable yield pumping allocations instead of pumping credits earned via Management Action #2.

ES-4.4 Projects

Currently, the Plan Area is not experiencing undesirable results with regard to the chronic lowering of groundwater elevations, reduction of groundwater in storage, land subsidence, and depletion of surface water as a result of groundwater production from the principal aquifer that threatens GDEs. The importation of SWP water as a supplemental source of water, both as direct use and through artificial recharge in the various spreading basins, has allowed the Yucaipa GSA member agencies to reduce groundwater production in the North Bench, Calimesa, and Western Heights management areas to levels below their respective estimated

sustainable yields. Groundwater production by private well owners in the San Timoteo management area has not caused significant and unreasonable effects related to the sustainability indicators per SGMA. The Subbasin is currently managed sustainably.

Management actions were defined to achieve sustainable management of the groundwater resources in the Plan Area should groundwater elevations decline below measurable objectives. These actions will be implemented when groundwater levels decline to the drought buffers established for the North Bench, Calimesa, and Western Heights management areas. The drought buffers provide operational flexibility for the Yucaipa GSA to implement these management actions and/or other programs to prevent undesirable results.

Some of the member agencies of the Yucaipa GSA have constructed stormwater capture basins to enhance recharge to the Subbasin. The Wilson Creek and Oak Glen Creek basins are designed to capture stormwater but are primarily used to artificially recharge the Subbasin using surplus SWP water delivered by the SWP East Branch Extension. These basins are included in the YIHM to simulate their contributions to recharge to the Subbasin. The Wilson Creek and Oak Glen Creek basins have contributed an average 1,900 AFY and 170 AFY, respectively, to the Subbasin since 2011. The other existing stormwater capture basins are estimated to capture approximately 1,800 AFY. These projects provide additional benefits including improving water quality in surface waters by reducing stormwater runoff volumes and providing wildlife habitat.

The Yucaipa GSA identified proposed projects that have been designed and permitted and are undergoing development or will be developed in the near future. These include the Wilson Creek III Basins, the Pendleton Avenue Low Water Crossing, and the Upper Wildwood Creek Basin. The projects funded by the City of Yucaipa (with major funding also provided by San Bernardino Valley Municipal Water District for the Wilson III Basins) are designed to capture stormwater flows and enhance recharge to the Subbasin. The estimated average annual recharge contribution is approximately 1,500 AF. These basins will be located in the North Bench Management Area. These planned basins were not included in the future water budget analyses for the North Bench Management Area using the YIHM, because the North Bench Management Area is not projected to experience undesirable results over the 50-year planning and implementation horizon. However, these planned projects will provide additional opportunities to capture and recharge stormwater flows, thereby reducing the reliance on imported water to meet the basin measurable objectives.

ES-5 Plan Implementation

Upon adoption of this GSP by the Yucaipa GSA, the primary activities associated with implementing the GSP include administrative duties by the member agencies of the Yucaipa GSA, the management of data collection, data validation, and analysis to evaluate conditions in the Subbasin, the preparation and submittal of annual reports and periodic evaluations, with associated data, to DWR, and an assessment of conditions in the Subbasin and determination if management actions need to be implemented. During the initial 5-year period after the GSP is adopted, the Yucaipa GSA will evaluate options to address data gaps and conduct feasibility studies to evaluate the effectiveness of potential spreading basins and other programs that would maintain or achieve sustainability in the Subbasin.

Public Draft Comments and Responses				
Section	Page	Comment Item Description	Comment Received by	Date Comment Received
2.8.2.2.3	2-46	Table 2-3 in Appendix 2C lists "0 AF Imported by South Mesa-04 from 1987 and prior, and no reference is made prior to 1965. Please explain the those figures and date ranges, and how they are being applied.	South Mesa	12/7/2021
2.8.2.2.3	2-46	We invite Dudek to contact South Mesa to ensure that complete and accurate South Mesa-04 data is being utilized for the GSP.	South Mesa	12/7/2021
4.2.2	4-16	In Section 4.2.2, entitled, "Management Action #2 - Sustainable Yield Pumping Allocations and Groundwater Replenishment," Dudek has made a revision to the draft GSP text at the request of SRM/MWD that is of significant concern to South Mesa. The revision adds a sentence expressly stating that "Pumping credits cannot be transferred or sold to another entity within a given management area or within the Subbasin." That sentence should be deleted. The transferability of pumping credits is a significant policy matter that has not yet been specifically addressed by the Yucapca GSA. In fact, the ability to transfer pumping credits within a management area or within the Subbasin could potentially provide an important management tool for the Subbasin and should be explored and discussed. Until that policy issue is addressed and decided, the GSP should not include language limiting or prohibiting transferability. We request that placeholder language be included in the GSP stating that "The Yucapca GSA will continue to discuss transferability of pumping credits."	South Mesa	12/7/2021
4.2.3	4-23	Please provide a further detailed explanation regarding the accounting methodology for Surplus Supplemental Water. The response above indicates that Surplus Supplemental Water is not associated with Management Action #2, but indicates that that Surplus Supplemental water will nonetheless be available to offset production exceedances above sustainable yield pumping allocations (which allocations comprise an integral component of Management Action #2). We would appreciate added clarity regarding the interrelatedness and accounting methodology for Management Action #2 and Management Action #3.	South Mesa	12/7/2021
		The following section, "which is not associated with Management Action No. 2 [Section 4.2.2]", will be deleted from the text to remove any confusion of the interrelationship between pumping credits defined in Management Action No. 2 and supplemental surplus spreading water defined in Management Action No. 3. The surplus supplemental water will be accessible to the water purveyor that purchased the water and percolated it at a spreading basin. This water will be available to help offset production exceedances above the sustainable yield pumping allocations instead of pumping credits earned via Management Action No. 2.		
		Figure 1-13 was updated to include the populations for the DACs and SDACs identified in the Plan Area, and the source of water supplied to the DACs and SDACs. Section 1.8.8 was also revised with added text describing the sources of water for the disadvantaged communities.	Nature Conservancy et al., Public Comment Letter for Yucapca Subbasin Draft GSP	12/3/2021
		Chapter 2 of the GSP was updated to include a new section, titled "Section 2.7.8.1 Interconnected Surface Waters". This section describes modeled surface water-groundwater interactions across the Yucapca Subbasin and introduces revised Figures 2-56 and 2-57 that display the locations of ISWs confirmed by observed groundwater levels and potential ISWs simulated in the Plan Area. The locations of the ISWs are compared to mapped GDEs in the Plan Area. While the Yucapca Integrated Hydrologic Model provides the best-available data characterizing ISWs in the Subbasin, we note that this component of the numerical model is uncertain and not well-constrained by surface water flow measurements. As part of this section, we identify the presence of ISWs as a data gap.	Nature Conservancy et al., Public Comment Letter for Yucapca Subbasin Draft GSP	12/3/2021

ORDINANCE NO. 2026-01

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE YUCAIPA SUSTAINABLE GROUNDWATER MANAGEMENT AGENCY ADOPTING RULES AND REGULATIONS TO IMPLEMENT THE YUCAIPA SUBBASIN GROUNDWATER SUSTAINABILITY PLAN

RECITALS AND FINDINGS

WHEREAS, the Sustainable Groundwater Management Act ("SGMA"), codified at California Water Code Section 10720 et seq., became effective on January 1, 2015, establishing a comprehensive statewide framework for sustainable groundwater management in California and granting Groundwater Sustainability Agencies ("GSAs") broad authority to adopt rules, regulations, and ordinances necessary to implement Groundwater Sustainability Plans ("GSPs"); and

WHEREAS, SGMA mandates that groundwater basins be managed sustainably over a planning horizon of at least 20 years without causing "undesirable results" as defined in Water Code §10721(x), including chronic lowering of groundwater levels, significant and unreasonable reduction of groundwater storage, seawater intrusion, degraded water quality, land subsidence, and depletions of interconnected surface water that have significant and unreasonable adverse impacts on beneficial uses of the surface water; and

WHEREAS, the Yucaipa Sustainable Groundwater Management Agency ("Yucaipa SGMA" or "Agency") was formed in 2017 as a multi-jurisdictional GSA pursuant to a Memorandum of Agreement among the participating entities to serve as the exclusive GSA for the Yucaipa Subbasin (DWR Basin Number 8-002.07); and

WHEREAS, the Yucaipa SGMA adopted the Final Groundwater Sustainability Plan for the Yucaipa Groundwater Subbasin ("GSP") on January 26, 2022, which was subsequently approved by the California Department of Water Resources ("DWR") on January 18, 2024, establishing sustainable management criteria, measurable objectives, minimum thresholds, and a path to achieve sustainability by 2042; and

WHEREAS, the GSP identifies four Management Areas (North Bench, Calimesa, Western Heights, and San Timoteo) based on geographic, geologic, and hydrologic characteristics and establishes a subbasin-wide sustainable yield of approximately 10,980 acre-feet per year (AFY) as illustrated in Exhibit A; and

WHEREAS, the GSP establishes three primary Management Actions to achieve and maintain sustainable groundwater conditions by 2042; and

WHEREAS, Management Action #1 provides for staged reductions in net groundwater use triggered by conditions relative to measurable objectives and minimum thresholds, with the specific reduction percentages and triggers varying by Management Area as set forth in the GSP, triggered when groundwater elevations fall below the measurable objectives or minimum thresholds at fifty percent (50%) or more of the Representative Monitoring Points in a Management Area for two consecutive years; and

WHEREAS, Management Action #2 establishes sustainable yield pumping allocations for groundwater users within each Management Area together with a system for the accumulation and use of pumping credits for unused allocations within a rolling five-year period; and

WHEREAS, Management Action #3 of the GSP provides a separate accounting for Supplemental Water that is artificially recharged and makes that recharged volume available to the party that introduced it to offset pumping in excess of that party's sustainable yield allocation within a Management Area; and

WHEREAS, the GSP established a five-year rolling pumping credit system for unused sustainable yield allocations and expressly reserved, as an implementation matter, the development of a policy allowing the transferability of pumping credits between groundwater users within a given Management Area or within the Subbasin; and Water Code Section 10726.4(a)(4) authorizes the Agency to establish accounting rules allowing unused groundwater extraction allocations to be carried over from one year to another; and this Ordinance implements that reserved GSP policy and that statutory authority by allowing voluntary transfers of unused pumping credits only within the same Management Area, subject to the five-year extraction consistency requirement of Water Code Section 10726.4(a)(4) and the sustainable management criteria of the GSP; and

WHEREAS, private well owners within the Subbasin may elect to connect to a Purveyor's water service system, and clear rules for the transfer of associated groundwater extraction allocations are necessary to maintain consistency with the GSP sustainable yield framework; and

WHEREAS, SGMA and the GSP require metering, monitoring, reporting, and data management sufficient to verify extractions, Unused Storage Credit Accounts, Supplemental Water Storage Accounts, and compliance with the GSP, and to support adaptive management, including the five-year periodic evaluations of the GSP; and

WHEREAS, the Board of Directors desires to adopt this Ordinance to establish clear, enforceable, and transparent rules for sustainable yield allocations, unused pumping credits, Supplemental Water Storage Accounts, transfers within a Management Area, and related reporting obligations; and

WHEREAS, this Ordinance is adopted to implement the GSP and is necessary to protect the long-term viability of the groundwater resources for current and future beneficial uses.

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NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the Yucaipa Sustainable Groundwater Management Agency as follows:

ARTICLE 1 - GENERAL PROVISIONS

Section 1.01 - Authority

This Ordinance is adopted pursuant to the authority granted to the Agency under the Sustainable Groundwater Management Act (Water Code §§ 10720–10737.8). Without limiting the generality of the foregoing, such authority includes, but is not limited to, the powers set forth in Water Code sections 10725.2, 10725.4, 10725.6, 10725.8, 10726.2, 10726.4, 10730 et seq., and 10732, together with all other applicable provisions of SGMA and the California Water Code. The Agency's authority is further derived from the Memorandum of Agreement to Form a Groundwater Sustainability Agency for the Yucaipa Subbasin, dated 2017, as it may be amended, or any successor joint powers agreement.

This Ordinance shall have the force and effect of law within the jurisdiction of the Agency and shall be enforceable in accordance with its terms and applicable law.

Section 1.02 - Purpose and Intent

The purpose of this Ordinance is to implement the GSP by establishing enforceable rules for Annual Sustainable Yield Allocations, Unused Storage Credits, Supplemental Recharged Water, transfers within a Management Area, conversion of private wells to Purveyor service, and related metering and reporting.

Section 1.03 - Hierarchy of Documents and Relationship to Other Agency Instruments

The following order of precedence shall apply in the event of any conflict or inconsistency between or among the documents governing the Agency and its activities:

- A. Applicable Law
- B. MOA or Memorandum of Agreement (or future Joint Powers Agreement)
- C. Bylaws
- D. GSP
- E. Ordinances
- F. Resolutions
- G. Administrative Actions

In the event of a conflict, the document listed at the higher level above controls, except to the extent Applicable Law requires a different result. Nothing in this Ordinance modifies a voting requirement, membership right, cost-sharing obligation, or other governance provision in the MOA or Bylaws.

This Ordinance shall be construed to implement, not amend, the GSP, the MOA, or the Bylaws. Neither this Ordinance nor a Board resolution may make a substantive change to a sustainable-yield determination, Management Action, or other core GSP provision. Any such change shall be made through the GSP amendment process.

Section 1.04 - Applicability

This Ordinance applies to all Purveyors, all Private Well Owners, and any other person or entity that extracts groundwater from the Yucaipa Subbasin, including a successor, assignee, lessee, or operator of an extraction facility.

Groundwater extractors are classified as follows:

- A. Purveyor means South Mesa Water Company, South Mountain Water Company, Western Heights Water Company, and Yucaipa Valley Water District. Each Purveyor is subject to the allocation, Unused Storage Credit, Supplemental Water Storage Account, transfer, metering, reporting, and related provisions of this Ordinance.
- B. De Minimis Extractor means any person who extracts two (2) acre-feet or less of groundwater per year for domestic purposes, as defined in Water Code section 10721(e). De Minimis Extractors are exempt from the allocation, Unused Storage Credit, transfer, metering, and related provisions of this Ordinance. Nothing in this Ordinance alters the statutory definition or treatment of De Minimis Extractors under SGMA.
- C. Low Volume Private Well Owner means a Private Well Owner who extracts more than two (2) acre-feet but not more than five (5) acre-feet of groundwater per Water Year. Low Volume Private Well Owners are exempt from the allocation, Unused Storage Credit, and transfer provisions of this Ordinance unless the Agency determines that participation is necessary to protect sustainable management of the Subbasin.
- D. High Volume Private Well Owner means a Private Well Owner who extracts more than five (5) acre-feet of groundwater per Water Year. High Volume Private Well Owners are subject to the metering and reporting requirements of Articles 7 and 8. A High Volume Private Well Owner becomes a Qualifying Private Well Owner, and thereby becomes eligible for an Annual Sustainable Yield Allocation and for Unused Storage Credits and transfers, only upon satisfying the requirements of Section 7.02.

De Minimis Extractors, Low Volume Private Well Owners, and High Volume Private Well Owners who are not Qualifying Private Well Owners are encouraged to participate voluntarily in Agency metering and reporting programs to support basin monitoring and the five-year periodic evaluation of the GSP.

Section 1.05 - Definitions

For purposes of this Ordinance, the following definitions shall apply. Terms not defined herein shall have the meanings ascribed to them in SGMA (Water Code § 10721), the GSP, or common usage in California water law:

- A. “Administrative Action(s)” means policies, forms, and minute orders.
- B. “Administrative Consultant” means the consultant or firm retained by the Agency to provide administrative, technical, and regulatory support services for the implementation and ongoing administration of this Ordinance, the Groundwater Sustainability Plan, and the Agency’s obligations under the Sustainable Groundwater Management Act, in lieu of a General Manager.

- C. “Agency” or “Yucaipa SGMA” means the Yucaipa Sustainable Groundwater Management Agency.
- D. “Annual Sustainable Yield Allocation” means the quantity of groundwater, measured in acre-feet, that each Purveyor or Qualifying Private Well Owner is authorized to extract annually from a specific Management Area, based on their proportionate share of the Management Area’s sustainable yield as established in the GSP and as set forth in Article 3 of this Ordinance, or as subsequently updated by the Board.
- E. “Applicable Law” means all applicable federal and state statutes, regulations, and common law, including but not limited to the Sustainable Groundwater Management Act (Water Code §§ 10720-10737.8), the Ralph M. Brown Act, the California Public Records Act, CEQA, Proposition 218, and all other applicable constitutional, statutory, and regulatory requirements.
- F. “Board” means the Board of Directors of the Yucaipa Sustainable Groundwater Management Agency.
- G. “Bylaws” means the Bylaws of the Yucaipa Sustainable Groundwater Management Agency, adopted May 23, 2018, as may be amended.
- H. “De Minimis Extractor” means any person who extracts two (2) acre-feet or less of groundwater per year for domestic purposes, as defined in Water Code section 10721(e).
- I. “GSP” or “Groundwater Sustainability Plan” means the Final Groundwater Sustainability Plan for the Yucaipa Groundwater Subbasin, adopted January 26, 2022, and approved by DWR on January 18, 2024, as may be amended or updated.
- J. “High Volume Private Well Owner” means a Private Well Owner who extracts more than five (5) acre-feet of groundwater per Water Year.
- K. “Low Volume Private Well Owner” means a Private Well Owner who extracts more than two (2) acre-feet but not more than five (5) acre-feet per Water Year.
- L. “Management Area” means one of the four distinct Management Areas identified in the GSP: North Bench Management Area, Calimesa Management Area, Western Heights Management Area, and San Timoteo Management Area.
- M. “Minimum Threshold” and “Measurable Objective” have the meanings set forth in the GSP and SGMA regulations for each sustainability indicator.
- N. “MOA” means the Memorandum of Agreement to Form a Groundwater Sustainability Agency for the Yucaipa Sub-Basin (Sub-basin No. 8-02.07), dated 2017, as may be amended, or any successor Joint Powers Agreement.
- O. “Ordinance(s)” means ordinances duly adopted by the Board, including this Ordinance No. 2026-01.

- P. "Private Well Owner" means an individual, property owner, or entity who owns, operates, or maintains a groundwater extraction well within the Yucaipa Subbasin that extracts groundwater for beneficial use on private property and is not a Purveyor.
- Q. "Purveyor" means South Mesa Water Company, South Mountain Water Company, Western Heights Water Company, and Yucaipa Valley Water District.
- R. "Qualifying Private Well Owner" means a High Volume Private Well Owner who has satisfied the monthly data submission and verification requirements of Section 7.02 and who has been assigned an Annual Sustainable Yield Allocation by the Agency.
- S. "Resolution(s)" means resolutions duly adopted by the Board of Directors.
- T. "Supplemental Recharged Water" means water that is physically introduced into a Management Area through managed means, including imported surface water, treated drinking water, recycled water, non-potable water, and water recharged through spreading basins or injection.
- U. "Supplemental Water Storage Account" means the accounting mechanism established by the Agency to track Supplemental Recharged Water.
- V. "Sustainable Yield" means the maximum quantity of water, calculated on an average annual basis, that can be withdrawn from the Subbasin or a Management Area over a long-term period without causing an undesirable result, as determined in the GSP (Subbasin total approximately 10,980 AFY).
- W. "Transfer Fee" means a fee, if any, imposed by the Agency by resolution or ordinance to recover costs or fund purposes lawfully associated with the review, approval, administration, or implementation of a transfer under this Ordinance. The term does not include private consideration paid between transfer parties unless expressly stated by the Board.
- X. "Undesirable Results" means one or more of the effects described in Water Code § 10721(x) and further defined with specific Minimum Thresholds and Measurable Objectives in the GSP.
- Y. "Unused Storage Credits" means the unused portion of an Annual Sustainable Yield Allocation for a Water Year, calculated as the positive difference between a Purveyor's or Qualifying Private Well Owner's Annual Sustainable Yield Allocation in a Management Area and that party's actual groundwater extraction from that Management Area in the same Water Year. Unused Storage Credits are an accounting mechanism for unused groundwater extraction allocations under Water Code section 10726.4(a)(4) and Management Action #2 of the GSP. They do not include Supplemental Recharged Water, do not constitute a property right, and may be carried over and used or transferred only as provided in this Ordinance and consistent with the GSP.
- Z. "Unused Storage Credit Account" means the accounting record maintained by the Agency for Unused Storage Credits earned by a Purveyor or Qualifying Private Well Owner in a Management Area. It is separate from a Supplemental Water Storage Account.

- AA. “Water Year” means the twelve-month period beginning October 1 and ending September 30.

ARTICLE 2 - GOVERNANCE AND BOARD OPERATIONS

Section 2.01 - General

The governance provisions in this Article are intended to summarize and supplement the Agency’s governing documents, subject to the order of precedence in Section 1.03.

Section 2.02 - Current Member Agencies and Participants

The Yucaipa Sustainable Groundwater Management Agency is governed by a Board of Directors composed of representatives from the following member organizations (“Member Agencies”):

- Retail Water Purveyors:
 - South Mesa Water Company,
 - South Mountain Water Company,
 - Western Heights Water Company, and
 - Yucaipa Valley Water District.
- Municipal Partner:
 - City of Yucaipa.
- Regional Water Agencies:
 - San Bernardino Valley Municipal Water District and
 - San Gorgonio Pass Water Agency.

Additional municipalities such as the City of Calimesa and City of Redlands participated in the original formation MOA and GSP development but have since withdrawn from active Board participation. The Agency shall maintain an up-to-date list of Member Agencies on its website.

Section 2.03 - Appointment of Representatives

Each Member Agency shall appoint one Primary Director and one Alternate Director to serve on the Board of Directors. Appointments shall be made by written confirmation from the respective Member Agency to the Agency President. Primary and Alternate Directors serve at the pleasure of their appointing agency.

In the event the appointed Primary Director or Alternate Director is no longer employed or representing the appointing Member Agency, such individual shall be removed as a Director.

Section 2.04 - Regular Board Meetings

Regular meetings of the Board of Directors shall be held quarterly on the fourth Wednesday during the months of January, April, July, and October. The specific time for each quarterly meeting shall be determined by the Board of Directors and noticed in accordance with the Ralph M. Brown Act. Special meetings may be called as needed.

Section 2.05 - Compliance with Brown Act

All meetings of the Board of Directors, including regular, special, and adjourned meetings, and all meetings of any standing or ad hoc committees established by the Board, shall be noticed, conducted, and documented in compliance with the Ralph M. Brown Act (Government Code §§ 54950 et seq.), as the same may be amended from time to time.

Section 2.06 - Quorum

A majority of the Member Agencies constitute a quorum for the transaction of business. No action shall be taken in the absence of a quorum except to adjourn the meeting to a later date and time.

Section 2.07 - Participation and Voting Procedures

The Primary Director and Alternate Director from each Member Agency are expected to actively participate in Board meetings to ensure continuity and informed decision-making. However, each Member Agency shall be entitled to cast only one vote on any matter before the Board. Either the Primary Director or the Alternate Director may cast the vote.

Except as otherwise required by Applicable Law, the MOA, or the Bylaws, the Board may take action only at a duly noticed meeting at which a quorum is present. An action of the Board shall require the affirmative vote of a majority of all Member Agencies of the Agency, whether or not all Member Agencies are present.

ARTICLE 3 - SUSTAINABLE YIELD ALLOCATIONS AND MANAGEMENT AREAS

Section 3.01 - Management Areas

The four Management Areas established in the GSP are North Bench, Calimesa, Western Heights, and San Timoteo. Management within each Management Area shall consider local hydrogeologic conditions, existing infrastructure, groundwater-dependent ecosystems, and the potential for undesirable results specific to that area. The Management Areas are depicted on Exhibit A, attached to this Ordinance, and incorporated by reference.

Section 3.02 - Sustainable Yield

The sustainable yield of the Yucaipa Subbasin has been determined in the GSP to be approximately 10,980 acre-feet per year on average. This determination represents the maximum long-term average annual extraction volume that can occur without causing undesirable results. The sustainable yield is allocated among the Management Areas approximately as follows (subject to refinement in future GSP updates):

- North Bench Management Area: approximately 3,940 AFY
- Calimesa Management Area: approximately 4,955 AFY
- Western Heights Management Area: approximately 1,760 AFY
- San Timoteo Management Area: approximately 325 AFY

Section 3.03 - Establishment of Annual Sustainable Yield Allocations

The Annual Sustainable Yield Allocations for Purveyors in each Management Area are set forth in Table A. These allocations are derived from the GSP sustainable yield determinations and are subject to periodic review and adjustment through GSP updates.

Table A: Annual Sustainable Yield Allocations for Purveyors and Aggregate Qualifying Private Well Owner Allocation Pool

Management Area	Purveyor	Allocation (AFY)	Total Yield (AFY)
North Bench	Yucaipa Valley Water District	3,045	3,940
North Bench	Private Well Owners	895	
Calimesa	South Mesa Water Company	1,959	4,955
Calimesa	South Mountain Water Company	518	
Calimesa	Yucaipa Valley Water District	2,341	
Calimesa	Private Well Owners	137	
Western Heights	Western Heights Water Company	1,760	1,760
Western Heights	Private Well Owners	0	
San Timoteo	To be determined	Allocations to be established by Board resolution followed by a GSP update.	325

Note: The "Private Well Owners" amounts are aggregate pools primarily attributable to High Volume Private Well Owners, not individual allocations.

Allocations for High Volume Private Well Owners may be established only after the owner has satisfied Section 7.02. Unused Storage Credits shall not be calculated or credited until that allocation is established.

Section 3.04 - Updates and Adjustments to Allocations

Annual Sustainable Yield Allocations may be updated by the Board from time to time to reflect refinements from new hydrologic data, model updates, permanent transfers or conversions, or other factors. Any update shall be adopted by Board resolution following public notice and hearing followed by a GSP update.

Section 3.05 - Allocation Methodology for High Volume Private Well Owners

The aggregate amounts shown in Table A for Private Well Owners represent the maximum total Annual Sustainable Yield Allocation that may be assigned to all Qualifying High Volume Private Well Owners within that Management Area combined. These aggregate amounts constitute hard caps on private well allocations within each Management Area.

Individual Annual Sustainable Yield Allocations for Qualifying High Volume Private Well Owners shall be proposed by the Agency pursuant to Section 7.02.C. based on verified historical

production data or other Board-approved methodology. All such individual allocations are subject to the applicable aggregate cap for the Management Area.

If the total verified historical production (or other approved baseline) from all Qualifying High Volume Private Well Owners in a Management Area exceeds the aggregate cap shown for that Management Area, the Board may:

- A. Prorate the available allocation among qualifying applicants on an equitable basis;
- B. Apply another methodology that maintains consistency with the GSP sustainable yield determinations and sustainable management criteria; or
- C. Defer establishment of one or more allocations pending additional data, GSP updates, or further Board direction.

If the total verified claims from Qualifying High Volume Private Well Owners in a Management Area are less than the aggregate cap, the unused portion of the aggregate allocation shall remain available within that Management Area's sustainable yield for future Qualifying High Volume Private Well Owners. The Board may, by resolution and following public notice and hearing, reallocate any persistently unused portion of the private well aggregate to Purveyors within the same Management Area if doing so is consistent with the GSP and does not impair the ability of future qualifying private well owners to receive allocations.

For the San Timoteo Management Area, the approximately 325 AFY sustainable yield allocation established in the GSP shall be treated as a Management Area-level allocation until specific Purveyor and Qualifying High Volume Private Well Owner allocations are determined by Board resolution. The Board shall determine the appropriate split between Purveyor and private well allocations, if any, based on verified historical use, GSP sustainable management criteria, and the needs of Groundwater Dependent Ecosystems within the area.

Before adopting an individual private-well allocation, reallocation, or conversion adjustment, the Board shall make written findings that the action: (1) is consistent with the applicable Management Area sustainable-yield allocation and the GSP; (2) does not create or worsen an undesirable result; (3) preserves the applicable aggregate cap unless the GSP is duly amended; and (4) is supported by the required verified extraction data and public record.

ARTICLE 4 - UNUSED STORAGE CREDITS

Section 4.01 - Account

The Agency shall maintain an Unused Storage Credit Account for each Purveyor and each Qualifying Private Well Owner in each Management Area where that party holds an Annual Sustainable Yield Allocation. Unused Storage Credits shall not be deposited into a Supplemental Water Storage Account.

Section 4.02 - Accrual

After the Agency reconciles metered extractions for the Water Year, Unused Storage Credits shall be credited, on a one-to-one basis, in the amount of the positive difference between the party's

Annual Sustainable Yield Allocation and that party's actual extraction from the same Management Area in that Water Year. No Unused Storage Credit shall be earned by a Private Well Owner until an Annual Sustainable Yield Allocation has been established under Article 7.

Section 4.03 - Use

Unused Storage Credits may be used only by the account holder, or by a transferee under Article 6, to offset groundwater extraction in the same Management Area that exceeds the Annual Sustainable Yield Allocation for the current Water Year. Credits shall be applied oldest first.

Section 4.04 - Expiration

Unused Storage Credits expire five (5) years after the end of the Water Year in which they were earned, if not used before that date. Expiration retires the accounting credit. It does not mean that groundwater has been removed from storage. This Section does not cause Supplemental Recharged Water to expire.

The Agency shall accumulate, by Management Area and by party, a running record of Expired Unused Storage Credits and any other retired allocation, credit, or accounting entry under this Ordinance. That record shall be included in the Agency's annual reports and shall not be available to offset an exceedance after the credit has expired.

Section 4.05 - Source of Extraction and Replenishment

A Purveyor or Qualifying Private Well Owner may elect the source against which a groundwater extraction in a Management Area is debited by providing written notice to the Administrative Consultant. The notice shall identify the Management Area, the quantity in acre-feet, and one of the following sources:

- A. The party's Annual Sustainable Yield Allocation for the current Water Year;
- B. Unused Storage Credits held by that party for that Management Area; or
- C. For Purveyors only, Supplemental Recharged Water in that Purveyor's Supplemental Water Storage Account for that Management Area.

If no timely written notice is received, extractions shall be debited in the order set forth in A through C above. An election may not debit a source that has no available balance, may not debit Supplemental Recharged Water for a Qualifying Private Well Owner, and may not apply a source from a different Management Area.

Any extraction that is not fully offset by an available source under this Section remains subject to the replenishment obligations of Management Action #2 of the GSP.

ARTICLE 5 - ACCUMULATION AND USE OF SUPPLEMENTAL WATER

Section 5.01 - Establishment

The Agency shall establish and maintain a Supplemental Water Storage Account for each Purveyor in each Management Area where that Purveyor recharges Supplemental Water. A

Purveyor that holds allocations in more than one Management Area shall have a separate account for each Management Area. Each account shall identify the owner, the balance, and all transactions. Supplemental Water Storage Accounts have no volume limitation and shall not expire.

Section 5.02 - Credit and Accumulation

A Supplemental Water Storage Account shall receive one-to-one credit for Supplemental Recharged Water physically introduced into that Management Area by that Purveyor through managed means, including imported water, treated drinking water, recycled water, and non-potable water, whether recharged by spreading basins or by injection. No deduction, offset, or “net-new” adjustment shall apply, except as follows: a one-time loss factor of one percent (1%) shall apply to water introduced through surface spreading basins; no loss factor shall apply to subsurface injection unless the Board determines otherwise.

ARTICLE 6 - TRANSFERS OF UNUSED STORAGE CREDITS AND SUPPLEMENTAL WATER

Section 6.01 - Authority and Limitations

Unused Storage Credits may be transferred only within the same Management Area, and only:

- A. Between two Purveyors;
- B. Between a Purveyor and a Qualifying Private Well Owner; or
- C. Between two Qualifying Private Well Owners.

Supplemental Recharged Water may be transferred only between Purveyors within the same Management Area.

Section 6.02 - Unused Storage Credits

Transfers of Unused Storage Credits are authorized under Water Code section 10726.4(a)(4) and the GSP’s reserved transfer policy. A transferred Unused Storage Credit remains an Unused Storage Credit. It shall not be converted to Supplemental Recharged Water or deposited into a Supplemental Water Storage Account. The credit keeps the Water Year in which it was earned and expires five (5) years after the end of that Water Year.

Section 6.03 - Supplemental Recharged Water

Transfers of Supplemental Recharged Water between Purveyors implement Management Action #3 and may be made only from and to a Supplemental Water Storage Account in the same Management Area. Transferred Supplemental Recharged Water shall not expire.

Section 6.04 - Procedures

- A. The parties shall submit a signed transfer document stating the type of water (Unused Storage Credits or Supplemental Recharged Water), quantity in acre-feet, effective date,

Management Area, and, for Unused Storage Credits, the Water Year in which the credits were earned. Private consideration need not be disclosed.

- B. If the transfer complies with this Article, the Agency shall record it. It is effective on the date agreed to by the parties.
- C. A summary of transfers shall be included in the Agency's annual report to the Department of Water Resources and made available for public review upon request.

Section 6.05 - Fee

No transfer fee shall be charged. The Board may later establish or modify an administrative transfer fee by resolution.

ARTICLE 7 - PRIVATE WELL OWNER DATA, ELIGIBILITY, AND CONVERSION

Section 7.01 - Metering and Reporting

The Agency has not identified every High Volume Private Well Owner in the Subbasin. Water Code section 10725.8 authorizes the Agency to require measuring devices and reporting of extractions in acre-feet.

All Private Well Owners are encouraged to install an Agency-approved meter on each extraction facility and to submit monthly extraction data, in acre-feet, by the 15th of the following month. The Agency may provide technical assistance or cost-sharing for meter installation.

A Private Well Owner who extracts more than five (5) acre-feet in a Water Year and who completes Section 7.02 may be assigned an Annual Sustainable Yield Allocation and may participate in Unused Storage Credits and transfers.

Section 7.02 - Establishment of an Allocation

A High Volume Private Well Owner who seeks an Annual Sustainable Yield Allocation shall satisfy the following:

- A. Submit monthly metered production data for twenty-four (24) consecutive months, in the form prescribed by the Agency. No allocation may be established until that period is complete and verified.
- B. Provide supporting documentation if requested, including calibration records, photographs of meter readings, or third-party verification.
- C. After verification, the Agency shall use the verified data, or another Board-approved methodology, as the baseline for a proposed allocation. The proposed allocation is subject to Board approval, the Section 3.05 aggregate cap, and consistency with the GSP.
- D. After an allocation is established, monthly production data shall continue to be submitted by the 15th of each month.

- E. The Agency may deny, suspend, or adjust a proposed or existing allocation if the data are incomplete, inconsistent, unreliable, or appear inflated. The Board has final authority over private-well allocations.

Section 7.03 - Conversion to Purveyor Service

- A. A Private Well Owner and a Purveyor may agree that the property will be served by the Purveyor and that the well will be taken out of private production. The parties shall document the conversion in a written agreement that states:
 - 1. The Management Area;
 - 2. The proposed annual volume, in acre-feet, to be added to the Purveyor's Annual Sustainable Yield Allocation;
 - 3. Whether the well will be decommissioned or deeded to the Purveyor; and
 - 4. That any allocation increase is permanent and prospective only.
- B. The converting owner shall then complete the election stated in the agreement:
 - 1. Decommission the well under applicable County standards, including destruction or permanent sealing so the well cannot be used again, and submit proof to the Agency; or
 - 2. Deed the well and all necessary real-property interests to the Purveyor by a recorded instrument acceptable to the Purveyor and the Agency, and submit proof of recordation and clear title to the Agency.
- C. The parties shall submit the agreement, proof of decommissioning or deeding, and supporting use data to the Agency. The proposed increase shall be based on the average annual extraction over the most recent twenty-four (24) consecutive months of verified pre-conversion well production. If that record is not available, the Board may use the best available verified pre-conversion data, or metered Purveyor deliveries after connection if the Board finds that method is necessary and consistent with the GSP. All data are subject to Agency verification.
- D. Upon verification, the Board may, by resolution, increase the Purveyor's Annual Sustainable Yield Allocation in that Management Area by the verified annual volume and reduce the private-well aggregate for that Management Area under Table A by the same amount.
- E. The increase is prospective only. It takes effect on the first day of the first full Water Year after the Board adopts the resolution. It shall not be applied to any prior Water Year and shall not require amendment of a previously submitted annual report submitted to the Department of Water Resources.
- F. Unused Storage Credits held by the converting property owner may be transferred under Article 6 before the conversion is complete. Credits not transferred expire upon conversion and shall not be added to the receiving Purveyor's Unused Storage Credit Account.

ARTICLE 8 - MONITORING, REPORTING, AND DATA MANAGEMENT

Section 8.01 - Metering

Each Purveyor shall install, calibrate, and maintain an Agency-approved meter on each groundwater extraction facility, as required by Water Code section 10725.8 and GSP monitoring protocols. A High Volume Private Well Owner seeking an Annual Sustainable Yield Allocation shall do the same. Meters shall be accessible for Agency inspection.

Section 8.02 - Annual Extraction Reports

Purveyors and applicable High Volume Private Well Owners (or their authorized representative) shall submit annual extraction reports to the Agency no later than October 31 of each year, detailing actual groundwater extractions for the preceding Water Year by well or facility, in a format prescribed by the Agency.

Section 8.03 - Agency Recordkeeping and Transparency

The Agency shall maintain accurate, up-to-date records of all Unused Storage Credit Accounts and Supplemental Water Storage Accounts, balances, transactions, transfers, and extraction data. Such information shall be included in the Agency's annual reports to DWR and made available for public review on the Agency website, subject to appropriate redactions for privacy or security.

Section 8.04 - Audits and Verification

The Agency may audit extraction data, meter readings, and related records. Purveyors and High Volume Private Well Owners shall provide reasonable access to records and facilities upon written notice. The Agency shall handle data in accordance with the California Public Records Act and may aggregate or redact information where the law allows.

ARTICLE 9 - FEES AND COST RECOVERY

Section 9.01 - Administrative Fees

The Agency may establish reasonable fees to recover the cost of implementing this Ordinance, including account maintenance, transfer processing, well registration, and audits, consistent with Water Code sections 10730 et seq. and applicable constitutional requirements. The Board may establish, adjust, waive, or modify such fees by resolution.

Section 9.02 - Other Fees

Nothing in this Ordinance limits the Agency's authority to impose other fees or charges authorized by SGMA or other law for groundwater management, replenishment, or administration, if adopted by the required procedures.

Section 9.03 - Consistency with MOA Cost-Sharing and General Administration

Unless and until amended by the Parties to the MOA, the Agency's general administration and operating costs shall be allocated as follows:

- A. Purveyors (South Mesa Water Company, South Mountain Water Company, Western Heights Water Company, and Yucaipa Valley Water District) shall collectively bear seventy-five percent (75%), shared equally within that group.
- B. The City of Yucaipa, San Bernardino Valley Municipal Water District, and San Geronio Pass Water Agency shall collectively bear twenty-five percent (25%), shared equally within that group.

This Ordinance does not amend Section VII of the MOA.

ARTICLE 10 - MISCELLANEOUS PROVISIONS

Section 10.01 - Severability

If any provision of this Ordinance is held invalid, the remaining provisions shall continue in effect.

Section 10.02 - Amendment

This Ordinance may be amended only by ordinance, adopted by the vote required under Section 2.07, after notice and a public hearing.

Section 10.03 - Effective Date

This Ordinance takes effect thirty (30) days after adoption, or on another date set by the Board if permitted by law.

Section 10.04 - Posting and Availability

A copy of this Ordinance shall be posted on the Agency's official website (www.yucaipasgma.org) to make it available to the public.

Section 10.05 - Relationship Between Ordinances and Resolutions

- A. The Board may adopt, amend, or repeal ordinances to establish, modify, or eliminate substantive rules, policies, rights, obligations, or procedures under this Ordinance. Ordinances shall be adopted, amended, or repealed only in accordance with applicable legal requirements, including proper notice and public hearing procedures.
- B. The Board may adopt resolutions to implement, administer, or provide specific direction regarding the provisions of this Ordinance. Resolutions are appropriate for, but not limited to, the following actions:
 - 1. Establishing, adjusting, or updating specific Annual Sustainable Yield Allocations or aggregate allocation amounts within a Management Area;

2. Setting, modifying, or waiving administrative fees and other cost-recovery charges;
 3. Approving specific procedures, forms, or technical methodologies necessary to implement this Ordinance;
 4. Providing policy direction or guidance on the implementation of adaptive management measures.
- C. A resolution adopted by the Board shall not amend, modify, or conflict with any provision of this Ordinance. In the event of any conflict between a resolution and this Ordinance, the Ordinance shall control.

Section 10.06 - Governing Law and Venue

This Ordinance is governed by California law. An action arising under this Ordinance shall be brought in the Superior Court of San Bernardino County or Riverside County, or in the United States District Court for the Central District of California if federal jurisdiction exists.

Section 10.07 - CEQA Compliance

The Board finds that adoption of this Ordinance is the establishment of accounting and reporting rules to implement the GSP adopted January 26, 2022, and approved by DWR on January 18, 2024. Under Water Code section 10728.6, adoption of the GSP was not a CEQA project. This Ordinance will not cause a direct or reasonably foreseeable indirect physical change in the environment and is not a “project” under Public Resources Code section 21065 and CEQA Guidelines section 15378, or is otherwise exempt. The Administrative Consultant, or a General Manager if appointed, may file a Notice of Exemption.

Section 10.08 - No Property Rights

Annual Sustainable Yield Allocations, Unused Storage Credits, Supplemental Water Storage Accounts, and other accounting mechanisms established under this Ordinance are administrative tools created to implement the GSP and SGMA. They do not create vested property rights, entitlements to water, or guarantees of future allocations. All rights and accounting are subject to the continuing authority of the Agency, the GSP and SGMA.

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PASSED AND ADOPTED

This Ordinance No. 2026-01 was passed and adopted at a regular meeting of the Board of Directors of the Yucaipa Sustainable Groundwater Management Agency held on the ____ day of _____, 2026, by the following roll call vote:

Entity	Director(s)	Vote (Aye / No / Abstain / Absent)
South Mesa Water Company		
South Mountain Water Company		
Western Heights Water Company		
Yucaipa Valley Water District		
City of Yucaipa		
San Bernardino Valley Municipal Water District		
San Geronio Pass Water Agency		

AYES: _____ NOES: _____ ABSENT: _____ ABSTAIN: _____

YUCAIPA SUSTAINABLE GROUNDWATER MANAGEMENT AGENCY

By: _____
Mark Iverson, President

ATTEST:

Joseph B. Zoba, Secretary

~ ~ END OF ORDINANCE ~ ~

Exhibit A

