

Resolution No. xxxxxx

**A RESOLUTION OF THE TEHAMA COUNTY FLOOD CONTROL AND WATER
CONSERVATION DISTRICT BOARD OF DIRECTORS AUTHORIZING THE
DIRECTOR OF PUBLIC WORKS TO APPROVE EXEPTIONS TO WELL SCREENING
AND SEALING DEPTH REGULATIONS**

WHEREAS, groundwater and surface water resources within Tehama County are vitally important resources for all beneficial users, and to maintain the economic viability, prosperity, and sustainability of the County; and

WHEREAS, in 2014 the California Legislature passed a statewide framework for sustainable groundwater management, known as the Sustainable Groundwater Management Act, California Water Code § 10720-10737.8 (SGMA), pursuant to Senate Bill 1168, Senate Bill 1319, and Assembly Bill 1739, which was approved by the Governor on September 16, 2014. and went into effect on January 1, 2015; and

WHEREAS, on August 15, 2024, Tehama County Flood Control and Water Conservation District (the "District") adopted Resolution 11-2022 which regulated screening and sealing depths for groundwater wells within the groundwater basins located in Tehama County Executive; and

WHEREAS, Resolution 11-2022 provides for a process by which an applicant for a groundwater well can appeal to the Groundwater Commission (the "Commission") for an exception to the application of the well regulations to their proposed groundwater well; and

WHEREAS, only the Board of Directors and the Groundwater Commission currently have authority to grant exceptions to the regulation; and

WHEREAS, the District wishes to streamline the appeal process for applicants of in-kind replacements of groundwater wells, where the facility is located on the same site and will have the same capacity and purpose as a facility that is demolished; and

WHEREAS, under specific conditions the approval of an exception could be considered ministerial; and

NOW, THEREFORE, BE IT RESOLVED THAT, the foregoing recitals are true and accurate and in consideration of the conditions contained therein, the District considers granting an exception to the regulations contained in resolution 11-2022 to be ministerial if a state registered well driller, state registered professional engineer or state registered hydrologist provides written certification that:

- A) The new well is intended solely as a replacement for another well that will be demolished by permit
- B) The new well is on the same APN as the demolished well it is intended to replace
- C) The new well will serve the same capacity and purpose as the demolished well
- D) The new well is extracting water from the same strata as the demolished well

::; and

BE IT FURTHER RESOLVED THAT, the Director of Public Works, or their Deputy, may confirm that the required certification has been received and grant the applicant an exception to the screening and sealing regulations contained in resolution 11-2022.

This resolution shall become operative upon adoption and remain in full force and effect until modified by a subsequent Resolution adopted by the Board.

The foregoing Resolution was offered by Director _____, and seconded by Director _____ on _____ and adopted by the following vote:

AYES:

NOES:

ABSENT OR NOT VOTING:

STATE OF CALIFORNIA)

)

COUNTY OF TEHAMA)

I, SEAN HOUGHTBY, County Clerk and ex-officio Clerk of the Board of Directors of the Tehama County Flood Control and Water Conservation District, State of California, hereby certify the above and foregoing to be a full, true and correct copy of a resolution adopted by said Board of Directors on the _____ day of _____.

Dated: _____

SEAN HOUGHTBY, County Clerk and ex-officio
Clerk of the Board of Directors of the Tehama
County Flood Control and Water Conservation District,
State of California

By: _____
Deputy