

**BEFORE
THE BOARD OF DIRECTORS
OF THE COUNTY OF MADERA
GROUNDWATER SUSTAINABILITY AGENCY
FOR THE MADERA SUBBASIN**

In the Matter of)	Resolution No.: <u>2025 - 141</u>
)	
GROUNDWATER SUSTAINABILITY)	RESOLUTION ADOPTING
AGENCY)	DOMESTIC WELL MITIGATION
)	PROGRAM FOR THE
)	MADERA SUBBASIN
_____)	

RECITALS

WHEREAS, the Sustainable Groundwater Management Act, Water Code sections 10720-10737.8 ("SGMA") was signed into law on September 16, 2014;

WHEREAS, SGMA requires that each groundwater basin be managed by a Groundwater Sustainability Agency ("GSA"), or multiple GSAs, and that such management be pursuant to an approved Groundwater Sustainability Plan ("GSP"), or multiple GSPs;

WHEREAS, the County of Madera ("County") is the exclusive GSA for the portions of the Madera Subbasin that are in unincorporated areas of Madera County, and not otherwise covered by another public agency (hereinafter referred to in the singular as the "County GSA"), and the Board of Supervisors is the ex officio Board of Directors (hereinafter "Board of Directors") for the County GSA;

WHEREAS, on December 17, 2019, the County GSA, along with the Madera Irrigation District GSA, the City of Madera GSA, and the Madera Water District GSA, adopted a GSP (the "Joint GSP") for the portions of the Madera Subbasin within the

control of these GSAs that described a “sustainable yield” (“SY”) of native groundwater (water that naturally exists in the Madera Subbasin from seepage and percolation) of approximately 0.5 acre-feet per acre for the Madera Subbasin;

WHEREAS, in the Joint GSP the GSAs agreed to implement a Domestic Well Mitigation Program;

WHEREAS, on December 15, 2020, the Board of Directors adopted Resolution No. 2020-166 adopting an approach to allocating groundwater (the “Allocation Approach”) in the Madera Subbasin, allowing parcels meeting certain criteria (hereafter “eligible parcels”) to have access to groundwater classified using two designations:

- a. The SY of native groundwater; and
- b. “Transitional water” (“TW”) that is continued overdraft of the Madera Subbasin but will incrementally decrease during the GSP implementation period;

WHEREAS, in furtherance of the Allocation Approach, on June 8, 2021, the County GSA Board of Directors adopted Resolution No. 2021-069, providing for a per-acre allocation of SY and TW for enrolled eligible parcels within each County GSA based on best available data, to be limited to the use within the eligible parcel, or within a County GSA approved farm unit, that represents a combination of eligible parcels;

WHEREAS, the amount of groundwater available to properties under the Allocation Approach is calculated based on the overall acreage in the eligible enrolled parcel or approved farm unit;

WHEREAS, on August 17, 2021, the County GSA Board of Directors adopted Resolution No. 2021-113, establishing groundwater allocation refinements;

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WHEREAS, on June 21, 2022, the Board of Directors adopted Resolution No. 2022-086, establishing a fixed fee (the "Project Fee") of \$246 per acre of land enrolled in the Allocation Approach ("Enrolled Acre"), to provide funds sufficient for the County GSA to cover the costs of implementing GSP projects, including the Domestic Well Mitigation Program;

WHEREAS, in December 2022, the Madera County Superior Court enjoined collection of the Project Fee;

WHEREAS, following the Court's ruling, on December 20, 2022, the Board of Directors adopted Resolution No. 2022-198 removing the Madera Subbasin GSP Project Fee from the 2022-2023 tax year secured property tax bills, until such time as the Court's injunction was lifted;

WHEREAS, the Court dissolved the injunction on March 4, 2025, allowing the County GSA to resume collection of the Project Fee, but leaving the County GSA in a multi-year funding shortfall for the GSP projects;

WHEREAS, the County GSA, mindful of the hardship that would result from immediately collecting back-fees in excess of \$60 million to fill the funding shortfall created by the Court's injunction, proposed to repeal and replace Resolution No. 2022-198 and amend Resolution No. 2022-086 to revise the Project Fee downward to collect funds sufficient for the County GSA to cover the costs of implementing the Domestic Well Mitigation Program only;

WHEREAS, an updated study report ("Supplemental Report") to determine the amount of revenue required for the Domestic Well Mitigation Program was conducted by Raftelis, an independent consulting firm;

WHEREAS, on July 15, 2025, the County GSA Board of Directors adopted Resolution No. 2025-067—which repealed and replaced Resolution No. 2022-198 and amended Resolution No. 2022-086—adopting a new five-year rate schedule designed to fund only the Domestic Well Mitigation Program;

WHEREAS, agriculture water use represents the vast majority of water use in the Madera Subbasin;

WHEREAS, the Domestic Well Mitigation Program will provide financial assistance to landowners impacted by declining groundwater levels in the Madera Subbasin;

WHEREAS, the Domestic Well Mitigation Program, attached hereto as Exhibit “A” and incorporated herein by reference, establishes eligibility, funding, and procedures for domestic well mitigation in the Madera Subbasin; and

WHEREAS, this Resolution is exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines sections 15307 (action of regulatory agency to protect natural resources), 15308 (action of a regulatory agency to protect the environment), and 15061(b)(3) (the “common sense” exemption where a project is exempt if it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment).

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors for the County GSA, as follows:

1. The recitals set forth above are found to be true and correct and are incorporated herein by reference.

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2. The Madera Subbasin Domestic Well Mitigation Program for the Madera County GSA in the Madera Subbasin, attached hereto as Exhibit "A" is hereby approved and adopted.

3. The Board of Directors directs that a Notice of Exemption be filed with the County Clerk in accordance with the CEQA Guideline.

* * * * *

The foregoing Resolution was adopted this 9TH day of DECEMBER, 2025, by the following vote.



Director Warmhoff voted:

Director Rogers voted:

Director Poythress voted:

Director Gonzalez voted:

Director Macaulay voted:

Yes
Yes
Yes
Yes
Yes

A handwritten signature in blue ink, likely of the Chair of the Board of Directors.
Chair, Board of Directors

ATTEST:

A handwritten signature in blue ink, likely of Karen Schirmer.
Clerk, Board of Directors

Approved as to Legal form:
COUNTY COUNSEL

Rebecca D.

By Wilson

Digitally signed by: Rebecca D. Wilson
DN: CN = Rebecca D. Wilson email =
wilson@lozanosmith.com C = US O =
LOZANO SMITH
Date: 2025.11.07 09:13:03 -08'00'

EXHIBIT A

10 b. ^{with} correction

MADERA COUNTY GSA

Domestic Well Mitigation Program

Program Overview

The Domestic Well Mitigation Program provides financial assistance to landowners impacted by declining groundwater levels in the Madera Subbasin within the Madera County Groundwater Sustainability Agency. This program helps fund the drilling of new domestic wells to replace those that have gone dry or been damaged by subsidence.

Program Rules

Eligibility

Must be a landowner with a domestic well located within the Madera Subbasin and within the Madera County GSA boundaries. The property must have a well that went dry after 1/1/2026 or is on the Self-Help Enterprises interim water assistance list (with a dry well due to declining groundwater levels that occurred after 1/1/2020 cutoff). The property owner must have owned the property for a minimum of one year. The dwelling unit must be considered "habitable."

Qualifications

The domestic well must have gone dry due to declining groundwater levels and have not exceeded 30 years of age. Domestic wells impacted by subsidence (collapsed casing) may also qualify. The residence must be considered "habitable." A qualified professional will conduct an assessment after application to confirm eligibility.

Funding

The program provides up to \$35,000 reimbursement for the cost of drilling a new well or connecting to an existing community water system. Any cost over \$35,000 is the landowner's responsibility. Not covered: water quality testing or alternative sources, pump work, electrical repairs, landscaping, or lowering pumps. If the home is sold within one year, 100% of the costs up to \$35,000 must be repaid; if the home is sold within one to two years, 50% of the costs up to \$17,500 must be repaid.

Mitigation Frequency

Each property (by APN) may only receive one mitigation through the program. The use of the program will be recorded on the property deed.

Process

1. Apply: Complete and sign the application and submit a \$100 refundable deposit.
2. Assessment: The Madera County GSA or its agents will conduct a well assessment.
3. Approval: If the well qualifies, a qualified well driller will be selected using a selection method approved by the GSA.
4. Payment: The GSA will issue payment consistent with the contract or agreement governing the mitigation work, which may involve direct payment to the driller or the landowner.
5. Record: After completion, the mitigation record is filed on the property deed with repayment terms.

Madera Subbasin – Domestic Well Mitigation Program Application

This application is for property owners seeking financial assistance through the Madera Subbasin Domestic Well Mitigation Program. Completion of this form does not guarantee eligibility or funding. It is the first step in the review and assessment process.

Application Instructions

- The property owner of record (Applicant) must complete this form.
- Submitting this application initiates the review process only. Eligibility verification, documentation, and an on-site assessment will be required before approval.
- A non-refundable application fee of \$100 must accompany the submission. If approved for mitigation funding, this fee will be reimbursed.
- After submission, the Program Manager will contact the Applicant to schedule an initial well assessment.

Applicant Information

Name:

Mailing Address:

Property Address:

Primary Phone:

Secondary Phone:

Email:

Property Information

Parcel Number (XXX-XX-XXX):

(You can find your parcel number on the Madera County Address Locator website:
<https://www.maderacounty.com/government/geographic-information-system-gis>)

Number of Occupants:

Do you live on the property? ☐ Yes ☐ No

Is the well's primary purpose for domestic use? ☐ Yes ☐ No

Have you participated in this program previously for this well? ☐ Yes ☐ No

Well Information

Please complete the following well information section to the best of your ability. Lack of well information will not automatically disqualify you from this program. Well information

may be found at the following resources:

- California Department of Water Resources – Online Well Completion Report Portal:
<https://wellcompletionrecords.water.ca.gov/>
- Madera County Environmental Health – Water Well Program: (559) 675-7823
- Your well/pump maintenance company

Well Status (☐ Producing ☐ Low Producing ☐ Not Producing)

Depth of Well (ft):

Depth to Water (ft):

Age of Well (years):

Pump Capacity (GPM):

Primary Reason for Current or Anticipated Well Failure:

Groundwater Conditions (Static / Pumping Level):

Casing Material:

Casing Diameter (in):

Depth to Bottom (ft):

Supporting Documentation

☐ Well Completion Report (if available)

☐ Water Level Records

☐ Water Quality Reports or Lab Results

☐ Photographs of Well Site

☐ Records of Prior Mitigation or Repairs

☐ Other: _____

Certification and Agreement

By signing below, I certify that the information provided in this application is true and accurate to the best of my knowledge. I understand that submission of this form does not guarantee funding and agree to pay the \$100 application fee required for eligibility review. If approved, this fee will be reimbursed.

Property Owner's Signature: _____

Date: _____

Submission Instructions

Submit the completed application and \$100 fee to the Madera Subbasin GSA Program Manager. Applications may be submitted in person or by mail. Incomplete applications will not be reviewed.