SISKIYOU COUNTY
GROUNDWATER WELL APPLICATION PROCESS GUIDELINES
February X, 2023

I. Purpose

These Guidelines are adopted pursuant to Siskiyou County Code section 5-8.06 for the purpose of establishing and memorializing the manner by which the Siskiyou County Department of Environmental Health processes applications to construct new wells, reconstruct, repair or deepen existing wells and destroy abandoned wells in unincorporated Siskiyou County.

II. Authority

WATER WELL STANDARDS

In California, permitting authority over well drilling activities rests with the local well permitting agency. In Siskiyou County, the permitting agency is the Siskiyou County Department of Environmental Health. Environmental Health permits both domestic and production wells pursuant to Chapter 8, Title 5 of the Siskiyou County Code. The California Department of Water Resources developed well standards to protect groundwater quality, including protection against adverse effects caused by improper well construction or abandonment of wells, as published in the "California Well Standards – Bulletin 74-81"[1] ("Bulletin"). The Siskiyou County Code incorporates the standards set forth in the Bulletin.

EXECUTIVE ORDER

On March 28, 2022, Governor Gavin Newsom signed Executive Order N-7-22 ("Executive Order") in response to extreme and expanding drought conditions,

which prohibits Environmental Health from issuing a construction permit for a new (or replacement) groundwater well or for alteration / modification of an existing groundwater well pursuant to Chapter 8, Title 5 of the Siskiyou County Code unless certain requirements are met or the permit falls within the limited exception to the requirements. A complete copy of the Executive Order is available here: https://www.gov.ca.gov/wp-content/uploads/2022/03/March-2022-Drought-EO.pdf (see Paragraph 9).

PUBLIC TRUST DOCTRINE

The Third District Court of Appeal has found that the common law Public Trust Doctrine applies to the County's issuance of well construction permits in the Scott Valley watershed. Under this doctrine, the County, as a political subdivision of the state, considers impacts to public trust resources in the Scott River -- such as navigation, recreation and fisheries -- whenever the County issues a permit for a new well that, through the extraction of groundwater interconnected with the Scott River's surface waters, may substantially impair the Scott River's public trust resources. The Board of Supervisors has adopted a resolution making standardized public trust findings for de minimis domestic and stock wells in the Scott Valley.

Per Board direction, the County's consideration of the Public Trust Doctrine has been extended to well permitting in the Shasta Valley.

As additional hydrological data is obtained in other areas of the County, the County's consideration of the Public Trust Doctrine will extend to those areas for which hydrological data evidences the presence of groundwater interconnected with navigable surface waters.

The state of California, as trustee, holds all navigable water ways in trust for the benefit of the public and has the duty to protect these waterways.[2] The State, through the State Water Resources Control Board, has taken action to protect public trust resources in the Scott River and the Shasta River by adopting and implementing emergency curtailment regulations. Through the curtailment regulations, SWRCB established a priority list of water rights and users, which in some cases prohibit and/or restrict groundwater pumping by well owners in the Shasta Valley and Scott Valley when necessary to help maintain minimum instream flows to protect multiple fish species and the environment.

[2] The Third District Court of Appeal found the County's obligations under the public trust doctrine in the Scott River watershed arose because the County is a subdivision of the state.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

On August 27, 2020, in *Protecting Our Water and Environmental Resources v. County of Stanislaus*, the California Supreme Court held that Stanislaus County could not categorically classify its issuance of groundwater well construction permits as ministerial decisions exempt from environmental review under the California Environmental Quality Act ("CEQA") (Pub. Resources Code, §§ 21000 et seq.); however, the permit approvals might still be ministerial "[i]f the circumstances of a particular project do not require the exercise of independent judgment".

Domestic and stock water well permitting in Siskiyou County is presumed to be ministerial for most projects. Permit approval for production wells will be determined on a case-by-case basis and depending on the circumstances of the particular project may be subject to CEQA review.

These Guidelines explain Environmental Health's application process in the context of the above authorities.

III. Definitions

A. Abandoned: A well is considered abandoned, or permanently inactive, if it has not been used for one year and there is no intention for future use. Abandoned wells must be destroyed (decommissioned) immediately unless the owner demonstrates "intent for future use" and maintains the well in accordance with California Health & Safety Code Section 115700.

B. Accessory pipe: Any tubular device installed as part of the well structure that is not the well casing or conductor casing (e.g., gravel fill pipe, sounding tube, video access tube, chemical injection tube).

C. Admixture: A material other than water, aggregate, and cement that is used as an ingredient in a cementitious material to modify its freshly mixed, setting, or hardened properties and that is added to the batch before or during its mixing. (ASTM C125-03, modified)

D. Agricultural Wells: Water wells used to supply water only for irrigation or other agricultural purposes.

E. Annular space: The space between any well casing and the borehole wall, and the space between any two well casings. The annular space is also referred to as the annulus.

F. Anode (cathodic protection): An object, usually metallic, designed to corrode in place of the object it is designed to protect.

G. Aquifer: A body of rock or sediment that is sufficiently porous and permeable to store, transmit, and yield significant quantities of groundwater to wells and springs. (DWR Bulletin 118: California's Groundwater, 2003)

H. Bacteria: Microscopic single-celled organisms lacking a distinct nucleus.

I. Bentonite: A highly expansive colloidal clay used as primary component of drilling fluids, sealant, and as an admixture for cementitious sealing materials.

J. Borehole: A hole drilled or bored into the earth.

K. Casing: A tubular retaining structure which is installed in the well bore to maintain the well opening. Casing includes well casing, conductor casing, and accessory pipe, including vent pipe used for cathodic protection wells.

L. Cathodic protection well: Any artificial excavation constructed by any method for the purpose of installing equipment or facilities for the protection electrically of metallic equipment in contact with the ground, commonly referred to as cathodic protection. (California Water Code Section 13711**).**

M. Cement: An inorganic material as defined in ASTM C150, synonymous to Portland Cement and hydraulic cement.

N. Cementitious material: An inorganic material or mixture of inorganic materials that sets and develops strength by chemical reaction with water by formation of hydrates and can do so under water. (ASTM C125-03)

O. Competent Clay Layer: A sediment layer with relatively low permeability that is at least 10 feet thick and contains more than 50% fines with a predominance of clay-sized particles.

P. Concrete: A composite material that consists of cement, aggregate, and water. (ASTM C125-03, modified)

Q. Conductor casing: Conductor casing typically are large-diameter casings placed between the borehole wall and well casing to stabilize the upper formation while drilling and/or support the suspended weight of well casing and screen. (Handbook of Groundwater Development, Roscoe Moss Company, 1990, modified)

R. Confined groundwater: Confined groundwater is isolated from the atmosphere by geologic materials of low permeability and generally is present under pressures that are higher than atmospheric pressure. (Groundwater and Wells, 2007, modified)

S. Confined aquifer: An aquifer overlain by a confining layer. (Applied Hydrogeology, Fetter, 1994)

T. Confining layer: A bed or stratum of rock or sediment stratigraphically above or below and significantly less permeable than one or more aquifers.

U. Contaminant: Any physical, chemical, biological or radiological substance or matter in water listed in the Primary or Secondary Contaminant List in the Safe Drinking Water Act (SDWA).

V. Contamination: An impairment of the quality of the waters of the state by waste to a degree which creates a hazard to the public health through. poisoning or through the spread of disease. Contamination includes any equivalent effect resulting from the disposal of waste, whether or not waters of the State are affected.

W. Corrosion: Deterioration of metallic objects by electrochemical reaction with the environment.

X. Crushed stone: The product resulting from the artificial crushing of rocks, boulders, or large cobblestones, substantially all faces of which have resulted from the crushing operation. (ASTM C125-03)

Y. Destruction: Destruction is the permanent, physical removal of a well from service through proper sealing according to these standards. The objective of destruction is to restore, as nearly as possible, the subsurface conditions that existed before the well was installed. Other terms commonly used in place of "destruction" are decommissioning, closure, and plugging.

Z. Fly ash: The finely divided residue that results from the combustion of ground or powdered coal and that is transported by flue gases from the combustion zone to the particle removal system. (ASTM C125-03)

AA. Formation: A body of rock or sediment sufficiently homogeneous or distinctive to be mappable as a unit.

BB. Freshly mixed: A composite material is regarded freshly mixed if it possesses enough of its original workability so that it can be placed and consolidated by the intended methods. (ASTM C125-03, modified)

CC. Gravel: A natural, granular, mineral material of certain particle size greater than sand. (ASTM C125-03, modified)

DD. Gravel pack: typically sand and/or gravel, or other material (e.g., siliceous beads) placed in the annular space to stabilize the borehole wall and to prevent formation material from entering the well during pumping.

EE. Groundwater: That part of subsurface water which is in the zone of saturation, where water pressure is equal to or greater than atmospheric pressure.

FF. Local enforcing agency (LEA): The LEA is designated by duly authorized local, regional, or State government to administer and enforce laws and ordinances pertaining to the construction, maintenance, abandonment, and destruction of wells for the protection of water quality. In most California counties, the LEA is the county department of environmental health, but it can be another entity. The LEA is sometimes referred to as the "well permitting agency."

GG. Measured depth: The length of the borehole measured along the borehole path from the ground surface.

HH. Monitoring well: Any artificial excavation by any method for the purpose of monitoring fluctuations in groundwater levels, quality of underground waters, or the concentration of contaminants in underground waters. (California Water Code Section 13712).

II. Pollution: Pollution" means an alteration of the quality of the waters of the state by waste to a degree which unreasonable affects: (1) Such water for beneficial use; or (2) Facilities which service such beneficial uses. Pollution may include contamination.

JJ. Production well: Ground water well that utilizes more than two-acre feet of water per year and has a well casing inside diameter greater than six inches.

KK. Sand: A natural, granular, mineral material of certain particle size, smaller than gravel and larger than silt. (ASTM C125-03, modified).

LL. Seal, annular: A watertight seal placed between the well casing and the side wall of a drilled hole.

MM. Seal, sanitary: A grout, mastic or mechanical device to make a watertight joint between the pump and casing or the concrete base.

NN. Seal, surface: A monolithically poured concrete platform constructed around the top of the well casing on thoroughly compacted earth.

OO. Slurry: A semiliquid mixture of insoluble matter suspended in water.

PP. Separation Distance. The distance, in feet or fractions of a mile, by which a well, is required to be laterally separated from a potential contamination source to prevent potential water quality degradation as a result of well completion or operation. Horizontal separation distances in these Guidelines may be more

restrictive than state standards.

QQ. Solid rock material: Consolidated rock that is slightly weathered or fresh, with moderately to widely spaced jointing or fracturing, and no evidence of shearing or brecciation. Corresponds with "solid material" as used in the Bulletin when referring to drilling in fractured rock aquifers.

RR. Stock Water well: means a well-used for the watering of livestock and other uses of water directly related to the operation of a pasture, range, feedlot or other confined livestock or dairy operation.

SS. Target aquifer: That aquifer or water bearing zone that is screened to access groundwater.

TT. Tremie pipe: A tubular device or pipe used to place materials in the annular space.

UU. Total Vertical Depth: Vertical measurement of a straight perpendicular line from a horizontal plane at the ground surface to the point of interest, independent of the path of the borehole. For vertical boreholes, the true vertical depth is equal to the measured depth.

VV. Unconfined Aquifer: An aquifer without a confining layer at the top. The top of an unconfined aquifer is the water table, which is the plane where groundwater pressure is equal to atmospheric pressure. (Groundwater Hydrology, 1978, modified).

WW. Water Well: Any artificial excavation constructed by any method for the purpose of extracting water from, or injecting water into, the underground. This definition shall not include: (a) oil and gas wells, or geothermal wells constructed under the jurisdiction of the Department of Conservation, except those wells converted to use as water wells; or (b) wells used for the purpose of (1) dewatering excavation during construction, or (2) stabilizing hillsides or earth embankments. (California Water Code Section 13710)

XX. Well Casing: A tubular retaining structure installed in the well bore to maintain the well opening and protect any pumps or other equipment installed within. Well casing may be used with or without conductor casing.

IV. Informational Resources

Environmental Health will utilize the following information in implementing these Guidelines, which will be used in conjunction with the Bulletin and these Guidelines:

- Groundwater Sustainability Plans and appendices, reports and studies regarding the known hydrology and groundwater water quality conditions associated with Siskiyou County;
- Federal Emergency Management Agency (FEMA) "Flood Mapping Tool" (https://msc.fema.gov/portal/home).

These Guidelines will be revised as appropriate when the State of California releases any amended version of the Bulletin, modifies or terminates the Executive Order, or adopts new legislation or regulations on water well permitting.

In order to assess whether a permit application complies with the standards included in the guidelines, is subject to the limited exceptions of the Executive Order or is a de minimis well for purposes of the Public Trust Doctrine, a checklist and flow chart with simple decision points have been developed and are included as Attachment 1 and 2, respectively.

V. Implementation: Well Standards

Water Well Construction Standards for the State of California are provided in

Department of Water Recourses Bulletin 74-81 and Siskiyou County Ordinance Chapter 8 title 5 of the Siskiyou Code. Domestic wells that utilize less than two-acre feet per year will be issued ministerial permits subject to basic setback requirements. Production wells will be subject to joint review by the Siskiyou County Natural Resources Department and the Environmental Health Division.

VI. Implementation: Executive Order

Applications for De Minimis Domestic, Stock Water, and Public Wells: Declaration Required.

The Executive Order (at Paragraph 9) does not apply to permits for wells that will provide **less than two (2) acre-feet per year** of groundwater **for individual domestic users** or that will exclusively provide groundwater to public water supply systems as defined in Health and Safety Code Section 116275 ("Exempt Well(s)").

If a water well construction permit application for a new groundwater well or for alteration of an existing groundwater well identifies the "intended use" in the "well proposal details" as "domestic," Environmental Health will treat the permit as exempt from the requirements of the Executive Order if and only if **the owner of the well** signs and submits the declaration ("Exhibit A" in Well Permit package).

If a water well construction permit application for a new groundwater well or for alteration of an existing groundwater well identifies the "intended use" in the "well

proposal details" as "public / community water system," EHS will treat the permit as exempt from the requirements of the Executive Order if and only if an authorized representative of the public water system provides the identification number and submits the declaration ("Exhibit B" in Well Permit package).

Production Wells Countywide: Licensed Professional Geologist Report Required.

Regardless of the well's location, the water well construction permit application for new or altered **production groundwater well** must be accompanied by a report signed by a California licensed Professional Geologist with a **Certified Hydrogeologist specialty** certification that concludes both that extraction of groundwater from the well (1) "is not likely to interfere with the production and functioning of existing nearby wells" and (2) "is not likely to cause subsidence that would adversely impact or damage nearby infrastructure." (See Paragraph 9(b) of the Executive Order).

Applications shall also be accompanied by the base application fee, any applicable CEQA review fees, and the County's standard Well Permit Indemnity Agreement. (Exhibit "C".)

Production Wells in SGMA Basins: Verification from Groundwater Sustainability Agency Required.

Environmental Health will not issue a water well construction permit for a new non Exempt groundwater well or alteration of an existing groundwater well located within the Scott Valley Groundwater Subbasin, the Shasta Valley Groundwater Subbasin, the Butte Valley Groundwater Subbasin, or the Tule Lake Groundwater Subbasin as identified by the Department of Water Resources without first obtaining from the relevant **Groundwater Sustainability Agency**[3] the **verification** required by Paragraph 9(a) of the Executive Order (**in addition to the report described above**).

In addition to the fees that are described above, applications for production wells in SGMA basins shall also be accompanied by any SGMA Basin review fee imposed on Environmental Health by the relevant Groundwater Sustainability Agency, which is directly passed through to the applicant.

These requirements will be effective until the Executive Order is lifted.

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[3] The Siskiyou County Flood Control and Water Conservation District serves as the Groundwater Sustainability Agency for the Scott, Shasta, and Butte Valley groundwater subbasins and reviews and provides verfications for production wells in these subbasins.
The Tulelake Irrigation District serves as the Sustainability Plan Manager for the multi-agency Tule Lake Subbasin Groundwater Sustainability Agency, and reviews and provides verifications for production well applications in this subbasin.

VII. Implementation: Public Trust Doctrine

Scott River and Shasta River Watersheds:

Production Wells

In May of 2021, Larry Walker Associates (LWA) introduced the Siskiyou County Board of Supervisors and the public to a hydrologic modeling tool that LWA developed to inform individual well permitting decisions in the Scott Valley and to help the Environmental Health Division evaluate potential public trust impacts to the Scott River. The Environmental Health Division intends to use LWA's modeling tool to make findings on whether the pumping from a proposed production well site in its reasonably foreseeable volumes and seasons will substantially impair or interfere with any public trust uses or values within interconnected downstream navigable waters, including the Scott River.

LWA has also developed the Shasta Watershed Groundwater Model (SWGM) v 1.0, which is an evolving, integrated hydrological model that represents the entire Shasta Valley watershed. It is a preliminary effort to characterize the Shasta River watershed, and will be used to inform individual well permitting decisions on production wells in the Shasta Valley and to help the Environmental Health Division evaluate potential public trust impacts to the Shasta River.

In addition to the other fees referenced under Section V. above, applicants for production wells in the Shasta Valley or Scott Valley shall be financially responsible for the actual cost to the County of LWA's application of its hydrologic modeling tools to a proposed well site.

De Minimis Wells

In January of 2022, the Board adopted public trust findings related to well permitting in the Scott Valley. These findings were set forth in a resolution (see Attachment 3), which found pumping from existing and future de minimis well sites in the Scott Valley watershed in reasonably foreseeable domestic volumes will not substantially impair or interfere with public trust uses or values within interconnected downstream navigable waters, including the Scott River. These findings will be attached to and relied upon for well applications in the Scott Valley wherein applicants represent the intended use of the well is for two acre-feet of groundwater per year or less for domestic or stock water use.

Environmental Health intends to use the form of these findings as a template for its consideration of de minimis well sites in the Shasta River watershed.

Countywide:

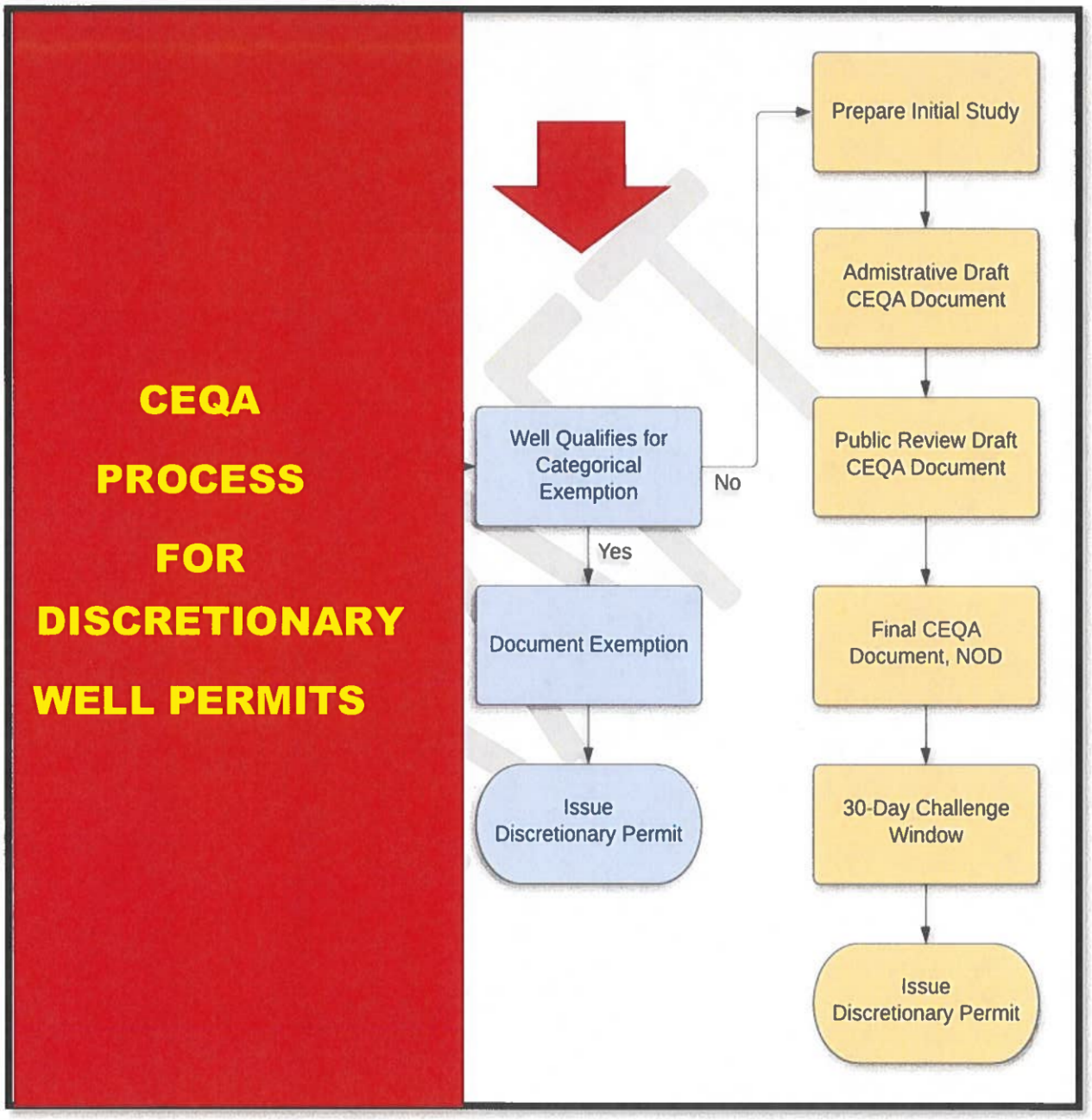
As additional hydrological data is obtained in other areas of the County, the County's consideration of the Public Trust Doctrine will extend to those areas for which hydrological data evidences the presence of groundwater interconnected with surface waters.

VIII. Implementation: CEQA

Domestic well and stock water well permitting in Siskiyou County is presumed to be ministerial for most projects. Permit approval for production wells will be determined on a case-by-case basis. Below is a visual flow chart that sets forth the well permitting CEQA process.

Groundwater Well Permitting Guidelines

Application Processing: CEQA Review



ATTACHMENT 1

Groundwater Well Permitting Guidelines

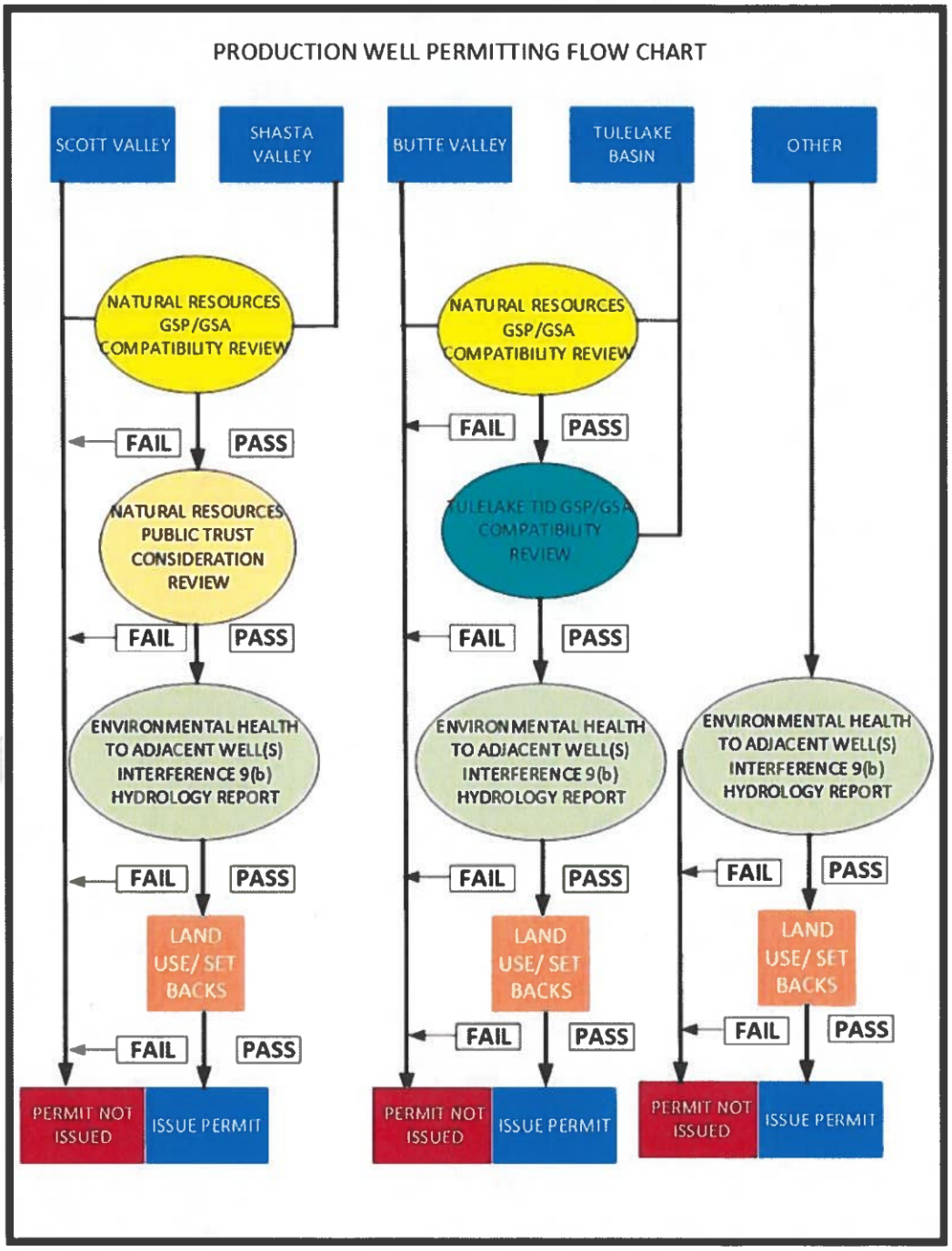
Pre-Application Checklist

- Well Permit Application is complete and accurate – including Plot Plan, with specific distances to potential contamination sources clearly labeled.
- Fees are included- if applicable.
- A letter from a geologist is included – if applicable.
- A signed Declaration is included –if applicable.
- A signed Indemnity Agreement is included- if applicable.
- Additional data may be required.

ATTACHMENT 2

Groundwater Well Permitting Guidelines

Application Processing Flowchart



ATTACHMENT 3

Resolution No. 22-07

RESOLUTION NO. 22-07

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SISKIYOU MAKING PUBLIC TRUST FINDINGS FOR THE ENVIRONMENTAL HEALTH DIVISION'S (EHD) MINISTERIAL ISSUANCE OF DE MINIMIS WATER WELL PERMITS IN THE SCOTT VALLEY AND DIRECTING EHD TO BRING FORWARD AN INTERIM ORDINANCE FOR A MORATORIUM ON NEW PRODUCTION WELL APPLICATIONS AND PERMITS IN THE SCOTT VALLEY, WITH CERTAIN EXCEPTIONS.

WHEREAS, courts in California have held that Siskiyou County, as a political subdivision of the state of California, has an obligation to consider impacts to public trust resources in the Scott River, such as navigation, recreation and fisheries, whenever the County issues a permit for a new well that, through the extraction of groundwater interconnected with the Scott River's surface waters, may substantially impair the Scott River's public trust resources; and

WHEREAS, the Siskiyou County Community Development Department, Environmental Health Division and the Siskiyou County Administrator's Natural Resources Division have committed themselves to meeting the County's public trust obligation and have been working with environmental consultants Drs. Harter and Foglia, as contracted through Larry Walker Associates ("LWA"), to identify interim solutions for obtaining data about the Scott Valley's hydrology to inform well permitting decisions; and

WHEREAS, In May of 2021, LWA introduced the Board and the public to a hydrologic modeling tool that LWA developed to inform well permitting decisions in the Scott Valley and to help the Environmental Health Division and Natural Resources Division evaluate potential public trust impacts to the Scott River; and

WHEREAS, LWA has modeled various pumping scenarios across the watershed using its tool, which has resulted in a series of maps that delineate color-coded impact zones surrounding the Scott River; and

WHEREAS, these maps model impacts from the pumping of either a new non-production well, such as a domestic well, or a new production well in either a year with average flows or in a dry year using data collected over a twenty-year period from 1991-2011; and

WHEREAS, LWA's modeling evidences that new non-production wells, will not substantially impair or interfere with public trust uses or values within interconnected navigable waters; and

WHEREAS, there is a high degree of groundwater aquifer recharge associated with household water use (recycling); and

WHEREAS, there is an overall limited volume of groundwater extracted from non-production wells, such as domestic water wells and stock wells; and

WHEREAS, the majority of domestic wells are located on the margins of the valley where geologic water bearing stratigraphy has reduced hydraulic conductivity and influence on Scott River and its trust resources; and

WHEREAS, the limits of development within the Scott Valley based on density restrictions in the Scott Valley specific plan further limit the potential impact on public trust uses or values from domestic wells in the Scott Valley; and

WHEREAS, non-production wells are de minimis groundwater wells that have a limited potential impact on trust uses or values in the Scott Valley; and

WHEREAS, de minimis groundwater wells are water wells in aggregate on a single parcel delivering two acre-feet of groundwater per year or less for domestic or stock water use on property under the same ownership as the parcel on which the well is located;

WHEREAS, in considering impacts to public trust resources from de minimis wells the Board held a public hearing across multiple days and received and considered public comment from interested members of the public, and then closed the public hearing; and

WHEREAS, contrasting with de minimis wells, LWA's modeling suggests that new production wells in the Scott Valley could create significant additional consumptive use in the watershed that needs to be evaluated more thoroughly for potential impact on public trust uses or values within interconnected navigable waters; and

WHEREAS, the Board desires to direct staff to bring forward an interim ordinance that would implement a moratorium on new production well applications and production well permits in the Scott Valley, with certain exceptions, including when a production well applicant is able to show no significant impact, or mitigate for, increased "consumptive use effects" from a proposed production well as associated with the subject property's overall groundwater use.

NOW, THEREFORE, BE IT RESOLVED that the Siskiyou County Board of Supervisors that:

1. The Board finds the above recitals are true and correct and incorporates them herein.
2. The Board finds that pumping from existing and future de minimis well sites in the Scott Valley watershed in reasonably foreseeable domestic volumes will not substantially impair or interfere with public trust uses or values within interconnected downstream navigable waters, including the Scott River.
3. The Board directs that well applications shall provide space for applicants to represent whether or not the subject well will be a de minimis well delivering two acre-feet of groundwater per year or less for domestic or stock water use on property under the same ownership as the parcel on which the well is located.

4. For purposes of this resolution and its direction, the Board defines a production well as any water well constructed with a well casing having an inside diameter greater than six inches, regardless of use (e.g., agricultural, industrial) or any well delivering more than two acre-feet per year.
5. The Board finds that to the extent a proposed de minimis well may ultimately contribute to cumulative reductions in surface waters in downstream navigable waters, the production of groundwater for livestock, drinking, bathing, cooking, and other domestic uses on parcels in the Scott Valley is within the public interest because these parcels hold inchoate unexercised groundwater rights intended to be put to beneficial use consistent with Article X, section 2 of the California Constitution.
6. These findings shall be included in the Environmental Health Division's ministerial issuance of individual Scott Valley de minimis permits as evidence of the County's consideration of the impacts to public trust resources in the Scott River in its issuance of a permit for a new domestic well.

BE IT FURTHER RESOLVED that the Environmental Health Division is directed to bring forward an ordinance to implement a moratorium on new production well applications and production well permits in the Scott Valley, subject to any staff recommended exceptions, such as repairs, deepenings, replacements or applications that demonstrate no significant impact, or mitigate for, increased consumptive use effects on public trust resources.

BE IT FURTHER RESOLVED that the Board directs the Natural Resources Division to continue to work towards identifying opportunities for the Siskiyou County Flood District and Water Conservation District and the County to partner or share information that will assist the County in meeting its public trust duty in well permitting.

BE IT FURTHER RESOLVED that the Board finds this resolution is exempt from the California Environmental Quality Act (CEQA) because it is not a project under CEQA. Moreover, if it were deemed a project, it would be categorically exempt under section 15321 of Title 14, Article 7 of the California Code of Regulations because it amounts to an action by an agency for enforcement of a law, general rule, standard or objective administered or adopted by the agency. Furthermore, this ordinance is not subject to CEQA under the following sections of Title 14, Article 7 of the California Code of Regulations: i.) Section 15307, because it regulates activities to assure the maintenance, restoration, or enhancement of natural resources; ii). Section 15308, because it regulates activities to assure the maintenance, restoration or enhancement of the environment including groundwater resources within Siskiyou County; iii.) Section 15061(b)(3), because there is no possibility this resolution making public trust findings for domestic wells and directing staff to bring forward a moratorium on production wells in the Scott Valley may itself have a significant effect on the environment.

PASSED AND ADOPTED by the Siskiyou County Board of Supervisors at a special meeting of said Board, held on the 4th day of January, 2022, by the following vote

AYES: Supervisors Kobseff, Valenzuela, Ogren and Criss
NOES: None
ABSENT: Supervisor Haupt
ABSTAIN: None

Brandon A. Criss, Chair
Siskiyou County Board of Supervisors

ATTEST:
LAURA BYNUM,
COUNTY CLERK

By _____