Groundwater Pumping Cap Allocation

GREATER KAWEAH GROUNDWATER SUSTAINABILITY AGENCY

GROUNDWATER ALLOCATION REGULATION WORKSHOP, JANUARY 5, 2022
Spanish Interpretation – In-person
Reyna Rodriguez, *Linguistica Interpreting & Translation*
Spanish Interpretation (Zoom) / Traducción española

Reyna Rodriguez, Linguistica Interpreting & Translation

To listen to the presentation in Spanish, click the globe icon at the bottom of your screen and select Spanish.

Para escuchar la presentación en español, haga clic en el ícono del globo terráqueo en la parte inferior de la pantalla y seleccione Español.
Housekeeping – In-person

• Livestream/Zoom recording will be available online
• Questions and Comments
  • Please step up to the microphone stand to ask your question or provide comment
  • Comments will still be accepted at any time after the workshop
• We are available via email and phone for any questions or comments
  • Call/text: (559) 302-9987
  • Email: info@greaterkaweahgsa.org
Housekeeping - Zoom

• Video and microphone is OFF for participants
• Livestream is being recorded and will be available online
• Questions & Answers
  • Use the Q&A box to type a question at any time. The Zoom host will ask your question live for the panelists to answer.
• Technical difficulties
  • Use the Chat feature for Zoom technical assistance
What we will cover

• What is California’s groundwater law the Sustainable Groundwater Management Act?
• Who is the Greater Kaweah Groundwater Sustainability Agency?
• Concepts currently being considered with respect to limiting groundwater pumping
• How to participate in the development of this regulation
SGMA 101

California law signed in September 2014

SGMA mandates groundwater sustainability by 2040

Grants local control to Groundwater Sustainability Agencies or “GSAs”
SGMA Design

Form Agencies June 2017

Develop Plans January 2020

Implement Plans 20 years

Achieve Sustainability 2040

COMPLETED

IN PROGRESS

COMPLETED
GSA Authorities

- Implement Groundwater Sustainability Plan
- Procure surface water for replenishment
- Regulate, limit or suspend groundwater production
- Well registration, metering, reporting, monitoring
- Administrative fees and assessments
- Enforcement actions
- Adopt rules, regulations, & ordinances

Procure surface water for replenishment
Regulate, limit or suspend groundwater production
Well registration, metering, reporting, monitoring
Administrative fees and assessments
Enforcement actions
Implement Groundwater Sustainability Plan

Adopt rules, regulations, & ordinances
Regulate, limit or suspend groundwater production
Well registration, metering, reporting, monitoring
Administrative fees and assessments
Enforcement actions
Implement Groundwater Sustainability Plan
The Cost of Local Groundwater Management

The Greater Kaweah GSA is the voice for our landowners, complying with SGMA and interacting with State agencies including Department of Water Resources and State Water Resources Control Board.

- Unfunded mandate
- Groundwater Sustainability Plan implementation
- Assist in mitigating an estimated ~80,000 acre-feet of annual overdraft basin-wide by 2040
Groundwater Sustainability Plan (GSP)

- Physical description of groundwater management area
- Water budget
- Monitoring program and projects
- Sustainability in 20 years
- Measureable objectives / thresholds
- Annual reporting
- State evaluations for compliance—every 5 years
Sustainability Challenges

Sustainability is defined as management and use that can be maintained during the planning and implementation horizon without causing “undesirable results,” based on “significant and unreasonable” standard.

- Chronic lowering of groundwater levels
- Reductions in groundwater storage
- Degraded water quality
- Land subsidence
- Surface water depletions with adverse impacts on beneficial uses
- Seawater intrusion
Kaweah Subbasin
(Priority Basin)

- 3 GSAs
  - East Kaweah GSA
  - Greater Kaweah GSA
  - Mid Kaweah GSA
Greater Kaweah GSA

• Formed on August 23, 2016
• Joint Powers Agreement (JPA) of six members and partners
  • Kaweah Delta Water Conservation District, Kings County Water District, Lakeside Irrigation Water District, St. Johns Water District, Tulare County, California Water Service Company
• Led by the Board of Directors and several Committees
  • Stakeholder, Rural Communities, Technical Advisory and Basin
LAKESIDE IRRIGATION WATER DISTRICT
Don Mills, Chair

TULARE COUNTY
Peter Vander Poel

KAWEAH DELTA WATER CONSERVATION DISTRICT
Chris Tantau, Vice Chair

KAWEAH DELTA WATER CONSERVATION DISTRICT
Brian Watte

ST. JOHNS WATER DISTRICT
Eric Shannon

KINGS COUNTY WATER DISTRICT
Ernie Taylor

CALIFORNIA WATER SERVICE COMPANY
Stephen Johnson

STAKEHOLDER COMMITTEE
Joe Cardoza

RURAL COMMUNITIES COMMITTEE
Paul Boyer
Greater Kaweah GSA

SOME ADDITIONAL PARTICIPATING AGENCIES

City of Exeter
City of Farmersville
City of Woodlake
Consolidated Peoples Ditch Company
Farmers Ditch Company
Fleming Ditch Company
Foothill Ditch Company
Ivanhoe Public Utility District
Lemon Cove Ditch Company
Lemon Cove Sanitary District
Mathews Ditch Company
Patterson Tract Community Services District
Tract 92 Community Services District
Wallace Ranch Water Company
Get Involved

• Check the calendar and join the interested persons list for meeting details at www.greaterkaweahgsa.org

• Quarterly Technical Advisory, Stakeholder Rural Communities and Basin Management Team committees meetings

• Board meets monthly
  • Usually 2\textsuperscript{nd} Monday of the month at 1:00 PM

• Participate in GSP implementation of projects, programs and policies
Kaweah Subbasin Agriculture

A top producer of fruit and fiber, agriculture in the Kaweah Subbasin depends on groundwater. The Greater Kaweah will be developing groundwater management strategies to maintain agriculture’s strength and viability.

Read more

Adopted Final GKGSA GSP
An electronic copy of the Adopted GKGSA GSP is now available online.

Download

www.greaterkaweahgsa.org
Visit our website to sign up for email notices, download the Groundwater Sustainability Plan, and more.
Groundwater Pumping Cap Proposal

Ideas and concepts currently being considered for inclusion in rules and regs
Introduction

The following is a high-level summary of ADMIN DRAFT CONCEPTS to address the current downward groundwater trends and help achieve Sustainability in the GKGSA’s portion of the Kaweah Subbasin. This presentation contains many concepts the Board, technical and stakeholder committees, and interested persons have weighed in on over the past many months. Any part of this proposal is subject to change during the outreach and public comment period. Please see a current draft of the Rules & Regs for more detail.

Comments, questions, changes, additions and deletions are welcomed and expected.
What’s The Plan?

• Continue direct public outreach and communication
• January Board meeting issuance of a public review draft Rules & Regs for a 90-day comment period
• Hold additional public outreach events, committee and Board meetings
• Adopt Rules & Regs which include the groundwater pumping cap in April 2022. Full implementation no later than October 1, 2022.
• Emergency action may occur if monitoring shows risk of state intervention resulting in moving up implementation to Spring 2022.
Groundwater Pumping Cap At A Glance

<table>
<thead>
<tr>
<th>Priority of Water Supply Access</th>
<th>Groundwater Pumping Cap</th>
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<tr>
<td>Surface Water Supply</td>
<td>Prohibited Tier 3</td>
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<tr>
<td>Tier 1 Temp GW Supply</td>
<td>Tier 2 Temp GW Supply</td>
</tr>
<tr>
<td>Sustainable Yield Supply</td>
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Monitory penalty as well as severe reduction in future access to SY and Tiers 1 & 2 Temporary Groundwater Supplies.

Possibility of limited “Carryover” (i.e. from year to year), limited spatial transferability of use from one property to another and at diminished volumes.

Tiers 1 & 2 voluntary and priced in increasing cost per acre-foot of temporary tier groundwater pumped. Max tier volumes to decrease over 20yr sustainability period.

Sustainable Yield groundwater supply (currently 10” as adopted in Kaweah GSPs) at NO COST.

Access to surface water only through districts and ditch companies - must coordinate with those entities directly.

* Managed Aquifer Recharge (MAR) accounted for separately.
Groundwater Pumping Cap Detail  (1 of 8)

- Intentional groundwater recharge activities to be accounted for separately and credited
- Anticipates an annual allocation of groundwater on a gross assessed acreage basis, however allocation in multi-year blocks (possibly temporary) is still being evaluated and considered.
- Does not (yet) apply to public water systems. Still working that out.
- Landowners allocated the Sustainable Yield – Currently about 10 inches (based on 1997 to 2017 average water year) without any charges.
- Tiered groundwater is being offered as a temporary and optional
- Total pumping caps (SY plus Tier 1 and Tier 2) of 2.5 to 3 af/ac being evaluated. Increases and reductions to be split equally between Tier 1 and Tier 2.
- All assessed acreage under this regulation is treated equally. Some non-assessed acreage will require special agreements with landowners.
Groundwater Pumping Cap Detail  (2 of 8)

- Proposed “Tier” System
  - **Tier 1**: the first half of the temporary Tier Pumping. $75 per AF. Durability and transferability have restrictions (next slide)
  - **Tier 2**: the second half of the temporary Tier Pumping. $125 per AF. Durability and transferability have restrictions (next slide)
  - **“Prohibited Tier”**: is when pumping occurs in excess of the cap. $500 per acre-foot, and an aggregate 1:1 reduction in future allocation in the following year(s).

- Tier Pumping will be **reduced over time** for all users consistent with the 5-year interim period percentages adopted by the Board and described in the GSP
- Managed Aquifer Recharge (MAR) credits to be allowed in a separate tier or accounting bucket
Groundwater Pumping Cap Detail (3 of 8)

“Carryover” of GW: how long can you keep the allocation?

- Need to be sensitive to surface water users and not force them to pump.
- Maximum of 5-years rolling for Sustainable Yield supply with an annual 10% leave behind of whatever the current balance is.
- Maximum of 5-years rolling for Tier 1 & 2 supply with an annual 10-20% leave behind.
- Previously undeveloped lands no access to Tier water
Groundwater Pumping Cap Detail  (4 of 8)

“Transferability” of GW: moving it from one place to another

- SY and both tiers may be transferred.
- Online dashboard monitored.
- Allowable within a 3 to 4-mile radius (case by case, still under tech evaluation) from a well. Properties without wells calculated by centroid of the parcel.
- All transfers require installation and reporting of metered data.
- After 5 years, loss of transferability of Tier 2 will occur. Tier 1 loss of transferability will occur in future years.
Groundwater Pumping Cap Detail (5 of 8)

Measuring Pumping & Credits:

Strive for rapid movement towards meters with remote sensing oversight, but will measure and invoice on ET. Voluntary action (C&T) requires reporting metered data.

• ET is not necessarily equal to Pumping but an immediate solution necessary to early implementation.

• Measuring actual pumping addresses all undesirable results and encourages efficient use of groundwater.

• Well fields/Dairy/Industrial/Netted Orchards, etc. will be prioritized for installation of well meters/estimated differently as remote ET monitoring is problematic.
Measuring Pumping & Credits:

Accounting and burden of proof in all cases should primarily be the responsibility of surface water providers (MAR and other credits) and overlying pumpers of groundwater. Credits will require additional surface water instrumentation.

• Developing an online Water Dashboard (leveraging ILRP system) – initial launch scheduled for Spring 2022

• An appeals process (via Technical Group) will be established to dispute ET and pumping estimates
Drinking Water Pumping:

- Local public water systems are estimated to use on average 1.2 to 1.4 af/ac.
- Still working with stakeholders to ID equitable options for public water systems to have financial skin in the game and incentive to conserve.
- None of the GSAs are currently discussing any immediate oversight or regulation of domestic wells, although the GKGSA’s GSP does describe a well mitigation program that has yet to be defined and the GSA continues to evaluate domestic pumping demand.
Possible Uses of Extraction Fees:

• Tier pricing requires careful consideration in order to not generate more revenue that there is a need for.

• GSP Projects & Management Actions (Section 7) is the first place to look for expenditure of funds.

• Public process will define other uses.

• Some specific ideas under discussion include temporary/permanent land retirement, water conservation incentive programs, possible purchase of surface water and coordinated activities with other efforts such as ILRP.
A Reminder of Next Steps

• Continue direct public outreach and communication
• January Board meeting issuance of a public review draft Rules & Regs for a 90-day comment period
• Hold additional public outreach events, committee and Board meetings
• Adopt Rules & Regs which include the groundwater pumping cap in April 2022. Full implementation no later than October 1, 2022.
• Emergency action may occur if monitoring shows risk of state intervention resulting in moving up implementation to Spring 2022.
Your Next Steps

- Participate in upcoming meetings and workshops
- **Submit formal written comments** for consideration during the official 90-day public comment period. Email info@greaterkaweahgsa.org
- Stay engaged!
  - Visit our webpage [www.greaterkaweahgsa.org/pumpingcap](http://www.greaterkaweahgsa.org/pumpingcap)
  - Sign up for email notices & updates on our website
  - Call/text questions at (559) 302-9987
- Help get the word out about activities of the GSA
Thank you!
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QUESTIONS?