

Delta View comments on GKGSA Rules and Regulations Draft 1-21-2022 revision

Article I. General

Section 1.04 Definitions:

This section should include a "Farm Unit" definition. Without this any movement of allocation water would be subject to the transfer policy even if parcels had same ownership.

Article III. Groundwater Accounting / Online Dashboard

Section 3.03 Categories of Water

- a. Surface Water Credits and Debits for Direct Delivery
- b. Sustainable Yield Allocation
- c. Temporary Tier 1 Allocation
- d. Temporary Tier 2 Allocation
- e. Groundwater Credits
- f. Recharge and Banking Credits and Debits
- g. Prohibited Tier 3 Pumping

Section 3.04 Priority of use states that default priority will be in order of Section 3.03 (a)-(g) therefore we propose the following default order to minimize inadvertent groundwater charges:

- a. Surface Water Credits and Debits for Direct Delivery
- b. Sustainable Yield Allocation
- c. Groundwater Credits
- d. Recharge and Banking Credits and Debits
- e. Temporary Tier 1 Allocation
- f. Temporary Tier 2 Allocation
- g. Prohibited Tier 3 Pumping

Article IV. Allocation of Water

Section 4.03 Greater Kaweah Agricultural Management Area

(c.) Carryover and Transfers

(i) Sustainable Yield Allocation

1) Carryover of Sustainable Yield

The 10% Reduction in carryover of Sustainable yield has no legal basis. Leave behinds in water banking originated as a way to appease stakeholders in trying to get difficult approvals for water banking projects. Implementing a similar policy at the GSA level will only encourage pumping - use it or lose it, or force unnecessary transfers to preserve the carryover loss. Under the current proposal transfers convert into groundwater credits which have no leave behind.

2) Transfer of Sustainable Yield

2. The proposed transferee will extract the transferred water within three miles of where the transferor would have extracted the water had he not transferred.

This three mile limitation is arbitrary and has no legal or technical basis. It will severely limit the ability of many groundwater dependent farming operations to transfer allocations and be flexible. We propose that at least for the first year that transfers be allowed within the entire GSA boundary. Should transferred allocation pumping cause the GSA to drift towards undesirable results, then some sort of geographic restriction on transfers would be warranted based on groundwater levels in specific areas approaching Minimum Thresholds at a faster rate than the average of the entire GSA.

(ii) Temporary Tier 1 and Tier 2 Allocations

Same comments above apply to these sections.