

To MKGSA and GKGSA boards and committees; My name is Dave Van Groningen and farm in both MKGSA and GKGSA. I farm mostly “white land” ground. My father, myself and those who I farm for, purchased this ground many years ago not because it was or wasn’t in a district, but because it is some of the most productive ground in our area and also has great groundwater levels with the ability to “re-charge” in wet years. This non-district land has never had the need to be in a water district because of this historical ability to re-charge. This non-district land has the same history of production (or longer) than that ground which water districts currently farm in. Over the past 6 years, since the passage of SGMA, white land (ground water only producers) has been vilified and it’s time that I try to put some comments down so some equality and sanity can possibly happen.

I understand SGMA, I understand that we are over-drafting our aquifer. I am not debating the constitutionality of this or even the numbers (over-drafting acre feet). I will leave this up to smarter people than I to debate this. But let me address an underlying core feeling that I have heard multiple times at “outreach” meetings and in zoom board/committee meetings. It has been stated that the ground water only producers are the reason why we are in the situation we are in. This statement is false. We can all point fingers and there are many reasons we are where we are at. Most importantly, this statement is not unifying and creates a Kaweah sub-basin mentality of “have vs have not” and will only cause the GSA’s to become unsuccessful in trying to implement a sustainable program.

When SGMA passed in 2014, they put some guidelines in place, left water law in place and wanted local agencies to do their dirty work for them. SGMA looked to existing agencies and existing water districts to step up and create these GSA’s for the sub-basin. The water districts in our area “stepped up” and took on this roll. The lines of the GSA’s were formed by these existing agencies/districts and the process started. I don’t blame them for doing this, who else was going to step up? Non-district growers don’t have boards, they didn’t have a structure around them. So for the past 6 years, the creation of the plan to comply with SGMA has been mostly performed by the water districts, at the direction of their board members. In my opinion, it is much easier to make a sustainability plan for the entire sub-basin without the representation of the white land. This has added to the “have vs have not” mentality. With that being said, more involvement from us white land growers should of happened much earlier. Without a structure in place (organizations to represent us like the water districts have) it is tough to get us white land growers together to truly understand what was needed to comply and get engaged in the process. More white land grower representation should have been on the boards from day one. I urge the boards and committees to place board members in seats that proportionally represent who they are suppose to be representing and/or acreage they occupy.

Kaweah sub-basin has roughly 323,000 irrigated acres and is over drafting 77,600 acre feet per year, which is less than $\frac{1}{4}$ acre foot per acre in overdraft annually. This simple math equation has been questioned but never really answered, but according to MKGSA and GKGSA this is what I gather from spreadsheets and discussions; by 2040, white land growers will only be able to pump our native yield (10” in GKGSA and MKGSA). I’m not sure how this math works when our average ET numbers on irrigated acreage is roughly 34”. I’m not too worried about the scare tactics of how little we are going to be able to pump because I truly believe that the science and math will work itself out. My concern is the idea of starting so restrictive and abruptly to hit our target by 2040. My concern is that without a trading platform or fallowing program in place first, we will have small family generational growers have to remove their permanent planting because they are not allocated enough and/or the economics do not work (with current commodity prices of certain crops). There is much talk about undesirable results

when it comes to SGMA, what about the undesirable result of removing a permanent planting because a grower can't afford to get into the "prohibitive tier 4", but than a couple years from now there is a reasonable "trading" program for those who wish to continue to farm. One of the most reasonable, easiest, resourceful and cost effective programs that I have heard about is the fallowing program that would give growers per acre fee to fallow their ground (probably ranging from \$600-\$1000 an acre) to allow those who want to pay an acre (or acre foot) fee to continue to pump for beneficial uses (food production). A simple spreadsheet platform could be created to give each potential fallowing acre a score (based on their blind bid amount and the amount of water used the previous year) to select the total amount of acres needed to fulfill the over drafted acre feet needed for that year or block of years (to be determined by the appropriate committee). The water dashboard that is being created would still have to be used to monitor how much **groundwater** (not district water) is being used by those irrigated lands (using ET or meters) and a price per acre foot would be used to bill those groundwater acre feet that are being used, which would pay those who are fallowing ground. This math works and from preliminary numbers ran, would be accomplished at very reasonable rates. I urge the board members to encourage the water marketing committee to continue to look at this "trading platform" for the entire platform, not just part of the platform, but the entire platform. This reverse auction for growers who **choose** to put in a bid, would eliminate the high probability of big corporate operations in "running up" the prices on an open market of water credits that are for sale on a trading platform. The reverse auction fallowing program (as the primary trading market) would also keep the value of this fallowed ground up for the land owner and for county tax purposes. The overlying groundwater right would not be taken away from the land owner on a non voluntarily basis and would be done in 1-3 year block periods only. SGMA states that the compliance of SGMA must take into account the underserved communities and **small farmers**. I urge the GSA boards to put this in place **before** implementing any emergency ordinance or setting allocations which will destroy many smaller family farms. I urge the board and committees to start "wide" and not "narrow". There has been a lot of talk about having to start restrictive and then easing up later if that is needed. I do not see the logic in this at all. Start wide, encourage the process. If undesirable results start to show up, then create management zones or make adjustments based on those unknown undesirable results. By starting so restrictive, you are encouraging the mentality of have vs have nots, you are going to have "undesirable results" within the small family farms, which will only lead to inequality for these small farmers and bankruptcy for some.

On the matter of using GSA money, or the GSA name to apply for grants; All the projects to bring in more water should benefit the native yield for all. The goal of these projects should be to increase the native yield from the current 10" to a higher number. If the monies collected (from fees or grants) go to benefit a particular water district, this is just more of the "have vs have not". This is actually white land growers paying for the in-equality to get larger as these projects bring in more water for the district growers. I urge the board members and committee members to hold firm on this when proposals and discussions come in front of them.

In conclusion, I am confident that there is a path to sustainability of our ground water if we work together, not create a have vs have not mentality (by vilifying white land growers), creating a reasonable fallowing program and using those monies generated by grants and fees to benefit all users (increasing native yield). I thank the different boards and committees for their time and work into SGMA.

Dave Van Groningen