

## North Kings Groundwater Sustainability Agency

### December 13, 2018 Workshop Summary and Frequently Asked Questions

Throughout the latter portion of 2018, the North Kings Groundwater Sustainability Agency (NKGSA) has either hosted or been invited to speak at meetings for organizations throughout the Fresno/Clovis region on the topic of the Sustainable Groundwater Management Act (SGMA). On December 13, 2018, the NKGSA held a public workshop and open house at Century Elementary School in Clovis to inform attendees on SGMA and the region's activities to comply with SGMA. Approximately 2,800 invitation postcards were mailed to a target audience of landowners north and east of the cities of Fresno and Clovis. During this outreach event, the attendees asked some very good questions and provided many comments.

The groundwater sustainability plan (GSP) that the NKGSA is required to submit to the California Department of Water Resources by January 2020 is still in development and will not be completed for several months. Below are responses to some frequently asked questions based on the best information we have today:

#### **1. Am I going to be limited on how much I can pump?**

SGMA will likely require most if not all groundwater users to reduce the amount of groundwater they can pump, with some areas being more impacted than others. The NKGSA is still studying the groundwater conditions of the areas north and east of Fresno/Clovis. The bottom line is that SGMA is intended to prevent six undesirable results (explained below), with the chronic decline of groundwater levels being one of the six. If an undesirable result is occurring in an area, changes will have to be made in order to comply with SGMA to avoid State intervention and State control of our groundwater. SGMA has identified the following six undesirable results:

1. Chronic lowering of groundwater levels.
2. Significant and unreasonable reduction of groundwater storage.
3. Significant and unreasonable seawater intrusion (not believed to be a factor within the NKGSA).
4. Significant and unreasonable degraded water quality, including the migration of contaminant plumes that impair water supplies.
5. Significant and unreasonable land subsidence that substantially interferes with surface land use.
6. Depletions of interconnected surface water that has significant and unreasonable adverse impacts on beneficial uses of the surface water.

The NKGSA is aware of the undesirable results that are occurring in several areas north and east of the cities of Fresno and Clovis, as an example, the Appaloosa Acres rural residential area. The Appaloosa Acres area has and is currently experiencing extreme symptoms of significant reduction of groundwater storage and likely the chronic lowering of groundwater levels. Many wells have gone dry in this area, and those homeowners are forced to truck in water to satisfy basic domestic needs.

## **2. Am I going to have to put a meter on my well?**

At this time, we are unsure whether meters will be required on wells outside of the Fresno Irrigation District north and east of Fresno/Clovis. Domestic well users often fall within the SGMA definition of a “de minimis” extractor. SGMA defines a de minimis extractor as an entity who extracts, for domestic purposes, two acre-feet or less of groundwater per year. The SGMA legislation does not authorize GSAs to require de minimis well owners to meter their wells. Regardless if de minimis or not, SGMA also allows GSAs to charge fees, conduct investigations, register wells, require reporting, and take other actions to sustainably manage the groundwater basin. If the State intervenes in this region, de minimis extractors will be required to report individual well location and extraction information directly to the State, and pay the appropriate fees to the State.

## **3. How is this area represented within the NKGSA?**

The NKGSA is a Joint Powers Authority formed in December 2016 through the adoption of a Joint Powers Authority by the following public agencies: Fresno Irrigation District, the County of Fresno, the City of Fresno, the City of Clovis, the City of Kerman, Biola Community Services District, Garfield Water District, and International Water District. Following adoption, these founding members approved membership of Bakman Water Company and the Fresno Metropolitan Flood Control District through separate binding agreements. This area is represented within the NKGSA by either the County of Fresno, Fresno Irrigation District (if in the Trimmer Springs, Round Mountain, and Dog Creek annexed areas), Garfield Water District, or International Water District. If you are located outside of these three districts, you are represented by the County of Fresno, which sits on one of the seven NKGSA board seats. This seat is currently occupied by County Supervisor Brian Pacheco, who is also the vice-chair of the Board of Directors. Additional information about the NKGSA’s board of directors can be found at [www.nkgasa.org](http://www.nkgasa.org).

## **4. Why did you show us maps with our area broken up into five zones?**

This area north and east of the cities of Fresno and Clovis, ranging as far north as the community of Friant, and extending southeast near the edge of the foothills towards the Kings River, has diverse hydrologic and geological conditions, as well as varying land use and overlying jurisdictions. Currently, the NKGSA has initially broken up this area into five subareas that share some similarities of those factors. These subarea definitions may also be used when the NKGSA implements SGMA, including monitoring for undesirable results and triggering necessary policies or programs to move towards sustainability.

## **5. What would cause the State to take control of my groundwater?**

The SGMA legislation requires the formation of local groundwater sustainability agencies, and the NKGSA covers your area. The NKGSA must submit a GSP to the California Department of Water Resources by January 2020 showing how the NKGSA will achieve sustainability by 2040. Sustainability is defined as preventing the undesirable results as defined in SGMA, including the chronic lowering of groundwater levels, as well as other criteria. The State will stay out of the way if local GSAs prove they can be sustainable. If the local GSAs fail, the State Water Resources Control Board will likely step in to

regulate groundwater, including placing limits on how much groundwater we can pump and charging each well owner administrative and extraction fees. Currently, the State's fee structure consists of:

- \$300 per well base filing fee for all wells
- Plus one of the following rates:
  - Unmanaged Area Rate: \$10 per acre-foot (AF) if well metered, \$25 per AF if unmetered
  - Probationary Basin Rate: \$40 per AF
  - Interim Plan Rate: \$55 per AF
  - De minimis Fee: \$100 per well (2 AF or less per year for domestic purposes)
- Plus any other fees the State may assess.

Refer to the State's Groundwater Extraction Reporting Filing Fees webpage for additional fee information: [https://www.waterboards.ca.gov/water\\_issues/programs/gmp/fees.html](https://www.waterboards.ca.gov/water_issues/programs/gmp/fees.html).

The NKGSA is currently working with engaging its stakeholders as well as others in the larger Kings Subbasin to identify and understand undesirable results within specific areas, find potential solutions to reach sustainability, and avoid State intervention.

#### **6. What types of solutions may be available for this area to reach sustainability?**

This area north and east of the cities of Fresno and Clovis has characteristics that make it unique compared to other area within the NKGSA. If outside the three districts previously mentioned, this area does not receive surface water supplies other than seasonal creeks that flow from the foothills. In addition, the information we currently have indicate that the soils are not favorable for groundwater recharge activities other than in the creeks themselves. The groundwater aquifer tends to be fairly shallow before hitting bedrock, and many wells closer to the base of the foothills may actually be pumping out of cracks and fissures in the bedrock underlying the aquifer. As with any region under SGMA, there are two general solutions to achieve sustainability if not already sustainable: 1) import additional surface water supplies, and 2) reduce groundwater demands. This area will need to consider both of these solutions when planning out its path to sustainability.

#### **7. How can I get involved with developing or reviewing the draft GSP before it gets finalized?**

The NKGSA is still developing the draft chapters of the GSP that would discuss any projects, programs, etc., that could be used to achieve sustainability, as well as how these would be implemented. You will be more than welcome to review publicly-released drafts of the GSP (anticipated to be released summer of 2019 and posted on its website at [www.nkgas.org](http://www.nkgas.org)) and participate in our monthly Advisory Committee meetings.