

# Section 5 Project and Management Actions

## Table of Contents

<b>SECTION 5 PROJECT AND MANAGEMENT ACTIONS .....</b>	<b>1</b>
<b>5.1 INTRODUCTION § 354.42.....</b>	<b>3</b>
<b>5.2 AGENCY PROJECTS AND MANAGEMENT ACTIONS § 354.44(A).....</b>	<b>3</b>
5.2.1 AGENCY GROUNDWATER ACCOUNTING PROGRAM § 354.44(A).....	9
5.2.1.1 Lead Entity.....	10
5.2.1.2 Relevant Measurable Objective(s) § 354.44(b)(1) .....	10
5.2.1.3 Circumstantial Considerations § 354.44(b)(1)(A).....	10
5.2.1.4 Public Notice Process § 354.44(b)(1)(B).....	11
5.2.1.5 Quantification of Water Budget Impact § 354.44(b)(2).....	11
5.2.1.6 Permitting and Regulatory Process § 354.44(b)(3).....	12
5.2.1.7 Timeline § 354.44(b)(4) .....	12
5.2.1.8 Anticipated Benefits § 354.44(b)(5).....	12
5.2.1.9 Accomplishment § 354.44(b)(6).....	13
5.2.1.10 Legal Authority § 354.44(b)(7).....	13
5.2.1.11 Cost & Funding § 354.44(b)(8).....	13
5.2.2 MITIGATION PROGRAM ACTION § 354.44(B)(1) .....	14
5.2.2.1 General Summary.....	14
5.2.2.2 Lead Entity.....	17
5.2.2.3 Relevant Measurable Objective(s) § 354.44(b)(1) .....	17
5.2.2.4 Circumstantial Considerations § 354.44(b)(1)(A).....	17
5.2.2.5 Public Notice Process § 354.44(b)(1)(B).....	17
5.2.2.6 Quantification of Water Budget Impact § 354.44(b)(2).....	18
5.2.2.7 Permitting and Regulatory Process § 354.44(b)(3).....	18
5.2.2.8 Timeline § 354.44(b)(4) .....	18
5.2.2.9 Anticipated Benefits and Evaluation § 354.44(b)(5).....	18
5.2.2.10 Accomplishment § 354.44(b)(6).....	18
5.2.2.11 Legal Authority § 354.44(b)(7).....	18
5.2.2.12 Cost & Funding § 354.44(b)(8).....	19
5.2.3 SUBSIDENCE MANAGEMENT REGULATION .....	19
5.2.3.1 General Summary.....	19
5.2.3.2 Lead Entity.....	19
5.2.3.3 Relevant Measurable Objective(s) § 354.44(b)(1) .....	19
5.2.3.4 Circumstantial Considerations § 354.44(b)(1)(A).....	19
5.2.3.5 Public Notice Process § 354.44(b)(1)(B).....	20
5.2.3.6 Quantification of Water Budget .....	20
5.2.3.7 Permitting and Regulatory Process § 354.44(b)(3).....	20
5.2.3.8 Timeline § 354.44(b)(4) .....	20
5.2.3.9 Anticipated Benefits § 354.44(b)(5).....	20
5.2.3.10 Accomplishment § 354.44(b)(6).....	21
5.2.3.11 Legal Authority § 354.44(b)(7).....	21
5.2.3.12 Cost & Funding § 354.44(b)(8).....	21
5.2.3.13 Drought Offset Measures § 354.44(b)(9).....	21
5.2.4 MANAGED AQUIFER RECHARGE AND BANKING PROJECTS § 354.44(B)(1) .....	21
5.2.4.1 General Summary.....	21

---

5.2.4.2 Lead Entity..... 22

5.2.4.3 Relevant Measurable Objective(s) § 354.44(b)(1) ..... 22

5.2.4.4 Circumstantial Considerations § 354.44(b)(1)(A)..... 22

5.2.4.5 Public Notice Process § 354.44(b)(1)(B)..... 22

5.2.4.6 Quantification of Water Budget Impact § 354.44(b)(2)..... 23

5.2.4.7 Permitting and Regulatory Process § 354.44(b)(3)..... 23

5.2.4.8 Timeline § 354.44(b)(4) ..... 23

5.2.4.9 Anticipated Benefits and Evaluation § 354.44(b)(5) ..... 23

5.2.4.10 Accomplishment § 354.44(b)(6)..... 23

5.2.4.11 Legal Authority § 354.44(b)(7)..... 24

5.2.4.12 Cost & Funding § 354.44(b)(8)..... 24

5.2.4.13 Drought Offset Measures § 354.44(b)(9)..... 24

**APPENDIX 5-A: TEA POT DOME WATER DISTRICT GROUNDWATER SUSTAINABILITY POLICIES ..... 25**

---

## 5.1 Introduction § 354.42

Pursuant to §354.42 of the SGMA Regulations<sup>1</sup>, this section describes the criteria for projects and management actions that the Agency, its member agencies, and/or its stakeholders intend to undertake to achieve the sustainability goal of the Tule Subbasin over the planning and implementation horizon.

Additionally, pursuant to SGMA §10721(f), the governing body of the Agency is the legislative body that formed the Agency, in this case the Board of Directors of the Tea Pot Dome Water District. For any action identified in this Section for which the Agency is indicated as the Lead Agency, all subsequent decisions to implement actions, will be made by the Tea Pot Dome Water District Board of Directors, sitting as the governing body of the Agency.

TPDWD has a firm Central Valley Project Class 1 contractual water supply sufficient to meet more than half of the total agricultural water supply needs of the District lands. Because of this, on a mass-balance basis, the lands within TPDWD GSA have historically been and are anticipated to remain within sustainable water budgets. The Projects and Management Actions described in this section are intended to monitor continued groundwater production and the continued availability of surface water supplies, to ensure that groundwater use remains within sustainable limits.

## 5.2 Agency Projects and Management Actions § 354.44(a)

The projects and management actions of the Agency to achieve the sustainability goal for the portion of the Tule Subbasin within the TPDWD boundaries primarily include:

- A Groundwater Accounting Program, applicable to the TPDWD Management Area. Through this Action, the Agency verifies that groundwater consumption remains within balance on an average basis, as compared to the sustainable yield and District surface water deliveries that are actually documented. The Groundwater Accounting Program collects groundwater consumption data for the irrigated agricultural lands within the applicable Management Areas, based on observed evapotranspiration data. This data is applied to landowner accounting platform, through which the Agency establishes allowable pumping limits, and tracks and enforces pumping limits to confirm sustainability and avoid undesirable results.
- A Subsidence Management Action, which is limited to only those parcels identified as being within the Friant Kern Canal Subsidence Management Zone that was initially identified by the Eastern Tule GSA when TPDWD GSA was a party to the ETGSA JPA. Due to the overall balance or surplus condition of the District, subsidence has not been identified as a potential undesirable result elsewhere in the GSA boundaries.

---

<sup>1</sup> The Department of Water Resources has adopted regulations to specify the components of groundwater sustainability plans, alternatives to groundwater sustainability plans, and coordination agreements prepared pursuant to SGMA. These regulations, found at 23 CCR §350-358.4, are referred to herein as the SGMA Regulations

- Agency or Landowner Projects, such as water supply optimization, surface water development, managed aquifer recharge and banking, and agriculture land retirement.

SGMA requires agencies to specify those conditions that will trigger the implementation of management actions. Because the area covered by this Plan has a proximity to the Friant Kern Canal which has experienced subsidence and the subbasin has experienced impacts to domestic wells both before and during the initial SGMA implementation period, the Agency has determined that conditions currently exist to warrant implementation of all the projects and management actions described in this Chapter, and therefore no further triggers for these actions are described in the Plan. Certain specific actions within some of these actions, such as the triggers for specific well monitoring requirements within the Subsidence Management Action, will be implemented only when the indicated conditions are met.

The following table summarizes the Projects and Management Actions.

Project Type	Current Projects	Project Description	Lead Entity	Measurable Objectives Expected to be Met	Timeline
Groundwater Accounting Program - <i>Section 5.2.1</i>	Tea Pot Dome Water District GSA Policies	Implementation of groundwater accounting and regulation policies through allocations	Tea Pot Dome Water District GSA	Groundwater elevation  Groundwater change in storage  Land Subsidence	Ongoing
Mitigation Plan- <i>Section 5.2.2</i>	Tea Pot Dome Water District Groundwater Sustainability Agency Groundwater Sustainability Plan Impact Mitigation Plan	Plan developed to provide a process for mitigating impacts to domestic wells and critical infrastructure associated with GSP/Agency Approved or authorized activities	Tea Pot Dome Water District GSA in coordination with all other Tule Subbasin GSAs	Mitigation for impacts and undesirable results due to Agency approved or authorized activities	2024-2040
Subsidence Management Plan - <i>Section 5.2.3</i>	Tea Pot Dome Water District GSA Policy 8	Plan developed to mitigate subsidence by creating management zones near the Friant Kern Canal and triggers	Tea Pot Dome Water District GSA	Mitigates for impacts and undesirable results due to Agency approved or	Ongoing

		related to feet of subsidence that has occurred in relation to minimum thresholds, adding regulations on as triggers are hit between 1.50 and 1.99 feet, 2.00 and 2.49 feet, and 2.50 and 2.99 feet.		authorized activities	
Managed Aquifer Recharge and Banking Projects – Section 5.2.4	District Banking Program	The District built a 10-acre recharge basin, installed a groundwater well, and constructed a pipeline to connect the water delivery to the distribution system	Tea Pot Dome Water District	Groundwater elevation  Groundwater change in storage  Land Subsidence	Ongoing

Policy	Objective	Implementation
Policy 1: Water Measurement and Metering	<ul style="list-style-type: none"> <li>Allows the Agency to monitor groundwater usage by each landowner to avoid excess pumping</li> <li>Allows the Agency to allocate surface water proportionally to landowners</li> </ul>	<ul style="list-style-type: none"> <li>Using a third party, Agency will use Evapotranspiration (ET), using NASA Landsat satellite imagery to measure Total Crop Demand</li> <li>Groundwater Consumption is calculated by Subtracting Total Applied Surface Water from Total Crop Demand</li> </ul>
Policy 2: Groundwater Banking at the Landowner Level	<ul style="list-style-type: none"> <li>Allows the landowners to divert surface water into landowner-owned basins or overapply surface water to their fields for future groundwater credits</li> </ul>	<ul style="list-style-type: none"> <li>The landowner must purchase the surface water from the district to use for groundwater banking at the landowner level</li> <li>The priority of water is as follows:</li> </ul>

	<ul style="list-style-type: none"> <li>• Allows the Agency to monitor the groundwater banked in order to manage recharge and allocate future groundwater credits accurately</li> </ul>	<ul style="list-style-type: none"> <li>○ Deliveries for irrigation demand</li> <li>○ District recharge/banking for the benefit of all landowners</li> <li>○ Landowner recharge/banking</li> <li>• Landowner recharge credits will fall under the Landowner Developed Credits section in the landowner account and can be transferred, sold, or leased</li> <li>• If landowner recharge is taking place: the turn out must be metered and 10% banked water left behind for the Agency to account for evaporation and groundwater migration</li> <li>• The Agency may make District facilities available from time to time for landowner recharge activities. The landowner would receive 75% credit.</li> </ul>
<p>Policy 3: Water Accounting and Water Transfers</p>	<ul style="list-style-type: none"> <li>• Allows the Agency to add groundwater inputs into landowner accounts through groundwater allocations</li> <li>• Allows landowners to feasibly and economically manage their farm operation within the rules established by the Agency and Tule Subbasin</li> </ul>	<ul style="list-style-type: none"> <li>• The Agency allocates groundwater credits are allocated by parcel</li> <li>• The types of allocations are as follows:             <ul style="list-style-type: none"> <li>○ <b>Tule Subbasin Sustainable Yield:</b> Common Groundwater available to all landowners within the subbasin</li> <li>○ <b>Precipitation Yield:</b> Annual Average precipitation calculated from 1991 and onward (credits are not transferable)</li> <li>○ <b>Transitional Groundwater Credits:</b> Allocations of water</li> </ul> </li> </ul>

		<p>above the sustainable limits, to assist landowners to transition to sustainability (Credits are not transferable)</p> <ul style="list-style-type: none"> <li>○ <b>Landowner Developed Credits:</b> Surface water recharged by a landowner, or banked water purchased by a landowner</li> <li>• The Agency debits groundwater consumption from each APN account monthly in the following sequencing:             <ul style="list-style-type: none"> <li>i. Precipitation Yield</li> <li>ii. Sustainable Yield</li> <li>iii. iv. Transitional groundwater credits (Sequencing can be switched at the landowner's discretion)</li> <li>v. Landowner developed groundwater credits (Sequencing can be switched at the landowner's discretion)</li> </ul> </li> <li>• Accounts will have an allowable limit based on total amount of credits in an account and will be subject to enforcement through policy 7</li> <li>• The Agency will monitor transfers through required notification and approval of each transfer to ensure transfers are following policy requirements</li> </ul>
<p>Policy 4: Transitional Groundwater Consumption</p>	<ul style="list-style-type: none"> <li>• Allows the Agency to allocate transitional credits (allocations of water above the long-term sustainable</li> </ul>	<ul style="list-style-type: none"> <li>• Transitional credits are allocated on an annual basis based on modeling projections, with the goal of ensuring use of them will not</li> </ul>

	<p>limits in the Agency) to landowners to assist with the transition to sustainability</p> <ul style="list-style-type: none"> <li>• The Agency may adjust the allocation as needed to avoid undesirable results during transition</li> </ul>	<p>result in groundwater levels declining below the Agency Sustainability Management Criteria</p> <ul style="list-style-type: none"> <li>• Transitional credits will be allocated with a fee schedule to disincentive use and provide mitigation funding</li> <li>• If a landowner’s groundwater consumption exceeds the allocated transitional credits, they are subject to Exceeding Consumption fines and penalties (in addition to the transition credit fees) and enforcement per Policy 7</li> <li>• Transitional credits <b>cannot</b> be transferred to other landowners and will be accounted for per Policy 3</li> </ul>
<p>Policy 5: Landowner Surface Water Imported into the Agency</p>	<ul style="list-style-type: none"> <li>• Allows landowners to participate in surface water exchanges or transfers imported into the Agency</li> <li>• Allows the Agency to monitor the surface water exchanges or transfers imported into the Agency and apply or debit the credits to the necessary landowner accounts</li> </ul>	<ul style="list-style-type: none"> <li>• Surface water brought into the Agency and credited to the landowner will be subject to a loss/reduction factor as determined by the Irrigation District Board of Directors.</li> <li>• Surface water brought into the Agency will be delivered to the landowner based on canal capacity</li> <li>• Imported surface water may be used for groundwater recharge subject to the policies of the GSP</li> </ul>
<p>Policy 6: District Groundwater Banking</p>	<ul style="list-style-type: none"> <li>• Describes the agency’s surface water banking program for later delivery to landowners</li> </ul>	<ul style="list-style-type: none"> <li>• Excess surface water will be banked and later delivered to landowners for irrigation needs as surface water.</li> </ul>



<p>Policy 7: Enforcement of Groundwater Policies</p>	<ul style="list-style-type: none"> <li>Allows the Agency to enforce the GSP by collecting groundwater charges and applying penalties to landowners</li> </ul>	<ul style="list-style-type: none"> <li>Sets a process in place to enforce non-compliance of these Groundwater Policies.</li> <li>The Agency will apply an interest rate of 1 percent per month of the delinquent amount of the groundwater fee and a 10 percent penalty if groundwater fees have not been paid within 30 days</li> <li>Sets process to penalize and enforce consumption of groundwater beyond the Allowable Limits with a penalty up to \$500 per acre-foot and order a Cease and Desist which may be enforced through civil action</li> <li>Sets process to enforce non-compliance with Subsidence Management Plan</li> </ul>
--	---	--

**5.2.1 Agency Groundwater Accounting -Program § 354.44(a)**

As described in the earlier sections of this GSP, the groundwater use within the areas covered by the Agency is generally within safe yield on a mass balance basis. Further, the Agency is a net recharger in the subbasin by 1,000 acre-feet on an average annual basis. However, when accounted for on a parcel-by-parcel basis, some landowners may have reduced access to surface water and a corresponding greater reliance on groundwater. Further, in individual years, particularly those in which the CVP Contract Supply for the District is reduced, most of the lands in the Agency experience greater reliance on groundwater.

In order to account for fluctuations in groundwater use on an individual parcel and individual year basis, and to prevent undesirable results that may be associated with those fluctuations, the Agency has identified as a management action the adoption and implementation of a groundwater allocation and accounting system applicable to all agricultural groundwater users in the Agency jurisdictional areas. Agricultural groundwater use represents the vast majority of groundwater use within the GSP. The Agency has implemented this management action by adopting and enforcing Policies 1 through 6 of the Agency. These Policies constitute the Groundwater Accounting Program (the “Groundwater Accounting Program”).

The Groundwater Accounting Program tracks surface water and groundwater use, and establishes groundwater allocations in a manner that achieves the groundwater level and subsidence sustainability goals of the Agency. Through the accounting and allocation system, the Agency can provide flexibility, within specified limits, to allow for fluctuations in groundwater reliance between individual parcels and between individual year types, while ensuring the fluctuations do not reach the point of creating undesirable results in the form of localized groundwater level reductions and associated impacts. A key element of the Groundwater Accounting Program is the ability to initially provide transitional pumping allocations that allow for limited groundwater pumping above sustainable yield rates, and in later years to store and use surplus surface water groundwater recharge credits. Both transitional pumping allocations and landowner-developed surplus surface water credits are used to account for fluctuations in groundwater reliance due. Tea Pot Dome Water District GSA Policy 4 defines groundwater pumping in excess of the sustainable limit as the Transitional pumping allocation. The Agency sets the Transitional pumping allocation annually based on observed subbasin conditions and established management criteria. Policy 4 requires Transitional pumping allocations to be minimal initially, and then eliminated over time, after landowners and the Agency have had the opportunity to develop and store surplus surface water credits. The Groundwater Accounting Program is intended to be adaptable, subject to modification by action of the Agency Board through standard public processes. The Agency recognizes that specific rules and regulations that are included in Policies 1 through 6 may need to be adjusted to reflect developing circumstances and avoid undesirable results.

Implementation of successful groundwater allocation, accounting, and database actions will, in general, help account for the actual consumption of groundwater supplies to ensure that significant overdraft within individual years does not occur, and that overall balanced or surplus conditions continue during the Plan implementation period within the Agency. These Policies are attached as **Appendix 1-A, Tea Pot Dome Water District Groundwater Sustainability Agency Policies**. The following is a table showing specifically how each Policy addresses that objective:

#### 5.2.1.1 Lead Entity

TPDWD GSA (or “Agency”)

#### 5.2.1.2 Relevant Measurable Objective(s) § 354.44(b)(1)

This Action will benefit the following sustainability indicators: groundwater elevations, groundwater changes in storage, groundwater quality, and land subsidence.

#### 5.2.1.3 Circumstantial Considerations § 354.44(b)(1)(A)

Given the general condition and associated effects of critical overdraft prevailing within the Tule Subbasin (see **Section 2 – Basin Setting**), the Agency has already acted to develop and implement the Groundwater Accounting Action, including a system for use tracking and fees for transitional water consumption (the temporary use of water above what would be considered sustainable in 2040, described in Section 5.2.1.5). The use of the data generated with the

accounting system will also provide the information to trigger updates to policy and further actions by the Agency GPC and Board.

#### 5.2.1.4 Public Notice Process § 354.44(b)(1)(B)

During the planning phase of this Plan, the accounting and database system was a significant focus and discussion amongst the stakeholders. The Agency has engaged and undertaken outreach with stakeholders in the form of meetings, public presentations, website resources, interested parties list, digital correspondence, and landowner workshop meetings to ensure that the public was informed and invited to participate in the development of the accounting system to track water use and landowner water budgets.

Public notice, engagement, and involvement continues to occur following adoption and implementation of this Plan during the Board of Directors meetings as required under the Ralph M. Brown Act.

Public notice related to the implementation of any fees, charges, or assessments would be compliant with the requirements of SGMA, Proposition 218, and/or such other laws as they may apply.

#### 5.2.1.5 Quantification of Water Budget Impact § 354.44(b)(2)

The Groundwater Accounting Plan accounts for annual groundwater use, limits groundwater pumping, and provides for adaptive management to obtain sustainability during the –plan implementation period.

The projected water budget impact of this Action is based on the current estimated consumptive use of the landowners within the Agency identified in the Water Budget summarized in **Section 2: Basin Setting**, and reducing the groundwater pumped above the sustainable yield (Transitional allocations) per the schedule summarized in **Table 5-1: Proposed Reduction in Groundwater Use During Plan Implementation**.

**Attachment 2, Table 2, Appendix H reflects the historical surpluses and deficits –of groundwater in TPDWD.**

**Table 5-1: Proposed Reduction in Groundwater Use During Plan Implementation**

2025-2029	2030-2034	2035-2040
0.75 Acre-Feet	0.5 Acre-Feet	0.25 Acre-Feet

Though, as a GSA the water balance is positive, when accounted for on a parcel-by-parcel basis, some landowners may have reduced access to surface water and a corresponding greater reliance on groundwater. Further, in individual years, particularly those in which the CVP Contract Supply for the District is reduced, most of the lands in the Agency experience greater reliance on

groundwater. Therefore, in order to build up banked water in the ground for use in dry years, a transitional, ramp down period is needed.

This proposed ramp down schedule for Transitional allocations is reflected in the modeling to show anticipated achievement of the revised sustainability goals, as described in Section 3 of this GSP. As noted above, the proposed schedule is subject to change if needed to respond to actual monitoring results.

#### **5.2.1.6 Permitting and Regulatory Process § 354.44(b)(3)**

Implementation of the accounting system during the implementation period is not subject to CEQA or NEPA. Projects developed to implement the policy may be subject to CEQA and/or NEPA depending on the member Agency undertaking the project and the nature of the projects.

Fees, charges and assessments associated with this Action would likely be subject to the requirements SGMA, Proposition 218, and/or other laws that might apply.

#### **5.2.1.7 Timeline § 354.44(b)(4)**

Implementation of the accounting system occurred in November 2024. Full implementation of this Action, including fees associated with consumption of groundwater above allocated sustainable yield, occurred in November 2024, with the total volume of allowable groundwater extractions ramping down in five-year increments beginning with the 2024-2025 Water Year.

The following is a detailed timeline of the actions taken to date to implement this Action:

- Prior to December 2024: Design, structure, and develop comprehensive Data Management System (hereafter, "DMS") for facilitating member management, billing, and groundwater accounts
- October 2024: Began tracking groundwater extractions by landowner.
- November 2024: Implemented Accounting System for landowners to utilize.
- 2024 and ongoing: Outreach to groundwater users, landowners, public water systems, and all other potentially impacted stakeholders on accounting system rules, requirements and necessary compliance procedures, updates to system as needed.
- October 1, 2024: Initiated full Accounting System
- December 2024: Adopted and began funding Domestic Well Mitigation Plan

#### **5.2.1.8 Anticipated Benefits § 354.44(b)(5)**

The primary benefit from this Action will be the assurance of minimal unsustainable groundwater pumping followed by balanced or surplus conditions of groundwater. Ancillary benefits include mitigating the decline of local groundwater levels and mitigating the occurrence of other conditions associated with declining groundwater levels, such as subsidence and the migration of contaminant plumes.

The Agency will evaluate the benefits to relevant sustainability indicators and their associated measurable objectives per the monitoring programs and procedures described in the Tule Subbasin Monitoring Plan (**Appendix 1-H, Tule Subbasin Coordination Agreement**). Regular reporting by groundwater users, surface water users, Member Agencies, and all others required to participate in this Action or otherwise provide data as it relates to this Action will allow the Agency to appropriately assess the achievement of this Action's primary benefit.

Isolating the effects of this specific Action to relevant sustainability indicators will be difficult due to the other Actions contemplated to be implemented concurrently within the Agency and the remainder of the Tule Subbasin.

#### **5.2.1.9 Accomplishment § 354.44(b)(6)**

Accomplishment of this Action is ongoing, according to the process described in Section 5.2.1.7. The objective of this Action is to account for groundwater pumping and ensure sustainability goals are met.

#### **5.2.1.10 Legal Authority § 354.44(b)(7)**

As a Groundwater Sustainability Agency formed pursuant SGMA, the Agency may exercise authority to:

- Require the registration of groundwater extraction facilities [WAT § 10725.6];
- Impose spacing requirements on new wells and reasonable operating regulations on existing wells [WAT § 10726.4(a)(1)];
- Control groundwater extractions by regulating, limiting, or suspending groundwater extractions [WAT § 10726.4(a)(2)];
- Authorize temporary and permanent transfers of groundwater extraction allocations within the Agency [WAT § 10726.4(a)(3)];
- Establish accounting rules to allow unused groundwater allocations issued by the Agency to be carried over from one year to another [WAT § 10726.4(a)(4)]; and
- Impose fees and enforce the collection of those fees [WAT § 10730 et seq.]

#### **5.2.1.11 Cost & Funding § 354.44(b)(8)**

Implementation of this Action includes the following major cost components:

- Monitoring
- Creating and Maintaining Data Management Systems
- Funding for Project and Management Actions to Assist in achieving Sustainability
- Administration

The Agency completed development of a Data Management System to facilitate groundwater accounting, transfers, billing, and other administrative functions. Agricultural groundwater use is primarily monitored using remote evapotranspiration technology provided from an outside

contractor for approximately \$3,000 per year. Municipal, industrial, and certain other extraction facilities require metering and regular reporting to the DMS by way of self-reporting, regular readings by Agency personnel, and/or advanced metering infrastructure. Costs associated with metering and reporting extraction from these facilities are highly variable depending on the method of reporting chosen and the number of extraction facilities not yet metered.

Projects and Management Actions to be funded by the Agency landowners or Member Agencies through the Accounting System may include, but are not limited to:

- Groundwater elevation and land subsidence programs
- Groundwater recharge and banking programs
- Well rehabilitation and deepening programs
- Municipal service connection programs
- Clean drinking water and in-home treatment programs
- Infrastructure rehabilitation programs

The fees collected on transitional pumping credits also fund mitigation. 5.2.1.12 Drought Offset Measures § 354.44(b)(9)

Various components of the accounting system, including allocations, carry-over rules, recharge credits, and enforcement, will ensure that groundwater users are able to plan for and manage against periods of drought while operating within the limits determined to be sustainable.

## **5.2.2 Mitigation Program Action § 354.44(b)(1)**

### **5.2.2.1 General Summary**

This GSP, together with the other Tule Sub-Basin GSPs, are designed for the Subbasin to reach sustainability by 2040 and beyond. However, during implementation and until sustainability is reached, some level of continued groundwater level decline and land subsidence is expected. The Agency plans to adopt a Mitigation Program as a Management Action as part of initial GSP approval in 2024 and is in the process of working on an updated subbasin wide Mitigation Program. The purpose of a Mitigation Program is to mitigate those wells, critical infrastructure, and land uses that are adversely affected by declining groundwater levels, land subsidence, and changes to groundwater quality caused by overdraft pumping, until the Agencies reach sustainability.

Because it is not anticipated that significant transitional pumping will occur in the Agency due to its average balanced condition, it is also not anticipated that well failures within or outside the agency, or subsidence related impacts, will need to be mitigated by the Agency. However, whether through an individual Agency mitigation program or a subbasin wide program, the Agency will continue to monitor the need for implementation and be prepared to fund it where necessary. The Mitigation Program will have the following elements:

- a) Identification of Impacts to be Addressed by Mitigation Program

The Mitigation Program will identify the specific needs for mitigation caused by pumping within the Agency's boundaries and will identify the impacts to beneficial uses that the Program is intended to address. The Mitigation Program will provide a claim process to address impacts to (i) domestic and municipal wells, (ii) agricultural wells and (iii) critical infrastructure. Decisions to include or exclude impacted users from participation in the Agency's Mitigation Program will be supported by appropriate written technical data and analysis.

b) Process

For claims of impact to wells related to groundwater level declines, the process to be adopted by the Mitigation Program may include:

- 1) an application process by the well owner
- 2) data collection by the Agency to verify the claim
- 3) identification of suitable mitigation
- 4) response to said affected user

For claims of impact to land uses from land subsidence, the process may include:

- 1) an application process by the affected party
- 2) data collection by the Agency to verify the claim
- 3) identification of suitable mitigation
- 4) coordination, as necessary, with said affected parties to implement the mitigation

For claims of impact to groundwater quality that is attributable to pumping allowed by a Agency/GSP, the process may include:

- 1) an application process by the affected party
- 2) data collection by the Agency to verify the claim
- 3) identification of suitable mitigation
- 4) coordination, as necessary, with said affected parties to implement the mitigation

SGMA requires Agencies and GSPs to measure sustainability from 2015 forward. As a result, Agencies do not necessarily need to provide mitigation for impacts that occurred prior to January 1, 2015.

For those claims that are shown not to be related to GSP / Agency-approved or authorized activities, the Agency will, to the extent possible, provide assistance to the affected party to identify programs for addressing their issue.

c) *Investigation*

---

Once a claim of adverse impact has been made to an Agency, whether it be for well, specific land use, critical infrastructure or groundwater quality issue(s), the Mitigation Program will provide for the investigation of the claim.

d) Qualifications for Mitigation

The Mitigation Program may determine whether to provide full or partial mitigation based on a user's compliance with the Agency's GSP, Rules & Regulations, and other laws or regulations. For example, a user whose own pumping has caused or contributed to overdraft or damage to their own well may not qualify for mitigation under the Program. Further, mitigation will be applied only to those claims that are shown to be attributable to GSP / Agency-approved or authorized activities. The Mitigation Program will also address how claims that an Agency determines are caused by pumping outside the Agency's boundaries will be addressed.

e) Mitigation

Once a claim of impact has been confirmed to be due to GSP/Agency-approved or authorized activities, the Mitigation Program will identify suitable mitigation to alleviate the impact.

For groundwater level impacts, this could be any of the following:

- 1) Deepening the well
- 2) Constructing a new well
- 3) Modifying pump equipment
- 4) Providing temporary or permanent replacement water
- 5) Coordinating consolidation of the domestic well owner with existing water systems
- 6) With the consent of the affected user, providing other acceptable means of mitigation

For land use impacts, this could be any of the following:

- 1) Repair to canals, turnouts, stream channels, water delivery pipelines, and basins
- 2) Repair to damaged wells
- 3) Addressing flood control
- 4) Addressing other damaged infrastructure
- 5) With the consent of the affected user, providing other acceptable means of mitigation

For groundwater quality impacts (due to groundwater management/actions), this could be any of the following:

- 1) Adjusting groundwater pumping locations, rates or schedules
- 2) Modifying project operations
- 3) Providing temporary or permanent replacement water
- 4) Coordinating consolidation with existing water systems
- 5) With the consent of the affected user, providing other acceptable means of mitigation



Various factors may reflect the proper mitigation methods for the specific issue. For example, age, location, financial impact to the beneficial user as a result of mitigation, and the beneficial user may reflect which mitigation measures are chosen by the Mitigation Program.

#### f) Funding

The Tule Subbasin Technical Team performed a Well Impact Analysis which provided a mitigation cost estimate under a variety of drought scenarios. These costs are estimated to include:

- Well mitigation
- emergency and interim supplies
- SHE administration
- Contractor assistance during assessment phase of mitigation

In the event funding requires revisions, alternatives may include raising groundwater extraction fees and/or property-based tax. The Agencies will also explore grant funding at state and federal levels to assist with future funding.

### **5.2.2.2 Lead Entity**

The Agency is the Lead Agency for the adoption and implementation of the Impact Mitigation Program.

### **5.2.2.3 Relevant Measurable Objective(s) § 354.44(b)(1)**

The Mitigation Program will directly address the impacts to beneficial uses and users from chronic lowering of groundwater levels, reduction in groundwater storage, subsidence, and/or impaired groundwater quality (due to groundwater management/actions) by providing funding for replacement wells or well modifications to eligible landowners, or the other potential mitigation described above.

### **5.2.2.4 Circumstantial Considerations § 354.44(b)(1)(A)**

Circumstances currently exist that warrant development and implementation of a Mitigation Program, which will be developed and implemented according to the timeline provided below in Section 5.2.2.8.

### **5.2.2.5 Public Notice Process § 354.44(b)(1)(B)**

Public outreach and education will be separately performed during development of the mitigation program and prior to implementation by the Agency.

Prior to implementation, extensive outreach will be needed to notify landowners of the Agency's Program requirements and how they can apply for assistance. Outreach may need to be performed in multiple languages as appropriate for each particular Agency. Outreach methods could include workshops, mailings, flyers, website postings, Board meeting announcements, etc.

---

**5.2.2.6 Quantification of Water Budget Impact § 354.44(b)(2)**

The purpose of a Mitigation Program is to mitigate those wells, critical infrastructure, and land uses that are adversely affected by declining groundwater levels, land subsidence, and changes to groundwater quality while the Agencies reach sustainability.

**5.2.2.7 Permitting and Regulatory Process § 354.44(b)(3)**

The Mitigation Program will be adopted by the Agency governing board and will not require permitting or regulatory processing by another agency.

**5.2.2.8 Timeline § 354.44(b)(4)**

The Agency formulated and implemented a mitigation claims process for domestic and municipal use impacts by December 31, 2024. During program development, the Agency will conduct community outreach and coordinate with local programs in the County, State or non-profit organizations, including the Tule Basin Water Foundation.

**5.2.2.9 Anticipated Benefits and Evaluation § 354.44(b)(5)**

The proposed Program will directly mitigate impacts to beneficial uses and users due to the following:

- Chronic lowering of groundwater levels;
- Land Subsidence;
- Degradation of Groundwater Quality due to Agency Actions.

The Program will provide a direct benefit to beneficial users in the Agency who have had their wells / pumping impacted because of continued or worsening overdraft conditions while the Agency implements other projects and management actions to achieve sustainability. The metric for measuring program benefits will be the number of wells, critical infrastructure and land uses that are impacted and mitigated under this Program.

**5.2.2.10 Accomplishment § 354.44(b)(6)**

The Mitigation Program will be adopted by the Agency governing board.

**5.2.2.11 Legal Authority § 354.44(b)(7)**

California Water Code Section 10725.2 provides the Agency has the powers and authorities “perform any act necessary or proper” to implement SGMA regulations and allows the Agency to adopt rules, regulations, ordinances, and resolutions necessary for SGMA implementation. The Agency also has authority to conduct investigations as to compliance with and impacts to a GSP. (Water Code Section 10725.4.) A mitigation program is an act necessary or proper to implement SGMA. (23 CCR §355.4(b)(6).)

---

### **5.2.2.12 Cost & Funding § 354.44(b)(8)**

The Agency has not identified any wells likely to be impacted as a result of the GSP activities, and therefore no pre-assigned portion of the subbasin wide mitigation program has been assigned to the Agency. Per Table 2, Attachment 4, no wells are projected to be impacted. Within the Agency boundaries. This is due to the water balance surplus of 1,000 AF on an average annual basis in the Agency. 5.2.2.13 Drought Offset Measures § 354.44(b)(9)

This Action is intended to mitigate impacts experienced during the transitional period of sustainability planning.

## **5.2.3 Subsidence Management Regulation**

### **5.2.3.1 General Summary**

Other than in the area of the Friant Kern Canal, there has been no documented subsidence concerns historically or projected to occur that would require tailored subsidence monitoring and management actions. One parcel was associated with the Friant Kern Canal subsidence monitoring and action plan that was established by Eastern Tule GSA in accordance with the agreement with Friant Water Authority, the Agency will coordinate as necessary to apply management actions under this plan.

The board has implemented a Subsidence Management Plan which identifies and designates Subsidence Zones along the Friant Kern Canal. This plan has been implemented through Policy 8 of the Agency, GSP implementation policies - Attached as **Appendix 1-A, Tea Pot Dome Water District Groundwater Sustainability Agency Policies**.

Any adopted plan or order under the policy, including any landowner or well owner obligations, will be considered an administrative enforcement decision, appealable and enforceable through judicial action as specified by Agency Policy 7 – Implementation & Enforcement of Plan Actions.

### **5.2.3.2 Lead Entity**

Tea Pot Dome Water District GSA ( or “Agency”)

### **5.2.3.3 Relevant Measurable Objective(s) § 354.44(b)(1)**

This Action will generally benefit the following sustainability indicators: groundwater elevations, groundwater change in storage, groundwater quality, and land subsidence.

### **5.2.3.4 Circumstantial Considerations § 354.44(b)(1)(A)**

Given the general condition and associated effects of subsidence prevailing within the Tule Subbasin, the Agency has already acted to develop and implement a Subsidence Management Plan, including regulations on pumping groundwater based on the amount of cumulative subsidence related to the minimum threshold. The use of the data generated with the Subsidence

---

Management Plan will also provide the information to trigger updates to policy and further actions by the Agency GPC and Board.

#### **5.2.3.5 Public Notice Process § 354.44(b)(1)(B)**

During the planning phase of this Action, the Subsidence Management Plan was a significant focus and discussion amongst the GPC and the stakeholders. The Agency has engaged and undertaken outreach with stakeholders in the form of meetings, public presentations, and regularly scheduled GPC meetings to ensure that the public was informed and invited to participate in the development of the Subsidence Management Plan.

Public notice, engagement, and involvement continues to occur following adoption and implementation of this Plan during the monthly Board of Directors and GPC meetings as required under the Ralph M. Brown Act.

#### **5.2.3.6 Quantification of Water Budget**

The implementation of the plan will have varying effects on the Water Budget, but generally, will decrease water consumed and prevent excess pumping of groundwater in the Lower Aquifer to slow and then stop subsidence.

#### **5.2.3.7 Permitting and Regulatory Process § 354.44(b)(3)**

Implementation of the Subsidence Management Plan is not subject to CEQA or NEPA. Projects developed to implement the policy may be subject to CEQA and/or NEPA depending on the member Agency undertaking the project and the nature of the projects.

#### **5.2.3.8 Timeline § 354.44(b)(4)**

The Subsidence Management Plan was written in July 2024 and presented to the Board of Directors in August 2024. In November 2024 a public review period took place. Implementation occurred in December 2024.

#### **5.2.3.9 Anticipated Benefits § 354.44(b)(5)**

It is anticipated that the primary benefit resulting from this Action would be the slowing and stopping of subsidence prior to approaching the cumulative threshold that is stated in this GSP to ensure the Agency meets the sustainable limit threshold and is maintained within this limit for the remainder of the implementation horizon. Ancillary benefits include reduction in overdraft, eliminating pumping in the Lower Aquifer, mitigating the decline of local groundwater levels and mitigating the occurrence of other conditions associated with declining groundwater levels, such as the migration of contaminant plumes.

---

**5.2.3.10 Accomplishment § 354.44(b)(6)**

Accomplishment of this Action is ongoing, This Action has been accomplished according to the process described in Section 5.2.8.7 Timeline. The objective of this Action is to monitor and mitigate subsidence across the Agency through ongoing receipt of data to prevent future subsidence past the minimum thresholds.

**5.2.3.11 Legal Authority § 354.44(b)(7)**

As a Groundwater Sustainability Agency formed pursuant SGMA, the Agency may exercise authority to:

- Require the registration of groundwater extraction facilities [WAT § 10725.6];
- Impose spacing requirements on new wells and reasonable operating regulations on existing wells [WAT § 10726.4(a)(1)];
- Control groundwater extractions by regulating, limiting, or suspending groundwater extractions [WAT § 10726.4(a)(2)];
- Authorize temporary and permanent transfers of groundwater extraction allocations within the Agency [WAT § 10726.4(a)(3)];
- Establish accounting rules to allow unused groundwater allocations issued by the Agency to be carried over from one year to another [WAT § 10726.4(a)(4)]; and
- Impose fees and enforce the collection of those fees [WAT § 10730 et seq.]

**5.2.3.12 Cost & Funding § 354.44(b)(8)**

The costs associated with this Action may include:

- Staff time to monitor management zones
- Hiring a third party consultant for data information to monitor zones
- Meters for wells

Funding for the monitoring of this Action will come from transitional fees and funding for any meters will be landowners responsibility.

**5.2.3.13 Drought Offset Measures § 354.44(b)(9)**

Implementation of this Action is intended to generally monitor and mitigate subsidence within the Agency in order to avoid undesirable results as well as avoid reaching subsidence minimum thresholds in the Agency.

**5.2.4 Managed Aquifer Recharge and Banking Projects § 354.44(b)(1)****5.2.4.1 General Summary**

Managed Aquifer Recharge and Banking Projects are those Projects that a Lead Entity may implement to recharge imported, recycled, or other surface water (rights or purchased) to improve

---

local groundwater conditions and/or extract these supplies in the future. Through the development or continuation of various recharge activities, entities will be able to:

- Increase the total volume of water that can be made sustainably available for existing and future uses;
- Increase groundwater inflow and mitigate for groundwater extraction that is in excess of the Tule Subbasin's native safe yield;
- Store water within the subbasin in anticipation of future extraction and application to beneficial uses;
- Decelerate or otherwise reduce ongoing subsidence; and/or
- Create intermittent environmental habitat.

Implementation of successful Managed Aquifer Recharge and Banking Actions will, in general, assist in the balancing of groundwater extractions with groundwater inflows within the Agency.

Examples of Managed Aquifer Recharge and Banking Projects may include, but are not limited to:

1. Part ownership in the DCTRA basin
2. Operation of a groundwater banking system

#### **5.2.4.2 Lead Entity**

The Lead Entity will vary depending on the Agency or landowner undertaking the Project.

#### **5.2.4.3 Relevant Measurable Objective(s) § 354.44(b)(1)**

These types of Projects will generally affect the groundwater elevation, groundwater change in storage, and land subsidence measurable objectives.

#### **5.2.4.4 Circumstantial Considerations § 354.44(b)(1)(A)**

The Agency or landowner considering a project for managed aquifer recharge and banking will review the benefits of the project compared to the cost of the project. The Agency will evaluate whether optimizing water supplies is the most beneficial use of Agency funds to achieve the goals and objectives of this Plan, or if other projects or actions might be more cost effective to achieve similar results.

#### **5.2.4.5 Public Notice Process § 354.44(b)(1)(B)**

For those projects that are Agency projects, standard CEQA public process will be implemented. All meetings of the Public Agency will follow the requirements of the Ralph M. Brown Act. For those projects' which are landowner driven, public notice may not be required.

---

#### **5.2.4.6 Quantification of Water Budget Impact § 354.44(b)(2)**

Projects completed under this category will have varying effects on the Water Budget, but generally, each project will increase the available quantity of ground water available for consumption. Each year, the Agency will measure groundwater levels and calculate the change in groundwater storage, per the Monitoring Plan (**Section 4**) for which the quantification of groundwater storage can be estimated.

#### **5.2.4.7 Permitting and Regulatory Process § 354.44(b)(3)**

The Environmental Documentation and Permits obtained for this project are as follows:

- The California Environmental Quality Act
- Right of Use Request to Friant Water Users Authority
- Letter from R.L. Schafer to Bureau of Reclamation confirming approval of the Friant-Kern Canal Turnout

#### **5.2.4.8 Timeline § 354.44(b)(4)**

The Projects are complete and in operation.

#### **5.2.4.9 Anticipated Benefits and Evaluation § 354.44(b)(5)**

The ability to recharge and bank historically available but otherwise undelivered surface water supplies will increase groundwater storage and provide reliability of water within the Agency.

Benefits to relevant sustainability indicators and their associated measurable objectives will be evaluated per the monitoring programs and procedures described in the Tule Subbasin Monitoring Plan (see **Attachment 2 of Appendix 1-H, Tule Subbasin Coordination Agreement**).

Isolating the effects of these specific Projects to relevant sustainability indicators will be difficult due to the other Actions contemplated to be implemented concurrently within the Agency and the remainder of the Tule Subbasin.

#### **5.2.4.10 Accomplishment § 354.44(b)(6)**

The Projects will be accomplished by receiving adequate funding, completing the permitting, and construction of the physical infrastructure associated.

The purpose of these Projects is to utilize existing water supplies that are historically reliable and utilize these supplies more efficiently. The Agency implemented the following projects:

- The Agency has completed the construction of a banking system where the Water District banks and stores excess surface water for later delivery. CVP water available to the District in excess years is the source of water available to be banked. Banked water is then pumped into the pipeline by the groundwater well installed at the facility, and

delivered to the distribution system to become a portion of the District's water supply available for landowner delivery for irrigation needs during dry years when surface water is not available. Accounting of water recharged to and recovered from the District's facility is maintained by the District, and the accounting is used to ensure that recovery never exceeds prior recharge balances.

- From time to time the Agency allows landowners to sink part of their surface water allocation during a wet year in the District banking facility and credited to their groundwater account.
- In 2022 the Agency has purchased 2.79% ownership share of the DTCRA basin for extra banking and storage capacity. The District would use banked water in this facility to exchange with other partners to supplement surface water supplies.

#### **5.2.4.11 Legal Authority § 354.44(b)(7)**

The legal authority for these projects varies depending on the Public Agency involved. Generally, the Water Code or Municipal Code for the formation of these Public Agencies allows them the authority to do the Projects described in this category. Landowner driven projects will need legal permissions from the owner of the parcel.

#### **5.2.4.12 Cost & Funding § 354.44(b)(8)**

The capital cost of this project was \$656,776. The project was partially funded by the Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Act and partially funded by the District.

#### **5.2.4.13 Drought Offset Measures § 354.44(b)(9)**

This Action is intended to maximize the recharge and storage of available surface during wet years and delivering this available water for use during the drought years. As surface water is stored in the groundwater, reliability of water during droughts to prevent the exceedances of minimum thresholds is greatly increased.



## **Appendix 5-A: Tea Pot Dome Water District Groundwater Sustainability Policies**

**Tea Pot Dome Water District  
Groundwater Sustainability Agency  
Policies**

**Table of Contents**

POLICY 1: GROUNDWATER CONSUMPTION MEASUREMENT ..... 1  
POLICY 2: GROUNDWATER RECHARGE AT THE LANDOWNER LEVEL..... 3  
POLICY 4: TRANSITIONAL GROUNDWATER ALLOCATION ..... 8  
POLICY 5: LANDOWNER SURFACE WATER IMPORTED INTO THE GSA ..... 10  
POLICY 6: DISTRICT GROUNDWATER BANKING..... 11  
POLICY 7: IMPLEMENTATION & ENFORCEMENT OF PLAN ACTIONS..... 12  
POLICY 8: SUBSIDENCE MANAGEMENT REGULATION ..... 15

## **POLICY 1: GROUNDWATER CONSUMPTION MEASUREMENT**

1.0 The landowners within the GSA utilize both surface water and groundwater to meet the needs of the business operations and producing agricultural products. A key component to managing the sustainability of groundwater is to measure quantitatively the total amount of water used by each landowner within the GSA. This will allow the GSA to track groundwater water usage by landowner which can then be correlated to the amounts allowed to achieve sustainability.

The GSA will hire a third party to monitor crop demand on each parcel within the GSA boundaries utilizing satellite imagery to calculate Evapotranspiration at the parcel level as described in more detail below:

### 1.1 Calculate Groundwater Consumed using Evapotranspiration

To calculate the amount of groundwater consumed by the crop, the following equation is applied to each parcel of land within the GSA:

1.1.1 Total Applied Surface Water is supplied and metered by the Water District, and recorded by the GSA on a parcel basis.

1.1.2 Total Crop Demand (Evapotranspiration or ET) is calculated by a third party, using NASA LandSat satellite imagery, and recorded by the GSA on a parcel basis.

1.1.3 Groundwater Consumption is calculated by subtracting Total Applied Surface Water from the Total Crop Demand.

- a. If surface water applied is more than ET, the landowner will receive a credit for over application of surface water according to the following schedule:

#### Over Application of Surface Water for Irrigation Purposes

- i. The credit calculated using this equation will be tracked. For every acre-foot of over applied surface water, 90% credit goes to the landowner account, 10% to the GSA.
- ii. For all groundwater credits issued to the landowners from over application of irrigation water, the credits will be available as the first water used in the month following the over application.

1.2 The satellite imagery used to determine the ET values, will be audited by the GSA through spot checking land use for cropping patterns and compared to available District metered data.

1.3 A landowner may submit meter data to contest the ET consumption by the 15<sup>th</sup> of the following month for the previous 30 days. After the 15<sup>th</sup> of the following month, consumption and charges will be final. The GSA will review landowner submitted data for accuracy and coordinate with the third-party consultant to verify the accuracy and identify any errors or corrections needed. The GSA will complete the review and reflect any adjustments to the landowner account within 30 days. Any groundwater credit adjustments to the landowner account will be made to the same allocation buckets where consumption took place. Landowners can appeal any staff findings with the Board of Directors.

## **POLICY 2: GROUNDWATER RECHARGE AT THE LANDOWNER LEVEL**

### 2.0 Landowner Groundwater Recharge Credits

During periods where surplus District surface water supplies are available, landowners within the GSA may divert surface water into landowner owned designated recharge facilities and receive groundwater credits.

It is the policy of the District to make surface water supplies available in the following priorities:

- a. First, for deliveries for irrigation demand, allocated on an equal basis among all District landowners
- b. Second, for deliveries to District banking facilities (Policy 6) for later recovery and delivery to landowners for irrigation demand under the first priority; and
- c. Third, any surplus supplies after the first two priorities are met will be made available for Landowner Recharge.

2.1 Landowners who purchase water for recharge purposes may obtain Landowner Groundwater Recharge Credits under the following conditions:

2.1.1 The surface water purchased must be applied directly to a specific groundwater recharge basin that meets the minimum GSA requirements for a groundwater recharge basin. The basin must be registered with the GSA to receive any credits.

- a. All surface water diverted by the landowner is required to be metered by the Teapot Dome Water District.
- b. Surface water diverted will be credited to the landowner at 90% of the surface water diverted. The remaining 10% credit will remain with the GSA to account for evaporation, groundwater migration and for the benefit of all the landowners.
- c. The groundwater credits issued to the landowners will be available and carried over to subsequent years. Credits will have an expiration term of 5-years. The groundwater credits can also be transferred, sold, or leased to other landowners based upon the GSA groundwater transfer criteria.

2.1.2 Landowners can also use the District recharge facility to generate groundwater credits subject to the following criteria:

- The landowner provides water from available allocation, purchase or water rights.
- Use of the District recharge facility is subject to available capacity as determined by the District.
- Groundwater credits will be credited to the landowner account at 75% of the surface water diverted. The remaining 25% credit will remain with the GSA to account for evaporation, groundwater migration, and use of District facilities.

**POLICY 3: WATER ACCOUNTING AND WATER TRANSFERS**

3.0 To effectively achieve groundwater sustainability within the GSA and the Tule Subbasin, while maintaining the agriculture operations during the implementation of SGMA, each landowner within the GSA will be provided a baseline groundwater credit allocation. These groundwater credit allocations are inputs into the individual water bank account of each landowner, allowing each landowner to decide how to feasibly and economically manage their farm operation within the rules established by the GSA and the Tule Subbasin.

3.1 Water Accounting

To adequately track, monitor, and account for the water credits within the GSA as required by Policy 1 (Water Measuring and Metering), groundwater accounts will be established and monitored for each landowner. Groundwater credits are allocated by APN and added to landowner accounts. Following is a description of the type of additions and subtractions to landowner groundwater accounts in the GSA:

3.2 Groundwater Credit Allocations Definition:  
 (Additions):

		Transferable	Expiration
Tule Subbasin Sustainable Yield	Common Groundwater available to all landowners within Tule Subbasin, defined under Subbasin Coordination Agreement	Yes	5 years
Precipitation Yield	Annual average precipitation in the GSA, calculated from 1991 going forward.	No	5 years
Transitional Groundwater Credits	Transitional groundwater credit allocations are allocations of water above the long-term sustainability. Transitional credits are allocated per Policy 4.	No	Annual

Landowner Developed Credits	Surface Water diverted by the landowners into a specified recharge basin, credits per criteria set forth in Policy 2: Banking at Landowner Level credit per criteria set forth in Policy 2, or credits transferred from other landowners.	Yes	5-years
-----------------------------	---	-----	---------

**Groundwater Debits from Account (Subtractions)**

**Definition:**

Groundwater Consumption	Monthly crop demand measured, per Policy 1.
Exceedance Consumption	Consumption above Allowable Limits. Administered per Policy 7.

Credit and debits in each landowner account will be accounted for on a monthly basis by the GSA.

3.3 Allowable Limits

The sum of groundwater credit allocations added to each landowner account shall be considered the Allowable Limit of groundwater use for each landowner account. Consumption will be measured and debited from each landowner account monthly, per Policy 1. Any exceedance of the Allowable Limit shall be considered a violation, subject to enforcement under Policy 7.

3.4 Accounting

3.4.1 Water Consumption, based on the ET calculations will first be reduced by previous month over application credit and surface water deliveries, then groundwater consumption will be accounted for in the following sequencing:

- i. Precipitation Yield credits will be reduced first, then,
- ii. Sustainable Yield credits, then,
- iii. Landowner developed groundwater credits\*\*
- iv. Transitional groundwater credits\*\*

\*\*The sequencing of the Transitional groundwater credits and Landowner developed groundwater credits can be switched at the landowner’s discretion.

3.4.2 Determination of Exceedance Consumption - If Groundwater Consumption uses all of the available credits available in a landowner account listed above (Allowable Limits), any remaining consumption will be accounted for as Exceedance Consumption and administered via Policy 7.

### 3.5 Water Transfers:

Landowners may transfer groundwater water credits through either a direct sale or lease. The process for transferring groundwater credits is as follows:

#### 3.5.1 Transfers within the GSA;

- a. Groundwater credits will be tracked at a land-based level. Transfers of any credits accrued to the land requires the written approval of the landowner to transfer.
- b. Groundwater credits can only be transferred by a landowner that has a positive balance in their groundwater budget. Deficit groundwater credit transferring is not allowed.
- c. For every one acre-foot of groundwater credit a Landowner transfers out of their account, they will pay for and retire one acre-foot of Transitional Groundwater Credit in that year. Transfers within the same ownership are exempt from fee and retirement of Transitional Groundwater Credit requirements.
- d. Groundwater credits **cannot** be transferred into the Friant Kern Canal Land Subsidence Management Zone as it is defined and implemented in the Eastern Tule Groundwater Agency GSP.
- e. A groundwater credit transfer is a one-to-one transfer within the GSA.
- f. All groundwater credit transfers require formal notification (GSA approved transfer template) and approval of the GSA. The GSA will keep an account of all transfers within the GSA Water Accounting Program. The sale or lease terms of the groundwater credits are between landowners and not subject to disclosure.

#### 3.5.2 Transfers to or from other GSAs; General Provisions;

- a. Groundwater credits will be tracked at a land-based level.
- b. Groundwater credits can only be transferred by a landowner that has a positive balance in their groundwater budget. Deficit groundwater credit transferring is not allowed.
- c. For every one acre-foot of groundwater credit a Landowner transfers out of their account, they will pay for and retire one acre-foot of Transitional Groundwater Credit in that year. Transfers within the same ownership, to manage their own operations, within a 2 mile radius of the TPDWD GSA boundaries, are exempt from the fee and retirement of Transitional Groundwater Credit requirements.
- d. Groundwater credits **cannot** be transferred into the Friant Kern Canal Land Subsidence Management Zone.
- e. Groundwater Credits can only be transferred and used in GSAs within the Tule Subbasin that have similar landowner-based groundwater accounting systems as the TPDWD GSA. Current GSAs that meet this criteria are the Eastern Tule GSA, the Lower Tule River ID GSA, and the Vandalia WD GSA.
- f. Groundwater credits may not be transferred or used outside of the Tule Subbasin.
- g. A groundwater credit transfer is a one-to-one transfer ratio.



- h. The maximum amount of groundwater transfers out of the GSA per year may be limited by the GSA based on technical data related to groundwater elevations and subsidence data. Each transfer will be evaluated to ensure landowner's account maintains a positive balance, without going over the Allowable Limit. Transfers out of the GSA will be processed as they are requested
- i. The maximum amount of groundwater transfers accepted into the District will be limited to 1 AF per acre and may be limited further by the GSA based on technical data related to groundwater elevations and subsidence data.
- j. Approval of transfers to and from other GSAs are subject to the coordination with other Tule Subbasin GSAs.

### 3.5.3 Administration and Approval

- a. All groundwater credit transfers require formal notification (GSA approved transfer template) and approval of the GSA. The GSA will keep an account of all transfers within the GSA Water Accounting Program. The sale or lease terms of the groundwater credits are between landowners and not subject to disclosure.
- b. There will be a \$100 fee, per transfer, charged by the GSA for administration and coordination with the other GSAs.
- c. In order to avoid undesirable results and avoid localized impacts, transfers into certain areas may be limited or restricted even further by the GSA.
  - i. The Board of Directors will annually review the hydrographs at each Representative Monitoring Site in the GSA to determine such restrictions for that year.

3.5.4 Implementation of the terms of this entire policy will be reviewed and determined annually by the Board of Directors. The Board of Directors reserves the right to change terms of this policy at any time.

## **POLICY 4: TRANSITIONAL GROUNDWATER ALLOCATION**

4.0 To assist landowner with the transition to implementation of the Sustainable Groundwater Management Act, this Policy 4 establishes an allowable amount of groundwater use and extraction above basin-wide sustainable yield, to be reduced in phases over the planning period. This will be accomplished by adding a transitional groundwater credit allocation to landowner accounts (“Transitional Allocations”). Transitional Allocations are allocations of water above the long-term sustainable limits of the GSA, which may be safely consumed within the planning area of the GSA without exceeding Sustainability Objectives as established by the TPDWD GSP.

4.1 This Policy 4 establishes the rules and regulations for the establishment, accounting and administration of Transitional Allocations.

- a) Transitional water credits will be allocated based on assessed acres and made available annually.
- b) The amount of Transitional water available to be allocated will be determined at the beginning of each year, and will be based on modeled projections, with the goal of ensuring that anticipated use of transitional allocations within the GSA will not result in groundwater levels declining below the Sustainability Objectives (the established Minimum Thresholds and Measurable Objectives) as defined by the TPDWD GSP.
- c) The TPDWD GSP includes modeling analysis based on the following assumed levels of transitional water allocation:
  - i. Phase 1 (from 2025 through 2029) Transitional Allocation of 0.75 AF/Acre/year
  - ii. Phase 2 (from 2030 through 2034): Transitional Allocation of 0.50 AF/Acre/year
  - iii. Phase 3 (from 2035 through 2039): Transitional Allocation of 0.25 AF/Acre/Year.

The TPDWD GSA Board will initially set Transitional Allocations according to the above assumed schedule and will annually review monitoring and updated modeling data. The purpose of the annual review is to determine whether Sustainability Objectives are being met by the above levels of allowable Transitional Allocations, or whether an adjustment to the Transitional Allocation phase down schedule is needed.

4.2. Transitional Allocation fees will be determined by the GSA Board of Directors each year, and adjusted annually based on an analysis of SGMA implementation costs, including amounts collected for mitigation and project implementation and FWA settlement obligations. In no event will the Transitional Allocation fee, be less than the amount of the Tier 1 penalty established for such year by the Eastern Tule GSA, provided the ETGSA fee is based on a verifiable and appropriately justified analysis, without the express written approval of Friant Water Authority.

The transitional pumping fee is intended to serve as a disincentive mechanism while also relating to the cost of mitigating the impacts of use of transitional pumping allocations. In setting the fee, the GSA will consider obligations established by the Settlement Agreement between Eastern Tule GSA and Friant Water Authority related to the mitigation of subsidence impacts to the Friant Kern Canal. Further analysis and additional justifications for the level of the fee may be considered annually by the GSA.

4.3 Landowners may apply Transitional Allocations as credits against Groundwater Consumption, based on the sequencing outlined in Policy 3.

4.4 Transitional water credit allocations stay with the landowner to be used on properties within the GSA and cannot be transferred to other landowners.

4.5 The GSA will set aside revenues from collection of Transitional Pumping and Exceedance Tier fees and dedicate them to the following uses, in order of priority:

- a. To meet any obligations assignable to TPDWD GSA arising from the Settlement Agreement between Eastern Tule GSA and Friant Water Authority, or any future agreement between TPDWD and FWA that replaces the ETGSA/FWA settlement agreement, relating to the mitigation of subsidence impacts to the Friant Kern Canal.
- b. To fund TPDWD's assignable mitigation funding obligation under the Tule Subbasin Basin-Wide Mitigation Program.<sup>1</sup>
- c. To fund groundwater enhancement actions of the TPDWD GSA, including but not limited to:
  - i. Surface water development
  - ii. Additional recharge basin construction
  - iii. Monitoring impacts and effects of groundwater pumping.
  - iv. Other projects that may be identified by the GSA. (examples could include water conservation grants to GSA members, land conservation and set-aside programs, or any other projects the GSA deems appropriate to help meet the sustainability goal).

## **POLICY 5: LANDOWNER SURFACE WATER IMPORTED INTO THE GSA**

5.0 District Landowners may participate in water exchanges or transfers outside of the GSA boundary that result in surface water being available for direct use by the landowner. Use of that water by the landowner within the GSA requires the use of Water District infrastructure to divert this surface water to their land.

This surface water that is brought into the GSA by the landowner will be tracked and accounted by the GSA and applied to the landowner's water budget according to the following procedures:

- a) Surface water brought into the GSA and credited to the landowner will be subject to loss/reduction factor as determined by the Water District Board of Directors.
- b) Surface water brought into the GSA will be delivered to the landowner based upon canal capacity. No surface water delivery brought into the GSA will interrupt or interfere with scheduled allocations of the District surface water supplies.
- c) Imported surface water may be used for groundwater recharge subject to the policies of the GSA.

## **POLICY 6: DISTRICT GROUNDWATER BANKING**

6.0 The Water District (District) owns and operates a Groundwater Storage and Conjunctive Management of Surface Water and Groundwater Project. During times when surface water supplies beyond the irrigation needs of the landowners are available, the District uses a recharge basin to divert the surface water for groundwater storage and banking purposes. This happens most often in wetter years. These District owned facilities create additional opportunities for the District to supplement surface water deliveries to landowners. The District tracks how much water is both input and extracted from the bank.

## **POLICY 7: IMPLEMENTATION & ENFORCEMENT OF PLAN ACTIONS**

7.0 The Groundwater Sustainability Plan (GSP) establishes the actions, which include the policies, projects, and implementation schedule, to achieve groundwater sustainability, in accordance with the Sustainable Groundwater Management Act (SGMA). GSA Policies 1 through 6 have been adopted and implemented in furtherance of GSP Management Action 5.2.1 as set forth in the Tea Pot Dome Water District Groundwater Sustainability Plan.

SGMA provides the GSA with the authority to enforce the adopted Management Actions of a GSP. (See Water Code section 10732(a)(1) – authority to assess penalties for extraction of groundwater in excess of the amount that is authorized under a GSA rule, regulation, ordination or resolution; and Water Code section 10730.6 - authority to collect any delinquent groundwater charges and any applicable penalties and interest on the groundwater charges in the same manner as the GSA may collect delinquent assessments or water charges)

Pursuant to such authorities, the following actions shall be considered violations of the GSA’s established GSP and Policies adopted thereunder, and shall be subject to administrative enforcement penalties and actions specified for each category of violation:

### **7.1 Failure to Pay GSA Assessments or Groundwater Consumption Fees and Fines**

7.1.1 Non-Compliance. Pursuant to Water Code section 10730.6, an owner or operator who knowingly fails to pay a groundwater fee within 30 days of it becoming due shall be liable to the groundwater sustainability agency for interest at the rate of 1 percent per month on the delinquent amount of the groundwater fee and a 10-percent penalty.

7.1.2 Process for collecting unpaid fees and fines. The GSA may collect any unpaid fees and fines by: a) bringing suit in Tulare County Superior Court for the collection of unpaid fees and fines, and seeking attachment against the property of the named defendant, pursuant to the authority of Water Code section 10730.6(c); or b) adding such unpaid fees, fines, penalties, and interest to the charges and assessments payable to the Tea Pot Dome Water District, after which remaining unpaid fees, fines, penalties, and interest may be collected in the manner established by Division 13 of the Water for the collection of assessments and charges of California Water Districts.

7.2 Consumption of groundwater beyond the Allowable Limits. The Allowable Limits of groundwater consumption are as set forth in Policies 3 and 4 and shall be accounted for pursuant to Policy 1. Any time the GSA determines that an owner or operator subject to the Groundwater Measurement and Metering provisions of Policy 1 of the TPDWD GSA has exceeded the Allowable Limits, as established by Policy 3 of the TPDWD GSA, the exceedance shall be enforced through the following process:

7.2.1 Notice of Non-Compliance. The GSA shall provide written notice of the non-compliance, specifying the quantity of exceedance, and requesting response and plan

for correction of non-compliance within 30 days. The notice of non-compliance shall be in writing and shall be deemed delivered when placed in U.S. Mail, certified, to the owner or operators address of record, or if the owner or operator has consented to receiving notices from the GSA via email, via email to the address provided at the time of providing consent.

7.2.2 Opportunity to Correct Exceedance. An owner or operator who is provided a notice of non-compliance related to exceedance of the Allowable Limits of groundwater consumption shall respond within 30 days of delivery of the notice by either a) disputing the determination of non-compliance and requesting an appeal hearing, in which case the owner or operator shall provide a documentary basis for such dispute, or b) identifying a plan to correct such non-compliance. An exceedance of the allowable groundwater use limits may be corrected by procurement of sufficient credits, through purchase or otherwise, to the account of the owner or operator, provided that any such credits are obtained in a manner that is consistent with the policies of the GSA, and where there is no evidence or indication of a threat of resulting land subsidence due to the exceedance, or the exceedance does not occur within the Land Subsidence Management Area under Policy 8.

7.2.3 Determination of Failure to Correct Non-Compliance. An owner or operator who responds to a notice of non-compliance by timely disputing the determination of non-compliance shall be provided with an opportunity to present such dispute, and evidence supporting the owner or operator's position, to the Tea Pot Dome Water District Board. An administrative hearing to consider the dispute shall be scheduled within 30 days of the response and shall occur whenever possible at a regular meeting of the Board. The Board shall provide notice of its determination within 5 days of the hearing, which notice shall be provided in accordance with section 7.2.4.

7.2.4 Final Notice of Non-compliance - Monetary and Administrative Penalties for Failure to Correct. If an owner or operator fails to respond to or correct the notice of non-compliance issued under 7.2.1, or if the Board sustains the finding of non-compliance in the case of disputed notices, a final notice of non-compliance shall be issued, which shall include the following:

7.2.4.1 Assessment of a penalty of \$500 per acre foot for every acre foot of groundwater determined to have been consumed beyond the allowable limits (Water Code section 10732(a)(1)).

7.2.4.3 Assessment of charges for Exceedance tier groundwater consumption pursuant to the provisions of Policy 4 for each acre-foot determined to have been consumed beyond the allowable limits.

7.2.4.2 Imposition of Exceedance tier consumption, which shall consist of groundwater credits to be subtracted from the owner or operator's account at the rate of 1 acre-foot for every acre-foot of groundwater determined to have been consumed beyond the Allowable Limits.

7.2.4.3 An order to Cease and Desist continued exceedances.

7.2.5 Enforcement. Fines, penalties, and charges imposed pursuant to section 7.2.4 shall be due and payable within 30 days of the issuance of a final notice of noncompliance

and, if unpaid, may be collected pursuant to the processes established by Policy 7.1.2. Cease and desist orders issued as part of a final notice of non-compliance may be enforced through civil adjudication processes including by seeking civil mandate orders.

7.3 Violation of Early Action Management Plan or Corrective Subsidence Management Order under Policy 8 – Subsidence Management Regulation. The regulations related to Subsidence management are set forth in Policy 8. Any time the GSA determines that an owner or operator subject to an Early Action Management Plan or Corrective Subsidence Management Order as established under Policy 8 is out of compliance with such order, the order shall be enforced through the following process:

7.3.1 Notice of Non-Compliance. The GSA shall provide written notice of the non-compliance, and requesting response and plan for correction of non-compliance within 30 days. The notice of non-compliance shall be in writing and shall be deemed delivered when placed in U.S. Mail, certified, to the owner or operators address of record, or if the owner or operator has consented to receiving notices from the GSA via email, via email to the address provided at the time of providing consent.

7.3.2 Opportunity to Correct Exceedance. An owner or operator who is provided a notice of non-compliance related to the subsidence management plan shall respond within 30 days of delivery of the notice by either a) disputing the determination of non-compliance and requesting an appeal hearing, in which case the owner or operator shall provide a documentary basis for such dispute, or b) identifying a plan to correct such non-compliance.

7.3.3 Determination of Failure to Correct Non-Compliance. An owner or operator who responds to a notice of non-compliance by timely disputing the determination of non-compliance shall be provided with an opportunity to present such dispute, and evidence supporting the owner or operator's position, to the Tea Pot Dome Water District Board. An administrative hearing to consider the dispute shall be scheduled within 30 days of the response and shall occur whenever possible at a regular meeting of the Tea Pot Dome Water District Board. The Board shall provide notice of its determination within 5 days of the hearing, which notice shall be provided in accordance with section 8.3.4.

7.3.4 Final Notice of Non-compliance - Administrative Action for Failure to Correct. If an owner or operator fails to respond to or correct the notice of non-compliance issued under 8.3.1, or if the Tea Pot Dome Water District Board sustains the finding of non-compliance in the case of disputed notices, a final notice of non-compliance shall be issued, which shall include an order to Cease and Desist continued non-compliance, which could include an order to stop pumping from a certain well or wells.

7.3.5 Enforcement. Cease and desist orders issued as part of a final notice of non-compliance may be enforced through civil adjudication processes including by seeking civil mandate orders.



## **POLICY 8: SUBSIDENCE MANAGEMENT REGULATION**

### **8.0 Background and Purpose**

8.0.1 The GSA's Groundwater Sustainability Plan establishes Measurable Objectives (MOs) and Minimum Thresholds (MTs) related to land subsidence, as required by the Sustainable Groundwater Management Act (SGMA).

8.0.2 The GSA has MOs and MTs in the Groundwater Sustainability Plan (GSP) described as annual rates of subsidence (measured as feet of change in ground level elevation per water year) and total cumulative feet of subsidence (change in ground level elevation), relative to 2020 land surface elevations and elevations in 2040. The GSA has also established Interim Milestones to reflect decreasing rates of subsidence over time on a glide path to obtain a subsidence rate of zero feet per year by the year 2040.

8.0.3 The GSP requires quarterly subsidence monitoring. If measured subsidence exceeds the annual Interim Milestone rate in any given year, the GSA must implement management actions in order to prevent further exceedance of subsidence rates that, if continued, would prevent the GSA from limiting cumulative land subsidence within the allowable MT. Violation of a MT is an undesirable result under SGMA that the GSA must manage to avoid.

8.0.4 The purpose of this Policy is to establish enforceable management actions to address subsidence and avoid violating the MTs.

8.0.5 Research, data gathering and analysis in the last few years has shown that subsidence rates differ in different locations within the Subbasin and there is concern that higher rates of subsidence near the Friant Kern Canal may be linked to pumping from specific wells and/or from wells that pump from the lower aquifer. Therefore, this Policy implements subsidence management actions by zones within proximity to the Friant Kern Canal.

8.0.6 In order to further investigate and work to manage subsidence in the GSA within established Interim Milestones, MOs, and avoid exceeding MTs, there is a need to gather more specific information about the pumping occurring in areas of the GSA where subsidence may impact the Friant Kern Canal rates are greatest.

8.0.7 The GSA's technical consultants have also explained that there appears to be a difference between upper and lower aquifer pumping as it relates to subsidence and that pumping in the lower aquifer may contribute to subsidence more than pumping in the upper aquifer. (See GSP Appendix XXX). This Policy will provide for collection of information regarding whether pumping is from the lower or upper aquifer and allow for tailored actions to reduce pumping in the different aquifers to address subsidence.

8.0.8 The GSA board recognizes that this is an area in which the GSA is still developing technical understanding, and the policy may need to be amended over time to address new information or understanding regarding this challenging issue.

### **8.1 Subsidence Monitoring and Management Zones (Zones):**

The Board hereby adopts the Zones set forth on Figure 1-1 and Figure 1-2 to allow for targeted monitoring, early action, and corrective management to address subsidence. The Board may adjust the Zones in the future as warranted at a noticed meeting.

## 8.2 Corrective Subsidence Management Orders

8.2.1 Investigation. The Board will review subsidence monitoring data quarterly to determine the threat of exceedance of Interim Milestones, MOs and MTs. Upon determination by the Board that an Interim Milestone is being threatened at a representative monitoring site, GSA staff and its consulting hydrogeologist will investigate to determine if pumping from one or more wells is causing the impact.

8.2.2 Notice of Exceedance. Within 30 days of making the determination that one or more wells are causing the impact, the GSA will provide notice to the identified well owner(s) of the determination and the intent to adopt a Corrective Subsidence Management Order.

8.2.3 Corrective Subsidence Management Order. The GSA staff, in consultation with its consulting hydrogeologist, will develop a proposed Corrective Subsidence Management Order (CSMO) to be proposed for adoption by the GSA Board, subject to review and comment by affected property owners and members of the public.

8.3 Wells subject to the CSMO shall have the following restrictions of use:

- a) **Subsidence Zone: Tier 1(Land Subsidence Between 0 feet and 1.49 feet):**  
Meter installation and well registry will be required.
- b) **Subsidence Zone: Tier 2(Land Subsidence Between 1.50 and 1.99):**  
Transitional allocation will be reduced to 60%. The landowner may not transfer groundwater credits into this management area.
- c) **Subsidence Zone: Tier 3(Land Subsidence Between 2.00 feet and 2.49 feet):**  
Transitional allocation will be reduced to 30%. The landowner may not transfer groundwater credits into this management area.
- d) **Subsidence Zone: Tier 4 (Land Subsidence Between 2.50 feet and 2.99 feet):**  
Transitional allocation will not be allocated to this management area. The landowner may not transfer groundwater credits into this management area.

In addition to these restrictions, specific data obtained from well-metering and reporting requirements under this policy will be considered in tailoring any additional management actions.

Any changes to the Eastern Tule GSA Land Subsidence Management Plan as directed by the State Water Resources Control Board, the Department of Water Resources, or adopted by the ETGSA will be incorporated into this policy.

8.4 Reporting Data. Landowners with wells subject to a CSMO shall directly report metered pumping data from designated wells for accounting within the GSA groundwater crediting system. The District will conduct site visits from time to time to verify readings.

8.5 Notice of proposed CSMO. Either concurrently with the Notice of Determination of an Exceedance, or separately, the GSA will provide notice of intent to adopt the proposed Corrective Subsidence Management Order to affected landowners and provide a period of at least 45 days to submit written or verbal comment and input on the proposed Corrective Subsidence Management Order for the well owner or owners or the Zone.

8.6 Public Hearing/Adoption of Management Action: After allowing at least 45 days of public review of a proposed Corrective Subsidence Management Order, the Board will hold a public hearing, at the conclusion of which it may adopt, amend, or decline to adopt the proposed Corrective Subsidence Management Order utilizing the best available science and data. In making its decision, the Board will consider technical data and information provided by the GSA's staff and consulting hydrogeologists as well as any technical data and information provided by affected property owners or interested members of the public.

8.7 Enforcement. The GSA will establish an administrative record supporting its decision to adopt a Corrective Subsidence Management Order. Any adopted plan or order, including any landowner or well owner obligations, will be considered an administrative enforcement decision, appealable and enforceable through judicial action as specified by GSA Policy 7 – Implementation & Enforcement of Plan Actions.



