

RE: **GROUNDWATER WELL REGISTRATION POLICY**

County of Kings
City of Hanford
Kings County
Water District

AN MKR GSA POLICY TO REQUIRE THE REGISTRATION OF ALL GROUNDWATER WELLS AND TO DEVELOP AND MAINTAIN A REGISTRY OF GROUNDWATER WELLS. The policy hereby contains as follows:

Barry McCutcheon
Chair

Michael Murray
Vice-Chair

Diane Sharp

Steven P. Dias

Dennis Mills
Secretary

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BACKGROUND AND PURPOSE

I. The Mid-Kings River GSA (MKR GSA) is committed to sustainably managing groundwater in their jurisdictional area, consistent with views of significant and unreasonable undesirable results as set out in the Tulare Lake Subbasin's Groundwater Sustainability Plan (TLS GSP).

II. MKR GSA understands that the estimates of groundwater pumping, made from satellite imagery, involved assumptions on well locations because there was not available local active well registry. These assumptions were the best that could be made at the time, but can significantly be improved through the understanding of where all the active groundwater wells in the MKR GSA are located. Using the locations of active wells along with the measurement of pumped groundwater would significantly improve the MKR GSA's ability to understand and potentially manage resources in the area.

III. MKR GSA views that a well registration requirement is necessary to develop a defensible view of groundwater use in the MKR GSA, that this requirement will aid and promote the sustainable management of groundwater and that it is in the best interest of the MKR GSA, its landowners, businesses and residents.

IV. MKR GSA understands that privacy is an ongoing concern of landowners in the area related to the agency's monitoring efforts. MKR GSA will make efforts to keep registration information as private as possible, while being consistent with State laws and at the same time providing the Department of Water Resources (DWR) what they require.

V. The purpose of this Policy is to require the REGISTRATION OF ALL GROUNDWATER WELLS in the jurisdiction of the MKR GSA, and the DEVELOPMENT AND MATINANANCE OF A WELL REGISTRY for the MKR GSA, and to establish other regulatory requirements in connection with these purposes.

VI. MKR GSA understands that it has the authority to require “registration of a groundwater extraction facility within the management area of the groundwater sustainability agency” through Section 10725.6 of the California Water Code.

VII. Further, the MKR GSA Board of Directors finds that adopting and implementing a policy requiring the REGISTRATION OF ALL GROUNDWATER WELLS in the jurisdiction of the MKR GSA and the DEVELOPMENT AND MAINTENANCE OF A WELL REGISTRY for the MKR GSA is necessary to develop a defensible view of groundwater use in the MKR GSA, and is in the best interest of the MKR GSA, its landowners, businesses and residents.

VIII. Finally, for the reasons set forth above, the MKR GSA Board of Directors finds that the adoption of this Policy will aid and promote the sustainable management of groundwater.

DEFENITIONS

“Active” describes a groundwater well that is in use, or is planned for use.

“Aquifers” are geological formations saturated with groundwater.

“Confined Aquifer” means an aquifer that is pressurized, such that the level in a well drilled into such aquifer, corresponds to the pressure in the aquifer.

“Groundwater” is underground water, or subsurface water, that is contained in aquifers.

“Groundwater well” means a facility used to extract groundwater.

“Groundwater extraction facility” is the term used in the California Water Code to mean Groundwater well.

“Overdraft” usually refers to an extended decline in the storage of an unconfined aquifer. This is also a term that sometimes get used with confined aquifers that relates to extended use beyond the sustainable yield.

“Phreatic zone” means the geologic formation below the water table.

“Recharge” means the intentional sinking of surface water to add volume stored in an aquifer.

“Seepage” means the incidental loss of water as it is being conveyed or put to beneficial use.

“Water table” means the level, generally observed in groundwater wells, at which saturated soil is observed.

“Unconfined Aquifer” means an aquifer whose water table is at atmospheric pressure and that can rise or fall with changes in volume.

“Vadose zone” means the geologic formation above the water table.

GROUNDWATER WELL REGISTRATION POLICY

A. Parties within the MKR GSA that own or operate properties with groundwater wells are required to register the groundwater well with the MKR GSA. All active extraction facilities are required to be registered with the MKR GSA.

- B. Parties registering a groundwater well will be asked to provide the following information:
- 1) The Kings County parcel number where the well is located and the wells location within the parcel;
 - 2) The property owners name, mailing address, email address and contact information; and
 - 3) The well operators name, mailing address, email address and contact information (such as in a lease arrangement); and
 - 4) The groundwater wells construction information, which might include the year it was constructed, well driller, well completion report, geophysical log, e-log, total depth, zones of perforation, diameter of casing, motor horsepower, depth of sanitary seal, bowl depth, whether the well has a flow meter, etc.; and
 - 5) Whether the well has a sounding port for groundwater levels.
- C. The landowner shall grant MKR GSA staff access to inspect the property and facilities in order to verify compliance with this Policy.

ENFORCEMENT – VIOLATION

- A. Penalties. Any person, firm or corporation, whether acting as principal, agent employer or otherwise, who violates any provision of this Policy, or the terms and/or conditions of any permit issued pursuant to this Policy, may be punishable by a fine not to exceed one thousand (\$1,000) dollars per violation.
- B. Civil Action – Injunctive Relief. MKR GSA may elect additionally, or alternatively, to proceed with a civil action, including, but not limited to, seeking injunctive relief, rather than, or in addition to other actions described in subsection (A) of this section. Any person, firm or corporation, whether acting as principal, agent, employer or otherwise, who willfully violates any provision of this Policy, or the terms and/or conditions of any permit issued pursuant to this Policy, may be liable for a civil penalty not to exceed one thousand (\$1,000) dollars for each day or portion thereof, that the violation continues to exist. In determining the amount of the civil penalty to impose, the court shall consider all relevant circumstances, including, but not limited to, the administrative and legal costs incurred by the MKR GSA to address the violation, the extent of the harm caused by the conduct constituting the violation, the nature and persistence of such conduct, the length of time over which the conduct occurred, the assets, liabilities, and net worth of the violator, whether corporate or individual, and any corrective action taken (and timing of such corrective action), or lack thereof, by the violator.

SEVERABILITY

If any section, sub-section, sentence, clause or phrase of this Policy is held by a court of competent jurisdiction to be invalid, such decision shall not affect the remaining portions of this Policy. The MKR GSA Board of Directors hereby declares that it would have passed this Policy, and each section, sub-section, sentence, clause, and phrase hereof, irrespective of the fact that one or more sections, sub-sections, sentences, clauses and phrases be declared invalid.

EFFECTIVE DATE

Landowners and/or operators will be required to register active wells by May 1, 2023.

The Policy shall take effect and be in force thirty (30) days after its passage and prior to expiration of fifteen (15) days after its passage thereof, shall be published by title and summary on the MKR GSA's website together with the names of members of the MKR GSA Board of Directors voting for and against the same.

Respectfully submitted for your consideration,



Dennis Mills, General Manager

Cc: Jason Waters, City of Hanford
Ray Carlson, MKR GSA Attorney

Chuck Kinney, Kings County