



# **Prop 218 & GSP Efforts Presentation**

**March 19, 20, & 21, 2024**

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# Agenda

10:00 – 11:00 AM

- Welcome & Introductions
- SGMA and MKR GSA Overview
- State Probationary Hearing
- MKR GSA Efforts Underway
- Funding for Local Control

11:00 AM – 12:00 PM

- Q&A (Pre-Submitted Questions)
  - Open Q&A Session
- 



# Main Points of Presentation

- The State Board views that there hasn't been enough progress (concrete steps) on SGMA and will not accept more promises at this point.
- The State Board has concluded that the Ag / Industrial pumpers are causing the Undesirable Results in the area, and they want those pumpers to either cut back so impacts don't occur, or pay to mitigate the impacts on other users.
- The finances that support GSA efforts are just as important as the Revised Subbasin Plan, which are just promises if there isn't funding to accomplish them.
- If the State Board doesn't feel confident in local groundwater management, they will put the Subbasin in probation, and could begin managing local groundwater a year later (2025).



# **SGMA & MKR GSA Background**

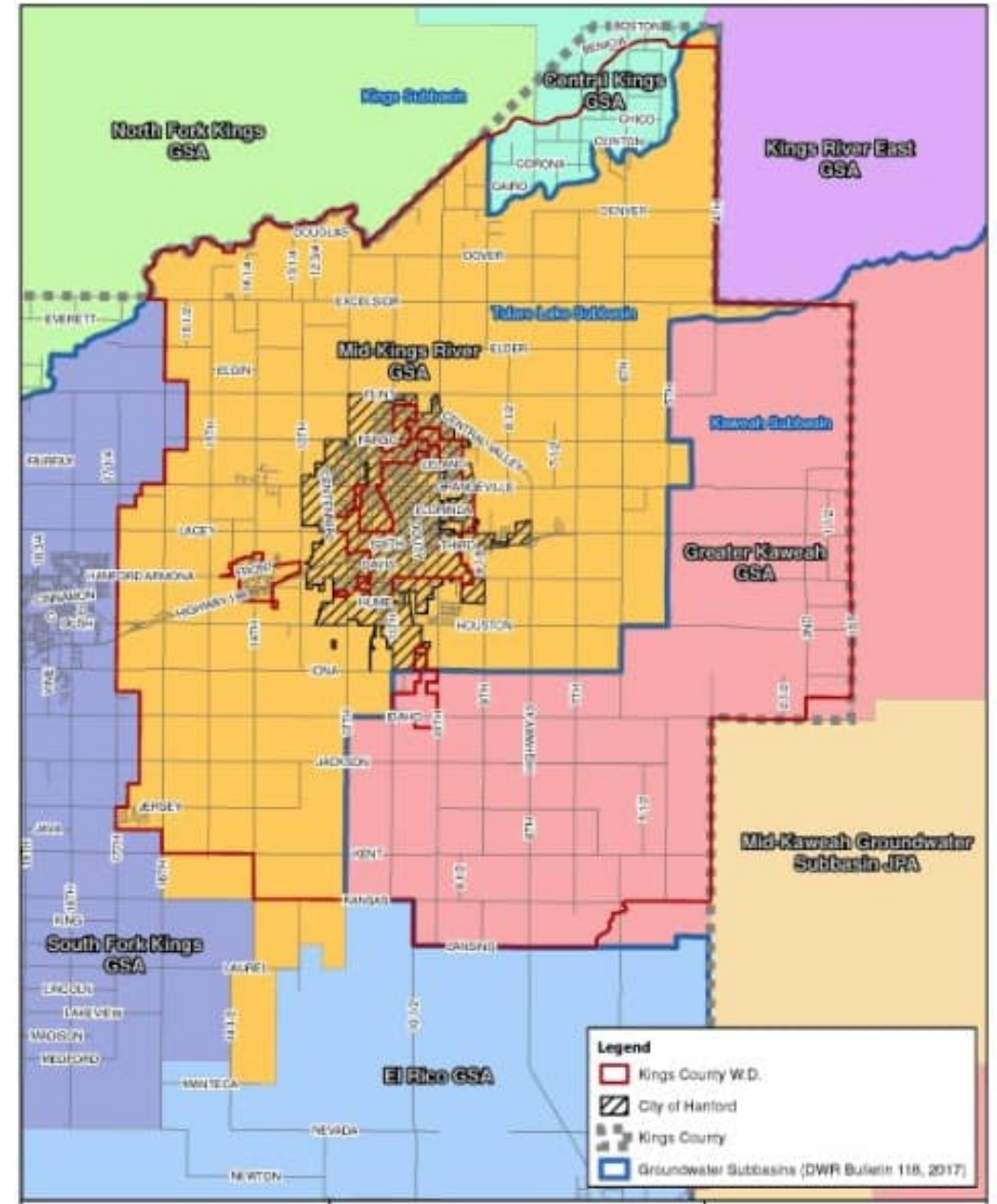
# SGMA Background

- State Constitution says all water belongs to the State
- CA one of the last states in the US to begin regulating groundwater
- SGMA became law in 2014 after outcry over so many dry wells in the SJ Valley
- Requires:
  - The protection of existing and future uses of groundwater through the reliable elimination of Undesirable Results by 2040
  - High priority subbasins (like our area) to have formed GSAs with complete subbasin coverage by 2017
  - Initial Groundwater Sustainability Plans (GSPs) to be developed by Jan 2020

# Who is the MKR GSA?

Comprised of 3 local public agencies:

- Kings County Water District
- City of Hanford
- County of Kings



# MKR GSA Background

- Formed in fall 2016
- Joint Powers Authority (JPA) involving Kings Count Water District (KCWD), Hanford and Kings County
- Financially supported by JPA members and grants to date
- Became one of five GSAs in the Tulare Lake Subbasin
  - South Fork Kings GSA (Lemoore area), El Rico GSA (Corcoran area), Southwest Kings GSA (Kettleman City area), Tri-County Water Authority GSA (Angiola area)
- One GSP (Plan) for all five GSAs in the Tulare Lake Subbasin

# Recent Key Dates

TLS GSP  
versions  
rejected  
twice by  
DWR

March 2023  
State Board  
involvement  
begins

October 2023  
State Board  
issues staff  
report on TLS  
GSP  
Deficiencies

March 2024  
Revised TLS  
GSP  
submitted to  
State Board

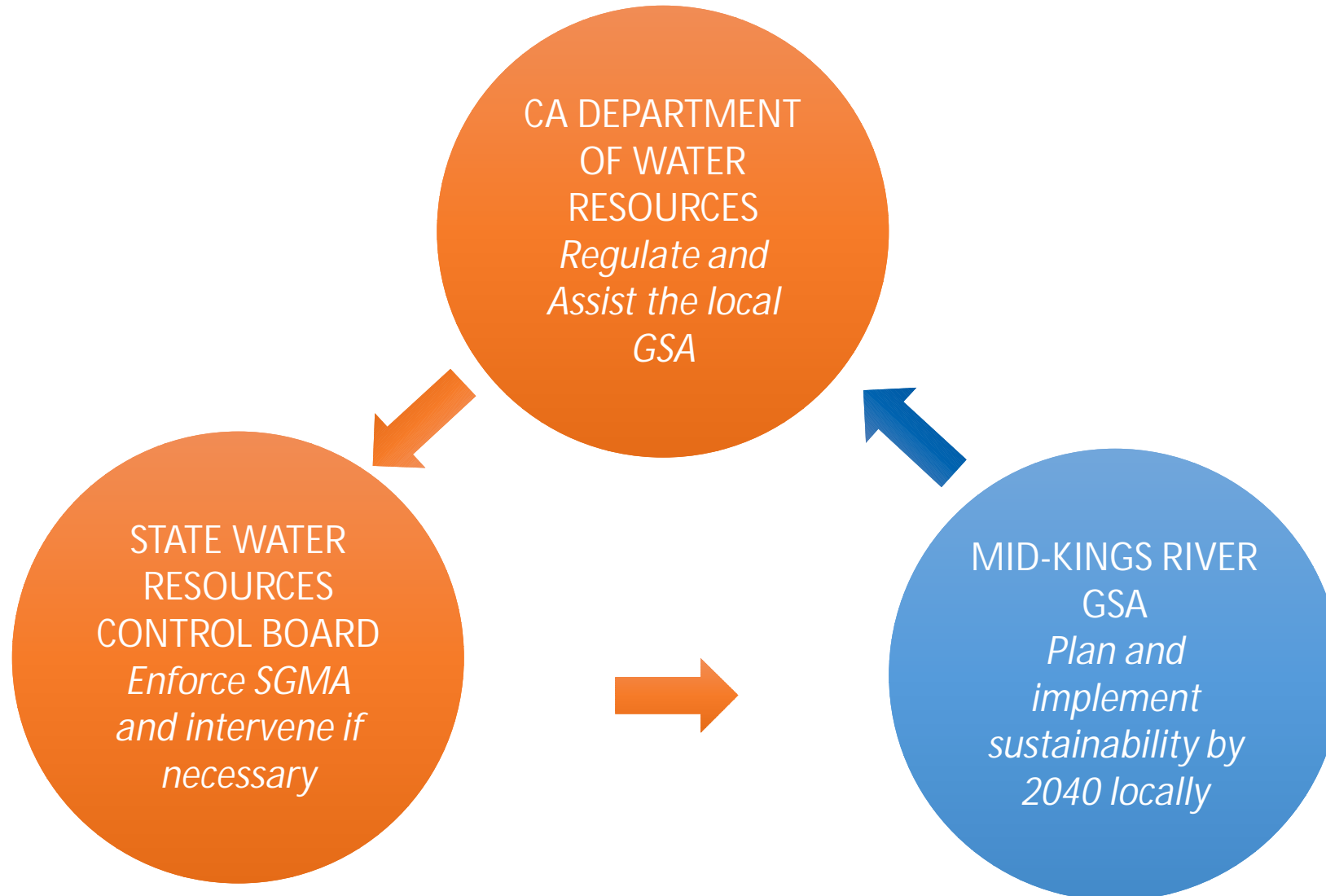
April 2024  
State Board  
Probationary  
Hearing in  
Sacramento

April 2025  
potential  
start of State  
regulation of  
local  
groundwater



# SGMA Agency Roles

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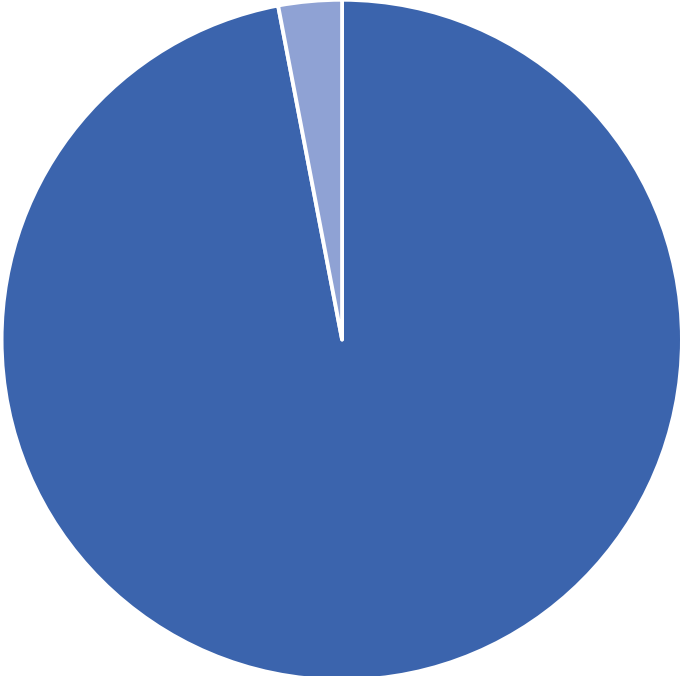


# State Water Resources Control Board (State Water Board)

- Developed more than 40 years ago, the CA Legislature created the State Water Resources Control Board and gave it broad authority and responsibility to protect water quality, and balance competing demands on State water resources and attempt to resolve decades-long water disputes
- The five-member State Water Board allocates water rights, adjudicates water right disputes, develops statewide water protection plans, establishes water quality standards, and guides the nine Regional Water Quality Control Boards located in the major watersheds of CA
- SGMA grants them the authority to temporarily manage groundwater in a Subbasin that has not demonstrated significant compliance with SGMA through an acceptable GSP

# MKR GSA Groundwater Usage

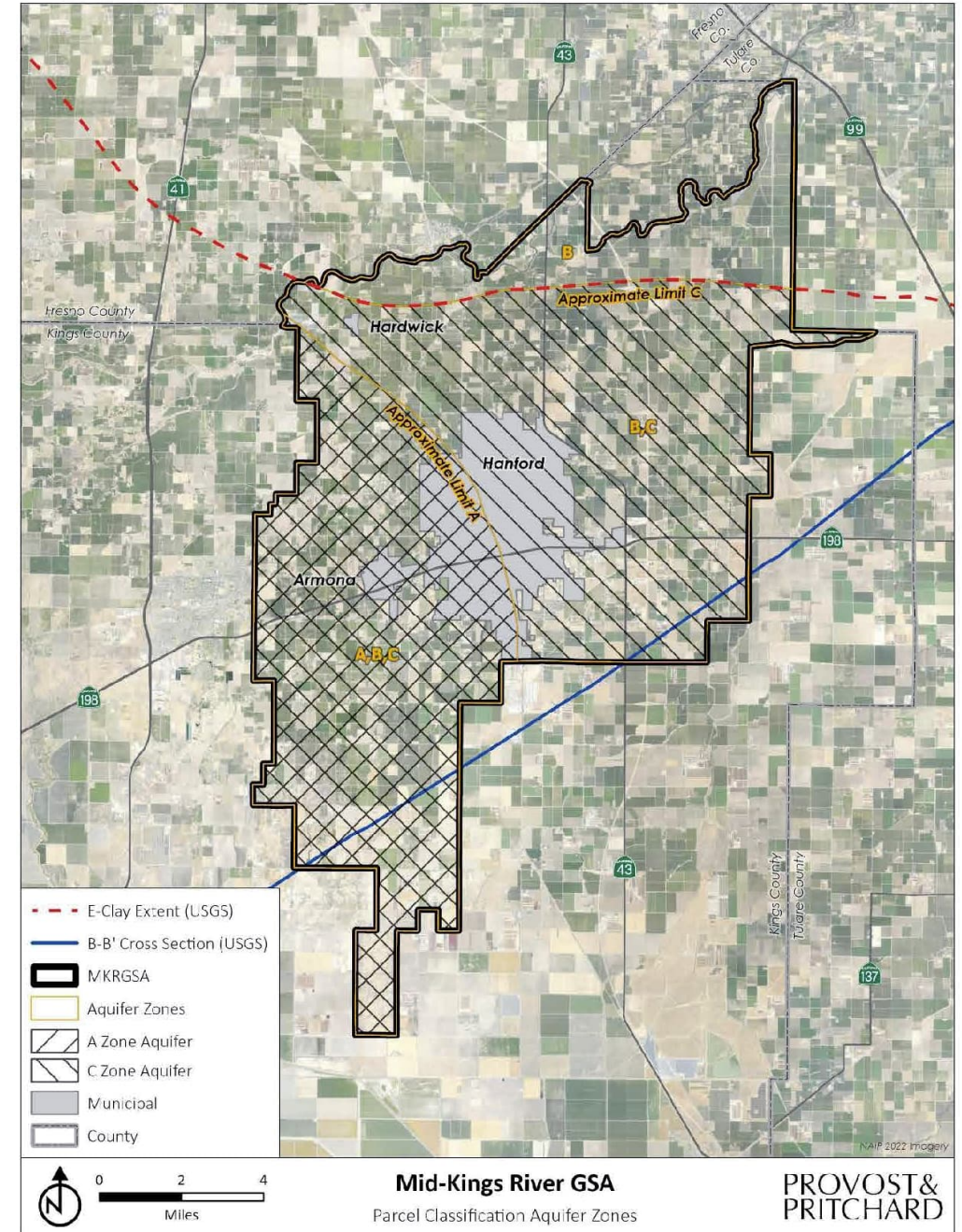
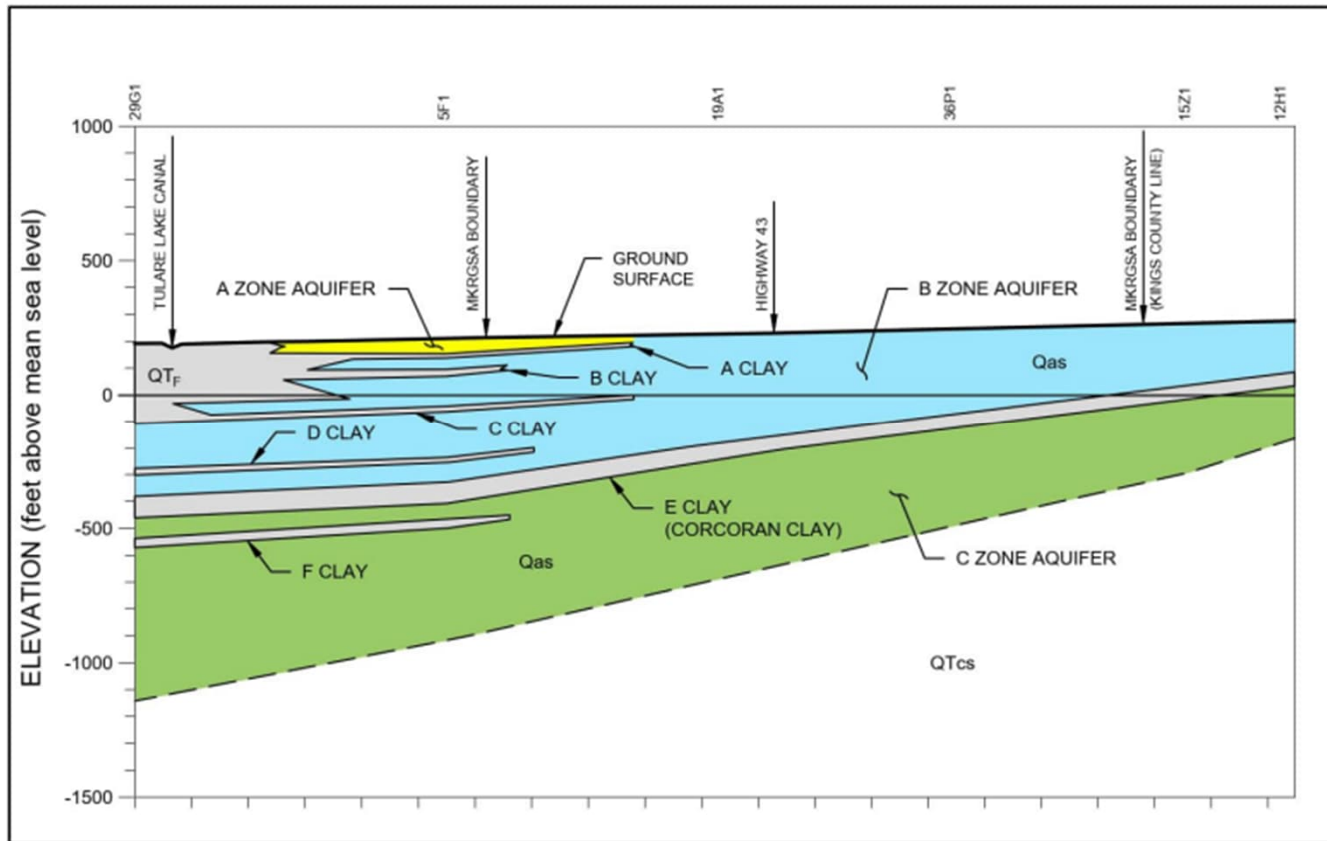
The State Board's conclusion is that the Ag / Industrial pumpers are causing the Undesirable Results in the area, and they want those pumpers to either cut back so impacts don't occur, or pay to mitigate the impacts on other users.



■ Ag / Industrial    ■ Domestic / Municipal

# Local Aquifer Zones

	Cumulative Acres		Discrete Acres
A	40,310	A, B, C	40,310
B	97,363	B, C	44,963
C	85,273	B	12,090

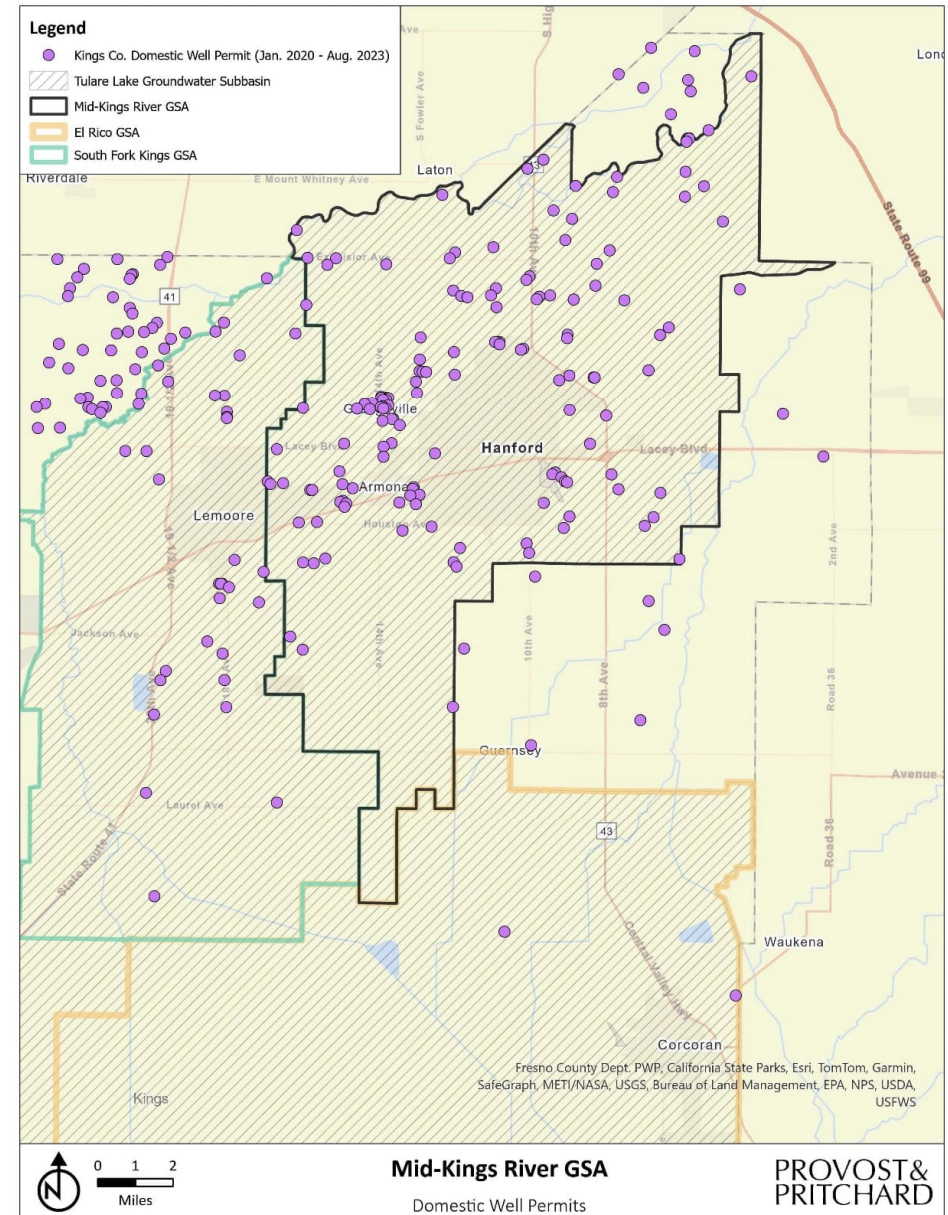


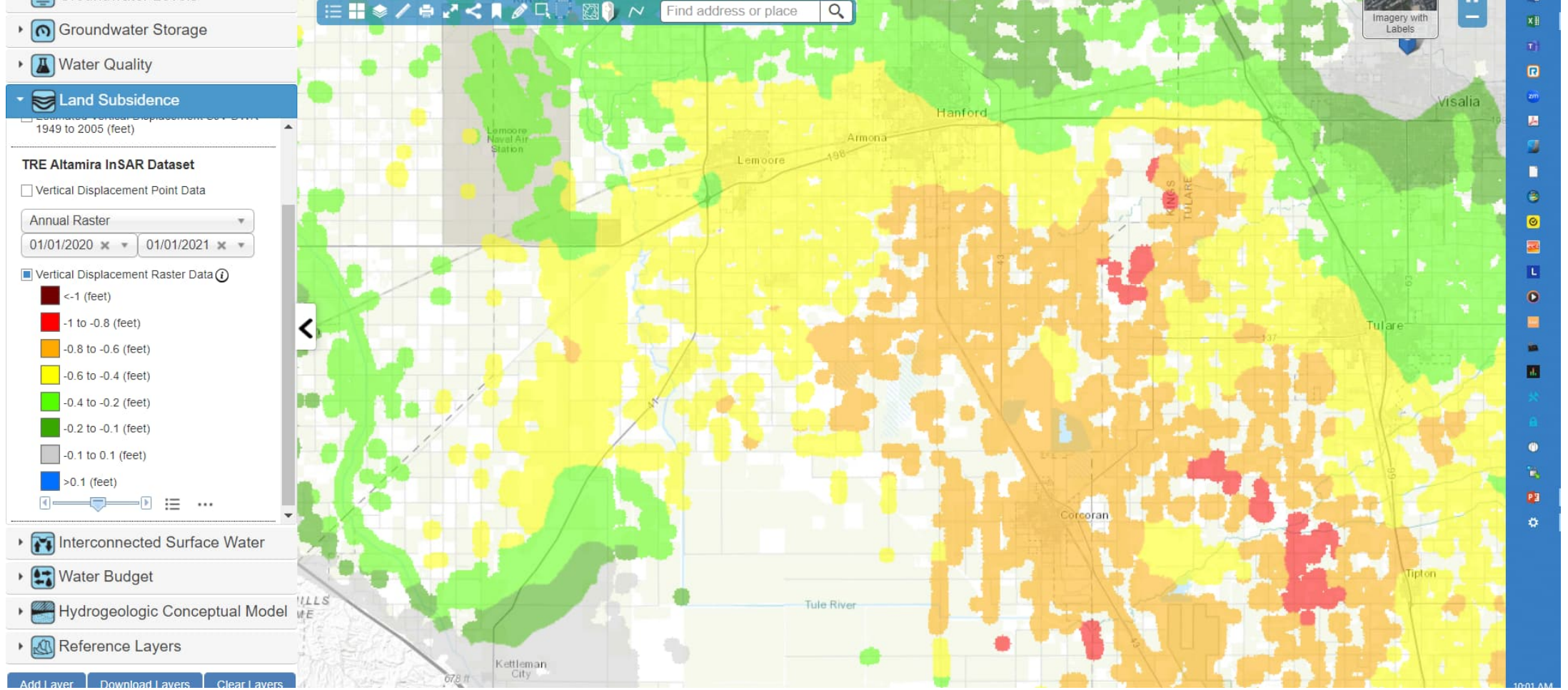
# Significant Issues by Zone

- A-zone: shallow domestic wells
- B-zone: shallow domestic wells
- C-zone: subsidence

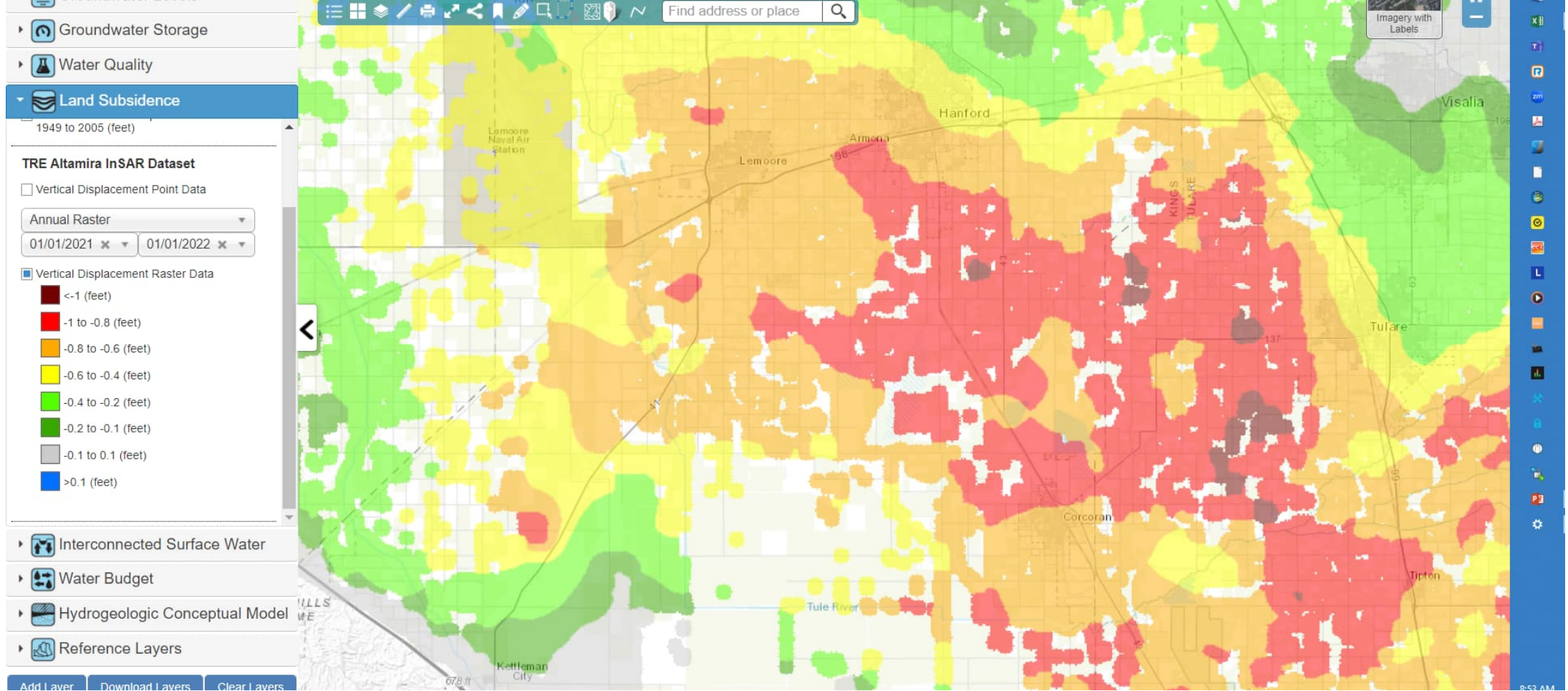
	Total	Domestic		Ag / Industrial	
A-zone area	284	81	29%	203	71%
B-zone area	1,060	734	69%	326	31%
C-zone area	273	35	13%	238	87%
Total	1,617	850	53%	767	47%

# Map of Dry Domestic Wells (2020 - 2023)



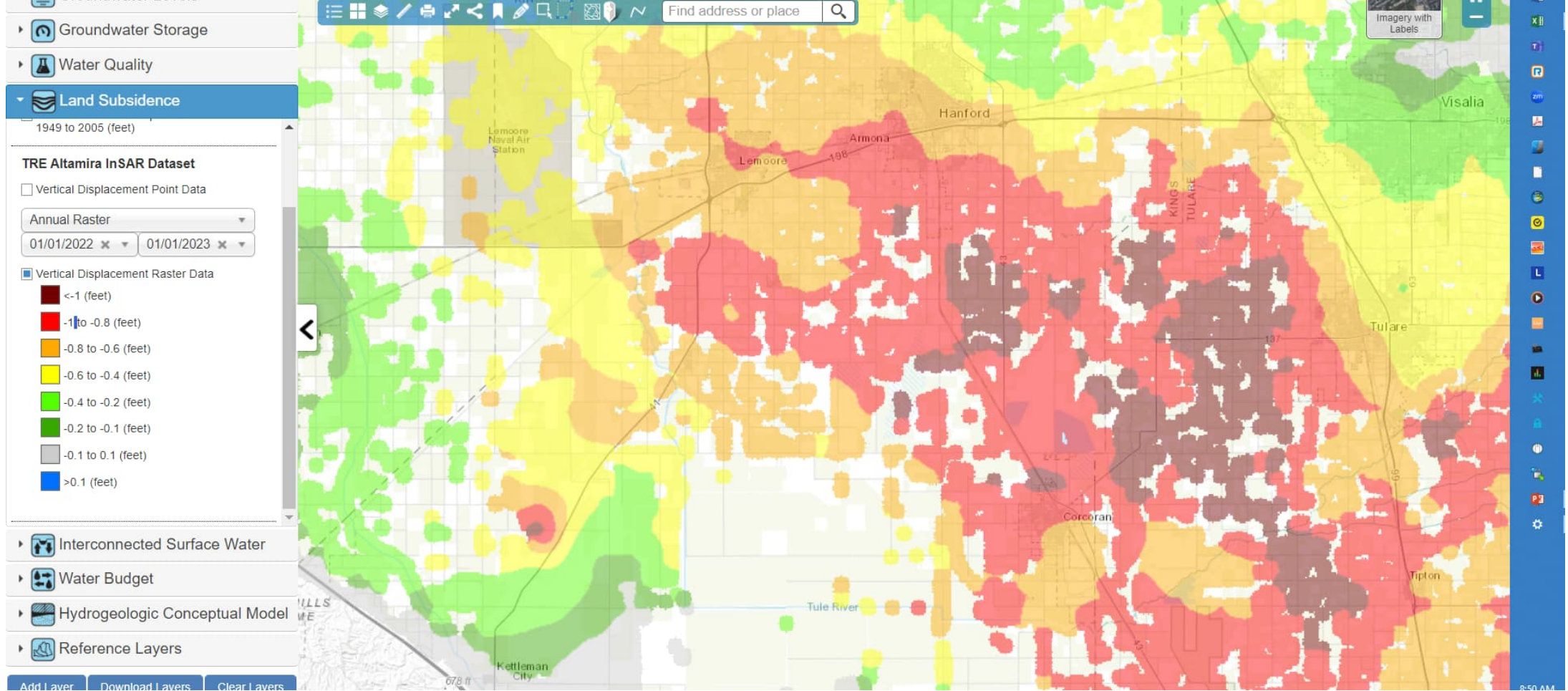


# 2020 Map of Subsidence



# 2021 Map of Subsidence





# 2022 Map of Subsidence

# Why is MKR GSA moving so fast?

- The State Board views that there hasn't been enough progress (concrete steps) on SGMA and will not accept more promises at this point
- The finances that support GSA efforts are just as important as the Revised TLS GSP, which are just promises if there isn't funding to accomplish them
- If the State Board doesn't feel confident in local groundwater management, they will put the TLS in probation, and could begin managing local groundwater a year later (2025)

# **State Probationary Hearing**

# State Probation

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- Potential Probation at State Board hearing in April 2024
- Probation only intended as a short-term condition. State Board would continue to ask GSAs to revise the TLS GSP until acceptable.
- Requirement to register wells with State (\$300/well) and pay pumping fee (\$20/AF).
- These fees would be in addition to any existing GSA fees and are supposed to cover State costs in addressing issues in the TLS.
- Very unclear how a GSA or Subbasin would get out of probation.
- Doesn't appear the "good actor" provision is available.



# State vs. Local Control

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State Control	Local (MKR GSA) Control
Additional fees on top of local fees.	Local fees only.
Tight restrictions on groundwater pumping.	Limits on groundwater pumping are less strict, and take into consideration supply-side projects like groundwater recharge activities
No local infrastructure projects. Focus on reducing groundwater demand only.	Committed to acquiring land and developing groundwater recharge basins. Focus on both supply and demand solutions.
Require landowners to file time consuming groundwater usage reports every year.	No manual reporting. MKR GSA handles meter readings.

# Interim Plan

- State Board's temporary GSP, developed after 12 months of Probation
- Is supposed to be based on groundwater pumping data State Board collects during Probation
- Is not supposed to account for projects, recharge, or surface water in the area
- Intended to reduce impacts in the area quickly, without mitigation
- Likely would involve significant pumping restrictions beyond what is being considered by MKR GSA



# **Efforts to Keep Local Control**

# Proposition 218

MKR GSA plans to fund its efforts for local sustainability through authorization to collect fees via a Prop 218 election

1. Land-Based Assessment
2. Groundwater Pumping Fees



# What is MKR GSA Prop 218 funding?

## Land-based Assessment



GSP Revisions / TLS Annual Reports



GSA staffing, operations, consultants efforts



Dedicated monitor wells



Repayment of seed funding from KCWD and Hanford

GSA Administration

## Groundwater Pumping Fee



Shallow Dry Well Mitigation



Subsidence Mitigation



Groundwater Recharge Projects

# MKR GSA Funding Up to Now

- Seed funds from Kings CWD and Hanford
- DWR:
  - Grant through Kings County to develop 1<sup>st</sup> GW Model = \$500K
  - Round 1 SGMA Planning Grant to revise model and develop 1<sup>st</sup> GSP = \$1.5 million
  - Round 2 SGMA Planning Grant to revise GSP = \$500K
  - Round 1 SGMA Implementation Grant to develop local projects = \$7.6 million

# Land Based Assessment

- The "benefit" provided to all properties is SGMA compliance
- Applied to all parcels over 2.0 acres
- Doesn't matter if parcel has a well on it or not
- Assessment was also applied to agencies as well mostly because there is a significant amount of agency land being leased to farmers
- \$25 per acre maximum proposed

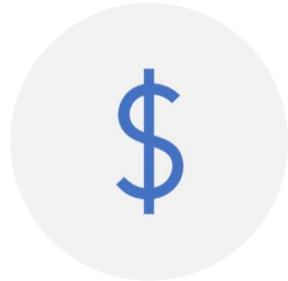
*To calculate your assessment fee:*

*\$25 per acre x total acreage in MKR GSA = \$ proposed assessment fee*



# Groundwater Pumping Fee

Zone	Pumping Fee ( <i>maximum proposed</i> )
A-Zone	\$95 per AF
B-Zone	\$95 per AF
C-Zone	\$35 per AF



A charge to landowners based on amount of groundwater pumped



Will be put in place if a majority protest is not received (Prop 218 process)



Reflects allowable groundwater use set by groundwater pumping cap



Pumping will be monitored by flow meters

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# Well Registration and Meter Requirements

- Nov 2022 Active Groundwater Well Registration Policy
  - Locate well, provide depth and construction if available
  - MKR Data Management System (DMS)
- Nov 2022 Active Groundwater Flowmeter Policy
  - No specific brand required
  - 5% accuracy required
  - Instantaneous flow indicator (CFS) and totalizer (AF)
- Registration currently estimated at 50-75% on ag wells

# Shallow Dry Well Mitigation

- If shallow domestic wells go dry for level decline reasons, the GSA will pay to restore them
- \$6 million budget developed from 60 domestic wells in 2022
- A & B-Zone non-domestic pumpers charged for mitigation
- If mitigation is not provided, pumping restricted to avoid dry wells
- GSA Board will evaluate the needed budget each year depending on conditions

*Mitigation – taking action to reduce harmful effects. MKR GSA is mitigating financial, technical, and environmental effects of groundwater over pumping on shallow wells (drinking water wells).*

# Subsidence Mitigation



- Projects to restore capacity to local Last Chance canals impacted by subsidence
- \$1 million/year budget for currently understood effort
- C-Zone non-domestic pumpers charged for mitigation
- If not provided, pumping restricted to avoid subsidence

# Recharge Projects

- Roughly 1,100 acres of existing Recharge Basins in the area
- Planned development of an additional 1,000 acres of Basins
- Schedule of roughly 50 acres developed per year thru 2039
- Hoped to increase available supplies by roughly 20,000 AF/year after development
- Key Benefits:
  - Capture excess surface (flood) water during wet years
  - Offset groundwater pumping, resulting in less restrictive demand cutting measures (pumping caps)





# 2024 Groundwater Pumping Cap

Well Zone	Pumping Cap (4/1/24 - 3/31/25)
A-Zone	0.50 AF per acre (annual)
B-Zone	3.00 AF per acre (annual)
C-Zone	2.00 AF per acre (annual)



The primary strategy to comply with SGMA is through pumping reductions



Pumping Caps developed based on available well records and pumping estimates that involve Crop ET / irrigation efficiency / pre-irrigations / local surface water



Pumping Caps don't allow carryover of unused amounts to future years



Pumping Caps apply to non-domestic pumpers



Rural domestic pumpers using less than 2 AF/year won't be limited

# Main Points of Presentation

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# Landowner Next Steps

## 1. Participate in the Prop 218

- Public Notices for the proposed assessment and proposed pumping fees were mailed to landowners at the beginning of March. Ballots for the \$25 assessment were included in the Public Notice mailer package sent to landowners.

Groundwater Pumping Fee	Land-based Assessment
Majority Protest	Majority Approval
Provide protest form	Fill out and submit ballot to vote
Submit via mail or drop-off to the Kings County Water District office, or at the April 23 Public Hearing	Submit via mail or drop-off to the Kings County Water District office, or at the April 23 Public Hearing

## 2. Register wells – call the MKR GSA at (559) 584-6412

## 3. Install a flow meter BY APRIL 1, 2024

# Learn More

Visit [www.midkingsrivergsa.org](http://www.midkingsrivergsa.org) to view & download:

- Fee Study
- Public Notices
- Ballot Instructions
- Sample Ballot
- Protest Forms
- Pumping Cap Policy
- Shallow Well Mitigation Policy
- Well Registration Policy
- Flow Meter Policy
- And more...

Reminder!

Public Hearing to tabulate ballots and consider establishing assessment and pumping fees will take place:

**April 23, 2024 at 1:00 PM**

**Koinonia Church**

**12536 Hanford Armona Rd**

**Hanford, CA 93230**



**Thank you for  
your time &  
attention.**

**Q&A Session**