Sustainable Groundwater Management Act:

Public Workshop For Proposed Designation Of Tulare Lake Subbasin as a Probationary Basin

November 8th, 2023

State Water Resources Control Board
Participation Poll
Spanish Language Access

For Spanish Interpretation Service Users

• Please see registration table for an interpretation device
• Click channel number X on your device to access services

For all Participants

• We may have slower than usual transitions between slides, we appreciate your patience
How to Participate

**Written Comments**
Submit Questions and Comments by comment card to State Water Board Staff to be read out loud.

**Verbal Comments**
Submit comment card to hold your place in line to present your comment.
Objectives

1. Provide an opportunity for the public to learn about the draft staff report which describes the actions staff recommend the State Water Resources Control Board should take for the proposed designation of Tulare Lake Subbasin as a probationary basin.

2. Provide an opportunity for the public to interact with State Water Resources Control Board staff and raise their questions and concerns.

3. Provide an opportunity for the public to provide verbal and written comments on the draft recommendations.
Community Guidelines

1. Engage respectfully and avoid personal attacks – verbally or in written comments
2. Use comment cards or microphone to communicate comments and/or questions to speakers
3. Public Feedback
   • Question & Answer Portion
     • We will keep the time brief to prioritize the comment period
   • Public Comment Portion
     • We will go in order of the queue
     • Keep comments within the provided time allotment shown on the timer
Public Workshop Agenda

1. Opening Remarks
2. Groundwater & Tulare Lake Subbasin Background
3. Overview of State Intervention Under SGMA
4. Plan Issues Described in Staff Report
5. Proposed Requirements for Groundwater Extractors
6. Public Q&A on Probationary Hearing Process
7. Public Comment
Opening Remarks
Groundwater & Tulare Lake Subbasin Background
80% of Californians rely on GROUNDWATER for part of their water supply.
Tulare Lake Subbasin
Tulare Lake Subbasin

Five Groundwater Sustainability Agencies (GSAs)
- Mid-Kings River GSA
- South Fork Kings GSA
- Southwest Kings GSA
- El Rico GSA
- Tri-County Water Authority GSA

One Groundwater Sustainability Plan (GSP)
- Tulare Lake Subbasin Amended Groundwater Sustainability Plan (2022)
Tulare Lake Subbasin

Beneficial Uses of Groundwater
- Drinking Water
- Agriculture
- Environment

Groundwater Extractions
October 2021 - September 2022

Agriculture 94%
Urban 4%
Rural Domestic 2%

Data Source: WY 2022 Tulare Lake Subbasin Annual Report
Dry Well Susceptibility

2022 Reported Dry Wells

Reported: 27

Density of domestic wells susceptible to going dry

Tulare Lake Domestic Wells

Susceptible: 698

Reported: 27

Tulare Lake

More susceptible wells

Fewer susceptible wells

Zero susceptible wells
Subsidence from InSAR Jun 2015 to Jan 2023

-6 to -7 ft
-5 to -6 ft
-4 to -5 ft
-3 to -4 ft
-2 to -3 ft
-1 to -2 ft
0.25 to -1 ft

Tulare Lake
Average -1.8 ft
State Intervention Under SGMA
SGMA AT THE BASIN SCALE

Basins & Subbasins

Priority
- High
- Medium
- Critically Overdrafted
SGMA AUTHORITIES

- Groundwater Sustainability Agencies (GSAs)
- CA Department of Water Resources (DWR)
- State Water Resources Control Board (SWRCB)
What is Sustainability?

Basin operated within its sustainable yield and not experiencing undesirable results:

- Lowering GW Levels
- Storage Reduction
- Seawater Intrusion
- Degraded Quality
- Land Subsidence
- Surface Depletion

Significant and unreasonable...

...caused by groundwater conditions occurring throughout the basin.
Where a local groundwater sustainability agency is not managing its groundwater sustainably, the state needs to protect the resource until a local groundwater sustainability agency can sustainably manage the groundwater basin.

California Legislature
**Board Basics**

1. Board only steps in when local efforts fail.
2. Temporarily protects the basin until locals come up-to-speed.
3. Backstop is triggered by deadlines and deficiencies.
State Water Resources Control Board Intervention

- Trigger
- Intervention Warranted?
- Basin Probation
- Issues Not Fixed?
- Interim Plan
Probationary groundwater BASIN

- Board identifies deficiencies
- GSAs have time to address issues & continue to implement their plans
- Extractors begin reporting
- Board may require meters
- Board recovers costs via fees
Extraction REPORTS

Reports are submitted annually.

Reports require…

- well location & capacity
- monthly extraction volumes
- place & purpose of use

Reports must be filed electronically.

Information on extraction reports is available at https://www.waterboards.ca.gov/sgma/reporting_and_fees.html
FEES: Pumpers who must report

Base Filing Fee (per well)  $300

Volumetric Rate (per acre-foot)
  Unmanaged  $25
  Probation  $40
  Interim Plan  $55

Late Fee (per month)  25%

Notes:
- Fees are subject to change
- Special studies may incur additional costs
- Small domestic well owners likely exempt
- Waivers for Disadvantaged Communities (DAC)
State Water Resources Control Board Intervention

1. Trigger
2. Intervention Warranted?
3. Basin Probation
4. Issues Not Fixed?
5. Interim Plan
Interim PLAN

Corrective Actions

Enforcement

Schedule

Monitoring
Groundwater Sustainability Plan (GSP) Issues Described in Draft Staff Report
Staff Recommendation

Designate the basin probationary

The plan will allow substantial impacts to people who rely on domestic wells and critical infrastructure such as canals, levees, and the aquifer itself.

An improved plan is necessary to achieve sustainability in the basin by 2040.
GSP Elements

Groundwater Conditions
Sustainability Criteria
Monitoring
Projects & Actions
Plan Deficiencies

Issues with:

- Declining water levels
- Land subsidence
- Water quality degradation

Due to continued groundwater overdraft caused by pumping
Plan Deficiencies – Groundwater Levels

Problems with:

• Description of what the GSAs are trying to avoid (“undesirable result”)
  • Example: how many wells go dry, how low water levels in the aquifers can go
• Effects on shallow wells (A-zone)
• Specifics about water level thresholds for the deeper aquifers (B-zone, C-zone)
• Role and scope of well impact mitigation
• Plan for halting declining groundwater levels
• Effects on subsidence, water quality
Potential Actions – Groundwater Levels

- Describe the “undesirable result” in sufficient detail
- Gather adequate information about pumping and groundwater levels
- Commit to accessible, comprehensive, and appropriately funded well impact mitigation programs
- Plan ahead for drought conditions and commit to reducing pumping
- Describe the relationship between minimum thresholds (the lowest acceptable level) for each sustainability indicator
Plan Deficiencies – Land Subsidence

Problems with:

• Description of what the GSAs are trying to avoid
  • Example: amount of damage to canals, levees, or wells, loss of storage in aquifers

• How management criteria relate to avoiding effects on land use or infrastructure

• Impacts on flood protection infrastructure

• Plan for halting land subsidence
Potential Actions – Land Subsidence

• Describe the “undesirable result” in sufficient detail
• Develop quantitative criteria that avoid undesirable results
• Consult with flood management agencies and expand the analysis of land subsidence impacts on flood infrastructure
• Plan ahead to avoid significant and unreasonable land subsidence
Plan Deficiencies – Degraded Groundwater Quality

Problems with:

• Description of what the GSAs are trying to avoid
  • Example: how much worse water quality gets near drinking water wells

• Frequency and location of water quality monitoring

• Allowing degradation of already poor water quality

• Potential delays in addressing water quality degradation
Potential Actions – Degraded Groundwater Quality

• Describe the “undesirable result” in sufficient detail
• Revise management criteria to be consistent with SGMA
• Update the water quality monitoring plan
• Plan additional sampling when water quality is degraded
• Commit to accessible, comprehensive, and appropriately funded well impact mitigation programs
Recommended Requirements For Groundwater Extractors
Staff Recommendations

- Exclude household domestic well users from reporting and fees
- Require other pumpers to report by December of each year
- Require meters for those pumping more than 500 acre-feet a year
- Do not exclude any portion of the basin from probationary status
Tulare Lake Schedule

2023-2024

Oct. 12, 2023
Release draft staff report
Notice to cities counties

Oct. 13, 2023
Notice to all known pumpers

Oct. 12 – Dec. 11, 2023
Public comment period

Nov. 3 & 8, 2023
Stakeholder meetings

March 2024
Release final staff report
Issue draft resolution

Apr. 16, 2024
Hearing
Potential probationary designation
Public Q & A
Tulare Lake Schedule

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  Issue draft resolution
- Apr. 16, 2024: Hearing
  Potential probationary designation
Written Comments

Electronic:

Email in PDF format to SGMA-TulareLake@waterboards.ca.gov

Fax to (916) 341-5620

Mail or Hand Delivery:

Address to:
Courtney Tyler, Clerk to the Board
State Water Resources Control Board

Mail: P.O. Box 100, Sacramento, CA 95812

Hand Delivery: 1001 I Street, 24th Floor, Sacramento, CA 95814

Comments must be received by December 11, 2023, at 12:00 noon.
Thank you and Adjourn

bit.ly/swb_sgma_tulare_lake