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**County of Tulare**

**Kern-Tulare Water  
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**Porterville Irrigation  
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**Saucelito Irrigation  
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**Teapot Dome Water  
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**Terra Bella Irrigation  
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**Vandalia Water  
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# ETGSA POLICY POINTS

## Introduction

The purpose of the ETGSA Policy Points is to foster discussion among stakeholders of the ETGSA so as to supply the Board of Directors with guidance and recommendations regarding how they might consider developing certain Management Actions and other components of the GSP.

## Process

The Policy Points shall be considered and recommendations provided to the Board from various entities based upon the following timeline:

- September 6<sup>th</sup>, 2018, Points A
- October 4<sup>th</sup>, 2018: Points B-G (not less than B-D)
- November 1<sup>st</sup>, 2018: Points H-J
- December 6<sup>th</sup>, 2018: Points K-N

Recommendations from the Stakeholder Committee, Executive Committee, and Eastern Tule White Area Growers Association, Inc. shall all come to the Board by way of motions by the group documented in their Meeting Minutes. Recommendations from members of the public or other groups can be provided directly to the Executive Director, who will present them to the Board on their behalf

## Public Participation

Members of the public are encouraged to participate in these discussions by attending and speaking during the Public Comment periods of these meetings. Meetings are scheduled to take place during the days listed below:

- Board of Directors: 1<sup>st</sup> Thursday of every month at 291 N. Main Street (Council Chambers), Porterville CA
- Stakeholder Committee: 2<sup>nd</sup> Thursday of every month at 15 E. Thurman Ave, Suite D, Porterville CA
- Executive Committee: 3<sup>rd</sup> Thursday of every month at 15 E. Thurman Ave, Suite D, Porterville CA

The Agendas for these meetings, which can be found 72 hours prior to the scheduled meeting date at [www.easterntulegsa.com/meetings/](http://www.easterntulegsa.com/meetings/), will note the Policy Points being addressed during each meeting.

## Policy Points

### A. Share System

#### a. Question(s):

- i. Shall ETGSA create a sharing system that would issue shares of the sustainable yield to the lands within ETGSA? The shares would not be severable from the parcel.

#### b. Recommendations:

- i. Stakeholder: Member Parsons moved and Member Watkins seconded to recommend to the Board that a share system be created but that the water rights from the parcel not be severed from that parcel, unless a landowner chose to voluntarily do so. The Committee unanimously approved. (Meeting May 10, 2018).
- ii. Executive: Member Reed moved and Member Drumright seconded that a share system be created that does not mandate severance of the groundwater right from the overlying land. The Committee unanimously approved. (Meeting May 17, 2018).
- iii. ETWAG: The Members of ETWAG voted Yes to the following statement – “MARKET SYSTEM- Do we want the ability to buy/sell groundwater on an open market” – and identified that it cross-referenced with ETGSA’s Policy Point A. (Meeting August 22, 2018).
- iv. Other Public Comment:
- v. Board: Director Corkins motioned and Director Leider seconded to vote in favor of considering a sharing system for the sustainable yield that would not sever the water from the land. The Board unanimously approved. (Meeting September 6, 2018).

### B. Sustainable Yield Allocation

#### a. Question(s):

- i. How are shares of the long-term sustainable yield to be allocated? Options could include: equally to all lands (gross acres); based on some historical use of groundwater; or based on crops grown in past five years. Other alternatives or a mixture of alternatives may be considered as well.
  1. If it is based upon historical use, should it include consideration for new development that occurred after the adoption of SGMA?

#### b. Recommendations:

- i. Stakeholder: Member Guthrie moved and Member Parsons seconded to recommend to the Board that the sustainable yield be allocated on a gross acre basis. The Committee unanimously approved. (Meeting May 10, 2018).

- ii. Executive: Member Reed moved and Member Drumright seconded that the sustainable yield be allocated on a gross acre basis. The Committee unanimously approved. (Meeting May 17, 2018).
- iii. ETWAG:
- iv. Other Public Comment:
- v. Board:

C. Allocation Decisions

a. Question(s):

- i. Shall sustainable yield allocation decisions be adopted at an annual, five-year, or at another interval?
- ii. Shall allocations made to shares be based on the Tule Subbasin Sustainable Yield, or shall ETGSA have discretion to further adjust allocations made to shares?
  - 1. If the former, should rules be established to make such adjustments or should the Board have discretion?

b. Recommendations:

- i. Stakeholder:
- ii. Executive:
- iii. ETWAG:
- iv. Other Public Comment:
- v. Board:

D. Transitional Allocations and Period

a. Question(s):

- i. Shall there be a period of time during which ETGSA should allow eligible groundwater users to, in aggregate, pump volumes in excess of the Sustainable Yield?
  - 1. If so, how long shall that period of time be?
  - 2. If so, how shall ETGSA mitigate for the potential of significant and unreasonable undesirable results?
  - 3. If so, how shall transitional groundwater be made available to eligible groundwater users? (e.g. allocation, fee, other?)
- ii. If a transitional period is less advisable, is there another mechanism by which a transitional volume can be decided upon and made available to eligible groundwater users?
- iii. Shall an additional Buffer allocation be made available to eligible groundwater users?
  - 1. If so, what should that volume be?
  - 2. If so, how shall ETGSA mitigate for the potential of significant and unreasonable undesirable results?
  - 3. If so, how shall the buffer be made available to eligible groundwater users? (e.g. allocation, fee, other?)

b. Recommendations:

- i. Stakeholder:
- ii. Executive:
- iii. ETWAG:
- iv. Other Public Comment:
- v. Board:

E. Transferability of Allocations

a. Question(s):

- i. Shall allocations made to shares of the sustainable yield be transferable among eligible groundwater account holders in ETGSA?
- ii. Shall allocations disbursed as part of the transition mechanism be transferable among eligible groundwater account holders in ETGSA?
- iii. Should the transfer of allocations be subject to exchange rates above and beyond reasonably incurred hydrologic losses?
- iv. Were other GSAs within the Tule Subbasin to adopt similar groundwater sharing systems, shall ETGSA permit for the transfer of allocations both into and out of its jurisdiction (with adjustments made for hydrologic losses)?
- v. Shall the allocations, whether made to the shares (sustainable yield) or via the transition mechanism, be exportable to lands outside of ETGSA's jurisdiction?

b. Recommendations:

- i. Stakeholder:
- ii. Executive:
- iii. ETWAG:
- iv. Other Public Comment:
- v. Board:

F. Wells and Monitoring Use:

a. Question(s):

- i. Shall additional permitting criteria be required for wells within ETGSA?
- ii. How should ETGSA monitor the extraction of groundwater by municipal purveyors?
- iii. How should ETGSA monitor the extraction of groundwater by *de minimis* users?
- iv. How should ETGSA monitor the extraction of groundwater by non-*de minimis* non-agricultural users?
- v. How should ETGSA monitor the extraction of groundwater by agricultural groundwater users?
- vi. How shall wells and their connectivity to certain land areas be monitored?
- vii. How shall ETGSA monitor production from wells that export water to lands outside of ETGSA's jurisdiction?

viii. Shall the gross or consumptive use of water be monitored?

b. Recommendations:

- i. Stakeholder:
- ii. Executive:
- iii. ETWAG:
- iv. Other Public Comment:
- v. Board:

G. Penalties for Over-Use

a. Question(s):

- i. What penalties shall a groundwater user incur in the event that they use more groundwater than is in their water account?

b. Recommendations:

- i. Stakeholder:
- ii. Executive:
- iii. ETWAG:
- iv. Other Public Comment:
- v. Board:

H. Pre-2020 Recharge Recognition

a. Question(s):

- i. Shall ETGSA recognize surface water recharge activities that landowners or other entities carried out prior to the implementation of a GSP?
  1. If so, what period of time prior to the implementation of the GSP shall be recognized?
  2. If so, how shall such recharge activities and the volumes recharged be verified?
  3. If so, what volume should be deducted as a contribution to the Subbasin and/or made to account for hydrologic losses?
  4. If so, shall there be a minimum volume of recharge necessary for recognition?
  5. If so, what recharge activities shall be eligible for recognition? (e.g. over-application of surface water, dedicated groundwater recharge ponds, etc.)

b. Recommendations:

- i. Stakeholder:
- ii. Executive:
- iii. ETWAG:
- iv. Other Public Comment:
- v. Board:

I. Recharge of Surface Waters

a. Question(s):

- i. Shall the future recharge of surface waters into the Subbasin be recognized by ETGSA and credited to eligible groundwater account holders?
  1. If so, how shall such recharge activities and the volumes recharged be verified?
  2. If so, shall different types of surface water be treated differently? (e.g. CVP water, riparian water, appropriated surface water, etc.)
  3. If so, what volume should be deducted as a contribution to the Subbasin and/or made to account for hydrologic losses?
  4. If so, shall there be a minimum volume of recharge necessary for recognition?
  5. If so, what recharge activities shall be eligible for recognition? (e.g. over-application of surface water, dedicated groundwater recharge ponds, etc.)

- b. Recommendations:
  - i. Stakeholder:
  - ii. Executive:
  - iii. ETWAG:
  - iv. Other Public Comment:
  - v. Board:

#### J. Banking Allocations of Groundwater

- a. Question(s):
  - i. Shall allocations made against the sustainable yield be bankable in a user's account for longer than 1 year
    1. If so, shall there be a mechanism to account for hydrologic losses?
  - ii. Shall allocations made against the transitional volume be bankable in a user's account for longer than 1 year?
    1. If so, shall banked transitional allocations be subject to hydrologic losses or losses greater than hydrologic losses?
  - iii. Shall surface water recharged within ETGSA's jurisdiction be bankable in a user's account for longer than 1 year?
- b. Recommendations:
  - i. Stakeholder:
  - ii. Executive:
  - iii. ETWAG:
  - iv. Other Public Comment:
  - v. Board:

#### K. Groundwater Quality

- a. Question(s):

- i. Shall ETGSA adopt a groundwater quality monitoring program specific to ETGSA, or shall it adopt a program collectively agreed upon by the Tule Subbasin GSAs?
- ii. What groundwater quality thresholds should be used, and should different thresholds be set based on overlying land use?
- iii. What mechanisms shall ETGSA consider for maintaining and improving adequate groundwater quality?

L. Management Areas

a. Question(s):

- i. Are there areas within ETGSA that should be managed with minimum thresholds and measurable objectives that differ from areas within the rest of the Agency?
  1. If so, what areas are these and what sustainability indicators are relevant?
  2. If so, what different projects and management actions (or differences in the application of the Policy Points within this document) should be considered?

b. Recommendations:

- i. Stakeholder:
- ii. Executive:
- iii. ETWAG:
- iv. Other Public Comment:
- v. Board:

M. Funding Mechanisms

a. Question(s):

- i. How shall ETGSA be funded during the implementation period of SGMA?

b. Recommendations:

- i. Stakeholder:
- ii. Executive:
- iii. ETWAG:
- iv. Other Public Comment:
- v. Board:

N. Governance

a. Question(s):

- i. Shall ETGSA explore a restructuring of its governance and Board composition in order to modify the manner by which the various groundwater interests within its jurisdiction are represented?
  1. If so, how would areas and interests be represented?
  2. If so, how would new Board members be elected?
  3. If so, how would conflicts of interest be considered?

b. Recommendations:

*Current as of September 6, 2018*

- i. Stakeholder:
- ii. Executive:
- iii. ETWAG:
- iv. Other Public Comment:
- v. Board: