

MADERA

ESTABLISHED 1893



HEART OF CALIFORNIA

COUNTY



# Background

- Allocations have been set with the understanding that growers will attempt to manage water use within the allocation
- Penalties provide a financial incentive for growers to stay within their allocation
- Penalties are provided for in the water code
- On September 27, 2022, the Board of Supervisors acting as the Board of Directors for the County Groundwater Sustainability Agency adopted a penalty for 2023 of \$100 per acre-foot in excess of an enrolled participants available allocation
  - The penalty would increase by \$100 per year for every year afterwards, up to a maximum of \$500 per acre-foot in excess of an enrolled participants available allocation in 2027 and thereafter



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## Allocations in 2022

- In the County GSA, Madera Subbasin, approximately 30% of the farm units were over their allocation (8,000 AF of overuse)
- In the County GSA, Chowchilla Subbasin, approximately 40% of the farm units were over their allocation (4,000 AF of overuse)
- Approximately \$1,200,000 would have been generated by penalties

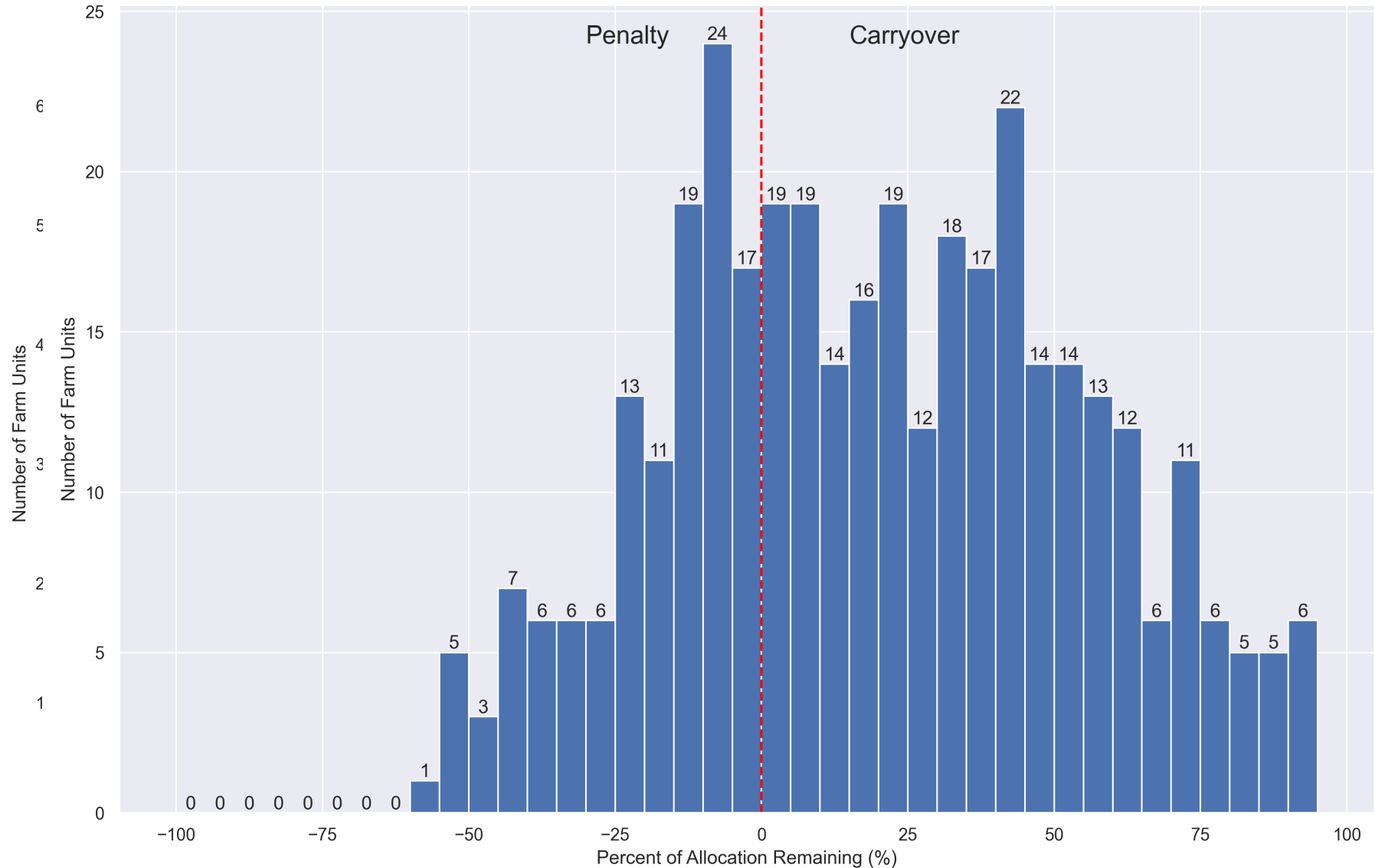


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# Results of Last Year's Penalty Data



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## Penalties Elsewhere

Westlands Water District GSA – Penalty not to Exceed \$500 per AF

Additional reimbursement for replacement water if consumption above 25 AFY

Eastern Tule GSA - \$270 per AF for TW pumping; \$500 penalty beyond TW

Lower Tule River/Pixley ID GSA - \$1,000 per AF penalty and reduction in groundwater account (allocation) at 1.5 x overage (AF).

Mid-Kaweah GSA – Two Penalty Tiers: Mitigation Tier - \$260 per AF (excess of 3.50 AF); Penalty Tier - \$500 per AF (excess pumping up to 4.50 AF)

Tri-County Water Authority GSA - \$125 per AF for TW pumping; \$500 per AF for overdraft beyond TW

Greater Kaweah GSA – Three Tiers: Tier 1 - \$125 per AF; Tier 2 - \$250 per AF; Tier 3 - \$500 per AF



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## Staff Recommendation

- We want growers to manage within the allocation
- We do not want growers to pay penalties
  - Penalty revenue can be used for SGMA-related purposes, but is very unreliable in amount
- Consider raising the penalty to \$500/AF to encourage management within the allocation or a tiered approach
- Staff recommends a higher penalty for overuse more than 10% of farm unit allocation (about 80 farm units)



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