

**MADERA COUNTY GROUNDWATER SUSTAINABILITY AGENCY'S
RECHARGE CREDIT POLICY**

POLICY 1: STORING SURFACE WATER DERIVED FROM A WATER RIGHT OR CONTRACT

- 1) In furtherance of the goals of the Sustainable Groundwater Management Act (SGMA) and consistent with the adopted Groundwater Sustainability Plans (GSPs) for the Madera, Chowchilla, and Delta-Mendota Subbasins (Subbasin), the Madera County Groundwater Sustainability Agency (MCGSA) in each Subbasin adopt this policy establishing rules for deriving a groundwater recharge credit for recharge activities that store surface water underground.
- 2) This policy reflects the current position of the Madera County GSA Board of Directors (Board) and may be subject to further revision by the Board as new information becomes available and as recharge activities evolve.
- 3) This policy uses the term “Owner” when referring to individuals or entities responsible for land enrolled in the MCGSA’s allocation approach.
- 4) This credit, as determined by the MCGSA per the above considerations, will hereafter be referred to as the “Recharge Credit” and will be applicable to the particular submitted recharge facility’s operations beginning in January 2023 and into the future, unless such facility is modified or otherwise altered by the Owner.
- 5) Extraction of a Recharge Credit shall be limited to the aquifer in which recharge water was percolated. Any well that has been screened both above and below the defined Corcoran Clay layer shall be considered to be extracting from below the Corcoran Clay
- 6) MCGSA reserves the right to review on-going data for each particular awarded Recharge Credit and adjust the percentage as may be warranted based on available data.
- 7) Recharge Credit
 - a) Owners participating in the MCGSA’s allocation approach may store legally acquired surface water underground within the MCGSA boundaries.
 - b) The amount of surface water diverted that results in recharge to the aquifer is highly variable due to factors such as time of year, soil type, method of recharge, and hydrogeologic characteristics of the Subbasins. For these reasons and to facilitate a manageable policy for the MCGSA, a baseline credit will be provided to the Owner, with opportunities to expand the credit based on site specific conditions.
 - i) The baseline Recharge Credit will be established as 75% of the measured quantity of surface water placed into the defined recharge area (field or basin) and will be credited to the Owner’s Farm Unit associated with the recharge area.
 - ii) Owners may derive a greater Recharge Credit based on site specific conditions, up to 15% over the baseline percentage, for a total of 90% as follows:
 - (1) Soil suitability (up to +15%)

- (a) Using the **Modified Soil Agricultural Groundwater Banking Index** (SAGBI)([link here](#)): Use the highest rating when at least 50% of the active recharge site (by area or individual parcel) is rated as:
 - (i) Excellent: +15%
 - (ii) Good: +10%
 - (iii) Moderately Good: +5%
- (b) Using soil boring and/or percolation test results corresponding to a depth of at least 20 feet: Owner will provide the MCGSA with the data and test results from a registered geotechnical engineer or certified agronomist corresponding to the active recharge site, whereby the MCGSA will make a determination for the following additional credit:
 - (i) Percolation greater than 1 inch per hour measured over 12 hours or equivalent measurement result: +15%
 - (ii) Percolation greater than 0.5 inch per hour measured over 12 hours or equivalent measurement result: +5%
- (2) Providing the MCGSA with a groundwater recharge/seepage study for the planned operation prepared by a certified professional, such as a professional engineer, geologist, or hydrogeologist, which documents that the active recharge site warrants an increase over the base percentage. The Recharge Credit will be set as determined by the study, not to exceed an additional 15%.
- c) No Owner will receive a Recharge Credit greater than 90% of the quantity diverted into the recharge site.
- d) Owners storing surface water pursuant to this policy may subsequently put the Recharge Credit to their own beneficial use within the Farm Unit Zone where the surface water storage occurred.
- e) Recharge Credits can be used at the owner's discretion, except that any available Recharge Credits will be used to offset any exceedance of the Farm Unit allocation.
- f) An Owner may agree to conduct surface water storage activities on behalf of another Owner or group of Owners within the same Farm Unit Zone so that the Recharge Credits will be allocated to the Owner or group of Owners on whose behalf the surface water storage is being conducted. Any such agreement shall be provided to the MCGSA and must include the following information:
 - i) The information required in section h) and i) for each participating Owner;
 - ii) The Owner or group of Owners on whose behalf the surface water storage is being conducted and the portion of the total Recharge Credit to be allocated to each Owner.
- g) Owners who store surface water pursuant to this policy shall provide MCGSA accurate, verifiable records of the quantity and source of surface water diverted and placed into an active recharge site, confirmed by invoice from the district or entity that supplied the

surface water or by the copy of the Owner's required submittal(s) to the State Water Resources Control Board.

- h) In order to be eligible for Recharge Credit, owners must provide the MCGSA with the following:
 - i) Owner contact information including Farm Unit receiving Surface Water Credit;
 - ii) Location of diversion identified by GPS coordinates;
 - iii) Method of diversion;
 - iv) Date and time of diversion start and stop;
 - v) Approximate soil infiltration rate at recharge site and estimated rate of diversion onto recharge site
 - vi) If the recharge site is a constructed basin, provide estimated capacity of basin
 - vii) Record of total amount of surface water placed into the active recharge site measured by a flowmeter, and consistent with the MCGSA flow meter policy, including photos of flowmeter at diversion start and stop;
 - viii) APN and map of surface water storage recharge site and layout;
 - ix) Description of the recharge site's use, including acreage and a crop type;
 - x) Method of applying surface water for underground storage (e.g. Flood-MAR, Recharge Basin).
 - xi) Extraction well(s) construction records or other documentation accurately defining any and all screened intervals;
 - xii) Owners that do not provide this information shall be ineligible for a Recharge Credit.
- i) Owner shall be solely responsible for locating, purchasing, diverting, conveying, accessing, or otherwise acquiring surface water for the purposes of storing surface water in accordance with this policy. Owner must provide MCGSA with documentation to demonstrate this condition.
- j) Owner is solely responsible for complying with the terms and conditions of any water right permit or license, with all rules promulgated by any district or entity supplying the surface water, and with applicable federal, state and local laws, rules and regulations.
- k) Owner must agree to indemnify and hold harmless the MCGSA for any activity not in compliance with law. Should any diversion or recharge used as a Recharge Credit in the future be determined invalid by any regulatory body other than MCGSA, any such credits recognized by the MCGSA will be rescinded and Owner will be required to make up any Recharge Credit utilized to date and to forfeit any associated unused Recharge Credits.
- l) Application of water pursuant to this section may not occur on any land where such application is restricted by Federal, State, or Local law.

- m) After coordination with the Owner, the MCGSA staff and/or other authorized agents may enter upon any land on which a recharge facility is located for the sole and exclusive purpose of conducting recharge inspections, including the collection and/or monitoring of groundwater levels.

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