



## **AGENDA**

### **MADERA COUNTY GROUNDWATER SUSTAINABILITY AGENCY (In the Madera, Chowchilla, and Delta-Mendota Subbasins) COMMITTEE MEETING**

**Tuesday, September 02, 2025  
01:30 PM**

**MEETING LOCATION  
Madera County Government Center  
200 W. 4th Street, Madera CA 93637  
Board of Supervisors' Chambers**

Any individual with a disability may request special assistance by contacting the Chief Clerk to the Board of Supervisors (acting on behalf of the Madera County GSAs).

Supporting documents relating to the items on this agenda are available through the County of Madera websites at [www.maderacounty.com](http://www.maderacounty.com) and [maderacountywater.com](http://maderacountywater.com). These documents are also available at the Office of the Clerk of the Board of Supervisors (acting on behalf of the Madera County GSAs), 200 West 4th Street, 4th Floor, Madera, CA 93637. Supporting documents relating to the items on this agenda that are not listed as 'Closed Session' may be submitted after the posting of the agenda and are available at the Office of the Clerk of the Board of Supervisors (acting on behalf of the Madera County GSAs). Please visit the Office of the Clerk of the Board of Supervisors (acting on behalf of the Madera County GSAs) for updates.

**PARTICIPATION LINK:**  
<https://us06web.zoom.us/j/86301588537>  
**Zoom Meeting ID: 863 0158 8537**

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- 1. CALL TO ORDER**
- 2. FLAG SALUTE**
- 3. PUBLIC COMMENT**

This is an opportunity for comment on items not on this agenda. This is also a place to suggest topics for future meetings. Comments can be five minutes or less.

#### **4. REGULAR BUSINESS**

##### **a. GSA-00001: ACTION ITEM**

Approval of the Madera County Groundwater Sustainability Agency Committee Meeting Minutes from August 5, 2025.

##### **b. GSA-00002: INFORMATION ITEM**

Results on Measurement Methods (and Accounting Platform) Questionnaire and Staff Recommendation with Grower Feedback.

##### **c. GSA-00003: ACTION ITEM**

Consideration and recommendation to the Board of Directors to adopt a Resolution establishing the Farm Unit Annual Changes Policy.

- This proposed Resolution and Policy is consistent with the authority granted under the Sustainable Groundwater Management Act (SGMA), and is exempt from CEQA under Guidelines sections 15307, 15308, and 15061(b)(3).

##### **d. GSA-00004: ACTION ITEM**

Consideration and recommendation to the Board of Directors to adopt a Resolution establishing the 2026 – 2040 GSP-Based Allocations for the Madera County Groundwater Sustainability Agencies in the Madera, Chowchilla and Delta-Mendota Subbasins.

- This proposed Resolution and Policy is consistent with the authority granted under the Sustainable Groundwater Management Act (SGMA), and is exempt from CEQA under Guidelines sections 15307, 15308, and 15061(b)(3).

#### **5. DIRECTORS' REPORTS**

#### **6. ADJOURN**



Committee Members  
Leticia Gonzalez  
Robert Macaulay

Any individual with a disability may request special assistance by contacting the chief clerk to the board of supervisors (acting on behalf of the Madera County GSAs).

Madera County  
Groundwater Sustainability Agency  
(in the Madera, Chowchilla, and Delta-Mendota Subbasins)  
Special Committee Meeting  
September 2, 2025  
1:30 p.m.

Meeting Location  
Madera County Government Center  
200 W. 4th Street, Madera CA 93637  
Board of Supervisors Chambers

REMOTE PARTICIPATION  
<https://us06web.zoom.us/j/86301588537>

Supporting documents relating to the items on this agenda are available through the County of Madera websites at [www.maderacounty.com](http://www.maderacounty.com) and [maderacountywater.com](http://maderacountywater.com). These documents are also available at the Office of the Clerk of the Board of Supervisors (acting on behalf of the Madera County GSAs), 200 West 4th Street, 4th Floor, Madera, CA 93637. Supporting documents relating to the items on this agenda that are not listed as 'Closed Session' may be submitted after the posting of the agenda and are available at the Office of the Clerk of the Board of Supervisors (acting on behalf of the Madera County GSAs). Please visit the Office of the Clerk of the Board of Supervisors (acting on behalf of the Madera County GSAs) for updates.

1. Flag Salute
2. Public Comment – This is an opportunity for comment on items not on this agenda. This is also a place to suggest topics for future meetings. Comments can be five minutes or less.





Committee Members  
Leticia Gonzalez  
Robert Macaulay

3. Action Item: Approval of the Madera County Groundwater Sustainability Agency Committee Meeting Minutes from August 5, 2025.
4. Informational Item: Results on Measurement Methods (and Accounting Platform) Questionnaire and Staff Recommendation with Grower Feedback
5. Action Item: Consideration and recommendation to the Board of Directors to adopt a Resolution establishing the Farm Unit Annual Changes Policy.
  - This proposed Resolution and Policy is consistent with the authority granted under the Sustainable Groundwater Management Act (SGMA), and is exempt from CEQA under Guidelines sections 15307, 15308, and 15061(b)(3).
6. Action Item: Consideration and recommendation to the Board of Directors to adopt a Resolution establishing the 2026 – 2040 GSP-Based Allocations for the Madera County Groundwater Sustainability Agencies in the Madera, Chowchilla and Delta-Mendota Subbasins.
  - This proposed Resolution and Policy is consistent with the authority granted under the Sustainable Groundwater Management Act (SGMA), and is exempt from CEQA under Guidelines sections 15307, 15308, and 15061(b)(3).
7. Directors' Reports
8. Adjourn

Upcoming GSA Committee Meetings:

October 7, 2025  
November 4, 2025







Committee Members  
Leticia Gonzalez  
Robert Macaulay

## ITEM 3

Madera County Groundwater Sustainability Agency  
(in the Madera, Chowchilla, and Delta-Mendota Subbasins)  
Committee Meeting  
August 5, 2025 @ 1:30 p.m.

Meeting Location: Madera County Government Center  
200 W. 4th Street, Madera CA 93637  
Board of Supervisors Chambers

REMOTE PARTICIPATION  
<https://zoom.us/j/89876438188>

### Attendance:

County GSA Directors: Leticia Gonzalez, Robert Macaulay

County GSA Staff: Stephanie Anagnoson, Jeannie Habben, Leticia Tapia, Jacinta Cabral, Tukta Phetasa, Aleta Allen, Emily Garcia, Chad Tienken (Davids Engineering)

County staff attending on behalf of the GSA: Angie Grandov, Regina Garza, Melisa DaSilva, Jessica Melgoza

9 members of public in person; 23 members of the public on Zoom

1. Flag Salute – This was led by Director Gonzalez
2. Public Comment – This is an opportunity for comment on items not on this agenda. This is also a place to suggest topics for future meetings. The comments can be five minutes or less.

There was one public comment.

3. Action Item: Approval of the Madera County Groundwater Sustainability Agency Committee Meeting Minutes from July 1, 2025.

Result: Motion passed  
Moved: Director Macaulay  
Second: Director Gonzalez  
Ayes: Director Gonzalez; Director Macaulay





Committee Members  
Leticia Gonzalez  
Robert Macaulay

ITEM 3

4. Informational Item: Measurement Methods (and Accounting Platform) RFP Update

This was presented by Aleta Allen.  
There was one public comment.

5. Action Item: Consideration and recommendation to the Board of Directors to enter into a Memorandum of Understanding between Valley Water Collaborative (VWC) and the 23 Groundwater Sustainability Agencies (GSAs) in the Delta-Mendota Subbasin, regarding water quality testing for domestic wells and replacement water supplies.

This was presented by Jacinta Cabral.  
There was one public comment.

Result: Motion passed  
Moved: Director Macaulay  
Second: Director Gonzalez  
Ayes: Director Gonzalez; Director Macaulay

6. Action Item: Consideration and recommendation to the Board of Directors to enter into an Amendment to MCC No.11686F-24 with Davids Engineering, Inc. for an amount not to exceed \$975,270.50 and amending the scope for professional engineering services associated with grant-funded recharge projects with a term date of June 30, 2027. All costs are reimbursed by a grant.

This was presented by Tukta Phetasa.  
There was one public comment.

Result: Motion passed  
Moved: Director Macaulay  
Second: Director Gonzalez  
Ayes: Director Gonzalez; Director Macaulay

7. Directors' Reports – Ms. Anagnoson provided some updates on recent activities.

8. Adjourn: 2:08pm





Committee Members  
Leticia Gonzalez  
Robert Macaulay

## ITEM 4

Date: September 2, 2025

To: Madera County Groundwater Sustainability Agency (GSA) Committee  
Leticia Gonzalez, Robert Macaulay

From: Stephanie Anagnoson, Director of Water and Natural Resources

Subject: Informational Item: Results on Measurement Methods (and Accounting Platform)  
Questionnaire and Staff Recommendation with Grower Feedback

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### **DISCUSSION:**

#### **Background**

Madera County Groundwater Sustainability Agency (Madera County GSA) tracks water use for irrigated acres within its boundaries using satellite measurements or meters. The choice of measurement is a grower decision. Two separate existing contracts for satellite measurement expire in 2025 at the end of the calendar year. The Madera County GSA has discussed evaluating options for satellite measurement repeatedly at the GSA Committee level as well as Board of Directors level.

On May 15, 2025, staff issued a request for proposals (RFP) for measurement method(s) as well as an accounting platform to operate in conjunction with measurement methods. Questions on the RFP were due on May 30, 2025. Over 30 questions were received and responded to by June 3, 2025, primarily related to measurement methods. Seven proposals were received. Presentations were conducted at the GSA Committee on July 1, 2025, with questions collected afterward in writing and via email. Questions were emailed to the respondents, and their responses posted on-line on [maderacountywater.com/measurement](http://maderacountywater.com/measurement). On July 11, 2025, a questionnaire was mailed to growers on their preferences with links to the presentations and proposals and with responses due by the end of the month.

The questionnaire was responded to by growers representing approximately 30% of the acres in the combined GSAs in the Madera, Chowchilla, and Delta-Mendota Subbasin.





Committee Members  
Leticia Gonzalez  
Robert Macaulay

ITEM 4

The results illustrated that:

While a majority of those who responded chose Irrigate/Hydrosat (52%), there was a minority that chose Land IQ (23%).

While a majority (60%) would like only one measurement method funded, a minority were willing to fund multiple methods (38%).

There were three measurement platform options that ranked approximately the same percent: CA Water Data Consortium with Groundwater Accounting Platform, 4 Creeks with Basin Safe and Davids Engineering with H2O Tech. Staff suggests asking the top three to do conduct longer demonstrations in a webinar.

Staff also recommends a three-year contract with Hydrosat based on the grower questionnaire. Staff does not recommend funding more than one measurement method based on the grower questionnaire.

**FISCAL IMPACT:**

There is a significant fiscal impact with awarding a contract or contracts for measurement methods and a groundwater accounting platform. The estimate of costs is somewhere between \$125,000 - \$500,000 depending on the number of measurement methods and accounting platform.

**ATTACHMENTS:**

N/A

AA/SA





Committee Members  
Leticia Gonzalez  
Robert Macaulay

ITEM 5

Date: September 2, 2025

To: Madera County Groundwater Sustainability Agency (GSA) Committee  
Leticia Gonzalez, Robert Macaulay

From: Stephanie Anagnoson, Director of Water and Natural Resources

Subject: Action Item: Consideration and recommendation to the Board of Directors to adopt a Resolution establishing the Farm Unit Annual Changes Policy.

This proposed Resolution and Policy is consistent with the authority granted under the Sustainable Groundwater Management Act (SGMA), and is exempt from CEQA under Guidelines sections 15307, 15308, and 15061(b)(3).

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## **DISCUSSION:**

### **Background**

Farm units are the primary unit for allocations. Farm units are used in both assessing carryover (credits) and penalties (debits). Annually, farm units can be adjusted to add or subtract land. During this time, carryover and penalties may need to be distributed to acres.

The purpose of this item is for the GSA Committee to formalize policy flexibility related to the splitting, joining, and selling of farm units related to carryover and penalties.

Under the Sustainable Groundwater Management Act (SGMA), the Madera County GSA has authority to issue groundwater extraction allocations and regulate their use. The County GSA has historically allowed farm units to share groundwater allocations to reflect real-world farming operations. This proposed policy further refines existing procedures to promote flexibility, fairness, and clarity.

### **Carryover**

Carryover is unused allocation water rolled over automatically from year to year. Carryover can also be recharge and/or surface water purchase credits that roll over automatically from





Committee Members  
Leticia Gonzalez  
Robert Macaulay

## ITEM 5

year to year. If a farm unit is split, the carryover credit is distributed to the resulting farm units using a volumetric apportionment approach, unless a negotiated lease, sales or other agreement provides for a different carryover split.

If the farm unit parties wish to split carryover credit allocations using a calculation different than a volumetric apportionment approach, the farm unit parties shall provide a fully executed lease, sales, or other written agreement which describes the carryover credit allocation in such a way that it is clear and understandable and can be carried out by GSA staff.

Staff recommends allowing flexibility for growers to negotiate carryover terms within a lease sales, or other agreement. If a fully executed lease, sales or other agreement is provided, staff would follow the terms of that agreement for distribution of carryover. This revision is supported by the Madera County GSA's existing farm unit policy, which is to allow flexibility and reflect real-world farming conditions in which resources are shared among commonly operated or managed lands (Resolution 2020-166).

### **Penalties**

Farm unit penalties shall be assigned by a volumetric apportionment approach to each assessor's parcel unit ("APN") within the farm unit. This allows the farm unit penalty to be assessed through the County Tax Collector's Office if the penalties are unpaid after direct mail from the GSA.

- If a farm unit is sold during the calendar year and has penalties attributable to the calendar year, staff recommends that the owner for the majority of the calendar year shall be responsible for paying the penalty unless a lease, sales or other agreement applies.

### **How the Volumetric Apportionment Approach Works**

The GSA shall distribute both carryover credits and penalties to individual parcels within each farm unit using a volumetric apportionment approach. This approach uses a volumetric allocation process that accounts for how much groundwater each parcel actually uses, when distributing carryover credits and penalties to the individual parcels within the farm unit.





Committee Members  
Leticia Gonzalez  
Robert Macaulay

## ITEM 5

The volumetric apportionment approach proportionally allocates credits and penalties based on each parcel's contribution to the farm unit's overall groundwater use:

- **For carryover credits:** If a farm unit earns carryover credits, parcels that used less water (contributing more to the carryover credit) receive a larger share of the carryover credit.
- **For penalties:** If a farm unit incurs penalties, parcels that used more water (contributing more to the penalty) bear a larger share of those penalties.

This parcel-level tracking facilitates changes to allocation when farm units are divided, sold, or reconfigured over time.

### **FISCAL IMPACT:**

There is no anticipated fiscal impact associated with approval of this resolution.

### **ATTACHMENTS:**

1. Resolution Adopting Farm Unit Changes
2. RES NO. 2021-069

LT/SA



**THE BOARD OF DIRECTORS  
OF THE COUNTY OF MADERA  
GROUNDWATER SUSTAINABILITY AGENCIES  
FOR THE MADERA, CHOWCHILLA, AND DELTA-MENDOTA SUBBASINS**

In the Matter of

THE SUSTAINABLE  
GROUNDWATER MANAGEMENT  
ACT

) Resolution No.: \_\_\_\_\_

)  
) **RESOLUTION ADOPTING POLICY FOR**  
) **ALLOCATION OF CARRYOVER**  
) **CREDITS AND PENALTIES**  
) **DURING FARM UNIT**  
) **REORGANIZATION**  
)

**WHEREAS**, the Sustainable Groundwater Management Act, Water Code sections 10720-10737.8 ("SGMA"), was signed into law on September 14, 2014;

**WHEREAS**, SGMA requires that each groundwater basin be managed by a Groundwater Sustainability Agency ("GSA"), or multiple GSAs, and that such management be pursuant to an approved Groundwater Sustainability Plan ("GSP"), or multiple GSPs;

**WHEREAS**, SGMA provides GSAs with the authority and the technical and financial framework necessary to sustainably manage groundwater, and a GSA has the powers conferred in SGMA to provide the maximum degree of local control and flexibility consistent with the sustainability goals of SGMA;

**WHEREAS**, the County of Madera ("County") is the exclusive GSA for the portions of the Madera, Chowchilla, and Delta-Mendota Subbasins that are in unincorporated areas of the County and is not otherwise covered by another public agency (hereinafter referred to in the singular as the "County GSA"), and the Board of Supervisors is the ex officio Board of Directors (hereinafter "Board of Directors") for the County GSA;



**WHEREAS**, under SGMA, a GSA has the authority to limit extractions from groundwater wells, establish groundwater extraction allocations, and authorize temporary and permanent transfers of groundwater extraction allocations, and a GSA may adopt rules, regulations, ordinances, and resolutions to further these ends;

**WHEREAS**, the County GSAs have analyzed groundwater use over historical periods to the present and have noticed a significant increase in water demand caused by recent plantings of permanent crops into previously unplanted lands and the replacement of lower-water-using plants with higher-water-using plants, thus further exacerbating the challenges the GSPs seek to address with respect to achieving sustainability;

**WHEREAS**, on December 15, 2020, the Board of Directors adopted Resolution No. 2020-166, adopting an approach to allocating groundwater (the “Allocation Approach”) in the Subbasins, allowing parcels meeting certain criteria (hereafter “eligible parcels”) to have access to groundwater classified using two (2) designations:

1. The sustainable yield of native groundwater; and
2. Transitional water that is continued overdraft but will incrementally decrease during the GSP implementation period;

**WHEREAS**, the Allocation Approach allows the County GSAs’ per-acre (parcel-based) allocations of sustainable yield and transitional water to be shared within designated “farm units” to allow flexibility and reflect real-world farming conditions in which resources are shared among commonly operated or managed lands;

**WHEREAS**, because a farm unit is for the purpose of allowing a landowner and/or land manager to group parcels together within the same farm unit zone that are commonly

operated or managed, it should be demonstrated to the satisfaction of the County GSA an existing relationship of owning/managing for any parcels to be included in a farm unit;

**WHEREAS**, on June 8, 2021, the County GSA Board of Directors adopted Resolution No. 2021-069, establishing rules for farm unit allocations including carryover allocations;

**WHEREAS**, it is the desire of the Board of Directors to adopt a resolution that further formalizes such allocation of carryover credits and penalties during farm unit reorganization at the year-end; and

**WHEREAS**, this Resolution is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections 15307 (action of regulatory agency to protect natural resources), 15308 (action of a regulatory agency to protect the environment), and 15061(b)(3) (the "common sense" exemption where a project is exempt if it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment).

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors for the County GSA in the Madera, Chowchilla and Delta-Mendota Subbasins, as follows:

1. The recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The rules governing farm unit carryover allocation and penalties during farm unit reorganization are attached hereto as Exhibit "A."
3. The Director of the Department of Water and Natural Resources is hereby authorized and directed to take further actions as may be necessary to implement the intent and purposes of this resolution.

\* \* \* \* \*

The foregoing Resolution was adopted this \_\_\_\_ day of \_\_\_\_\_ 2025, by  
the following vote:

Director Wamhoff voted: \_\_\_\_\_

Director Rogers voted: \_\_\_\_\_

Director Poythress voted: \_\_\_\_\_

Director Gonzalez voted: \_\_\_\_\_

Director Macaulay voted: \_\_\_\_\_

\_\_\_\_\_  
Chair, Board of Directors

ATTEST:

\_\_\_\_\_  
Clerk, Board of Directors

Approved as to Legal Form  
COUNTY COUNSEL

By: **Rebecca D. Wilson**  
Digitally signed by: Rebecca D. Wilson  
DN: CN = Rebecca D. Wilson  
email = rwilson@lozanosmith.com  
C = US O = Lozano Smith  
Date: 2025.08.27 09:01:35 -07'00'

# **EXHIBIT A**



## **Policy For Allocation of Carryover Credits And Penalties During Annual Farm Unit Reorganization**

At the end of each year, Madera County Groundwater Sustainability Agency in the Madera, Chowchilla and Delta-Mendota Subbasins (“GSA”) staff allow farm units to be reorganized within farm unit zones. This might include a farm unit that is split from one farm unit into multiple farm units. This also might include a farm unit that is created by combining existing farm units.

If members of a farm unit wish to split a farm unit or sell land within a farm unit, GSA staff recommend notifying the GSA at least 30 days before the proposed split or sale.

### **Carryover Credits**

The Sustainable Groundwater Management Act (“SGMA”) expressly gives GSAs the power to: “establish accounting rules to allow unused groundwater extraction allocations issued by the agency to be carried over from one year to another and voluntarily transferred.” (Water Code, § 10726.4 (a)(4).) Allowing variation in farm unit carryover allocations also tends to be supported by the Madera County GSA’s allocation policy which is *“to allow flexibility and reflect real-world farming conditions”* in which resources are shared among commonly operated or managed lands” (emphasis added) (Resolution 2020-166.)

Groundwater allocation carryover credits will automatically roll over from year to year. If a farm unit is split, the carryover credit is distributed to the resulting farm units using a volumetric apportionment approach, unless a negotiated lease, sales or other written agreement provides for a different carryover split.

If the farm unit parties wish to split carryover credit allocations using a calculation different than a volumetric apportionment approach, the farm unit parties shall provide a fully executed lease, sales or other written agreement that describes the carryover credit allocation in such a way that it is clear and understandable and can be carried out by GSA staff.

### **Penalties**

Farm unit penalties shall be assigned by a volumetric apportionment approach to each assessor’s parcel unit (“APN”) within the farm unit. This allows the farm unit penalty to be





assessed through the County Treasurer-Tax Collector's Office if the penalties are unpaid after direct mail from the GSA.

If a farm unit is sold during the calendar year and has penalties attributable to the calendar year, the owner for the majority of the calendar year shall be responsible for paying the penalty unless a lease, sales or other written agreement applies.

### **How the Volumetric Apportionment Approach Works**

The GSA shall distribute both carryover credits and penalties to individual parcels within each farm unit using a volumetric apportionment approach. This approach uses a volumetric allocation process that accounts for how much groundwater each parcel actually uses, when distributing carryover credits and penalties to the individual parcels within the farm unit.

The volumetric apportionment approach proportionally allocates credits and penalties based on each parcel's contribution to the farm unit's overall groundwater use:

- **For carryover credits:** If a farm unit earns carryover credits, parcels that used less water (contributing more to the carryover credit) receive a larger share of the carryover credit.
- **For penalties:** If a farm unit incurs penalties, parcels that used more water (contributing more to the penalty) bear a larger share of those penalties.

This parcel-level tracking facilitates changes to allocations when farm units are divided, sold, or reconfigured over time.



**BEFORE THE  
BOARD OF DIRECTORS FOR THE  
COUNTY OF MADERA GROUNDWATER  
SUSTAINABILITY AGENCY**

In the Matter of	)	Resolution No.: <u>2021 - 069</u>
	)	
SUSTAINABLE GROUNDWATER	)	<b>RESOLUTION ESTABLISHING</b>
MANAGEMENT ACT	)	<b>GROUNDWATER ALLOCATION</b>
	)	<b>AMOUNTS FOR 2021 THROUGH 2025</b>
	)	<b>AND FARM UNIT DOCUMENTATION</b>
_____	)	

**WHEREAS**, the Sustainable Groundwater Management Act of 2014, Water Code sections 10720-10737.8 ("SGMA") was signed into law on September 16, 2014.

**WHEREAS**, SGMA requires that each California groundwater basin be managed by a Groundwater Sustainability Agency ("GSA"), or multiple GSAs, and that such management be implemented pursuant to an approved Groundwater Sustainability Plan ("GSP"), or multiple GSPs.

**WHEREAS**, SGMA provides GSAs with the authority and the technical and financial assistance necessary to sustainably manage groundwater, and a GSA has the powers conferred in SGMA to provide the maximum degree of local control and flexibility consistent with the sustainability goals of SGMA.

**WHEREAS**, Madera County encompasses the Madera Subbasin (Basin No. 5-22.06), the Chowchilla Subbasin (Basin No. 5-22.05), and, in part, the Delta-Mendota Subbasin (Basin No. 5-22.07) in the San Joaquin Valley Groundwater basin (collectively the "Subbasins"), all of which have been designated as high-priority basins by the California Department of Water Resources ("DWR").

**WHEREAS**, on January 24, 2017, the Board of Supervisors for the County of Madera elected to have the County of Madera become the exclusive GSA for the portions of the Subbasins that are in unincorporated areas of Madera County, and not otherwise covered by another public agency (hereinafter “County GSAs”).

**WHEREAS**, on or about May 13, 2017, the County of Madera became the exclusive GSA for the relevant portions the Subbasins, and the County Board of Supervisors became the ex officio Board of Directors for the County GSAs.

**WHEREAS**, on December 17, 2019, the County GSAs adopted GSPs for the Subbasins that described a “sustainable yield” of native groundwater (water that naturally exists in the Subbasins from seepage and percolation) of approximately 0.5 acre-feet per acre for the Subbasins.

**WHEREAS**, consumptive use of groundwater within the County GSA boundaries exceeds the available sustainable yield, and the GSPs identified demand reduction as a critical management action to achieve to achieve SGMA’s sustainability goal in the Subbasins within 20 years of the implementation of the GSPs.

**WHEREAS**, under SGMA a GSA has the authority to limit extractions from groundwater wells, establish groundwater extraction allocations, authorize temporary and permanent transfers of groundwater extraction allocations, and a GSA may adopt rules, regulations, ordinances, and resolutions to further these ends.

**WHEREAS**, the County GSAs have analyzed groundwater use over historical periods to the present, and have noticed a significant increase in water demand caused by recent plantings of permanent crops into previously unplanted lands and the replacement of lower-



water using plants with higher-water using plants, thus further exacerbating the challenges the GSPs seek to address with respect to achieving sustainability within the Subbasins; and

**WHEREAS**, on December 15, 2020, the Board of Directors adopted a Resolution No: 2020-166 adopting an approach to allocating groundwater (the “Allocation Approach”) in the Subbasins.

**WHEREAS**, the Allocation Approach includes access to groundwater classified using two designations:

- a. A “sustainable yield” of native groundwater; and
- b. “Transitional water” that is continued overdraft of the Subbasins but will incrementally decrease during the GSP implementation period.

**WHEREAS**, the Allocation Approach is a process whereby sustainable yield access is offered to overlying groundwater rights users every five years, and whereby participation will include (a) the opportunity to pump a designated quantity of sustainable yield within each year, (b) the opportunity to pump a designated quantity of transitional water within each year, and (c) the requirement to pay for pumped quantities of sustainable yield and transitional water based upon a volumetric rate structure that is to be established at a future date.

**WHEREAS**, the Allocation Approach allows the County GSAs’ per-acre (parcel-based) allocations of sustainable yield and transitional water to be shared within designated “farm units” so as to allow flexibility and reflect real-world farming conditions in which resources are shared among commonly operated or managed lands.

**WHEREAS**, because a farm unit is for the purpose of allowing a landowner and/or land manager to group parcels together that are commonly operated or managed, it should be

demonstrated to the satisfaction of the County GSA an existing relationship of owning/managing for any parcels to be included in a farm unit.

**WHEREAS**, in furtherance of the Allocation Approach, the County GSA has calculated a per acre allocation of sustainable yield and transitional water for each County GSA based on best available data, and such calculations are contained in tables ("Tables") that are attached hereto as **Exhibit A**.

**WHEREAS**, the allocation shall be limited to use within the parcel or within the designated farm unit.

**WHEREAS**, irrigated land includes agricultural lands that are currently irrigated as of June 8, 2021, or were last irrigated as recently as January 1, 2015, but now may otherwise be non-irrigated (e.g. fallowed or idle).

**WHEREAS**, in determining what constitutes an irrigated parcel, the County GSA may rely upon (1) Madera County Assessor records, (2) satellite or aerial imagery, (3) evapotranspiration analysis performed by a remote sensing service, (4) County GSA staff inspection, and (5) the submittal by parcel owner or representative of pertinent documentation when enrolling the parcel into to the GSA Allocation Approach and acceptance of associated requirements imposed therein, any and all of which would need to be to the satisfaction of the County GSA.

**WHEREAS**, the establishment of allocation amounts and farm unit documentation requirements is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections 15307 (action of a regulatory agency to protect natural resources), 15308 (action of a regulatory agency to protect the environment), and 15061(b)(3) (the "common sense" exemption where a project is exempt if can be seen with certainty that

there is no possibility that the activity in question may have a significant effect on the environment).

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors for the County GSAs, as follows:

1. The above Recitals are hereby incorporated by reference and are made a substantive part of this Resolution.
2. In order to receive an allocation for a farm unit, a landowner must demonstrate to the satisfaction of the County GSA an existing relationship of owning/managing for any parcels to be included in a farm unit.
3. A true and correct copy of the Tables is attached hereto as **Exhibit A**, and the Tables are hereby approved and adopted.
4. Groundwater allocations shall be limited to use within the parcel or within the designated farm unit.
5. Transitional water will only be allocated to lands that are considered irrigated lands as of the date of the adoption of this Resolution.
6. The Director of the County Department of Water and Natural Resources ("Department Director") is hereby authorized and directed to take all measures in furtherance of, and consistent with, this Resolution.

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\* \* \* \* \*

The foregoing Resolution was adopted this 8<sup>TH</sup> day of JUNE, 2021, by

the following vote:



Director Frazier voted:

Director Rogers voted:

Director Poythress voted:

Director Gonzalez voted:

Director Wheeler voted:

yes  
yes  
yes  
yes  
yes

Robert Poythress  
Robert Poythress  
Chairman, Board of Directors

ATTEST:

Karen Poy  
Clerk, Board of Directors

Approved as to Legal Form:  
COUNTY COUNSEL

**Michael R.**

By Linden

Digitally signed by: Michael R.  
Linden

DN: CN = Michael R. Linden email =  
mlinden@lozanosmith.com C = US

O = LOZANO SMITH

Date: 2021.06.08 17:17:04 -07'00'

Exhibit A

Allocations

Option C

Madera County GSA: Madera Subbasin							
	GSA Allocations (af/yr)		Per-Acre Allocation (inches/ac/yr)				
Year	SY	TW	B-SY	Re-SY	TW	Total for Irr.	Total Non-irr.
2020	90,000	113,000	6	7	16.0	28.7	0
2021		110,740			15.6	28.3	0
2022		108,480			15.3	28.0	0
2023		106,220			15.0	27.7	0
2024		103,960			14.7	27.4	0
2025		101,700			14.4	27.1	0
Irrigated Acres = 85,000			Can access B-SY, Re-SY and TW				
Non-Irr. Opt-in acres = 0			Can access only B-SY and Re-SY				
Total GSA acres = 185,000							
Per-Acre Allocation Terms:							
Base Sustainable Yield (B-SY) - the quantity of sustainable yield of native groundwater when shared equally over all GSA acres at 6 in/ac/yr.							
Re-allocated Sustainable Yield (Re-SY) - the amount of Base Sustainable Yield remaining when considering GSA parcels that have chosen to opt-out. The quantity is divided and shared equally among the remaining opt-in parcels and added to the Base Sustainable Yield, estimated at 3 in/ac/yr.							
Transition Water (TW) - the annual quantity available to irrigated or non-irrigated lands. This quantity will decrease annually until zero. "Never-irrigated" lands are not eligible for Transition Water.							

Madera County GSA: Chowchilla Subbasin							
	GSA Allocations (af/yr)		Per-Acre Allocation (inches/ac/yr)				
Year	SY	TW	B-SY	Re-SY	TW	Total for Irr.	Total Non-irr.
2020	22,500	63,400	6	1.1	20.0	27.1	0
2021		62,132			19.6	26.7	0
2022		60,864			19.2	26.3	0
2023		59,596			18.8	25.9	0
2024		58,328			18.4	25.5	0
2025		57,060			18.0	25.1	0
Irrigated Acres = 38,000			Can access B-SY, Re-SY and TW				
Non-Irr. Opt-in acres = 0			Can access only B-SY and Re-SY				
Total GSA acres = 45,000							
Per-Acre Allocation Terms:							
Base Sustainable Yield (B-SY) - the quantity of sustainable yield of native groundwater when shared equally over all GSA acres at 6 in/ac/yr.							
Re-allocated Sustainable Yield (Re-SY) - the amount of Base Sustainable Yield remaining when considering GSA parcels that have chosen to opt-out. The quantity is divided and shared equally among the remaining opt-in parcels and added to the Base Sustainable Yield, estimated at 0.5 in/ac/yr.							
Transition Water (TW) - the annual quantity available to irrigated or non-irrigated lands. This quantity will decrease annually until zero. "Never-irrigated" lands are not eligible for Transition Water.							



Madera County GSA: Delta Mendota Subbasin							
	GSA Allocations (af/yr)		Per-Acre Allocation (inches/ac/yr)				
Year	SY	TW	B-SY	Re-SY	TW	Total for Irr.	Total Non-irr.
2020	1,500	2,000	6	2.6	11.4	20.0	0
2021		1,960			11.2	19.8	0
2022		1,920			11.0	19.6	0
2023		1,880			10.7	19.3	0
2024		1,840			10.5	19.1	0
2025		1,800			10.3	18.9	0
Irrigated Acres = 2,100					Can access B-SY, Re-SY and TW		
Non-Irr. Opt-in acres = 0			Can access only B-SY and Re-SY				
Total GSA acres = 3,000							
Per-Acre Allocation Terms:							
<b>Base Sustainable Yield (B-SY)</b> - the quantity of sustainable yield of native groundwater when shared equally over all GSA acres at 6 in/ac/yr.							
<b>Re-allocated Sustainable Yield (Re-SY)</b> - the amount of Base Sustainable Yield remaining when considering GSA parcels that have chosen to opt-out. The quantity is divided and shared equally among the remaining opt-in parcels and added to the Base Sustainable Yield, estimated at 2.6 in/ac/yr.							
<b>Transition Water (TW)</b> - the annual quantity available to irrigated or non-irrigated lands. This quantity will decrease annually until zero. "Never-irrigated" lands are not eligible for Transition Water.							



Committee Members

Leticia Gonzalez

Robert Macaulay

## ITEM 6

Date: September 2, 2025

To: Madera County Groundwater Sustainability Agency (GSA) Committee  
Leticia Gonzalez, Robert Macaulay

From: Stephanie Anagnoson, Director of Water and Natural Resources

Subject: Action Item: Consideration and recommendation to the Board of Directors to adopt a Resolution establishing the 2026 – 2040 GSP-Based Allocations for the Madera County Groundwater Sustainability Agencies in the Madera, Chowchilla and Delta-Mendota Subbasins.

This proposed Resolution and Policy is consistent with the authority granted under the Sustainable Groundwater Management Act (SGMA), and is exempt from CEQA under Guidelines sections 15307, 15308, and 15061(b)(3).

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### **DISCUSSION:**

#### **Background**

The Madera County Groundwater Sustainability Agency in the Madera, Chowchilla and Delta-Mendota Subbasins (Madera County GSAs) is responsible for areas in each defined Subbasin that lack surface water supply and are not within another groundwater sustainability agency's boundaries. In these areas, the Madera County GSAs previously established groundwater allocation programs for the irrigated agricultural acres within each Madera County GSA in each Subbasin, including penalties for violating the allocation program. While the adopted Groundwater Sustainability Plans (GSPs) in each Subbasin provide an expected percentage decrease in allocations through 2040, the Madera County GSAs' previously adopted allocation only published annual per-acre quantities for 2020 through 2025. Annual per-acre groundwater allocation quantities for each of the remaining years from 2026-2040 should be adopted to provide clear notice to those enrolled in the program, and to be consistent with the intent of the board when it adopted the GSPs and the allocation program.







Committee Members  
Leticia Gonzalez  
Robert Macaulay

## ITEM 6

The following are excerpts from each Subbasin GSP representing the planned reduction in the allocation.

### **Madera Subbasin, Madera County GSA** 2025 Joint GSP Amendment, p. 4-43

*“Madera County plans to gradually phase-in demand management between now and 2040. Starting in 2020 and continuing through 2025, average annual groundwater pumping will be reduced by 2% (of the total demand reduction amount) per year, for a total cumulative reduction of 10% by 2025. Groundwater pumping will be reduced by 6% per year starting in 2026 and continuing through 2040.”*

### **Chowchilla Subbasin, Madera County GSA** Chowchilla Revised GSP, p. 4-31

*“Starting in 2021 and continuing through 2025, average annual groundwater pumping is reduced by 2% (of the total demand reduction amount) per year, for a total cumulative reduction of 10% by 2025. Groundwater pumping is planned to be reduced by 6% per year starting in 2026 and continuing through 2040. -2025 Revised Chowchilla GSP.”*

### **Delta Mendota Subbasin, Madera County GSA** Delta Mendota Subbasin GSP, Projects and Management Actions, p. 28

SIREC-1	Groundwater Allocations - Madera County GSA	Madera County GSA - Delta-Mendota	Allocations for sustainable yield and transitional water have been established for irrigated acres within the Madera County GSA- Delta Mendota Subbasin. The allocations decrease over time per set schedule until the sustainable yield is met. From 2021 to 2025, allocations were designed to reduce transitional water by 2% annually. Transitional water will be reduced by 6% annually from 2025 to 2040 pending the GSP Periodic Evaluation.	X		X	X	Implementation underway	Allocation reports, acreages, and measurement options are sent yearly	N/A	Ongoing; From 2021 to 2025, allocations are designed to reduce transitional water by 2% annually
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## **ACTION:**

Total available and per-acre allocations through 2040 for the Madera County GSAs in the Madera, Chowchilla, and Delta-Mendota subbasins are shown in Exhibit A. The per-acre allocations available starting in 2026 are reduced slightly in the Madera Subbasin and increased in the Delta Mendota Subbasin due to a reassessment of the qualifying irrigated agricultural acreage. The Madera Subbasin has approximately





Committee Members

Leticia Gonzalez

Robert Macaulay

ITEM 6

3,000 additional acres, dropping the Reallocated Sustainable Yield (ReSY) from 6.7 inches per acre to 6.3 inches per acre. The acreage in the Delta Mendota decreased, resulting in an increased per-acre allocation.

Staff recommendation is to adopt these allocations in keeping with the relevant adopted GSP for each Subbasin.

**FISCAL IMPACT:**

Allocations have a fiscal impact directly on the agricultural community and indirectly on a much larger sphere of businesses and individuals who rely on farming. However, the consequences of not adopting allocations include potential State Board intervention, drastic and immediate decline in farming, widespread subsidence and many more domestic wells going dry.

**ATTACHMENTS:**

1. Resolution establishing 2026 – 2040 GSP-Based Allocations for the Madera County Groundwater Sustainability Agencies in the Madera, Chowchilla and Delta-Mendota Subbasins
2. RES NO. 2020-166
3. RES NO. 2021-069
4. RES NO. 2021-113

SA



**THE BOARD OF DIRECTORS  
OF THE COUNTY OF MADERA  
GROUNDWATER SUSTAINABILITY AGENCIES  
FOR THE MADERA, CHOWCHILLA, AND DELTA-MENDOTA SUBBASINS**

In the Matter of	)	Resolution No.: <u>2025 -</u>
	)	
GROUNDWATER SUSTAINABILITY	)	RESOLUTION ADOPTING
AGENCIES	)	GROUNDWATER ALLOCATION
	)	AMOUNTS FOR
	)	2026 THROUGH 2040
_____	)	

**WHEREAS**, the Sustainable Groundwater Management Act, Water Code sections 10720-10737.8 ("SGMA"), was signed into law on September 14, 2014;

**WHEREAS**, SGMA requires that each groundwater basin be managed by a Groundwater Sustainability Agency ("GSA" or "GSAs"), or multiple GSAs, and that such management be pursuant to an approved Groundwater Sustainability Plan ("GSP"), or multiple GSPs;

**WHEREAS**, SGMA provides GSAs with the authority and the technical and financial framework necessary to sustainably manage groundwater, and a GSA has the powers conferred in SGMA to provide the maximum degree of local control and flexibility consistent with the sustainability goals of SGMA;

**WHEREAS**, the County of Madera ("County") is the exclusive GSA for the portions of the Madera, Chowchilla, and Delta-Mendota Subbasins that are in unincorporated areas of Madera County, and not otherwise covered by another public agency ("County GSAs"), and the Board of Supervisors is the ex officio Board of Directors for the County GSAs;

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**WHEREAS**, the Director of the County Department of Water and Natural Resources manages the day-to-day operations of the County GSAs (“GSA manager”);

**WHEREAS**, under SGMA, a GSA has the authority to limit extractions from groundwater wells, establish groundwater extraction allocations, and authorize temporary and permanent transfers of groundwater extraction allocations, and a GSA may adopt rules, regulations, ordinances, and resolutions to further these ends;

**WHEREAS**, the Madera, Chowchilla, and Delta-Mendota Subbasins have been and currently are in a state of overdraft, with groundwater extractions exceeding recharge, and the GSAs determined that demand management is needed;

**WHEREAS**, on December 15, 2020, the Board of Directors adopted Resolution No. 2020-166, adopting a Groundwater Allocation Approach;

**WHEREAS**, on June 8, 2021, the County GSA Board of Directors adopted Resolution No. 2021-069, establishing rules for farm unit allocations including carryover allocations for 2020-2025;

**WHEREAS**, on August 17, 2021, the County GSA Board of Directors adopted Resolution No. 2021-113, making refinements to the allocations;

**WHEREAS**, in furtherance of the Groundwater Allocation Approach, and consistent with the intent of the program at the time the Groundwater Allocation Approach was first adopted, the County GSA has calculated a per acre allocation of sustainable yield and transitional water for each County GSA for 2026-2040 based on best available data, and such calculations are contained in the tables (“Tables”) that are attached hereto as **Exhibit A**; and

**WHEREAS**, this Resolution is exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines sections 15307 (action of regulatory agency to protect natural resources), 15308 (action of a regulatory agency to protect the environment), and 15061(b)(3) (the “common sense” exemption where a project is exempt if it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment).

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors for the County GSA in the Madera, Chowchilla, and Delta-Mendota Subbasins, as follows:

1. The above Recitals are hereby incorporated by reference and are made a substantive part of this Resolution.
2. A true and correct copy of the Tables is attached hereto as **Exhibit A**, and the Tables are hereby approved and adopted.
3. The Director of the County Department of Water and Natural Resources (“Department Director”) is hereby authorized and directed to take all measures in furtherance of, and consistent with, this Resolution.

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\* \* \* \* \*

The foregoing Resolution was adopted this \_\_\_\_\_ day of \_\_\_\_\_,  
2025, by the following vote:

Director Wamhoff voted: \_\_\_\_\_

Director Rogers voted: \_\_\_\_\_

Director Poythress voted: \_\_\_\_\_

Director Gonzalez voted: \_\_\_\_\_

Director Macaulay voted: \_\_\_\_\_

\_\_\_\_\_  
Chair, Board of Directors

ATTEST:

\_\_\_\_\_  
Clerk, Board of Directors

Approved as to Legal Form  
COUNTY COUNSEL

By: **Rebecca Wilson**  
Digitally signed by: Rebecca Wilson  
DN: CN = Rebecca Wilson email  
= rwilson@lozanosmith.com C =  
US O = LOZANO SMITH  
Date: 2025.08.28 15:49:12 -07'00'

## **EXHIBIT A**



## Exhibit A

### Madera Subbasin, Madera County GSA

Madera County GSA: Madera Subbasin							
	GSA Allocations (af/yr)		Per-Acre Allocation (inches/ac/yr)				
Year	SY	TW	B-SY	Re-SY	TW	Total for Irr.	Total Non-irr.
2020	90,000	113,000	6	6.7	16.0	28.7	0
2021		110,740			15.6	28.3	0
2022		108,480			15.3	28.0	0
2023		106,220			15.0	27.7	0
2024		103,960			14.7	27.4	0
2025		101,700			14.4	27.1	0
2026		94,920		6.3	12.9	25.2	0
2027		88,140			12.0	24.3	0
2028		81,360			11.1	23.4	0
2029		74,580			10.2	22.5	0
2030		67,800			9.2	21.5	0
2031		61,020			8.3	20.6	0
2032		54,240			7.4	19.7	0
2033		47,460			6.5	18.8	0
2034		40,680	5.5		17.8	0	
2035		33,900	4.6		16.9	0	
2036		27,120	3.7	16.0	0		
2037		20,340	2.8	15.1	0		
2038		13,560	1.8	14.1	0		
2039		6,780	0.9	13.2	0		
2040	0	0.0	12.3	0			
Irrigated Ac. 2020 to 2025 =			85,000	Can access B-SY, Re-SY and TW			
Irrigated Ac. 2026 to 2040 =			88,154				
Non-Irr. Opt-in acres =			0	Can access only B-SY and Re-SY			
Total GSA acres =			185,000				
Per-Acre Allocation Terms:							
Base Sustainable Yield (B-SY) - the quantity of sustainable yield of native groundwater when shared equally over all GSA acres at 6 in/ac/yr.							
Re-allocated Sustainable Yield (Re-SY) - the amount of Base Sustainable Yield remaining when considering GSA parcels that have chosen to opt-out. The quantity is divided and shared equally among the remaining opt-in parcels and added to the Base Sustainable Yield, estimated at 3 in/ac/yr.							
Transition Water (TW) - the annual quantity available to irrigated or non-irrigated lands. This quantity will decrease annually until zero. "Never-irrigated" lands are not eligible for Transition Water.							





## Exhibit A (continued)

### Chowchilla Subbasin, Madera County GSA

Madera County GSA: Chowchilla Subbasin							
	GSA Allocations (af/yr)		Per-Acre Allocation (inches/ac/yr)				
Year	SY	TW	B-SY	Re-SY	TW	Total for Irr.	Total Non-irr.
2020	22,500	63,400	6	1.1	20.0	27.1	0
2021		62,132			19.6	26.7	0
2022		60,864			19.2	26.3	0
2023		59,596			18.8	25.9	0
2024		58,328			18.4	25.5	0
2025		57,060			18.0	25.1	0
2026		53,256		1.1	16.8	23.9	0
2027		49,452			15.6	22.7	0
2028		45,648			14.4	21.5	0
2029		41,844			13.2	20.3	0
2030		38,040			12.0	19.1	0
2031		34,236			10.8	17.9	0
2032		30,432			9.6	16.7	0
2033		26,628			8.4	15.5	0
2034		22,824			7.2	14.3	0
2035		19,020			6.0	13.1	0
2036		15,216			4.8	11.9	0
2037		11,412			3.6	10.7	0
2038		7,608			2.4	9.5	0
2039		3,804			1.2	8.3	0
2040	0	0.0	7.1	0			
Irrigated Ac. 2020 to 2025 =			38,000	Can access B-SY, Re-SY and TW			
Irrigated Ac. 2026 to 2040 =							
Non-Irr. Opt-in acres =			0	Can access only B-SY and Re-SY			
Total GSA acres =			45,000				
Per-Acre Allocation Terms:							
Base Sustainable Yield (B-SY) - the quantity of sustainable yield of native groundwater when shared equally over all GSA acres at 6 in/ac/yr.							
Re-allocated Sustainable Yield (Re-SY) - the amount of Base Sustainable Yield remaining when considering GSA parcels that have chosen to opt-out. The quantity is divided and shared equally among the remaining opt-in parcels and added to the Base Sustainable Yield, estimated at 0.5 in/ac/yr.							
Transition Water (TW) - the annual quantity available to irrigated or non-irrigated lands. This quantity will decrease annually until zero. "Never-irrigated" lands are not eligible for Transition Water.							





## Exhibit A continued

### Delta-Mendota Subbasin, Madera County GSA

Madera County GSA: Delta Mendota Subbasin							
	GSA Allocations (af/yr)		Per-Acre Allocation (inches/ac/yr)				
Year	SY	TW	B-SY	Re-SY	TW	Total for Irr.	Total Non-irr.
2020	1,500	2,000	6	2.6	11.4	20.0	0
2021		1,960			11.2	19.8	0
2022		1,920			11.0	19.6	0
2023		1,880			10.7	19.3	0
2024		1,840			10.5	19.1	0
2025		1,800			10.3	18.9	0
2026		1,680		9.3	17.2	32.5	0
2027		1,560			16.0	31.3	0
2028		1,440			14.7	30.0	0
2029		1,320			13.5	28.8	0
2030		1,200			12.3	27.6	0
2031		1,080			11.0	26.3	0
2032		960			9.8	25.1	0
2033		840			8.6	23.9	0
2034		720			7.4	22.7	0
2035		600			6.1	21.4	0
2036		480			4.9	20.2	0
2037		360			3.7	19.0	0
2038		240			2.5	17.8	0
2039		120			1.2	16.5	0
2040	0	0.0	15.3	0			
Irrigated Ac. 2020 to 2025 = 2,100			Can access B-SY, Re-SY and TW				
Irrigated Ac. 2026 to 2040 = 1,174							
Non-Irr. Opt-in acres = 0			Can access only B-SY and Re-SY				
Total GSA acres = 3,300							
Per-Acre Allocation Terms:							
Base Sustainable Yield (B-SY) - the quantity of sustainable yield of native groundwater when shared equally over all GSA acres at 6 in/ac/yr.							
Re-allocated Sustainable Yield (Re-SY) - the amount of Base Sustainable Yield remaining when considering GSA parcels that have chosen to opt-out. The quantity is divided and shared equally among the remaining opt-in parcels and added to the Base Sustainable Yield, estimated at 2.6 in/ac/yr.							
Transition Water (TW) - the annual quantity available to irrigated or non-irrigated lands. This quantity will decrease annually until zero. "Never-irrigated" lands are not eligible for Transition Water.							

**BEFORE THE  
BOARD OF DIRECTORS FOR THE  
COUNTY OF MADERA GROUNDWATER  
SUSTAINABILITY AGENCY**

In the Matter of	)	Resolution No.: 2020 - <u>166</u>
	)	
SUSTAINABLE GROUNDWATER	)	<b>RESOLUTION ADOPTING A</b>
MANAGEMENT ACT	)	<b>GROUNDWATER ALLOCATION</b>
	)	<b>APPROACH FOR THE GROUNDWATER</b>
	)	<b>SUSTAINABILITY PLAN</b>
_____	)	

**WHEREAS**, the County of Madera ("County") is a Groundwater Sustainability Agency ("GSA") under the Sustainable Groundwater Management Act ("SGMA") for areas within the Madera, Chowchilla, and Delta-Mendota subbasins (collectively the "subbasins") that are not otherwise covered by another GSA, and in this capacity the County Board of Supervisors sits as the ex officio Board of Directors ("Board") for the three County GSAs; and

**WHEREAS**, the Advisory Committee to the County GSAs ("Advisory Committee") is a committee that was created by the Board for the purpose of reviewing and evaluating matters related to SGMA compliance, including the Groundwater Sustainability Plan ("GSP") for each subbasin, and making recommendations to the Board as desired or directed; and

**WHEREAS**, the County GSAs have adopted GSPs that describe a sustainable yield of approximately 0.5 acre-feet per acre for the subbasins;

**WHEREAS**, consumptive use of groundwater within the County GSA boundaries exceeds the available sustainable yield, and the GSPs identified demand reduction as a critical management action to achieve SGMA objectives;

**WHEREAS**, the County GSAs have analyzed groundwater use over historical periods to the present, and have noticed a significant increase in water demand caused by recent

plantings of permanent crops into previously unplanted lands and the replacement of lower-water using plants with higher-water using plants, thus further exacerbating the challenges the GSPs seek to address with respect to achieving sustainability within the subbasins; and

**WHEREAS**, after discussions for more than a year, the key components of an allocation approach are ready for implementation; and

**WHEREAS**, the Advisory Committee has been a significant participant and contributor to these discussions, and recognizes the importance of moving forward with demand reduction initiatives, of which an allocation approach is critical element; and

**WHEREAS**, on November 12, 2020, at a duly noticed meeting, the Advisory Committee, by a 9-1 majority vote (one absent), adopted a resolution recommending an approach to allocating groundwater (the “allocation approach”) in the subbasins, as set forth below.

**THEREFORE, BE IT RESOLVED** by the Board of Directors that the County GSAs’ allocation approach in the subbasins be adopted in accordance with the following:

1. The key principles of the allocation approach for the County GSAs, as recognized by SGMA, are described below:
  - a. Certainty
  - b. Domestic Water Protection (Equitable Access to Safe Drinking Water)
  - c. Fairness and Equity
  - d. Flexibility
  - e. Overlying Groundwater Rights Protection
  - f. Simplicity
  - g. Preserving the Economic Stability of Madera County and its Citizens

2. The allocation approach will include access to groundwater categorized classified using two designations:

- a. A “sustainable yield” of native groundwater, that is, water that naturally exists in the subbasins from seepage and percolation; and
- b. “Transitional water” that is continued overdraft of the subbasins but will incrementally decrease during the GSP implementation period. Initial transitional water is based on GSPs is in **Exhibit A**.

3. The allocation approach will be a process whereby sustainable yield access is offered to overlying groundwater rights users every five years, and whereby participation will include (a) the opportunity to pump a designated quantity of sustainable yield within each year, (b) the opportunity to pump a designated quantity of transitional water within each year, and (c) the requirement to pay for pumped quantities of sustainable yield and transition water based upon a volumetric rate structure that is to be established.

4. The allocation approach will allow the County GSAs’ per-acre (parcel-based) allocations of sustainable yield and transition water to be shared within designated “farm units” per **Exhibit B**, so as to allow flexibility and reflect real-world farming conditions in which resources are shared among commonly operated or managed lands.

5. The allocation approach will include monitoring of evapotranspiration (“ET”) and the ET of applied water (“ETAW”) for designated “farm units” and the comparison of ETAW to assigned allocations, where such services will be provided through a contract between the County and third party experts with multiple parties performing quality assurance and quality control.

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\* \* \* \* \*

The foregoing Resolution was adopted this 15<sup>TH</sup> day of December, 2020, by the following vote:



Director Frazier voted:

yes

Director Rogers voted:

yes

Director Poythress voted:

yes

Director Rodriguez voted:

yes

Director Wheeler voted:

yes

A handwritten signature in blue ink, appearing to read "David Rogers".  
\_\_\_\_\_  
David Rogers  
Chairman, Board of Directors

ATTEST:

A handwritten signature in blue ink, appearing to read "Karen Fox".  
\_\_\_\_\_  
Clerk, Board of Directors

Approved as to Legal Form:  
COUNTY COUNSEL

Michael R.  
Linden  
By \_\_\_\_\_

Digitally signed by: Michael R.  
Linden  
DN: CN = Michael R. Linden email =  
mlinden@lozanosmith.com C = US  
Date: 2020.11.19 09:06:55 -08'00'

Exhibit A								
Annual Available Sustainable Yield and Tranistion Water								
Year	Madera County GSAs							
	Madera Subbasin			Chowchilla Subbasin			Delta Mendota Subbasin	
	SY	TW		SY	TW		SY	TW
2020	90,000	101,000		22,500	60,500		1,500	2,000
2021	90,000	98,980		22,500	59,290		1,500	1,960
2022	90,000	96,960		22,500	58,080		1,500	1,920
2023	90,000	94,940		22,500	56,870		1,500	1,880
2024	90,000	92,920		22,500	55,660		1,500	1,840
2025	90,000	90,900		22,500	54,450		1,500	1,800



**Explanation**

- Madera County GSA
- Farm Unit Zones
- Chowchilla Subbasin
- Madera Subbasin
- Surrounding Subbasins

**Data sources**  
 Ocean Clay extent and depth: Page 1986, Subbasin boundaries: DWR (2019) 3118 update, Coordinate System: California State Plane NAD83



**DAVIDS**  
ENGINEERING, INC.



**Luhdorff &  
Scalmanini**  
Consulting Engineers

## Madera County GSAs Farm Unit Zones

*Madera Subbasin  
Groundwater Sustainability Plan*



**BEFORE THE  
BOARD OF DIRECTORS FOR THE  
COUNTY OF MADERA GROUNDWATER  
SUSTAINABILITY AGENCY**

In the Matter of	)	Resolution No.: <u>2021 - 069</u>
	)	
SUSTAINABLE GROUNDWATER	)	<b>RESOLUTION ESTABLISHING</b>
MANAGEMENT ACT	)	<b>GROUNDWATER ALLOCATION</b>
	)	<b>AMOUNTS FOR 2021 THROUGH 2025</b>
	)	<b>AND FARM UNIT DOCUMENTATION</b>
_____	)	

**WHEREAS**, the Sustainable Groundwater Management Act of 2014, Water Code sections 10720-10737.8 ("SGMA") was signed into law on September 16, 2014.

**WHEREAS**, SGMA requires that each California groundwater basin be managed by a Groundwater Sustainability Agency ("GSA"), or multiple GSAs, and that such management be implemented pursuant to an approved Groundwater Sustainability Plan ("GSP"), or multiple GSPs.

**WHEREAS**, SGMA provides GSAs with the authority and the technical and financial assistance necessary to sustainably manage groundwater, and a GSA has the powers conferred in SGMA to provide the maximum degree of local control and flexibility consistent with the sustainability goals of SGMA.

**WHEREAS**, Madera County encompasses the Madera Subbasin (Basin No. 5-22.06), the Chowchilla Subbasin (Basin No. 5-22.05), and, in part, the Delta-Mendota Subbasin (Basin No. 5-22.07) in the San Joaquin Valley Groundwater basin (collectively the "Subbasins"), all of which have been designated as high-priority basins by the California Department of Water Resources ("DWR").

**WHEREAS**, on January 24, 2017, the Board of Supervisors for the County of Madera elected to have the County of Madera become the exclusive GSA for the portions of the Subbasins that are in unincorporated areas of Madera County, and not otherwise covered by another public agency (hereinafter “County GSAs”).

**WHEREAS**, on or about May 13, 2017, the County of Madera became the exclusive GSA for the relevant portions the Subbasins, and the County Board of Supervisors became the ex officio Board of Directors for the County GSAs.

**WHEREAS**, on December 17, 2019, the County GSAs adopted GSPs for the Subbasins that described a “sustainable yield” of native groundwater (water that naturally exists in the Subbasins from seepage and percolation) of approximately 0.5 acre-feet per acre for the Subbasins.

**WHEREAS**, consumptive use of groundwater within the County GSA boundaries exceeds the available sustainable yield, and the GSPs identified demand reduction as a critical management action to achieve to achieve SGMA’s sustainability goal in the Subbasins within 20 years of the implementation of the GSPs.

**WHEREAS**, under SGMA a GSA has the authority to limit extractions from groundwater wells, establish groundwater extraction allocations, authorize temporary and permanent transfers of groundwater extraction allocations, and a GSA may adopt rules, regulations, ordinances, and resolutions to further these ends.

**WHEREAS**, the County GSAs have analyzed groundwater use over historical periods to the present, and have noticed a significant increase in water demand caused by recent plantings of permanent crops into previously unplanted lands and the replacement of lower-

water using plants with higher-water using plants, thus further exacerbating the challenges the GSPs seek to address with respect to achieving sustainability within the Subbasins; and

**WHEREAS**, on December 15, 2020, the Board of Directors adopted a Resolution No: 2020-166 adopting an approach to allocating groundwater (the “Allocation Approach”) in the Subbasins.

**WHEREAS**, the Allocation Approach includes access to groundwater classified using two designations:

- a. A “sustainable yield” of native groundwater; and
- b. “Transitional water” that is continued overdraft of the Subbasins but will incrementally decrease during the GSP implementation period.

**WHEREAS**, the Allocation Approach is a process whereby sustainable yield access is offered to overlying groundwater rights users every five years, and whereby participation will include (a) the opportunity to pump a designated quantity of sustainable yield within each year, (b) the opportunity to pump a designated quantity of transitional water within each year, and (c) the requirement to pay for pumped quantities of sustainable yield and transitional water based upon a volumetric rate structure that is to be established at a future date.

**WHEREAS**, the Allocation Approach allows the County GSAs’ per-acre (parcel-based) allocations of sustainable yield and transitional water to be shared within designated “farm units” so as to allow flexibility and reflect real-world farming conditions in which resources are shared among commonly operated or managed lands.

**WHEREAS**, because a farm unit is for the purpose of allowing a landowner and/or land manager to group parcels together that are commonly operated or managed, it should be

demonstrated to the satisfaction of the County GSA an existing relationship of owning/managing for any parcels to be included in a farm unit.

**WHEREAS**, in furtherance of the Allocation Approach, the County GSA has calculated a per acre allocation of sustainable yield and transitional water for each County GSA based on best available data, and such calculations are contained in tables ("Tables") that are attached hereto as **Exhibit A**.

**WHEREAS**, the allocation shall be limited to use within the parcel or within the designated farm unit.

**WHEREAS**, irrigated land includes agricultural lands that are currently irrigated as of June 8, 2021, or were last irrigated as recently as January 1, 2015, but now may otherwise be non-irrigated (e.g. fallowed or idle).

**WHEREAS**, in determining what constitutes an irrigated parcel, the County GSA may rely upon (1) Madera County Assessor records, (2) satellite or aerial imagery, (3) evapotranspiration analysis performed by a remote sensing service, (4) County GSA staff inspection, and (5) the submittal by parcel owner or representative of pertinent documentation when enrolling the parcel into to the GSA Allocation Approach and acceptance of associated requirements imposed therein, any and all of which would need to be to the satisfaction of the County GSA.

**WHEREAS**, the establishment of allocation amounts and farm unit documentation requirements is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections 15307 (action of a regulatory agency to protect natural resources), 15308 (action of a regulatory agency to protect the environment), and 15061(b)(3) (the "common sense" exemption where a project is exempt if can be seen with certainty that

there is no possibility that the activity in question may have a significant effect on the environment).

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors for the County GSAs, as follows:

1. The above Recitals are hereby incorporated by reference and are made a substantive part of this Resolution.
2. In order to receive an allocation for a farm unit, a landowner must demonstrate to the satisfaction of the County GSA an existing relationship of owning/managing for any parcels to be included in a farm unit.
3. A true and correct copy of the Tables is attached hereto as **Exhibit A**, and the Tables are hereby approved and adopted.
4. Groundwater allocations shall be limited to use within the parcel or within the designated farm unit.
5. Transitional water will only be allocated to lands that are considered irrigated lands as of the date of the adoption of this Resolution.
6. The Director of the County Department of Water and Natural Resources ("Department Director") is hereby authorized and directed to take all measures in furtherance of, and consistent with, this Resolution.

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\* \* \* \* \*

The foregoing Resolution was adopted this 8<sup>TH</sup> day of JUNE, 2021, by

the following vote:



Director Frazier voted:

Director Rogers voted:

Director Poythress voted:

Director Gonzalez voted:

Director Wheeler voted:

yes  
yes  
yes  
yes  
yes

Robert Poythress  
Robert Poythress  
Chairman, Board of Directors

ATTEST:

Karen Poy  
Clerk, Board of Directors

Approved as to Legal Form:  
COUNTY COUNSEL

**Michael R.**

By Linden

Digitally signed by: Michael R.  
Linden

DN: CN = Michael R. Linden email =  
mlinden@lozanosmith.com C = US

O = LOZANO SMITH

Date: 2021.06.08 17:17:04 -07'00'

Exhibit A

Allocations

Option C

Madera County GSA: Madera Subbasin							
	GSA Allocations (af/yr)		Per-Acre Allocation (inches/ac/yr)				
Year	SY	TW	B-SY	Re-SY	TW	Total for Irr.	Total Non-irr.
2020	90,000	113,000	6	7	16.0	28.7	0
2021		110,740			15.6	28.3	0
2022		108,480			15.3	28.0	0
2023		106,220			15.0	27.7	0
2024		103,960			14.7	27.4	0
2025		101,700			14.4	27.1	0
Irrigated Acres = 85,000			Can access B-SY, Re-SY and TW				
Non-Irr. Opt-in acres = 0			Can access only B-SY and Re-SY				
Total GSA acres = 185,000							
Per-Acre Allocation Terms:							
Base Sustainable Yield (B-SY) - the quantity of sustainable yield of native groundwater when shared equally over all GSA acres at 6 in/ac/yr.							
Re-allocated Sustainable Yield (Re-SY) - the amount of Base Sustainable Yield remaining when considering GSA parcels that have chosen to opt-out. The quantity is divided and shared equally among the remaining opt-in parcels and added to the Base Sustainable Yield, estimated at 3 in/ac/yr.							
Transition Water (TW) - the annual quantity available to irrigated or non-irrigated lands. This quantity will decrease annually until zero. "Never-irrigated" lands are not eligible for Transition Water.							



Madera County GSA: Chowchilla Subbasin							
	GSA Allocations (af/yr)		Per-Acre Allocation (inches/ac/yr)				
Year	SY	TW	B-SY	Re-SY	TW	Total for Irr.	Total Non-irr.
2020	22,500	63,400	6	1.1	20.0	27.1	0
2021		62,132			19.6	26.7	0
2022		60,864			19.2	26.3	0
2023		59,596			18.8	25.9	0
2024		58,328			18.4	25.5	0
2025		57,060			18.0	25.1	0
Irrigated Acres = 38,000			Can access B-SY, Re-SY and TW				
Non-Irr. Opt-in acres = 0			Can access only B-SY and Re-SY				
Total GSA acres = 45,000							
Per-Acre Allocation Terms:							
Base Sustainable Yield (B-SY) - the quantity of sustainable yield of native groundwater when shared equally over all GSA acres at 6 in/ac/yr.							
Re-allocated Sustainable Yield (Re-SY) - the amount of Base Sustainable Yield remaining when considering GSA parcels that have chosen to opt-out. The quantity is divided and shared equally among the remaining opt-in parcels and added to the Base Sustainable Yield, estimated at 0.5 in/ac/yr.							
Transition Water (TW) - the annual quantity available to irrigated or non-irrigated lands. This quantity will decrease annually until zero. "Never-irrigated" lands are not eligible for Transition Water.							



Madera County GSA: Delta Mendota Subbasin							
	GSA Allocations (af/yr)		Per-Acre Allocation (inches/ac/yr)				
Year	SY	TW	B-SY	Re-SY	TW	Total for Irr.	Total Non-irr.
2020	1,500	2,000	6	2.6	11.4	20.0	0
2021		1,960			11.2	19.8	0
2022		1,920			11.0	19.6	0
2023		1,880			10.7	19.3	0
2024		1,840			10.5	19.1	0
2025		1,800			10.3	18.9	0
Irrigated Acres = 2,100					Can access B-SY, Re-SY and TW		
Non-Irr. Opt-in acres = 0			Can access only B-SY and Re-SY				
Total GSA acres = 3,000							
Per-Acre Allocation Terms:							
Base Sustainable Yield (B-SY) - the quantity of sustainable yield of native groundwater when shared equally over all GSA acres at 6 in/ac/yr.							
Re-allocated Sustainable Yield (Re-SY) - the amount of Base Sustainable Yield remaining when considering GSA parcels that have chosen to opt-out. The quantity is divided and shared equally among the remaining opt-in parcels and added to the Base Sustainable Yield, estimated at 2.6 in/ac/yr.							
Transition Water (TW) - the annual quantity available to irrigated or non-irrigated lands. This quantity will decrease annually until zero. "Never-irrigated" lands are not eligible for Transition Water.							

**BEFORE THE  
BOARD OF DIRECTORS FOR THE  
COUNTY OF MADERA GROUNDWATER  
SUSTAINABILITY AGENCY**

In the Matter of	)	Resolution No.: <u>2021 - 113</u>
	)	
SUSTAINABLE GROUNDWATER	)	<b>RESOLUTION ESTABLISHING</b>
MANAGEMENT ACT	)	<b>GROUNDWATER ALLOCATION</b>
	)	<b>REFINEMENTS</b>
	)	
_____	)	

**WHEREAS**, the Sustainable Groundwater Management Act of 2014, Water Code sections 10720-10737.8 ("SGMA") was signed into law on September 16, 2014.

**WHEREAS**, SGMA requires that each California groundwater basin be managed by a Groundwater Sustainability Agency ("GSA"), or multiple GSAs, and that such management be implemented pursuant to an approved Groundwater Sustainability Plan ("GSP"), or multiple GSPs.

**WHEREAS**, SGMA provides GSAs with the authority and the technical and financial assistance necessary to sustainably manage groundwater, and a GSA has the powers conferred in SGMA to provide the maximum degree of local control and flexibility consistent with the sustainability goals of SGMA.

**WHEREAS**, Madera County encompasses the Madera Subbasin (Basin No. 5-22.06), the Chowchilla Subbasin (Basin No. 5-22.05), and, in part, the Delta-Mendota Subbasin (Basin No. 5-22.07) in the San Joaquin Valley Groundwater basin (collectively the "Subbasins"), all of which have been designated as high-priority basins by the California Department of Water Resources ("DWR").

**WHEREAS**, on January 24, 2017, the Board of Supervisors for the County of Madera elected to have the County of Madera become the exclusive GSA for the portions of the Subbasins that are in unincorporated areas of Madera County, and not otherwise covered by another public agency (hereinafter “County GSAs”).

**WHEREAS**, on or about May 13, 2017, the County of Madera became the exclusive GSA for the relevant portions the Subbasins, and the County Board of Supervisors became the ex officio Board of Directors for the County GSAs.

**WHEREAS**, on December 17, 2019, the County GSAs adopted GSPs for the Subbasins that described a “sustainable yield” (“SY”) of native groundwater (water that naturally exists in the Subbasins from seepage and percolation) of approximately 0.5 acre-feet per acre for the Subbasins.

**WHEREAS**, consumptive use of groundwater within the County GSA boundaries exceeds the available SY and is estimated within each adopted GSP as an excess of 111,000 acre-feet annually in the Madera Subbasin and 59,700 acre-feet annually in the Chowchilla Subbasin.

**WHEREAS**, the GSPs identified demand reduction as a critical management action to achieve to SGMA’s sustainability goal in the Subbasins within 20 years of the implementation of the GSPs to reduce the estimated excess consumptive use of groundwater.

**WHEREAS**, under SGMA a GSA has the authority to limit extractions from groundwater wells, establish groundwater extraction allocations, authorize temporary and permanent transfers of groundwater extraction allocations, and a GSA may adopt rules, regulations, ordinances, and resolutions to further these ends.

**WHEREAS**, the County GSAs have analyzed groundwater use over historical periods to the present, and have noticed a significant increase in water demand caused by recent plantings of permanent crops into previously unplanted lands and the replacement of lower-water using plants with higher-water using plants, thus further exacerbating the challenges the GSPs seek to address with respect to achieving sustainability within the Subbasins.

**WHEREAS**, on December 15, 2020, the Board of Directors adopted a Resolution No: 2020-166 adopting an approach to allocating groundwater (the “Allocation Approach”) in the Subbasins,

**WHEREAS**, the Allocation Approach provides parcels meeting certain criteria (hereafter “eligible parcels”) access to groundwater classified using two designations:

- a. The SY of native groundwater; and
- b. “Transitional water” (TW) that is continued overdraft of the Subbasins that will incrementally decrease during the GSP implementation period.

**WHEREAS**, the Allocation Approach is a process whereby eligible parcels enrolled into the Allocation Approach are offered SY, and in most circumstances also offered TW, whereby enrollment is offered to all eligible parcels every year, and whereby enrollment will include (a) the opportunity to pump a designated quantity of SY within each year, (b) the opportunity to pump a designated quantity of TW within each year, (c) the requirement to pay for pumped quantities of SY and TW based upon a rate structure that is to be established at a future date, and (d) County GSA authorized administrative fees, oversight, reporting, monitoring, and penalties, as the County GSA may establish.

**WHEREAS**, eligible parcels enrolled in the Allocation Approach are authorized to group enrolled parcels so as to share the County GSAs’ per-acre (parcel-based) allocations of

sustainable yield and transitional water within designated “farm units” to allow flexibility and reflect real-world farming conditions in which resources are shared among commonly operated or managed parcels.

**WHEREAS**, because a farm unit is for the purpose of allowing a landowner and/or land manager to group eligible parcels together that are commonly operated or managed, demonstration of an existing relationship must be provided to the satisfaction of the County GSA for any eligible parcels to be grouped into a farm unit.

**WHEREAS**, in furtherance of the Allocation Approach, the County GSA Board of Directors adopted Resolution 2021-069, providing for a per-acre allocation of SY and TW for enrolled eligible parcels within each County GSA based on best available data, to be limited to the use within the eligible parcel, or within a County GSA approved farm unit, that represents a combination of eligible parcels.

**WHEREAS**, pursuant to Resolution 2021-069, an eligible parcel includes agricultural lands that are (1) currently irrigated as of June 8, 2021, (2) were last irrigated as recently as January 1, 2015, but now may otherwise be non-irrigated (e.g. fallowed or idle), (3) are part of active irrigated agricultural operations or permitted confined animal operations (e.g. equipment storage area or milking parlors), or (4) can demonstrate to the satisfaction of the County GSA that irrigation will occur in the following calendar year, and whereby in determining what constitutes an eligible parcel, the County GSA may rely upon (1) Madera County Assessor records, (2) satellite or aerial imagery, (3) evapotranspiration analysis performed by a remote sensing service, (4) County GSA staff inspection, and (5) the submittal by parcel owner or representative of pertinent documentation when enrolling the eligible parcel into the GSA

Allocation Approach and acceptance of associated requirements imposed therein, any and all of which must be to the satisfaction of the County GSA.

**WHEREAS**, in furtherance of the intent of a farm unit to provide flexibility for existing irrigated lands as they transition to further limited allocations, the County GSA will limit the parcels included in a farm unit to certain eligible parcels.

**WHEREAS**, in Resolution 2021-069, the Board of Directors for the County GSA chose to use the estimated 2020 evapotranspiration of applied water (ETAW) as the baseline quantity for the allocation, which will be quantified using County GSA-managed remote sensing technology.

**WHEREAS**, to effectuate the allocations adopted by the Board, a process for the distribution of allocations of SY and TW to enrolled eligible parcels is necessary.

**WHEREAS**, SGMA allows a GSA to establish accounting rules to allow unused groundwater extraction allocations to be carried over from one year to another if the total quantity of groundwater extracted in any five-year period is consistent with the GSP.

**WHEREAS**, because the Allocation Approach allows allocations to be shared within designated “farm units,” a process is warranted to officially recognize changes that take place (e.g. property sale) that may modify the eligible parcels designated within a farm unit so as to ensure that proper allocations are made to such farm units.

**WHEREAS**, because allocations of sustainable yield and transitional water will be made to agricultural lands that are currently irrigated, clarity is needed as to the fate of an allocation available to an enrolled eligible parcel if irrigated acres are subsequently taken out of production.

**WHEREAS**, because the Allocation Approach is parcel-based, further definition as to how the acreage on a particular parcel will be measured for the purpose of determining that parcel's allocation is warranted.

**WHEREAS**, consistent with established water law, the County GSA recognizes that those groundwater users who endeavor to bring surface water into the Subbasins should have their allocation credited based on the amount of groundwater recharge that takes place as a result of the use of that surface water.

**WHEREAS**, because disputes may arise as to whether a groundwater user exceeded the established allocation for the ETAW on an enrolled eligible parcel or within a farm unit, the County GSA desires to establish a process for the administrative consideration of such disputes.

**WHEREAS**, the County GSA has the authority to adjust eligible parcel requirements as may be necessary to assure the objectives of the GSP are being achieved.

**WHEREAS**, this Resolution is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections 15307 (action of a regulatory agency to protect natural resources), 15308 (action of a regulatory agency to protect the environment), and 15061(b)(3) (the "common sense" exemption where a project is exempt if can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment).

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors for the County GSAs, as follows:

1. The above Recitals are hereby incorporated by reference and are made a substantive part of this Resolution.

2. The estimated 2020 ETAW shall be utilized as the baseline quantity available for the County GSA to distribute pursuant to the Allocation Approach for the allocations of SY and TW through 2025, which are quantified in the table (“Table”) that is attached hereto as **Exhibit A**, and is hereby approved and adopted.
3. Commencing in the fall season, but no later than December 1 of each year, eligible parcels enrolled in the Allocation Approach will be subject to the GSA Administrative Fee and will receive an allocation of SY and, if eligible, TW for the next calendar year.
4. Upon each one-year enrollment period, eligible non-enrolled parcels may opt-in for SY for the following calendar year by demonstrating that the water will be put to reasonable and beneficial use on the specific eligible parcel, with the understanding such eligible parcels shall not include the eligible parcel into a farm unit, and such eligible parcels are not offered an allocation of TW.
5. The Allocation Approach shall not apply to parcels where the consumptive use of groundwater is for domestic purposes and/or stock water associated with livestock grazing.
6. If, at the end of any calendar year, an enrolled eligible parcel or farm unit has used less than the allocation of SY and TW made available to the enrolled eligible parcel or farm unit for that calendar year, the participant may request the County GSA to carry over the difference between the allocation and the actual measured use on the enrolled eligible parcel or farm unit, subject to the following conditions:



- a. Current year SY shall be the first water used in that same year, such that the quantity of carryover requested shall be assumed to be TW up to the amount of the available TW before considered to be SY.
  - b. The participant shall pay all required extraction fees associated with the total allocation quantity of SY and TW made available to the enrolled eligible parcel or farm unit.
  - c. Any TW carried over will be the first water used after SY in the following year. The County GSA may constrain future multi-year carryover water and will re-evaluate the carryover policy yearly.
  - d. A request for carry-over may be denied, or otherwise limited, if such action is determined by the County GSA as potentially jeopardizing the objectives of the GSP.
  - e. The County GSA may refine carryover rules as it may deem warranted to assure the functionality of carryover provisions meet their intent.
7. Commencing in the fall season, but no later than December 1 of each year, the County GSA will allow a farm unit to modify the makeup of its enrolled eligible parcels to reflect property changes or lease changes. This change shall be reflected in the allocation for the following year.
8. If an enrolled eligible parcel within a farm unit that is currently irrigated is taken out of production, or irrigation is ceased, the enrolled eligible parcels that remain within the farm unit may access the SY and TW available to all parcels within the original farm unit, including parcels no longer irrigating.

9. The allocation of SY shall be based upon the total acres in an Assessor's Parcel Number ("APN"), as that value is determined by the County Assessor.
10. The allocation of TW shall be based upon (1) the total acreage in an APN, as that value is determined by the County Assessor if 80 percent of the parcel was irrigated as of June 8, 2021, or the acreage was last irrigated as recently as January 1, 2015, but now may otherwise be non-irrigated (e.g., fallowed or idle), and/or (2) the total APN acreage that is part of active irrigated agricultural operations or permitted confined animal operations (e.g. equipment storage area or milking parlors), as demonstrated to the satisfaction of the County GSA.
11. For credits associated with the use of surface water supplies by an enrolled eligible parcel, the County GSA shall evaluate each surface water supply project to reflect the supply benefits and to equitably share such benefits among County GSA determined beneficiaries. The determination of the benefits and beneficiaries of such a project will be on a case-by-case basis until such time as the County GSA updates the methodology.
12. If a participant in the Allocation Approach intends to appeal the County GSA-determined ETAW, such appeal shall be based upon use of a flow meter, and the participant shall (1) demonstrate that the flow meter was installed and maintained per the manufacturer's specifications, and (2) provide an engineer-certified calibration report where such calibration occurred within the last two calendar years of the appeal. The flow meter volume shall be recorded at least monthly, and a photograph of the meter reading shall be taken and submitted to the County GSA for verification purposes. An independent third party will evaluate

the flow meter installation and records to determine if the flowmeter records will be accepted as measurement for determining if a grower exceeded the allocation. The third party's acceptance or denial of the appeal will be final. The appellant shall pay the cost of the appeal if the appeal is denied.

13. The Director of the County Department of Water and Natural Resources ("Department Director") is hereby authorized and directed to take all measures in furtherance of, and consistent with, this Resolution.

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The foregoing Resolution was adopted this 17<sup>th</sup> day of August, 2021, by the following vote:



Director Frazier voted:	<u>Absent</u>
Director Rogers voted:	<u>Absent</u>
Director Poythress voted:	<u>YES</u>
Director Gonzalez voted:	<u>YES</u>
Director Wheeler voted:	<u>YES</u>

  
Robert Poythress  
Chairman, Board of Directors

ATTEST:

  
Clerk, Board of Directors

Approved as to Legal Form:  
COUNTY COUNSEL

Michael R.  
By Linden

Digitally signed by: Michael R. Linden  
DN: CN = Michael R. Linden email =  
mlinden@lozanosmith.com C = US O  
= LOZANO SMITH  
Date: 2021.08.17 16:22:39 -07'00'

Exhibit A									
Year	Madera County GSAs								
	Madera Subbasin		Chowchilla Subbasin		Delta Mendota Subbasin				
	SY	TW	SY	TW	SY	TW			
2020	90,000	113,000		22,500	63,400		1,500	2,000	2%
2021	90,000	110,740		22,500	62,132		1,500	1,960	2%
2022	90,000	108,480		22,500	60,864		1,500	1,920	2%
2023	90,000	106,220		22,500	59,596		1,500	1,880	2%
2024	90,000	103,960		22,500	58,328		1,500	1,840	2%
2025	90,000	101,700		22,500	57,060		1,500	1,800	2%