South Fork Kings GSA
DRAFT Groundwater Allocation Policy
(Revised 6/30/25)

1. INTRODUCTION AND BACKGROUND

The South Fork Kings Groundwater Sustainable Agency (SFK GSA or GSA) is located with the Tulare Lake Subbasin (Subbasin) which has been designated by the California Department of Water Resources (DWR) as high priority groundwater basin that is subject to critical conditions of overdraft. SFK adopted a groundwater sustainability plan (GSP) for the Subbasin consistent with the Sustainable Management Groundwater Act (SGMA) to address undesirable results including chronic lowering of groundwater levels and land subsidence. A management action in the GSP includes establishing groundwater extraction allocations based on the Subbasin's sustainable yield in order to mitigate the undesirable results while projects are being developed and implemented.

This Groundwater Extraction Allocation Policy (Policy) is part of the projects and management actions (PMAs) being implemented to achieve sustainability of the Subbasin and does not determine or alter water rights under common law or any provision of law (Water Code §10720.5(a)). The Policy is exempt from the California Environmental Quality Act (CEQA) pursuant to Water Code Section 10728.6 and CEQA Guidelines Sections 10561(b)(3), 15307 and 15308.

2. PARCEL QUALIFICATION

Parcel Eligibility for Native Yield Allocation

Allocation of native yield to an individual parcel is based on the number of total acres for that parcel as registered with Kings County. Parcels that are eligible for a native yield are described as follows:

- Parcels of 5 acres or larger are qualified to receive an allocation of a portion of the total SFK GSA native yield. Qualified parcels must be registered in the SFK GSA parcel database and provide an inventory of wells on the parcel. Landowners may combine parcels to meet the 5 acres requirement. Parcels that are not registered in the SFK GSA parcel database will not receive a native yield allocation and will be subject to a stop

pumping notice if they are shown to be irrigated utilizing remote sensing data (i.e., Land IQ).

- Parcels of 5 acres or less receive a de-minimis allocation of 2 AF/year, unless they are registered as a qualified parcel. A parcel of 5 acres or less must register as a qualified parcel if it contains an extraction facility that pumps more than 2 AF/year.

Parcels in other GSAs within the Tulare Lake Subbasin or other groundwater basins cannot be designated as qualified parcels within SFKGSA.

Parcel Eligibility for Transitional Allocation

The transitional allocation is considered a buffer that allows landowners who have existing irrigated lands to continue pumping at successively lower pumping rates towards the Native Yield allocation. The transitional allocation decreases to zero by 2040 and landowners will only be able to pump up to the native yield allocation after 2040.

Parcels that are eligible for a transitional allocation include all parcels that were shown to be irrigated anytime between 2015 through 2024 based on Land IQ Crop Data. Landowners denied eligibility may appeal to the decision to the SFK GSA Board.

3. ALLOCATION METHODOLOGY AND 2026-2030 AMOUNTS

Section 3 summarizes specific allocation policies and procedures for the period 2026-2030, including specific allocation amounts for each year.

Determination of Native Yield

Native yield is the total groundwater pumping in acre feet per year (AF/y) that will maintain the basin in a sustainable condition after the year 2040. This value is based on a projected future groundwater balance derived from a groundwater model of the Tulare Lake Subbasin developed in 2020 (Wood, 2020). A new model is in development that may replace the earlier model. This model may be used as the basis for allocations for the 2030-2035 Allocation, but it is not used for this 2026-2030 allocation cycle.

The total estimated sustainable native yield from the 2020 Wood Model was projected at 350,000 AF/y. This value was derived from a historical analysis of pumping and other hydrogeologic factors over a base period of 1997-2016. The model predicts that, at this level of pumping, the total change in aquifer storage becomes zero and groundwater levels stabilize to an equilibrium level. The native yield is distributed to all qualified parcels as a unit allocation in AF/Acre. The native yield allocation was based on dividing the sustainable yield of the Subbasin across the entire acreage and is therefore 0.66 AF/ac.

The native yield is available in both the B- and C-zones. However, a native yield value was not assigned at this time to the A-zone as the information to determine this amount is not currently available. Instead, the A-zone is assigned a total pumping value inclusive of all pumping. Once additional information is available, a native yield value will be assigned to the A-zone.

The native yield may be used by a landowner on any registered parcel owned by the same landowner. In addition, the native yield is transferable to any other registered qualified parcels within the SFK GSA without penalty.

Determination of Transitional Pumping

Transitional pumping is a declining block of total groundwater pumping (in AF/y) that that reduces overdraft from its current value to zero by 2040. It is anticipated that the transitional pumping will decrease each year. The SFK GSA recognizes that some landowners require transitional water to achieve sustainability by 2040. Therefore, transitional water will be allocated to landowners eligible to receive native yield. Transitional water must be used in the year it is allocated and does not carryover year to year nor is the water transferable. In addition, transitional water may only be put to beneficial use within the boundaries of the SFK GSA.

Transitional allocation is only assigned to the B- and C-zone and is not assigned to the A-zone. As noted above, the A-zone will be assigned a total pumping value inclusive of all pumping. As additional information is available, a transitional pumping value may be assigned to the A-zone at that time.

The SFK Board will set the transitional allocation amount at the April meeting before each water year. For WY 2026, the transitional amount is set at the following amounts:

Table 1
Transitional Allocation

Aquifer	Transitional Allocation (AF/ac)
A-Zone	0
B-Zone	2.0
C-Zone	1.34

4. ANNUAL PUMPING LIMITS AND PENALTY STRUCTURE

The 2026 Native Yield Allocation and Transitional Pumping amounts will be enforced on an annual basis. In any given year, landowner pumping is monitored quarterly using Land IQ data on evapotranspiration for each qualified parcel, and estimated surface water deliveries to each parcel. Landowners with meters may submit quarterly pumping reports as a substitute for the Land

IQ analysis. An annual groundwater pumping report based on Land IQ data is produced for each landowner at the end of the year. Landowners with meters may also contest the Annual Land IQ pumping report and appeal to the GSA Board to reconcile their accounts at the end of each calendar year.

Table 2
Water Year 2026 Groundwater Allocation

Aquifer	Native Yield (AF/ac)	Transitional Allocation (AF/ac)	Total (AF/ac)
A-Zone	-	-	3.0
B-Zone	0.66	2.0	2.66
C-Zone	0.66	1.34	2.0

Landowners can elect to pump groundwater in any aquifer to the total amount listed per aquifer up to a combined total cap of 4.0 AF/ac.

Overdraft and Penalty Structure

Transitional pumping in the B- and C-zone is considered an overdraft and landowners who utilize their transitional pumping amounts are subject to a civil penalty of $XX per AF.

Landowners who pump above their total allocation in the B- or C-zone are subject to an additional overdraft penalty (referred to as Tier 2 pumping) of $500 per AF for the amount of pumping above their Native plus Transitional Allocation and recharge credits. In addition, the next year allocation will be reduced by the amount of the overage for that zone.

A-zone pumping will be at a fixed fee of $XXX per AF. Exceedance of this amount will be treated as Tier 2 pumping and will be subject an additional overdraft penalty of $500 per AF and a reduction in the next year allocation equal to the amount of exceedance.

5. LANDOWNER DEVELOPED CREDITS

Landowner developed credits will be generated through landowner water banking or recharge projects or other approved projects that help mitigate one or more undesirable results of the Tulare Lake Subbasin. Recharge and banking projects must comply with the "Groundwater Recharge Policy". All landowners developed credit will be maintained in SFK water accounting program.

In order to protect the Subbasin from undesirable results, a percentage of any landowner water banking or recharge projects will remain with SFK. The amount of leave behind is defined in the "Groundwater Recharge Policy".

Landowner developed credit transfers between landowners of qualified registered parcels must be documented and in accordance with the adopted policy.

All transfers purchased from outside of SFK boundaries must be approved by both GSAs with jurisdiction and comply with all relevant subbasin regulations of both GSAs. SFK will develop a separate policy and procedures for transfers from outside of the SFK jurisdictional boundaries.

Exchange Credit

Qualified acreage may receive a credit if there is an exchange of allocation with other acreage within the SFK GSA. The allocation for the receiving acreage will increase, while the allocation for the generating acreage will decrease. The proposed exchange of allocation must be submitted for approval by SFK GSA. This will enable landowners who fallow some of their parcels to move their allocation for that year to parcels that actively irrigate. The receiving acreage will still be subject to potential curtailments as described in the Management Plans.

Parcels that receive a native allocation but do not irrigate that acreage may exchange that allocation with other acreage within the SFK GSA. The proposed exchange of allocation must be submitted for approval by SFKGSA each year. This will enable landowners who do not irrigate to move their allocation to other parcels.

Water Use

The default priority of use will be as listed below. A landowner must notify the GSA to change the priority of use. That revised order will become the default for the landowner until they notify the GSA again.

1. Native Yield Carryover
2. Native Yield Allocation
3. Landowner Developed Credit
4. Transitional Groundwater Tier 1 Allocation
5. Transitional Groundwater Tier 2

6. ALLOCATION CURTAILMENT

Under specific circumstances, acreage may be subject to curtailment of the approved pumping allocation and require further reduction in pumping below the Table 2 amounts in accordance with water level, subsidence or water quality Management Plans.

7. SGMA PENALTIES AND CIVIL REMEDIES

Any landowner or operator who violates the provisions of the herein Policy and Procedures is subject to the criminal and civil sanctions set forth in SGMA. SFK GSA may commence or sustain any civil action or proceeding, either at law or in equity, to enforce any of the provisions of the GSPs, or any policy and procedures promulgated therefrom, or to enjoin or restrain any violation

thereof, or to collect any sums of money, including penalties, fees, charges and/or assessments, on behalf of the SFK. The provisions of this Section 7 are to be supplementary and complementary to all of the provisions of SGMA, other state law, and any law cognizable at common law or in equity; and nothing herein shall be read, interpreted or construed in any manner so as to bar or limit TWCA from seeking any remedy to which it may otherwise be entitled.

8. ENFORCEMENT POLICY AND PROCEDURES

Any penalties or fines imposed shall be subject to the procedures set forth in the "Policy and Procedures for Collecting Delinquent Fees, Assessments, or Charges".

9. ACTION AGAINST SFK

Nothing contained in the herein Policy and Procedures shall constitute a waiver by SFK or stop SFK from asserting any defenses or immunities from liability as provided in law, including but not limited to those provided in Division 3.6, Title 1 of the Government Code.

10. DEFINITIONS

a. "2018 -2024 Land IQ Crop Data" means crop and vegetation data generated between 2018 through 2024 from satellite and aerial imagery, land cover classification and analysis, and crop and vegetation mapping.

b. "Carryover" means the native yield allocation amount remaining unused from a given year that may be used in subsequent years, subject to limitations. Native yield carryover will be retired after 5 years on a rolling basis.

c. "Civil penalty" means a penalty payment per acre-foot for groundwater extraction above the sustainable yield.

d. "De minimis extractor" means a person who extracts two acre-feet or less per year. For the purpose of this Policy, a parcel with less than 5 acres of land is considered to host a de minimis extractor unless it is demonstrated otherwise (e.g. extractions exceed two acre-feet per year or for non-domestic use. (See, Water Code §10721(e).)

e. "Extractions" means removing groundwater through groundwater extraction facilities for reasonable and beneficial use(s).

f. "Good standing" means a landowner who has complied with any and all policies, procedures and ordinances of SFK, is current on all fees and penalties, and is not subject to any unresolved violation, late fee, penalty or lien.

g. "Groundwater" means water beneath the surface of the earth within the zone below the water table in which the soil is completely saturated with water. (Water Code §10721(g).)

h. "Groundwater extraction facility" means a device or method for extracting groundwater from within a basin. (Water Code §10721(h).)

i. “Imported Water” means any water, surface or groundwater, that enters into SFK GSA boundaries from an external source for direct irrigation.

j. “Irrigated lands” means lands irrigated by groundwater using a groundwater extraction facility for the active production of plant crops or livestock for market and uses incidental thereto. The 2018-2024 Land IQ Crop Data will be initially used to determine whether a parcel contains irrigated lands for the purpose of this Policy.

k. “Landowner developed credit” means an amount of water credited to a landowner account for a water project or projects that have been developed by a landowner and have been determined by SFK (through the process outlined in the Groundwater Recharge Policy) to help mitigate one or more undesirable results within the Tulare Lake Subbasin. Projects must be in accordance with the Groundwater Recharge Policy.

l. “Leave behind” means the portion of water from an approved recharge project that is dedicated to sustainability and is therefore not credited to the landowner’s account or native yield carryover. The specific percentage is defined in the SFK Groundwater Recharge Policy

m. “Transitional Groundwater Tier 1 Allocation” means an allocation available to qualified irrigated lands allowing groundwater extraction above the native yield allocation, subject to the Tier 1 civil penalty.

n. “Transitional Groundwater Tier 2” means groundwater extraction exceeding a landowner's combined Native Yield Allocation (including carryover), applicable Landowner Developed Credits, and Transitional Groundwater Tier 1 Allocation, which is subject to Tier 2 civil penalty.

o. "Qualified registered parcel” means land qualified to receive a native yield allocation because the land meets the following criteria: (a) is a registered parcel; and (b) is in good standing with SFK.

p. “Qualified irrigated land” means land qualified to receive Transitional Tier 1 Groundwater Allocation because the land meets the following criteria: (a) is a registered parcel; and (b) contains irrigated lands based initially on the 2018-2024 Land IQ Crop Data.

q. “Registered parcel” means a parcel, 5 acres or larger, registered in the SFK’s water accounting program.

r. "Native yield” means the maximum quantity of water, calculated over a base period representative of long-term conditions in the basin and including any temporary surplus, that can be withdrawn annually from a groundwater supply without causing an undesirable result. (Water Code §10721(w).)

s. “Native yield allocation” means the maximum quantity of groundwater extraction allotted to landowners of a qualified registered parcel based on the methodology derived from 2020 Wood model.

t. “Tier 1 civil penalty” means the civil penalty amount due by a landowner or operator of qualified irrigated land at a rate of $XXX/acre-foot for groundwater extraction corresponding to the Transitional Tier 1 Groundwater Allocation.

u. “Tier 2 civil penalty” means the civil penalty amount due by a landowner of qualified irrigated land at a rate of $500/acre-foot for any groundwater extraction defined as Transitional Groundwater Tier 2.

v. “Transfer” means groundwater allocation or landowner developed credit sold or otherwise acquired from one landowner and applied to the account of another qualified registered parcel(s) within the same subbasin and GSA jurisdiction.

w. “Undesirable result” means one or more of the following effects caused by groundwater conditions occurring throughout the basins: (a) chronic lowering of groundwater levels; (b) significant and unreasonable reduction of groundwater storage; (c) significant and unreasonable seawater intrusion; (d) significant and unreasonable degraded water quality; (e) significant and unreasonable land subsidence; and/or (f) depletions of interconnected surface water.