

WESTSIDE DISTRICT WATER AUTHORITY GSA

Moratorium on Groundwater Extractions within Proximity to Critical Infrastructure Impacted by Subsidence

Purpose:

The Sustainable Groundwater Management Act (**SGMA**) requires that the Westside District Water Authority Groundwater Sustainability Agency (**WDWA GSA**) implement measures to prevent significant and unreasonable impacts caused by subsidence related to groundwater extraction, particularly when such impacts threaten critical infrastructure. WDWA GSA has identified the California Aqueduct (**Aqueduct**) as a piece of critical infrastructure that must be protected from subsidence impacts. Particularly, the area between Mileposts 195 to 215 of the Aqueduct has experienced impacts from subsidence since 2015, leading to a reduction in available freeboard (i.e., the vertical distance between the water surface and the top of the Aqueduct structure). This reduction directly compromises the Aqueduct's operational capacity, affecting water conveyance efficiencies and potentially risking the integrity of this piece of critical infrastructure.

In consultation with the California Aqueduct Subsidence Program (**CASP**), WDWA GSA and the former Kern Groundwater Authority (**KGA**) have completed six technical studies that lay the foundation for our current understanding of subsidence dynamics in the area between Mileposts 195 to 215 of the Aqueduct. While these technical studies have not indicated that agricultural groundwater extraction is currently a factor contributing to this subsidence, WDWA GSA is committed to working in close consultation with CASP and adjacent GSAs to monitor and collect additional data to further refine its current understanding of the causes and rate of subsidence. In furtherance of this end and achieving overall groundwater sustainability within its boundaries, the WDWA GSA Board of Directors (**Board**) adopted the following Moratorium on Groundwater Extractions within Proximity to Critical Infrastructure Impacted by Subsidence Management Action (**Management Action** or **Policy**) on November 5, 2024.

1. Authority.

SGMA authorizes WDWA GSA to “control groundwater extractions by regulating, limiting, or suspending extractions from individual groundwater wells or extractions from groundwater wells in the aggregate. . . .” (Wat. Code, § 10726.4, subd. (a)(2).)

2. Moratorium on Groundwater Extractions.

Effective December 9, 2024, no individual or entity (**Groundwater Extractor**) may extract groundwater within the area extending 2.5 miles outward from Mileposts 195 to 215 of the Aqueduct, as depicted in Figure 1, attached hereto (**CASP Buffer Zone**), unless otherwise approved by the Board, as set forth in this Policy.

3. Availability of Supplemental Water.

Each year, WDWA GSA’s member agencies (Belridge Water Storage District, Berrenda Mesa Water District, and Lost Hills Water District) seek and, from time to time, execute agreements for Supplemental Water, as that term is defined in each member agency’s respective governing documents. WDWA GSA, through its member agencies, shall inform each Groundwater Extractor of the availability of such Supplemental Water, as soon as practically possible.

4. Appeal to the Board.

A Groundwater Extractor may submit a written appeal to the Board, requesting a temporary exemption from this Policy. This written appeal must include: (i) an explanation describing why the Groundwater Extractor needs to extract groundwater from within the CASP Buffer Zone; (ii) how much groundwater the Groundwater Extractor needs to extract from within the CASP Buffer Zone; and (iii) the times during which the Groundwater Extractor will initiate and conclude the extraction of groundwater from within the CASP Buffer Zone. The Board shall consider the written appeal at its next Board meeting, provided that the appeal is submitted to WDWA GSA at least 72 hours prior to the meeting. The Board may request additional information from the Groundwater Extractor prior to making its final determination and delay such final determination until the next Board meeting. The Board hereby reserves the right to call a special meeting to address one or more submitted appeals. The Board’s decision is final within WDWA GSA’s consideration process.

5. Exemptions

- a. **Groundwater Extractions for Human Health and Safety.** Any groundwater extraction for the sole purpose of human, health, and safety including, but not limited to, fire suppression, sanitation, and *de minimis* (i.e., two acre-feet or less) domestic use shall be exempt from this Policy.

b. Groundwater Extractions for Water Quality Testing. Any groundwater extraction for the sole purpose of collecting a water quality sample for testing shall be exempt from this Policy.

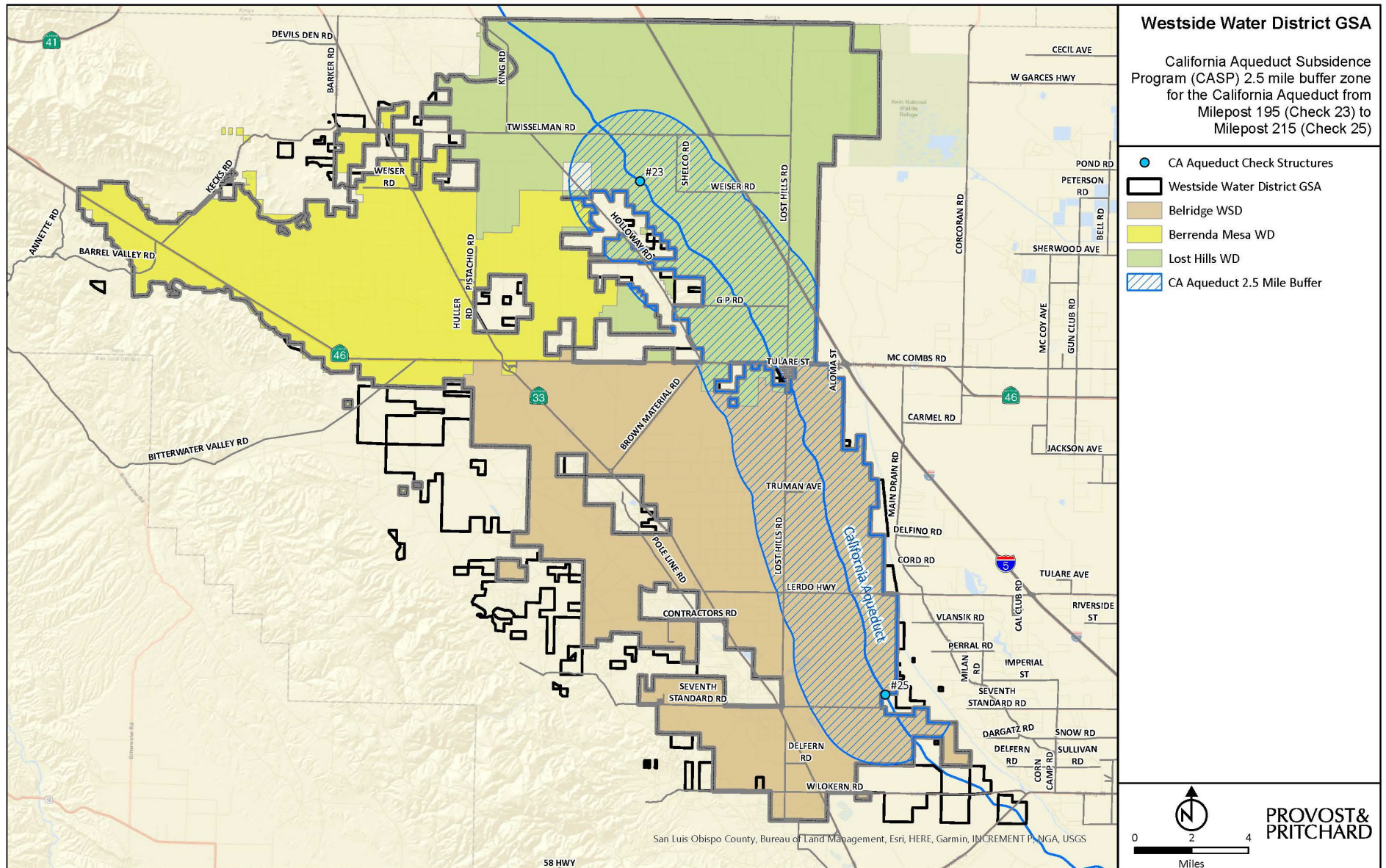
6. Penalty.

If a Groundwater Extractor violates this Policy, WDWA GSA shall impose a penalty of \$1,000, plus \$500 per acre foot of groundwater extracted from within the CASP Buffer Zone. WDWA GSA shall impose an additional penalty of \$100 per day for each additional day on which the violation continues if the Groundwater Extractor fails to comply within 30 days after WDWA GSA has notified the Groundwater Extractor of the violation. The penalty of \$500 per acre foot of groundwater extracted from within the CASP Buffer Zone shall apply to each acre foot extracted in violation of this Policy.

Notwithstanding the foregoing, WDWA GSA may pursue legal action against the Groundwater Extractor, as authorized by SGMA, and directed by the Board, immediately upon identification of the violation.

7. Review and Amendment

The Board shall review this Policy every six months and determine (a) whether to continue its enforcement of the Policy; and (b) if so, whether to amend this policy, including the boundaries of the CASP Buffer Zone. Notwithstanding the foregoing, the Board reserves the right to amend this Policy, including the boundaries of the CASP Buffer Zone, at any duly noticed meeting of the Board.



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Figure 1. California Aqueduct Subsidence Program 2.5 mile buffer zone for the California Aqueduct from Mileposts 195 to Milepost 215