SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY

944 Whitley Avenue, Suite B Corcoran, CA 93212
www.swkgsa.org

AGENDA
SPECIAL MEETING OF THE BOARD OF DIRECTORS

September 18, 2026
1:00 p.m.
19813 Madison Avenue
Stratford, CA 93266

The public may participate in the meeting as otherwise permitted under the Brown Act. Any member of the public may address the SWKGSA Board of Directors concerning any item on the agenda before or during its consideration of that matter, as appropriate.

CALL TO ORDER

ROLL CALL

John Vidovich, Chair
Craig Andrew, Vice Chair
Jim Wilson, Secretary/Treasurer

PUBLIC COMMENT

The Board of Directors welcomes participation in Board meetings. The public may address matters under the jurisdiction of the Board that have not been posted in the Agenda. However, California Law prohibits the Board from taking action on any matter that is not on the posted Agenda unless the Board determines that it is an emergency or one of the other situations specified in Government Code section 54954.2. The public will be given the opportunity to address the Board on any item on the Agenda at this time or before the Board's consideration of that item. If members of the public desire to address the Board relative to a particular Agenda item at the time it is to be considered, they should so notify the Chair of the Board at this time. The Chair may limit the total amount of time allocated for public testimony on particular issues for each individual speaker.

POTENTIAL CONFLICTS OF INTERESTS

(Any Board member who has a potential conflict of interest may now identify the item and recuse himself from discussing and voting on the matter.) [FPPC § 87105.]

CONSENT ITEMS

1. Approval of the Minutes of the regular meeting held on August 7, 2026
2. Approval/Ratification of Southwest Kings GSA warrants/finances (07/16/2026-08/31/2026)

ACTION CALENDAR

3. Consider adopting Resolution 2026-04 entitled, "A Resolution Adopting a Groundwater Well Policy."
4. Consider filing a CEQA Notice of Exemption for the adoption of Resolution 2026-04.
5. Consider adopting Resolution 2026-05 entitled, "A Resolution Adopting a Groundwater Extraction Allocation Policy."
6. Consider filing a CEQA Notice of Exemption for the adoption of Resolution 2026-05.

UPDATES

7. Tulare Lake Subbasin Update
8. Meters and Telemetry
9. General Counsel Update
10. Director Reports and Comments
11. Other Updates, as appropriate

CLOSED SESSION

12. Conference with legal counsel regarding existing litigation [Govt. Code Section 54956.9(d)(1)]
    a. *Westlake Farms, Inc., A California Corporation, et al vs. Southwest Kings Groundwater Sustainability Agency,* Kings County Superior Court, Case #26CU0226
    b. *County Sanitation District No. 2 of Los Angeles County vs. Southwest Kings Groundwater Sustainability Agency,* Kings County Superior Court, Case #26CU0227
    c. *Tulare Lake Subbasin Probationary Proceedings*, State Water Resources Control Board
13. Report from Closed Session (Gov. Code, § 54957.1)

ADJOURNMENT

14. Adjourn to the next meeting on October 2, 2026, at 19813 Madison Avenue, Stratford, or as otherwise directed by the Board of Directors.

- Items on the Agenda may be taken in any order.
- Action may be taken on any item listed on the Agenda.
- Writings relating to open session Agenda items that are distributed to members of the Board of Directors will be available for inspection at the District office, excluding writings that are not public records or are exempt from disclosure under the California Public Records Acts.

Americans with Disabilities Act of 1990: Under this act, a qualifying person may request that the Authority provide a disability-related modification or accommodation in order to participate in any public meeting of the Authority. Such assistance includes alternative formats for the agendas and agenda packets used for any public meetings of the Authority. Requests for assistance shall be made in person, via telephone, or in written form to the SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY Office at 944 Whitley Avenue, Suite B, Corcoran, CA 93212 (559) 992-8980. Requests must be received at least 48 hours prior to a scheduled public meeting.

SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY
Regular Board Meeting
Minutes
August 7, 2026

The Board of Directors of the Southwest Kings Groundwater Sustainability Agency met at 19813 Madison Avenue, Stratford, California, on Friday, August 7, 2026, at the hour of 1:00 p.m.

Chair Vidovich presided and Staci Wilkins recorded the minutes.

Directors Present: John Vidovich
Craig Andrew
Jim Wilson

Directors Absent:

Others Present: Brett Stroud
Amer Hussain
Staci Wilkins
Ceil W Howe
Jaime Howe
Julie Martella
Guntars Vecpuisis
Monserrat Solis
Branden Sargent
Morgan Campbell
Riley Jones

The meeting was called to order at 1:16 p.m.

PUBLIC COMMENT

None

CONSENT CALENDAR

1. Approval/Ratification of Southwest Kings GSA warrants/finances (05/01/2026 – 07/15/2026)
2. Approval of Minutes of the Special Board Meeting held on May 21, 2026

   On the motion of Director Andrew and seconded by Director Wilson, the Board voted to approve the Consent Calendar as presented. (3-0)

DRAFT

ACTION CALENDAR

3. Consider action to approve the Southwest Kings GSA Financial Statements and Independent Auditor's Report for the Year Ended December 31, 2023.

   On the motion of Director Andrew and seconded by Director Wilson, the Board voted to approve the Independent Auditor's Report for the Year Ended December 31, 2023. (3-0)

4. Consider action to adopt the 2027 Budget.

   On the motion of Director Andrew and seconded by Director Wilson, the Board voted to adopt the 2027 Budget with a revision to the assessment rate. (3-0)

5. Consider adoption of Resolution 2026-01 A RESOLUTION OF THE SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY APPROVING THE LEVYING OF 2027 ASSESSMENTS.

   On the motion of Director Andrew and seconded by Director Wilson, the Board approved setting the assessment rate for 2026-27 at two dollars ($2.00) per acre for parcels 10 acres or more, and adopting Resolution 2026-01. (3-0)

6. Consider adoption of Resolution 2026-02 A RESOLUTION STATING THE POWERS OF A JOINT POWERS AUTHORITY TO FIX AND COLLECT CHARGES ON THE 2026-2027 YEARS KINGS COUNTY TAX ROLL.

   On the motion of Director Andrew and seconded by Director Wilson, the Board voted to adopt Resolution 2026-02. (3-0)

7. Consider adoption of Resolution 2026-03 A RESOLUTION SETTING ASIDE THE GROUNDWATER ALLOCATION POLICY AND NEW WELL POLICY.

   On the motion of Director Wilson and seconded by Director Andrew, the Board voted to adopt Resolution 2026-03. Revised policies will be presented for consideration at a special meeting on Friday, September 18 at 1:00 p.m after a public comment period. (3-0)

8. Consider action to approve proposal from Geosyntec Consultants to provide updates for the Tulare Lake Subbasin GSP.

   On the motion of Director Andrew and seconded by Director Wilson, the Board voted to approve the proposal from Geosyntec Consultants to provide updates for the single GSP for the Tulare Lake Subbasin. (3-0)

9. Consider action to approve proposal from Luhdorff & Scalmanini to provide updates for the Tulare Lake Subbasin GSP.

   On the motion of Director Andrew and seconded by Director Wilson, the Board voted to approve the proposal from Luhdorff & Scalmanini to provide updates for the single GSP for the Tulare Lake Subbasin. (3-0)

10. Consider action to contract with Altum Aqua Logic, LLC for consulting services on behalf of the Tulare Lake Subbasin.

    On the motion of Director Andrew and seconded by Director Wilson, the Board voted to approve the proposal from Altum Aqua Logic, LLC for consulting services on behalf of the Tulare Lake Subbasin. (3-0)

11. Consider action to name Stacie Ann Silva as the Point of Contact for the Tulare Lake Subbasin.

    On the motion of Director Andrew and seconded by Director Wilson, the Board voted to name Stacie Ann Silva as the Point of Contact for the Tulare Lake Subbasin. (3-0)

12. Consider action to submit a revised Conflict of Interest Code under the Political Reform Act.

    On the motion of Director Andrew and seconded by Director Wilson, the Board voted to submit the agency's proposed revised Conflict of Interest Code to the FPPC. (3-0)

UPDATES

13. Tulare Lake Subbasin Update
    a. Monthly meetings have been set with SWRCB staff. The next discussion will focus on well mitigation. The goal will be for the GSAs to agree upon a basin-wide plan for mitigation.
    b. On July 31, DWR held a meeting for the subbasin to review land subsidence and to discuss how to get it under control using the Best Management Plan (BMP) recently approved by the State. There needs to be action now to get subsidence under control on critical infrastructure within the subbasin (California Aqueduct).
14. Meters and Telemetry
    a. Mr. Vecpuisis reported that five of the eight wells have telemetry. They are working to set up the dashboards for accessibility by the owners. The remaining three wells will be fitted with telemetry in August.
    b. The Board agreed that monthly reports should be generated showing the amount of water pumped. The data will be submitted for the Annual Report.
15. General Counsel Update – None
16. Director Reports and Comments – None
17. Other Updates, as appropriate – None

CLOSED SESSION Mr. Stroud announced there was not a need for a Closed Session.

18. Conference with legal counsel regarding existing litigation [Govt. Code Section 54956.9(d)(1)]
    a. *Westlake Farms, Inc., A California Corporation, et al vs. Southwest Kings Groundwater Sustainability Agency,* Kings County Superior Court, Case #26CU0226
    b. *County Sanitation District No. 2 of Los Angeles County vs. Southwest Kings Groundwater Sustainability Agency,* Kings County Superior Court, Case #26CU0227
    c. *Tulare Lake Subbasin Probationary Proceedings*, State Water Resources Control Board
19. Report from Closed Session (Gov. Code, §54957.1)

ADJOURNMENT

20. There being no further business to come before the Board on the occasion of the August 7, 2026, meeting, Chair Vidovich adjourned the meeting at 1:42 p.m. until the special Board

meeting scheduled for 1:00 p.m. on September 18, 2026, at 19813 Madison Avenue, Stratford, or as otherwise directed by the Board

Attest:

_____

Craig Andrew, Vice Chair

_____

Jim Wilson, Secretary

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Southwest Kings Groundwater Sustainability Agency

Bill Payment List

July 16-August 31, 2026

Date	Num	Vendor	Amount
Bill.com Money Out Clearing			
08/04/2026		Tri County Water Authority	-1,839.80
08/04/2026		Provost & Pritchard Consulting Group	-42.80
08/04/2026		Water Associates	-3,114.13
08/04/2026		M. Green and Company, LLP	-605.00
08/04/2026		Landmark Irrigation, Inc.	-5,238.64
08/04/2026		ACWA/JPIA	-105.00
08/04/2026		LAND IQ	-1,357.49
08/17/2026		Staci Wilkins	-32.68
08/17/2026		Young Wooldridge LLP	-12,230.97
08/17/2026		Angiola Water District	-500.00
08/17/2026		El Rico GSA	-8,095.81
Total for Bill.com Money Out Clearing			**-$33,162.32**

Southwest Kings Groundwater Sustainability Agency

Budget vs. Actuals: Budget_FY26_P&L - FY26 P&L

January - August, 2026

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Revenue				
401 Benefit Assessment	135,413.88	135,404.00	9.88	100.01 %
450 Grant Income	76,628.59		76,628.59	
Total Revenue	**$212,042.47**	**$135,404.00**	**$76,638.47**	**156.60 %**
GROSS PROFIT	**$212,042.47**	**$135,404.00**	**$76,638.47**	**156.60 %**
Expenditures				
502 Accounting	4,285.00	8,500.00	-4,215.00	50.41 %
503 Legal	57,490.09	25,000.00	32,490.09	229.96 %
504 Clerical	157.39		157.39	
505 Insurance	1,165.78	3,000.00	-1,834.22	38.86 %
506 Website	204.40	480.00	-275.60	42.58 %
507 Audit	5,840.00	5,840.00	0.00	100.00 %
520 GSP				
520-2 Annual Report	10,356.63	30,000.00	-19,643.37	34.52 %
520-3 Monitoring/DMS	13,176.66	30,000.00	-16,823.34	43.92 %
520-5 GSP	13,335.04		13,335.04	
Total 520 GSP	**36,868.33**	**60,000.00**	**-23,131.67**	**61.45 %**
530 Dues	2,100.00	5,000.00	-2,900.00	42.00 %
540 Contingency		50,000.00	-50,000.00	
580 Outside Services				
580.1 Consulting	13,679.60	50,000.00	-36,320.40	27.36 %
580.3 Management Fees	4,000.00	6,000.00	-2,000.00	66.67 %
Total 580 Outside Services	**17,679.60**	**56,000.00**	**-38,320.40**	**31.57 %**
581 Outside Services Meters	20,896.47		20,896.47	
590 Other	497.00		497.00	
Five Year Update/TL Model	14,184.63	50,000.00	-35,815.37	28.37 %
Total Expenditures	**$161,368.69**	**$263,820.00**	**$ -102,451.31**	**61.17 %**
NET OPERATING REVENUE	**$50,673.78**	**$ -128,416.00**	**$179,089.78**	**-39.46 %**
Other Revenue				
490 Interest	14,030.91	8,000.00	6,030.91	175.39 %
Total Other Revenue	**$14,030.91**	**$8,000.00**	**$6,030.91**	**175.39 %**
NET OTHER REVENUE	**$14,030.91**	**$8,000.00**	**$6,030.91**	**175.39 %**
NET REVENUE	**$64,704.69**	**$ -120,416.00**	**$185,120.69**	**-53.73 %**

Southwest Kings Groundwater Sustainability Agency

Statement of Net Assets

As of August 31, 2026

	TOTAL		
	AS OF AUG 31, 2026	AS OF AUG 31, 2025 (PY)	CHANGE
ASSETS			
Current Assets			
Bank Accounts			
102 LAIF	569,111.77	225,781.08	343,330.69
103 Citizens Bank	182,423.97	450,895.52	-268,471.55
Total Bank Accounts	**$751,535.74**	**$676,676.60**	**$74,859.14**
Accounts Receivable			
Accounts Receivable	813.92	3,129.19	-2,315.27
Total Accounts Receivable	**$813.92**	**$3,129.19**	**$ -2,315.27**
Total Current Assets	**$752,349.66**	**$679,805.79**	**$72,543.87**
TOTAL ASSETS	**$752,349.66**	**$679,805.79**	**$72,543.87**
LIABILITIES AND EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
Accounts Payable	30,011.90	2,796.00	27,215.90
Total Accounts Payable	**$30,011.90**	**$2,796.00**	**$27,215.90**
Total Current Liabilities	**$30,011.90**	**$2,796.00**	**$27,215.90**
Total Liabilities	**$30,011.90**	**$2,796.00**	**$27,215.90**
Equity			
Retained Earnings	657,633.07	454,739.85	202,893.22
Net Revenue	64,704.69	222,269.94	-157,565.25
Total Equity	**$722,337.76**	**$677,009.79**	**$45,327.97**
TOTAL LIABILITIES AND EQUITY	**$752,349.66**	**$679,805.79**	**$72,543.87**

Note
Accrual Basis

Southwest Kings Groundwater Sustainability Agency

Statement of Activity

January - August, 2026

	TOTAL		
	JAN - AUG, 2026	JAN - AUG, 2025 (PY)	CHANGE
Revenue			
401 Benefit Assessment	135,413.88	270,808.98	-135,395.10
450 Grant Income	76,628.59	12,570.62	64,057.97
Total Revenue	**$212,042.47**	**$283,379.60**	**$ -71,337.13**
GROSS PROFIT	**$212,042.47**	**$283,379.60**	**$ -71,337.13**
Expenditures			
502 Accounting	4,285.00	6,751.00	-2,466.00
503 Legal	57,490.09		57,490.09
504 Clerical	157.39		157.39
505 Insurance	1,165.78	1,160.78	5.00
506 Website	204.40	119.80	84.60
507 Audit	5,840.00	4,800.00	1,040.00
520 GSP			
520-2 Annual Report	10,356.63	10,629.41	-272.78
520-3 Monitoring/DMS	13,176.66	12,358.74	817.92
520-5 GSP	13,335.04		13,335.04
Total 520 GSP	**36,868.33**	**22,988.15**	**13,880.18**
530 Dues	2,100.00	4,330.00	-2,230.00
580 Outside Services			
580.1 Consulting	13,679.60		13,679.60
580.2 Engineering		24,778.57	-24,778.57
580.3 Management Fees	4,000.00	1,000.00	3,000.00
Total 580 Outside Services	**17,679.60**	**25,778.57**	**-8,098.97**
581 Outside Services Meters	20,896.47		20,896.47
590 Other	497.00	497.00	0.00
Five Year Update/TL Model	14,184.63		14,184.63
Total Expenditures	**$161,368.69**	**$66,425.30**	**$94,943.39**
NET OPERATING REVENUE	**$50,673.78**	**$216,954.30**	**$ -166,280.52**
Other Revenue			
490 Interest	14,030.91	5,315.64	8,715.27
Total Other Revenue	**$14,030.91**	**$5,315.64**	**$8,715.27**
NET OTHER REVENUE	**$14,030.91**	**$5,315.64**	**$8,715.27**
NET REVENUE	**$64,704.69**	**$222,269.94**	**$ -157,565.25**

SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY

RESOLUTION 2026-04

A RESOLUTION ADOPTING A GROUNDWATER WELL POLICY

WHEREAS, the Southwest Kings Groundwater Sustainability Agency ("Agency") is the exclusive Groundwater Sustainability Agency ("GSA") under the Sustainable Groundwater Management Act ("SGMA") for a portion of the Tulare Lake Subbasin, Bulletin 118 Basin No. 5-022.12 ("Basin").

WHEREAS, the Agency has adopted a Groundwater Sustainability Plan ("GSP") for the Basin, together with the other GSAs in the Basin.

WHEREAS, under SGMA, the Agency has various regulatory powers to achieve the sustainability goal set forth in the statute.

WHEREAS, on August 24, 2026, a draft "Groundwater Well Policy" was circulated to all interested stakeholders for public review and comment.

WHEREAS, the Board has received and reviewed written and oral comments from stakeholders.

WHEREAS, implementation of the proposed policy is essential to the Agency's groundwater sustainability program and will further the sustainability goal for its portion of the Basin.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Board finds that the recitals above are true and correct.
2. The Groundwater Well Policy attached hereto is hereby adopted.
3. The District's consultants and other personnel shall take all necessary actions to implement the Groundwater Well Policy.

NOW, THEREFORE, MAY IT FURTHER BE RESOLVED, that the Board of Directors approved and adopted the foregoing at an official meeting held on September 18, 2026.

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

_____

JIM WILSON

SECRETARY OF THE BOARD

CERTIFICATE OF SECRETARY
OF
SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY,
a California joint powers agency

I, Jim Wilson, do hereby certify that I am the duly authorized and appointed Secretary of the Southwest Kings Groundwater Sustainability Agency, a California joint powers agency (the "Agency"); that the following is a true and correct copy of that certain resolution duly and unanimously adopted and approved by the Board of Directors of the Agency on the 18th day of September, 2026; and that said resolution has not been modified or rescinded and remains in full force and effect as the date hereof:

IN WITNESS WHEREOF, I have executed this Certificate on this 18th day of September, 2026.

_____
JIM WILSON
SECRETARY OF THE BOARD

DRAFT

Southwest Kings Groundwater Sustainability Agency

Groundwater Well Policy

Public Review Draft
August 21, 2026

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Definitions

As used in these Rules and Regulations, the following terms have the meanings set forth:

- Agency: The Southwest Kings Groundwater Sustainability Agency.
- Basin: The Tulare Lake Subbasin (Bulletin 118 Basin No. 5-022.12)
- Board: The Agency's Board of Directors
- Bylaws: The operative bylaws of the Agency.
- Engineer: The Engineering Consultant instructed by the Agency to administer this policy.
- GSA: Groundwater Sustainability Agency.
- GSP: The Agency's operative Groundwater Sustainability Plan.
- Landowner: Any individual or legal entity owning real property within the Agency's Management Area.
- Management Area: The portion of the Basin for which the Agency serves as the exclusive GSA under SGMA.
- New Well: A Well constructed after the adoption of this Policy other than a Replacement Well.
- Policy: This Groundwater Well Policy.
- Replacement Well: A Well constructed after the adoption of this Policy to replace a well or set of wells that fails or is abandoned, provided that it has a total extraction capacity no greater than the well or set of wells it replaces and is completed in the same aquifer.
- SGMA: Sustainable Groundwater Management Act
- Water User: Any individual or legal entity using groundwater extracted within the Agency's Management Area.
- Well: A groundwater extraction facility, as defined in Water Code section 10721, subdivision (h).
- Well Expansion: Any modifications or improvements to a Well that result in extraction capacity greater than the original capacity of the Well.

- Well Owner: The Owner or Operator, as those terms are defined in Water Code section 10721, subdivisions (o) and (p), of a Well.

Chapter 1: General Policy

§ 1.1 Authority to Adopt Policy

This policy is adopted pursuant to the Agency's authority under SGMA, including without limitation Water Code sections 10725.2, 10725.6, 10725.8, and 10726.4.

§ 1.2 No Adjudication of Water Rights

The Agency does not have authority to determine or alter surface water or groundwater rights. (Wat. Code, § 10720.5, subd. (b).) Nothing in this Policy shall be construed as an adjudication or determination of water rights. (Wat. Code, § 10726.4, subd. (a)(2).)

§ 1.3 Operating within the Sustainability Goal

This Policy is intended solely to support the Agency's goal of managing extractions within the Basin consistent with SGMA, avoiding undesirable results, and achieving the Sustainability Goal.

Chapter 2: Registration and Metering of Wells

§ 2.1 Registration Required

All Well Owners shall register each Well owned by them with the Agency's Management Area.

§ 2.2 Metering Required

All Wells must be equipped with volumetric flow meters deemed satisfactory to the Engineer.

§ 2.3 Installation of Meters

The meters required by this Policy will be installed by Agency personnel, and the cost of providing, installing, and maintaining the meters will be borne by the Well Owner. Provided, however, that if a Well Owner enters into the Access, Entry, and Indemnity Agreement attached to this Policy as Appendix A, the cost shall be paid by the Agency.

§ 2.4 Inspection of Wells and Meters

The Agency will periodically inspect Wells and meters for compliance with this Policy and to ensure proper calibration of the meters, on a schedule determined by the Engineer. When inspection is required, the Agency will give at least 24-hours notice before entry except in the case of emergency conditions or data integrity needs.

Chapter 3: Construction of New Wells and Well Expansion

§ 3.1 Applicability

Any New Well or Well Expansion shall be subject to the requirements of this chapter in addition to the requirements of chapter 2.

§ 3.2 Certification of Compliance

Before constructing a New Well or performing a Well Expansion, the Well Owner shall provide the Agency with evidence of a well permit issued by the County of Kings (if required) as well as all information necessary to show that constructing the New Well or performing the Well Expansion is in compliance with the Kings County Code of Ordinances, the GSP, or any other applicable state or local law, ordinance, or policy.

§ 3.3 Technical Analysis of New Wells

Before constructing a New Well or performing a Well Expansion, the Well Owner shall submit to the Agency copies of all information and materials submitted to the County of Kings under Article II of Chapter 14A of the Kings County Code of Ordinances, as well a technical analysis, prepared by a registered civil engineer or registered geologist sufficient to support the following determinations:

(a) Operation of the proposed New Well or the expanded Well will not cause undesirable results, including without limitation impacts to critical infrastructure, including the California Aqueduct. This review will address consistency with all Best Management Practices documents promulgated by the Department of Water Resources, including the Subsidence BMP.

(b) Operation of the proposed New Well or the expanded Well will not adversely affect the operation of any existing Well.

(c) Operation of the proposed New Well or the expanded Well is consistent with the GSP and all policies adopted by the Agency.

§ 3.4 Registration of New Wells

The Agency's Engineer will review the technical analysis and information submitted under section 3.3 and must make the determinations listed therein before the New Well can be registered or the expanded Well's registration can be updated.

Chapter 4 [Reserved]

Chapter 5: Implementation and Enforcement

§ 5.1 Violations Prohibited

(a) All groundwater extractions by any Landowner or Water User from any Well not registered as required by this Policy, or a Well that has been the subject of a Well Expansion and has not had its registration updated, are hereby prohibited.

(b) All groundwater extractions by any Landowner or Water User from any Well not equipped with a meter as required by this Policy are hereby prohibited.

(c) All groundwater extractions from a Well that is overdue for inspection are hereby prohibited, unless the Well Owner has consented to the inspection and is waiting for the Agency to complete the inspection.

(d) Constructing a New Well or performing a Well Expansion in the Management Area without first complying with this Policy is hereby prohibited.

§ 5.3 Civil Penalties for Violations

Violations prohibited under this Policy are subject to the following civil penalties:

(a) $500 per acre-foot of prohibited extraction

(b) $1,000 for each day on which a violation of this Policy occurs and $100 for each additional day on which the violation continues, provided that penalties under this subsection may only be imposed if the Landowner or Water User fails to cease unauthorized extractions within 30 days of the Agency's notifying it of the violation

§ 5.4 Procedure for Imposing Penalties

(a) The Agency will give notice to the Landowner or Water User of any violation of this Policy, which notice shall also include notice of a public hearing to be held at a meeting of the Board. The hearing shall be scheduled for no earlier than the 31st day after the Agency gives notice of the violation.

(b) At the hearing, the Landowner or Water User may present any evidence or argument that penalties should not be imposed or regarding the proper amount of such penalties. The Board shall determine, after such hearing, whether to impose penalties and in what amount. The Board shall consider all relevant circumstances, including, but not limited to, the nature and persistence of the violation, the extent of the harm caused by the violation, the length of time over which the violation occurs, and any corrective action taken by the violator.

(c) As an alternative to the procedure set forth in subsections (a) and (b), the Agency may bring an action in superior court for civil penalties.

(d) In addition to an administrative process under subsections (a) and (b) or a court action under subsection (c), the Agency may pursue injunctive relief in any court of competent jurisdiction prohibiting further violations of this Policy.

Chapter 6: Applications and Appeals

§ 6.1 Application Materials and Indemnity

Whenever this Policy requires an application to be submitted to the Agency for a discretionary approval, the applicant shall submit all information necessary for the consideration of its application. Whenever, in the Agency's judgment, review is required under the California Environmental Quality Act or any other environmental review statute, the applicant shall first enter into an agreement that requires it to pay the Agency's full cost of such environmental review and to indemnify the Agency for any litigation regarding the approval of the application.

§ 6.2 Appeals to the Board

Whenever this Policy provides for a discretionary decision by the Engineer or any other inferior officer or committee, any person aggrieved by that decision may appeal it to the Board as follows:

(a) The appellant must tender a written appeal to the Secretary of the Board, either by hand delivery or by mail, within 30 days of the decision appealed from.

(b) The written appeal shall include all information and arguments the appellant wishes the Board to consider, as well as a description of the relief requested.

(c) The Board's decision on the appeal shall be the final decision of the Agency as to the matter considered therein.

§ 6.3 Appeals of Board Decisions

Any decision of the Board under this Policy, other than the decision of an appeal under section 5.2, may be appealed by any person aggrieved by that decision under the procedure provided in section 5.2.

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Kings
1400 W. Lacey Blvd.
Hanford, CA 93230

From: (Public Agency): Southwest Kings GSA
944 Whitley Ave, Ste B
Corcoran, CA 93212
(Address)

Project Title: Groundwater Well Policy

Project Applicant: n/a

Project Location - Specific:
Southwest Kings GSA Portion of the Tulare Lake Subbasin (See Attachment 1)

Project Location - City: n/a Project Location - County: Kings

Description of Nature, Purpose and Beneficiaries of Project:
See Attachment 2

Name of Public Agency Approving Project: Southwest Kings Groundwater Sustainability Agency

Name of Person or Agency Carrying Out Project: Southwest Kings Groundwater Sustainability Agency

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: Class 7 (§15307), Class 8 (§15308)
- ☐ Statutory Exemptions. State code number:
- X Common Sense Exemption (§15061(b)(3))

Reasons why project is exempt:
See Attachment 3

Lead Agency Contact Person: Amer Hussain, Engineer Area Code/Telephone/Extension: 866-676-1101

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

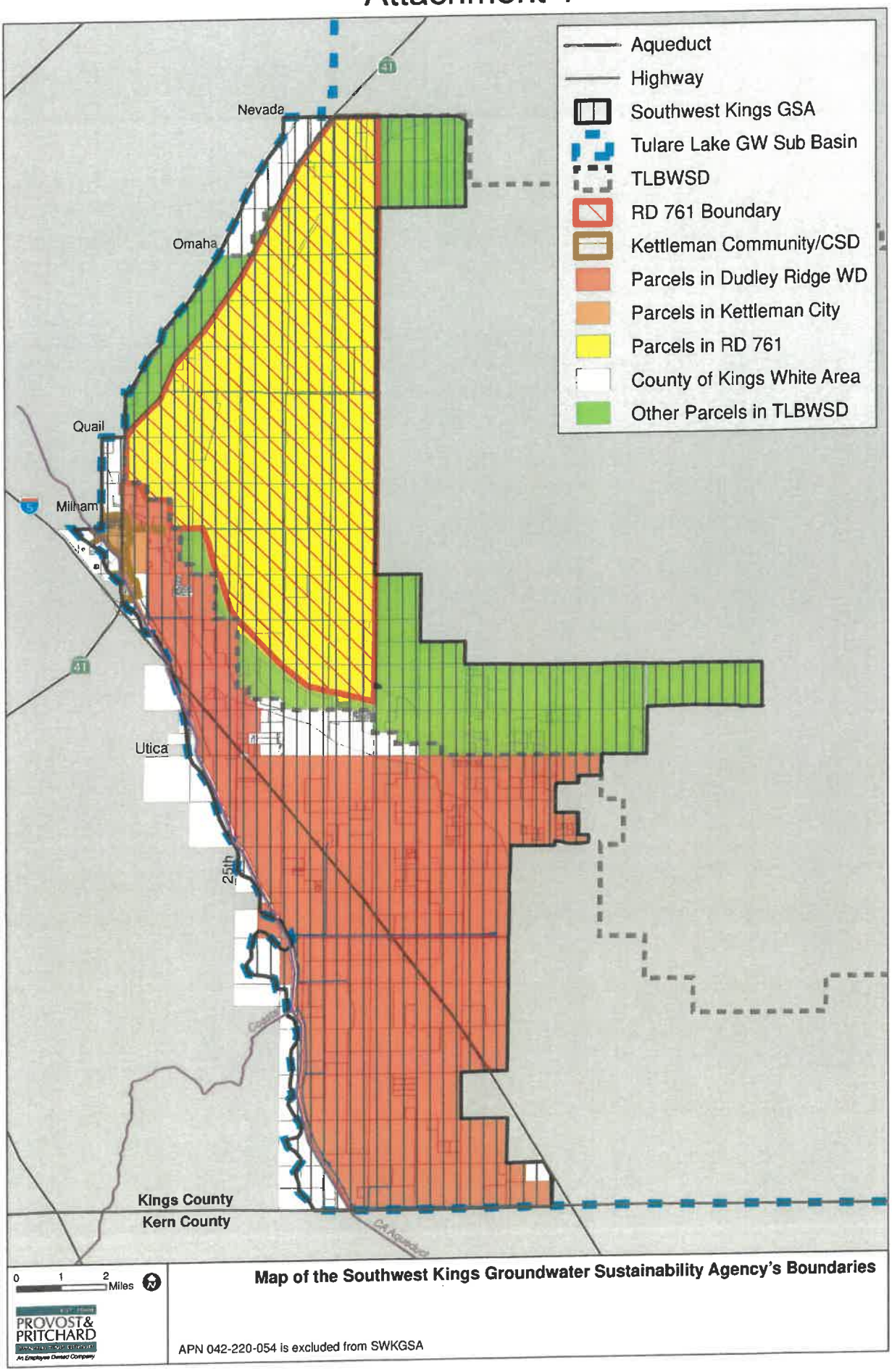
Signature: _____ Date: 09/18/2026 Title: President

▪ Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Attachment 1



Attachment 2
Notice of Exemption – Groundwater Well Policy
Southwest Kings Groundwater Sustainability Agency

Project Description

The Project is the adoption of a "Groundwater Well Policy" ("Policy") for the portion of the Tulare Lake Subbasin for which Southwest Kings GSA is the exclusive Groundwater Sustainability Agency ("GSA") under the Sustainable Groundwater Management Act ("SGMA"). The Policy is a management action under SGMA and does not determine or alter water rights.

Attachment 3
Notice of Exemption – Groundwater Well Policy
Southwest Kings Groundwater Sustainability Agency

Reasons Why the Project Is Exempt

Class 7 Categorical Exemption – Actions by Regulatory Agencies for Protection of Natural Resources

> "Class 7 consists of actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment." (Cal. Code Regs., tit. 14, § 15307.)

The Southwest Kings GSA is a regulatory agency authorized by SGMA to manage groundwater resources in a sustainable manner. The regulatory process under SGMA provides extensive procedures for the protection of the environment, requiring the GSA to prepare a detailed Groundwater Sustainability Plan ("GSP") considering a broad range of information and issues specified in, among other places, Water Code sections 10727.2 and 10727.4. Those GSPs are then subject to review by the Department of Water Resources to determine whether they are "likely to achieve the sustainability goal." (Wat. Code, § 10733.) The sustainability goal is defined as "the existence and implementation of one or more groundwater sustainability plans that achieve sustainable groundwater management by identifying and causing the implementation of measures targeted to ensure that the applicable basin is operated within its sustainable yield." (Wat. Code, § 10721, subd. (u).) The sustainable yield is "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." (Wat. Code, § 10721, subd. (w).) Undesirable results include:

> "(1) Chronic lowering of groundwater levels indicating a significant and unreasonable depletion of supply if continued over the planning and implementation horizon. Overdraft during a period of drought is not sufficient to establish a chronic lowering of groundwater levels if extractions and groundwater recharge are managed as necessary to ensure that reductions in groundwater levels or storage during a period of drought are offset by increases in groundwater levels or storage during other periods.
> (2) Significant and unreasonable reduction of groundwater storage.
> (3) Significant and unreasonable seawater intrusion.
> (4) Significant and unreasonable degraded water quality, including the migration of contaminant plumes that impair water supplies.
> (5) Significant and unreasonable land subsidence that substantially interferes with surface land uses.
> (6) Depletions of interconnected surface water that have significant and unreasonable adverse impacts on beneficial uses of the surface water." (Wat. Code, § 10721, subd. (x).)

The SGMA regulatory process is designed to prevent these environmental harms to a valuable natural resource (groundwater). The Groundwater Well Policy is tied directly to the implementation of the sustainable yield determined through that regulatory process. Therefore, the exemption applies.

Class 8 Categorical Exemption – Actions by Regulatory Agencies for Protection of the Environment

> "Class 8 consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment." (Cal. Code Regs., tit. 14, § 15308.)

The same analysis presented above with regard to Class 7 applies to Class 8. In addition to being a valuable natural resource, groundwater is an integral part of the environment, and sustainable management of groundwater extractions is intended to maintain, restore, enhance, and protect environmental values.

Potential Exception to Categorical Exemptions – Cumulative Impact

> "All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant." (Cal. Code Regs., tit. 14, § 15300.2, subd. (b).)

The Southwest Kings GSA has not identified any successive projects that might result in cumulative impacts.

Potential Exception to Categorical Exemptions – Significant Effect

> "A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." (Cal. Code Regs., tit. 14, § 15300.2, subd. (c).)

This exception requires a two-part analysis, articulated in *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086 (*Berkeley Hillside*). First, it must be determined whether "unusual circumstances" exist. Second, and only if unusual circumstances do exist, the question is whether there is a fair argument that the Project could have significant effects on the environment **due to** those unusual circumstances. The Court of Appeal has given guidance on what "unusual circumstances" means in this context: "the project has some feature that distinguishes it from others in the exempt class, such as its size or location." (*Citizens for*

Environmental Responsibility v. State ex rel. 14th Dist. Agricultural Assn. (2015) 242 Cal.App.4th 555.)

The Southwest Kings GSA has not identified any features of the Project that distinguish it from other regulatory measures for the protection of natural resources and the environment.

Common Sense Exception

> "…CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." (Cal. Code Regs., tit. 14, § 15061, subd. (b)(3).)

The purpose of the Well Policy is to require the registration, metering, and reporting of all existing groundwater wells in the Southwest Kings GSA and to impose restrictions on the construction of new groundwater wells. The registration, metering, and reporting requirements would clearly not have a significant effect on the environment. The restrictions on new wells would also not have a significant effect on the environment, because any potential new wells are not part of the environmental baseline and the effect of the restrictions would be, if anything, to limit future effects on the environment.

SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY

RESOLUTION 2026-05

A RESOLUTION ADOPTING A GROUNDWATER WELL POLICY AND A GROUNDWATER EXTRACTION ALLOCATION POLICY

WHEREAS, the Southwest Kings Groundwater Sustainability Agency ("Agency") is the exclusive Groundwater Sustainability Agency ("GSA") under the Sustainable Groundwater Management Act ("SGMA") for a portion of the Tulare Lake Subbasin, Bulletin 118 Basin No. 5-022.12 ("Basin").

WHEREAS, the Agency has adopted a Groundwater Sustainability Plan ("GSP") for the Basin, together with the other GSAs in the Basin.

WHEREAS, under SGMA, the Agency has various regulatory powers to achieve the sustainability goal set forth in the statute.

WHEREAS, on August 24, 2026, a draft "Groundwater Extraction Allocation Policy" was circulated to all interested stakeholders for public review and comment.

WHEREAS, the Board has received and reviewed written and oral comments from stakeholders.

WHEREAS, implementation of the proposed policy is essential to the Agency's groundwater sustainability program and will further the sustainability goal for its portion of the Basin.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Board finds that the recitals above are true and correct.
2. The Groundwater Extraction Allocation Policy attached hereto is hereby adopted.
3. The District's consultants and other personnel shall take all necessary actions to implement the Groundwater Extraction Allocation Policy.

NOW, THEREFORE, MAY IT FURTHER BE RESOLVED, that the Board of Directors approved and adopted the foregoing at an official meeting held on September 18, 2026.

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

_____

JIM WILSON

SECRETARY OF THE BOARD

CERTIFICATE OF SECRETARY
OF
SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY,
a California joint powers agency

I, Jim Wilson, do hereby certify that I am the duly authorized and appointed Secretary of the Southwest Kings Groundwater Sustainability Agency, a California joint powers agency (the "Agency"); that the following is a true and correct copy of that certain resolution duly and unanimously adopted and approved by the Board of Directors of the Agency on the 18th day of September, 2026; and that said resolution has not been modified or rescinded and remains in full force and effect as the date hereof:

IN WITNESS WHEREOF, I have executed this Certificate on this 18th day of September, 2026.

_____
JIM WILSON
SECRETARY OF THE BOARD

DRAFT

Southwest Kings Groundwater Sustainability Agency

Groundwater Extraction Allocation Policy

Public Review Draft
August 21, 2026

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Definitions

As used in these Rules and Regulations, the following terms have the meanings set forth:

- Agency: The Southwest Kings Groundwater Sustainability Agency.
- Basin: The Tulare Lake Subbasin (Bulletin 118 Basin No. 5-022.12)
- Board: The Agency's Board of Directors
- Bylaws: The operative bylaws of the Agency.
- Eligible Parcel: A parcel of land in the Management Area, as defined in the Kings County Assessor's Maps, other than the following:
    - Parcels representing an easement, right-of-way, or other non-fee interest in the land
    - Parcels owned by the State
    - Parcels owned by a local public agency within that local public agency's jurisdictional boundaries
    - Parcels subject to a conservation easement or other restrictive covenant that prohibits the extraction of groundwater from that parcel
    - Parcels from which all groundwater rights have been severed by deed or adjudged by a court of competent jurisdiction as having no groundwater rights
    - Parcels that are within the boundaries of Kettleman City CSD and/or are served by an existing public water system
- Engineer: The Engineering Consultant instructed by the Agency to administer this policy.
- GSA: Groundwater Sustainability Agency.
- GSP: The Agency's operative Groundwater Sustainability Plan.
- Landowner: Any individual or legal entity owning real property within the Agency's Management Area.
- Management Area: The portion of the Basin for which the Agency serves as the exclusive GSA under SGMA.

- Management Plan: The plan for operating the Management Area within a given Water Year, which sets restrictions on transfers and the use of credits from prior Water Years where such actions would cause or contribute to undesirable results.

- Operating Yield: The total amount of regulated groundwater extractions to be permitted in a given Water Year under this Policy.

- Policy: This Groundwater Extraction Allocation Policy.

- SGMA: Sustainable Groundwater Management Act

- Sustainable Yield: The maximum amount of groundwater that can be extracted from a basin without causing an undesirable result

- Water User: Any individual or legal entity using groundwater extracted within the Agency's Management Area.

- Water Year: The period from October 1 through the following September 30, inclusive.

Chapter 1: General Policy

§ 1.1 Authority to Adopt Policy

This policy is adopted pursuant to the Agency's authority under SGMA, including without limitation Water Code sections 10725.2 and 10726.4.

§ 1.2 No Adjudication of Water Rights

The Agency does not have authority to determine or alter surface water or groundwater rights. (Wat. Code, § 10720.5, subd. (b).) Nothing in this Policy shall be construed as an adjudication or determination of water rights. (Wat. Code, § 10726.4, subd. (a)(2).)

§ 1.3 Operating within the Sustainability Goal

This Policy is intended solely to manage extractions within the Basin consistent with SGMA, avoid undesirable results, and achieve the Sustainability Goal.

§ 1.4 Policy Priorities

The Agency declares the following as its policy principles in adopting and administering this Policy:

(a) Undesirable results are to be prevented.

(b) Conservation and replenishment of groundwater resources is to be encouraged.

(c) Domestic users are to be protected from reductions in supply whenever feasible.

(d) Overlying landowners are to receive a proportional allocation of available water except where doing so would cause undesirable results.

(e) Allocations are to be transferable where feasible without causing or contributing to undesirable results.

§ 1.5 De Minimis Domestic Use Exempt

This Policy does not regulate extractions of two acre-feet or less per year solely for domestic use.

Chapter 2: Allocation of Sustainable Yield Credits

§ 2.1 Annual Allocation and Management Plan

Sustainable yield credits will be allocated pursuant to this chapter each Water Year. Prior to allocation of sustainable yield credits for a Water Year, the Engineer shall approve a Management Plan for that year that includes the following:

(a) The Operating Yield for the Water Year

(b) The allocation of that Operating Yield to each Landowner and Water User under this chapter

(c) Restrictions on the exercise of credits designed to prevent undesirable results, including without limitation restrictions on transfers of credits, restrictions on the use of unexpired credits from prior Water Years, and restrictions on extractions in specific areas at risk for an undesirable result.

The Management Plan shall be supported by technical information and analysis provided by the Engineer.

§ 2.2 Determination of Operating Yield

The Engineer shall determine the Operating Yield for the current Water Year by the following method:

(a) Begin with the Sustainable Yield for the Management Area as defined in the Agency's adopted GSP.

(b) Adjust the number upward or downward as necessary to avoid undesirable results, based on any technical information or analysis developed since the last update to the GSP.

(c) Subtract from the adjusted sustainable yield an amount equal to 2 acre-feet times the number of de minimis domestic wells known to exist in the Management Area.

§ 2.3 Domestic Use Allocations

The Management Plan shall allocate, from the Operating Yield, the following domestic use allocations:

(a) An allocation to Kettleman City CSD equal to its average historical extractions from Water Years 2015-16 to 2025-26.

(b) An allocation to any other water system or domestic extractor other than a de minimis extractor excluded from this Policy under section 1.5, provided the following conditions are met:

(1) The domestic extractor, at least 30 days prior to the start of the Water Year, applies for such an allocation. Late applications may be accepted at the Engineer's discretion. The application shall state the amount of allocation requested, identify the well(s) to be used and the parcels to be served, and provide evidence of the number of persons or households for whom the extractor provides domestic water service.

(2) The requested allocation does not exceed the greater of (i) the domestic extractor's average historical extractions from Water Years 2015-16 to 2025-26, (ii) 0.5 acre-feet per household served, or (iii) 0.125 acre-feet per person served.

(3) The Engineer determines that extracting the full allocation during the Water Year from the wells identified would not create undesirable results.

§ 2.4 Other Non-Overlying Use Allocations

The Management Plan shall allocate, from the Operating Yield, an allocation for any non-overlying uses other than domestic use only provided the following conditions are met:

(a) The Water User, at least 30 days prior to the start of the Water Year, applies for such an allocation. Late applications may be accepted at the Engineer's discretion. The application shall state the amount of allocation requested and identify the well(s) to be used, the beneficial use to be served, and the location of that use. The application shall also include information necessary to support the findings described in subsections (b) and (c).

(b) The Water User shows either that water is available in the Basin in excess of all overlying needs or that the Water User has a prescriptive right to extract the water for which it seeks an allocation.

(c) The Engineer determines that extracting the full allocation during the Water Year from the wells identified would not create undesirable results.

§ 2.5 Overlying Use Allocations

The Management Plan shall allocate the remaining Operating Yield, after making domestic allocations under section 2.3 and non-domestic allocations under section 2.4, to all Eligible Parcels on a pro rata basis based on total acreage. Each Landowner may use any portion of its overlying use allocation from all of its parcels to extract groundwater from any of its parcels, unless the Management Plan places any specific limitations on the concentration of extractions.

§ 2.6 Transfer of Sustainable Yield Credits with the Management Area

Any Landowner or Water User (Transferor) may transfer sustainable yield credits to another Landowner or Water User (Transferee) by providing written approval of the transfer to the Agency, provided the following conditions are met:

(a) The Transferor has sufficient credits to make the transfer.

(b) The Transferee is an overlying landowner that receives an allocation under section 2.5.

(c) The transfer is not contrary to any restriction in the current Management Plan, the GSP, or any other applicable state or local law, ordinance, or policy.

(d) The transfer would not create undesirable results.

§ 2.7 Transfer of Sustainable Yield Credits to Another GSA

Any Landowner or Water User may transfer sustainable yield credits from its account under this Policy for use within another GSA in the Basin by providing written approval of the transfer to the Agency and the other GSA, provided the following conditions are met:

(a) The receiving GSA has in place an allocation policy that allows for such transfers.

(b) The transfer is not contrary to any restriction in the current Management Plan, the GSP, the receiving GSA's GSP, or any other applicable state or local law, ordinance, or policy.

§ 2.8 Unexercised Sustainable Yield Credits

Sustainable yield credits that are not exercised in the Water Year in which they are allocated may be exercised in a later Water Year, provided that the Engineer may limit the use of these credits in the Management Plan for a given Water Year. Any credits not used within one of the four water years following the Water Year for which they were allocated shall expire.

Chapter 3 [Reserved]: Landowner Developed Credits

Chapter 4: Implementation and Enforcement

§ 4.1 Records of Allocation Accounts

(a) The Agency's Engineer shall maintain a record of the allocation credits available to each Landowner or Water User within the Management Area.

(b) Each Landowner's or Water User's account shall be credited with sustainable yield credits and landowner developed credits as described in chapters 2 and 3 of this Policy.

(c) Each Landowner's account shall be debited with credits equivalent to all extractions by the Landowner and any Water User approved by the Landowner to exercise its credits. Sustainable yield credits will be applied first, then landowner developed credits.

(d) Credits that expire under the terms of chapters 2 and 3 of this Policy shall be debited from the Landowner's account.

(e) If a Landowner or Water User's extractions exceed the credits in its account, a negative account balance will be recorded, and the next time credits are allocated to that Landowner or Water User that allocation will first be used to offset the negative balance.

§ 4.2 Exceedances and Violations Prohibited

(a) All groundwater extractions by any Landowner or Water User in excess of the credits available to that Landowner or Water User under this Policy are hereby prohibited.

(b) Maintaining a negative balance in a Landowner's account is hereby prohibited.

(c) All groundwater extractions in violation of any restriction imposed in a Management Plan are hereby prohibited.

§ 4.3 Civil Penalties for Violations

Groundwater extractions prohibited under this Policy are subject to the following civil penalties:

(a) $500 per acre-foot of prohibited extraction

(b) $1,000 for each day on which a violation of this Policy occurs and $100 for each additional day on which the violation continues, provided that penalties under this subsection may only be imposed if the Landowner or Water User fails to cease unauthorized extractions within 30 days of the Agency's notifying it of the violation

§ 4.4 Procedure for Imposing Penalties

(a) The Agency will give notice to the Landowner or Water User of any violation of this Policy, which notice shall also include notice of a public hearing to be held at a meeting of the Board. The hearing shall be scheduled for no earlier than the 31st day after the Agency gives notice of the violation.

(b) At the hearing, the Landowner or Water User may present any evidence or argument that penalties should not be imposed or regarding the proper amount of such penalties. The Board shall

determine, after such hearing, whether to impose penalties and in what amount. The Board shall consider all relevant circumstances, including, but not limited to, the nature and persistence of the violation, the extent of the harm caused by the violation, the length of time over which the violation occurs, and any corrective action taken by the violator.

(c) As an alternative to the procedure set forth in subsections (a) and (b), the Agency may bring an action in superior court for civil penalties.

(d) In addition to an administrative process under subsections (a) and (b) or a court action under subsection (c), the Agency may pursue injunctive relief in any court of competent jurisdiction prohibiting further violations of this Policy.

Chapter 5: Applications and Appeals

§ 5.1 Application Materials and Indemnity

Whenever this Policy requires an application to be submitted to the Agency for a discretionary approval, the applicant shall submit all information necessary for the consideration of its application. Whenever, in the Agency's judgment, review is required under the California Environmental Quality Act or any other environmental review statute, the applicant shall first enter into an agreement that requires it to pay the Agency's full cost of such environmental review and to indemnify the Agency for any litigation regarding the approval of the application.

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Whenever this Policy or a Management Plan under this Policy provides for a discretionary decision by the Engineer or any other inferior officer or committee, any person aggrieved by that decision may appeal it to the Board as follows:

(a) The appellant must tender a written appeal to the Secretary of the Board, either by hand delivery or by mail, within 30 days of the decision appealed from.

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Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

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1400 W. Lacey Blvd.
Hanford, CA 93230

From: (Public Agency): Southwest Kings GSA
944 Whitley Ave, Ste B
Corcoran, CA 93212
(Address)

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Name of Person or Agency Carrying Out Project: Southwest Kings Groundwater Sustainability Agency

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Reasons why project is exempt:
See Attachment 3

Lead Agency Contact Person: Amer Hussain, Engineer Area Code/Telephone/Extension: 866-676-1101

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: 09/18/2026 Title: President

▪ Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
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Date Received for filing at OPR: _____

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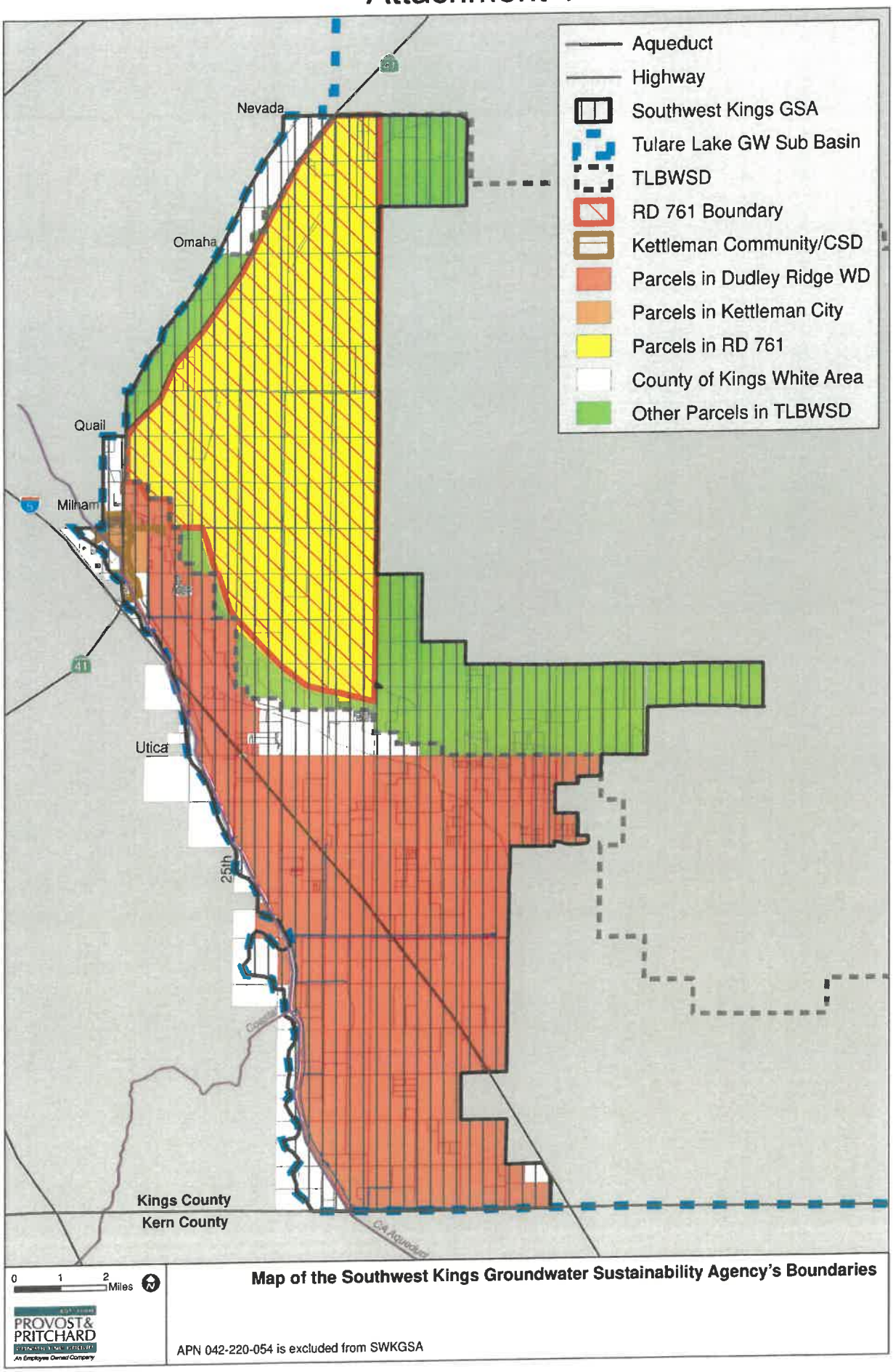

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> "(1) Chronic lowering of groundwater levels indicating a significant and unreasonable depletion of supply if continued over the planning and implementation horizon. Overdraft during a period of drought is not sufficient to establish a chronic lowering of groundwater levels if extractions and groundwater recharge are managed as necessary to ensure that reductions in groundwater levels or storage during a period of drought are offset by increases in groundwater levels or storage during other periods.
> (2) Significant and unreasonable reduction of groundwater storage.
> (3) Significant and unreasonable seawater intrusion.
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> (6) Depletions of interconnected surface water that have significant and unreasonable adverse impacts on beneficial uses of the surface water." (Wat. Code, § 10721, subd. (x).)

The SGMA regulatory process is designed to prevent these environmental harms to a valuable natural resource (groundwater). The Groundwater Extraction Allocation Policy is tied directly to the implementation of the sustainable yield determined through that regulatory process. Therefore, the exemption applies.

Class 8 Categorical Exemption – Actions by Regulatory Agencies for Protection of the Environment

> "Class 8 consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment." (Cal. Code Regs., tit. 14, § 15308.)

The same analysis presented above with regard to Class 7 applies to Class 8. In addition to being a valuable natural resource, groundwater is an integral part of the environment, and sustainable management of groundwater extractions is intended to maintain, restore, enhance, and protect environmental values.

Potential Exception to Categorical Exemptions – Cumulative Impact

> "All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant." (Cal. Code Regs., tit. 14, § 15300.2, subd. (b).)

The Southwest Kings GSA has not identified any successive projects that might result in cumulative impacts.

Potential Exception to Categorical Exemptions – Significant Effect

> "A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." (Cal. Code Regs., tit. 14, § 15300.2, subd. (c).)

This exception requires a two-part analysis, articulated in *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086 (*Berkeley Hillside*). First, it must be determined whether "unusual circumstances" exist. Second, and only if unusual circumstances do exist, the question is whether there is a fair argument that the Project could have significant effects on the environment **due to** those unusual circumstances. The Court of Appeal has given guidance on what "unusual circumstances" means in this context: "the project has some feature that

distinguishes it from others in the exempt class, such as its size or location." (*Citizens for Environmental Responsibility v. State ex rel. 14th Dist. Agricultural Assn.* (2015) 242 Cal.App.4th 555.)

The Southwest Kings GSA has not identified any features of the Project that distinguish it from other regulatory measures for the protection of natural resources and the environment.