

Appendix W

Minimum Threshold Exceedance Policy

KERN COUNTY SUBBASIN MINIMUM THRESHOLDS EXCEEDANCE POLICY

INTRODUCTION

An exceedance policy is hereby developed to provide protocols and guidelines for groundwater sustainability agencies (GSAs) in the Kern County Subbasin (Subbasin) to investigate exceedance of minimum thresholds (MTs) at Representative Monitoring Wells (RMW) following the collection of RMW monitoring data and identification of a MT exceedance. This policy is developed in conjunction with the Subbasin Well Mitigation Program which identifies mitigation strategies for vulnerable communities as detailed in the Groundwater Sustainability Plan(s).¹ The foundational elements of a successful exceedance policy are described below.

PURPOSE

While it is likely a single or isolated exceedance of a MT will not, by itself, cause an Undesirable Result², such an exceedance may be indicative of a trend and potential for future exceedances which could result in Subbasin-wide Undesirable Results for chronic lowering of groundwater.

Each Groundwater Sustainability Agency (GSA) within the Subbasin is responsible for monitoring groundwater conditions, complying with GSP requirements, and coordinating with other agencies, entities, and other beneficial users of groundwater (e.g., cities, community water systems, domestic use, etc.) within their respective GSA boundaries. However, all GSAs must also work cooperatively to avoid Subbasin-wide Undesirable Results and maintain SGMA compliance. As part of this coordination, all GSAs within the Subbasin compile an annual report and submit that report to the Department of Water Resources (DWR) each year by April 1. Information that reflects compliance with or exceedance of MTs will be included in each annual report, if present. The exceedance policy below supplements the Subbasin's annual reporting efforts to further document actionable progress towards avoiding future MT exceedances.

POLICY

As prescribed in the [Kern Subbasin Monitoring Network & Protocols](#), groundwater levels must be measured by the GSAs at all RMWs for both Spring (January 15 to March 30)

¹ The Subbasin Well Mitigation Program is described under Appendix K of the Kern County Subbasin Groundwater Sustainability Plan.

² Undesirable Results are defined in the Kern County Groundwater Sustainability Plan as URs are the significant and unreasonable occurrence of conditions, for any of the six Sustainability Indicators (shown in Error! Reference source not found.), that adversely affect beneficial uses and users and substantially interfere with surface land uses in the Subbasin.

and Fall (August 15 to November 15) monitoring events, at a minimum (some GSAs take more frequent readings, however only the Spring and Fall monitoring events are utilized for the MT exceedance and Undesirable Results calculation). After each official Spring and Fall groundwater monitoring event, GSAs are required to report their results to the Subbasin data management system (DMS) to be aggregated and included in the Subbasin's annual report. When an individual well MT has been exceeded, a notification is sent to all GSAs in the Subbasin through the DMS including the location and date of the MT exceedance.

Within 60 days of submittal of an MT exceedance to the Subbasin DMS, any GSA/management area with an MT exceedance at a RMW shall complete the following steps:

Step 1: Identification of Initial Exceedance and Investigation of the RMW Area

- A. During the initial investigation after an MT exceedance, the GSA will gather information to evaluate whether the issue is associated with one RMW or is systemic to a larger geographic area. The investigation will evaluate various conditions surrounding the RMW that may be contributing to the MT exceedance which may include information in response to the following questions:
- Has the exceedance been confirmed through repeat measurement and representative of current conditions or is the data potentially anomalous?
 - Are water levels declining in nearby wells? If so, investigate the cause and identify how large an area is affected.
 - Is the area close to any new well(s)?
 - Is the exceedance coincident with area-wide drought conditions?
 - Evaluate the exceedance in reference to the GSA water budget.
 - Are there other activities that could be affecting groundwater conditions in the area?
 - Are there existing projects in the area that are in the process of being implemented?
- B. During the investigation process, the GSA will assess whether the exceedance is caused by drought³, operations in an adjacent GSA, and/or activities related to non-GSA factors. If applicable, the GSA with the MT exceedance is encouraged to

³ "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." (Source: Water Code Section 10721 (x)(1)).

coordinate with neighboring GSA(s) and other entities and programs (e.g., California Geologic Energy Management Division (CalGEM), Irrigated Lands Regulatory Program [ILRP] and Central Valley Salinity Alternative for Long-Term Sustainability [CV-SALTS], etc.) in the collection, sharing and analysis of applicable data to determine the cause of the exceedance and develop collaborative corrective actions.

- C. Individual GSAs will provide a copy of the exceedance report to the Subbasin coordination committee (coordination committee). Within 60 days of receipt, the coordination committee will review the exceedance report to determine if the MT exceedance is contributing to localized undesirable conditions due to SGMA-related activities.

Step 2: Confer with Subbasin Coordination Committee

The coordination committee may make recommendations to the GSA(s) to consider implementing projects, management actions, or other actions as applicable to prevent a continued exceedance in adherence to the Subbasin Well Mitigation Program.