



Meeting of the Northern Delta-Mendota Region Management Committee

Wednesday, September 3, 2025, 1:00 PM

IN PERSON

Patterson City Council Chambers, 1 Plaza Circle, Patterson, CA

Members and public may also join this meeting at the Zoom link below

<https://zoom.us/j/98061033145>

Webinar ID: 980 6103 3145

September 3, 2025

TO: Northern Delta-Mendota Region Management Committee and Interested Parties

FROM: Bobby Pierce, Committee Chair

RE: MEETING OF THE NORTHERN DELTA-MENDOTA REGION MANAGEMENT COMMITTEE
Wednesday, September 3, 2025, 1:00 PM

NOTICE IS HEREBY GIVEN that a Meeting of the Northern Delta-Mendota Region Management Committee has been called for **Wednesday, September 3, 1:00 PM**, on items listed on the attached agenda, which is incorporated by reference and made a part hereof.



Meeting of the Northern Delta-Mendota Region Management Committee

Wednesday, September 3, 2025, 1:00 PM

AGENDA

1. Call to Order/Roll Call (Pierce)
2. Pledge of Allegiance (Pierce)
3. Committee to Consider Corrections or Additions to the Agenda of Items, as Authorized by Government Code Section 54950 et seq. (Pierce)
4. Opportunity for Public Comment (Pierce)

OPEN SESSION

Consent Calendar

5. Committee to Review and Take Action on the Consent Calendar (Pierce)
 - a. Minutes of the August 6, 2025 Northern Delta-Mendota Region Management Committee Meeting
 - b. Budget to Actual Report

Report Items

6. SGMA Round 1 Grant Implementation Activities (Dumas/Cochran)
7. Outreach & Engagement (Palys)
 - a. Update on Meetings with Adjoining Subbasins Regarding Comment Letters on Periodic Evaluations
 - b. Well Mitigation Policy
8. DWR Draft Subsidence BMP (Palys)
9. SWRCB Updates (Palys)
 - a. GSA Adoption of the Domestic Well Mitigation Policy
 - b. Valley Water Collaborative MOU
10. JPA Status (Layne)
11. GSP Implementation Updates (Dumas/Cochran/Xie/Palys)
 - c. August Groundwater Level Monitoring and Groundwater Quality Sampling and Event (Dumas/Cochran)
 - d. Update on Pumping Reduction Plan and GSP Implementation Tracking and Exceedance Reporting (Xie/Palys)
12. Program Management Report (Palys/Peterson)
 - e. Review of Previous Meeting Action Items (Palys)

- f. Tasking Matrix Overview (Peterson)
- g. Schedule of Key Milestones (Palys)

Closed Session

13. Conference with Legal Counsel – Anticipated Litigation

The Committee will meet in closed session to confer with legal counsel on significant exposure to anticipated litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: (1 case)

Open Session

14. Report from Closed Session (Layne)

15. Next Steps (Palys)

16. Reports Pursuant to Government Code Section 54954.2(a)(3) (Layne)

17. Next Meeting (Pierce)

18. Adjournment (Pierce)



NORTHERN
DELTA-MENDOTA

Northern Delta-Mendota Region Management Committee

Draft Meeting Minutes

Wednesday, August 6, 2025, 1:00 PM

Patterson City Council Chambers, 1 Plaza Circle, Patterson, CA

Northern Delta-Mendota Region Management Committee Members and Alternates Present

Adam Scheuber, Alternate – Del Puerto Water District (DPWD)

Joel Andrews, Alternate – City of Patterson

Vince Lucchesi, Member – Patterson Irrigation District (PID)

Lacey McBride, Member – Merced County

Christy McKinnon, Member – Stanislaus County

Maria Encinas, Member – City of Patterson

Absent:

Bobby Pierce, Member – West Stanislaus Irrigation District (WSID)

Others Present

Kait Palys, INTERA

Scott Petersen, SLDMWA Water Policy Director

Caleb Stearns, West Stanislaus ID

Matt Garcia, Del Puerto WD

Others Present via Zoom

Amir Mani, EKI

Anona Dutton, EKI

Jackson Bouchard

Jessica Johnson, Baker Manock & Jensen (BMJ)

John Brodie, Water & Land Solutions

Leslie Dumas, Woodard & Curran

Margaret Caligaris, Trihydro

Taylor Blakslee, Hallmark Group

1. Call to Order/Roll Call

Northern Delta-Mendota Region Management Committee Vice Chair Lucchesi called the meeting to order at 1:03 PM.

2. Opportunity for Public Comment

No public comment was provided.

Consent Calendar

3. Committee to Review and Take Action on the Consent Calendar

- a. **Minutes of the June 4, 2025 Special Joint Meeting**
- b. **Minutes of the June 23, 2025 Special Meeting**
- c. **Budget to Actual Report**

Committee Member Encinas made a motion to approve the consent calendar. The motion was seconded by Committee Member Scheuber and passed.

Report Items

4. Committee to discuss SGMA Round 1 Grant Implementation Activities

Grant manager Woodard & Curran's Leslie Dumas noted that all construction work must be completed by December 31, 2025, and reviewed the remaining key grant dates. She said that final component documents must be submitted and received by the California Department of Water Resources (DWR) by April 30, 2026.

Vice Chair Lucchesi asked for an update on the two, grant-funded interconnected surface water (ISW) wells and Ms. Dumas reported that Andrew Francis with LSCE confirmed a location for ISW #1 on County property and would be working on the documentation to continue the installation at that site.

Committee Member McBride reported that for ISW well #3 Merced County completed the bid process and they are using a new driller (Living Water) and Mr. Francis is working with the California Fish and Wildlife on the permit that has not been extended past September 30, 2025 due to the water fowl season.

5. Committee to Discuss Next Steps for Exceedance Policy Reporting Implementation via Pumping Reduction Program (PRP) Dashboard

EKI's Ami Mani provided an update on the pumping reduction plan (PRP) dashboard and noted that they have coordinated with Houston Engineering to connect with the underlying data in the data management system (DMS). He reminded the Committee to provide their GSA point of contact for PRP access so they can create an account in the dashboard.

Mr. Mani provided an update on the status of the well-mitigation plan and the State Water Resources Control Board's (SWRCB) comments.

Committee Member McBride encouraged looking into Chowchilla plan since they included mitigation for small systems in their plan.

Committee Member Scheuber asked for a copy of the EKI presentation for the Del Puerto Board of Directors.

6. Committee to Discuss Update on Establishing SMCs for New RMS Wells

Mr. Mani provided an update on the process of establishing sustainable management criteria (SMC) for new wells. He reviewed the proposed methodology for setting SMCs and noted that at least two years of data are needed to set SMCs.

Committee Member Lucchesi commented that he appreciated the approach but asked if managing to 2015 groundwater levels impacts the methodology. EKI's Anona Dutton replied that setting SMCs based on contours and using proxy wells can address this.

7. Committee to Discuss August Groundwater Level and Quality Monitoring

Ms. Dumas reported that August remainders for third quarter groundwater level and water quality sampling have been sent out.

8. Committee to Discuss Activity Agreement Signature

Ms. McBride reported that Merced County counsel requested a minor change to the activity agreement, and the August 6th version is the correct agreement to sign. Committee Member Scheuber requested the redline version of the letter be sent to the committee.

9. Review of Previous Meetings Action Items

Ms. Palys summarized the following action items:

- a. Scheduling Technical Group Meeting with USBR/USGS to Discuss CVHM2 Model for the San Joaquin Valley – Mr. Mani reported that the whitepaper was submitted to the subsidence report authors and a meeting was offered, but there has not been an update at this time.
- b. EKI coordination with Houston Engineering on PRP and DMS integration – in process.
- c. W&C coordination with DWR regarding Merced County EIF lead agency change – Ms. Dumas reported that DWR has been made aware.
- d. W&C to confirm if PID's grant reimbursement information was included in latest package to DWR – Ms. Dumas said this will be included in the next reimbursement package.
- e. City of Patterson to send Committee Member Scheuber proposed locations for Subsidence Benchmark Data Gap project.

10. Committee to Identify and Name the Secretary for the Northern Delta-Mendota Region Management

Ms. Palys informed the Committee that it would need to appoint a new secretary since that position was previously held by Scott Petersen with the San Luis Delta-Mendota Water Authority. She noted the recommendation was to appoint Hallmark Group since it was hired to perform the administrative duties that align with the Secretary duties.

Committee Member Scheuber made a motion to appoint Hallmark Group as the Secretary. The motion was seconded by Committee Member McKinnon and passed unanimously.

11. Reports Pursuant to Government Code Section 54954.2(a)(3)

No reports were discussed under this item.

12. Adjourn

Vice Chair Vince adjourned the meeting at 2:09 p.m.

SAN LUIS & DELTA-MENDOTA WATER AUTHORITY
MARCH 1, 2025 - FEBRUARY 28, 2026
SUSTAINABLE GROUNDWATER MANAGEMENT ACT SERVICES AGREEMENT
ACTIVITY AGREEMENTS BUDGET TO ACTUAL
NORTHERN DELTA-MENDOTA REGION (FUND 64)
Report Period 3/1/25 - 06/30/25

EXPENDITURES	Annual Budget	Paid/ Expense	Amount Remaining	% of Amt Remaining	Expenses Through
<u>Legal:</u>					
Baker Manock & Jensen	\$ 35,000	\$ 3,852	\$ 31,148	89%	6/3/25
<u>Other Professional Services:</u>					
Contracts	\$ 363,028	\$ 19,285	\$ 343,743	95%	5/31/25
<u>Other:</u>					
Executive Director	\$ 500	\$ -	\$ 500	100%	
General Counsel	\$ 1,500	\$ -	\$ 1,500	100%	
Water Policy Director	\$ 20,000	\$ 8,634	\$ 11,366	57%	6/27/25
In-House Staff	\$ 2,500	\$ 787	\$ 1,713	69%	6/27/25
Hydrotech 3	\$ 24,423	\$ -	\$ 24,423	100%	
Conferences & Training	\$ 1,000	\$ -	\$ 1,000	100%	
Travel/Mileage	\$ 2,000	\$ -	\$ 2,000	100%	
Group Meetings	\$ 1,000	\$ -	\$ 1,000	100%	
Telephone	\$ 500	\$ -	\$ 500	100%	
Total Expenditures	\$ 451,451	\$ 32,559	\$ 418,892	93%	

For discussion purposes only



NORTHERN DELTA-MENDOTA REGION MANAGEMENT COMMITTEE

3 SEPTEMBER 2025

REVIEW OF DWR DRAFT SUBSIDENCE BMP

EKI WORK EFFORTS - PROGRESS UPDATE

- Iner-basin coordination:
 - Attended Chowchilla Basin mtg (8/20)
 - Supported response to Westlands letter
- SWRCB coordination:
 - Submitted additional materials
 - Attended SWRCB mtgs (7/22 and 8/20)
- Technical Support:
 - Reviewed Subsidence BMP & drafted comment letter
 - Finalizing PRP/GSP Dashboard

DWR SUBSIDENCE BMP REVIEW

- Slides presented to CC on Aug 11, included in the meeting packet.
- EKI drafted a comment letter, awaiting feedback.

For discussion purposes only



Questions?

eki

For discussion purposes only

PRP AND GSP IMPLEMENTATION TRACKING

PRP/GSP IMPLEMENTATION UPDATE AND NEXT STEPS

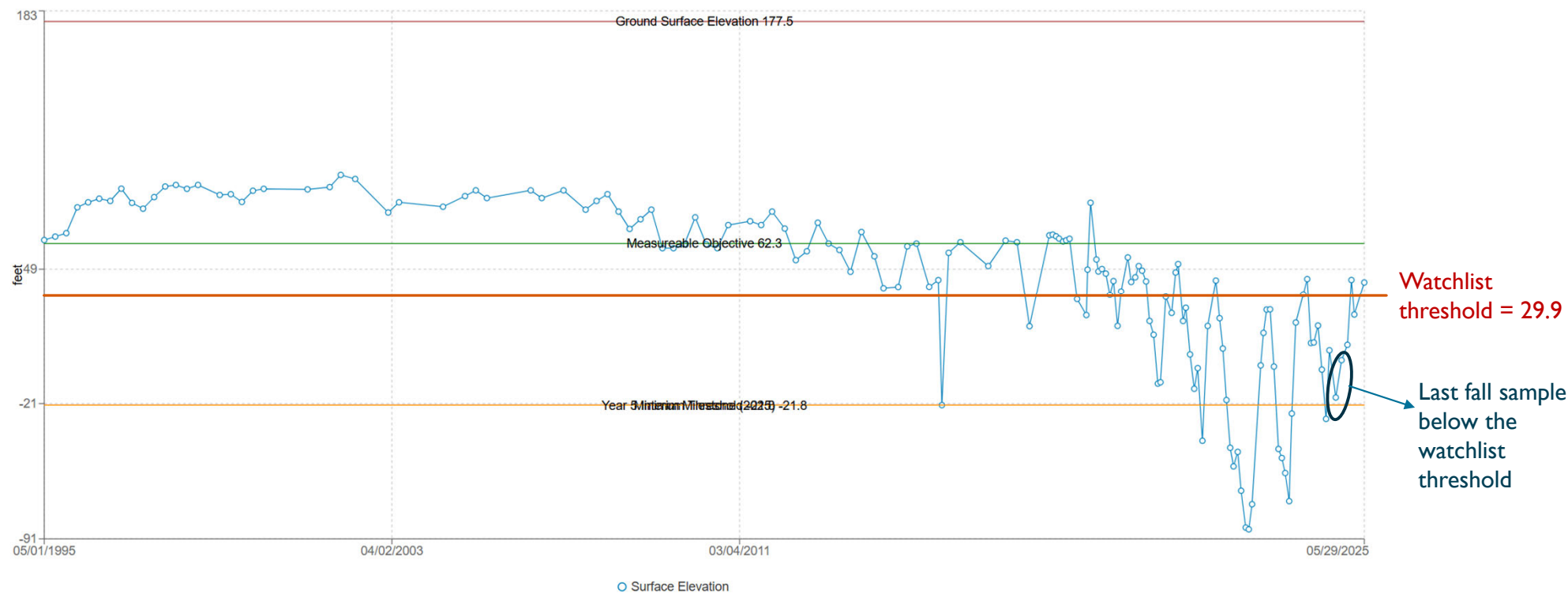
- Received emails for Dashboard access from DM-II, NW DM, and City of Patterson GSAs (thank you!)
- Received DMS connection from Houston Eng. on Aug 19. EKI is finalizing automatic data import to the Dashboard.
- Northern Dashboard Delivery:
 - EKI will hold a Walkthrough Session with all NDM Dashboard Users to explain features and application.
 - Delivery will include a live link, ReadMe instruction file, and instructions tab & video.
- EKI is working with Hallmark to organize the 2-hr Walkthrough Session through a doodle poll for early/mid September.

NDM PRP REMINDER #2: FUTURE DEADLINES

- **Component #1: Monitoring & Reporting**
 - Well registration and Well Metering deadline is January 2026.
 - Need to replace composite or production wells used as RMWs by 2030.
- **Component #2: Overdraft Reduction**
 - Northern Group is required to reduce pumping from the Lower Aquifer starting in WY 2026.
 - Reduction Target from Lower Aquifer for 2026 is 1,805 AF.
- **Components #3 & #4: SMC Update and Revision by 2025 Annual Report**

GWL-MT EXCEEDANCE AVOIDANCE

- 01-003 (MP045.78R) was on “watchlist” (Last Fall Sample below 20% of Operational Flexibility); confirmation sampling may be needed.

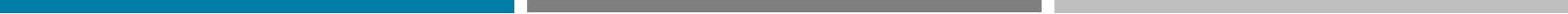


WQ-MT EXCEEDANCE

- Three wells are triggering investigation due to MT exceedances. Confirmation sample should be first step.
- Several wells on watchlist and recommended for increased monitoring and proactive actions.

Site Name	Constituent	Trigger/ Watchlist Entrance Date	GSA	Reason
01-001	TDS	8/27/2025	DM-II GSA	Statistically significant increasing trend
01-003	TDS	8/23/2025	DM-II GSA	Recent Sample within 90% of MT
01-004	Nitrate	8/19/2025	DM-II GSA	MT Exceedance
01-008	TDS	8/23/2025	DM-II GSA	Statistically significant increasing trend
02-002	Nitrate	8/10/2025	City of Patterson	Statistically significant increasing trend
02-002	TDS	8/24/2025	City of Patterson	Recent Sample within 90% of MT
02-009	Nitrate	8/5/2024	City of Patterson	MT Exceedance
02-009	TDS	8/5/2024	City of Patterson	MT Exceedance
03-007	TDS	8/18/2025	PID	Recent Sample within 90% of MT
06-001	Nitrate	8/19/2025	Northwestern DM	Statistically significant increasing trend
06-001	TDS	8/19/2025	Northwestern DM	Statistically significant increasing trend
06-002	Nitrate	8/19/2025	Northwestern DM	Recent Sample within 90% of MT

For discussion purposes only



Questions?

eki

Delta-Mendota Subbasin Coordination Committee

11 AUGUST 2025

PUMPING REDUCTION PLAN AND GSP IMPLEMENTATION TRACKING AND EXCEEDANCE REPORTING

PRP/GSP IMPLEMENTATION UPDATE AND NEXT STEPS

- The PRP Implementation Dashboard has been developed for the Basin
 - The dashboard works offline using data downloaded from the DMS.
 - EKI is coordinating with Houston Engineering to establish a live data connection with DMS.
 - A coordination call was held on July 15.
 - Houston Engineering is currently working on finalizing access.
 - Dashboard will provide exceedance analysis and PRP trigger analysis based on GSP requirements
 - Specific triggers or policies set by each GSA in GSA/GSA-Group specific PRP will not be incorporated unless requested separately.
 - Dashboard collects, tracks, and notifies relative actions committed in the GSP and PRP for all GSAs.
- Next Steps:
 - GSAs to provide contact email addresses to EKI for dashboard access by August 22.
 - EKI will initiate rollout to the Zones and schedule meetings for initial data upload and  setup.

PROPOSED REVISED SUSTAINABLE MANAGEMENT CRITERIA (SMC) PROCESS

REPRESENTATIVE MONITORING WELL (RMW) COUNTS

- RMWs with no or preliminary Water Level SMCs:
 - New RMWs (4)
 - RMWs with preliminary SMCs set using water level contour map (17)
 - Planned RMWs (assign in future) (5-7)
- RMWs without Water Quality SMCs (including new or planned wells):
 - TDS: 31 Wells (17 Upper Aquifer, 14 Lower Aquifer)
 - Nitrate: 51 Wells (30 Upper Aquifer, 21 Lower Aquifer)
 - Chromium VI, Arsenic, Gross Alpha, and 1,2,3-TCP: 90 Wells (47 Upper Aquifer, 43 Lower Aquifer)

PROPOSED APPROACH TO SET NEW/REVISED WL SMCs

■ Data requirement:

- At least two years of data post GSP adoption (WYs 2025 and 2026), if those years include at least two dry years or one critical year (i.e., to “replicate” 2015 conditions)
 - SMC needs to be set if four years of data, including seasonal high and low measurements for each year are available, since PRP requirements will go into effect after four years.
 - If above condition is not met, preliminary SMC will be set based on the four years of data, and adapted when two dry years or one critical year occur.
 - A proxy well with longer historical data and justifiable similarity can be used to set SMC to reflect 2015 conditions as an alternative approach
- Otherwise: Preliminary SMC will be kept or no SMC is set
 - MT exceedances will not count towards Basin Undesirable Results, if justified by data gaps and/or uncertainty related to preliminary SMC
 - Preliminary SMC may be revised based on collected data (post-2015 average) if set based on contours, while remaining preliminary, or a proxy well justifiably similar to the RMW

■ Revised SMC:

- MO = Lowest seasonal high (Spring) of the period (MO > 10 ft bgs)
- MT = Min [Lowest seasonal low (fall) of the period; MO - 20 ft; 30 ft bgs]

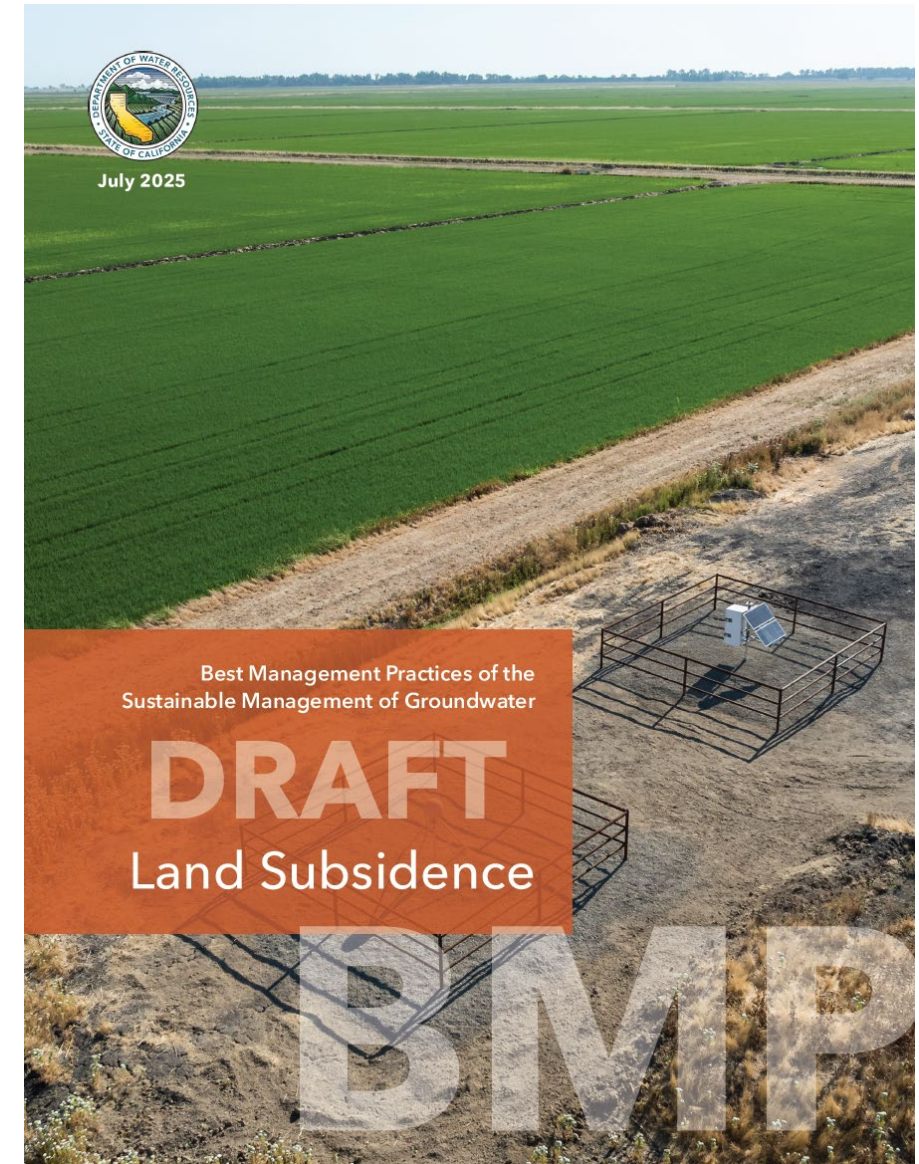
PROPOSED APPROACH TO SET NEW WATER QUALITY SMCs

- Data requirement:
 - At least one calendar year of data post GSP adoption (CY 2025) with seasonal low and high measurements
- New SMC:
 - Maximum fluctuation = Highest concentration of year – Lowest concentration of same year
 - $MT = \text{Max} [\text{MCL}; \text{Highest measurement} + \text{Maximum fluctuation}]$

DRAFT SUBSIDENCE BMP

DWR DRAFT LAND SUBSIDENCE BMP

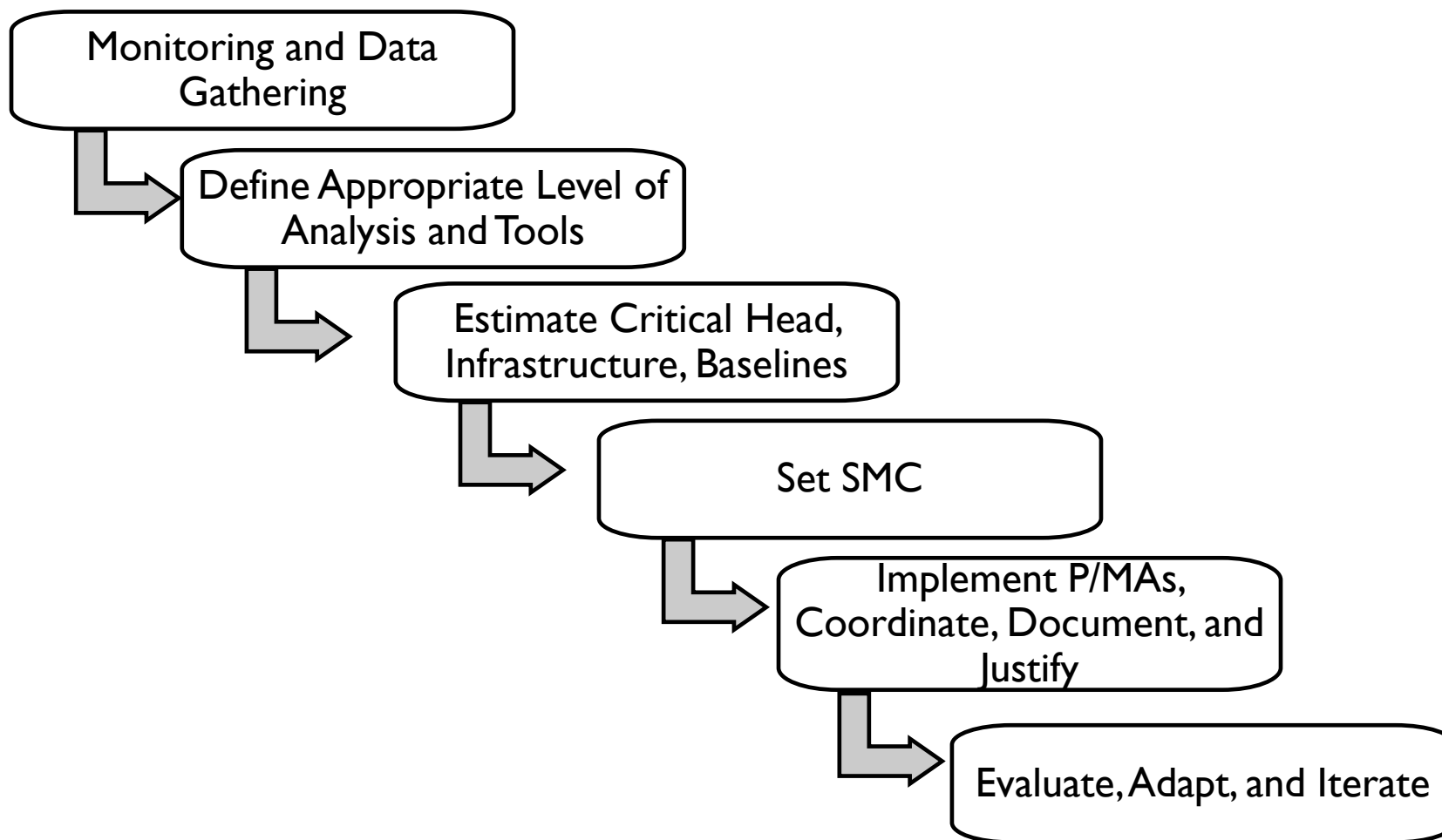
- Released 24 July 2025
- Public comment period ends 22 Sept. 2025
- Includes recommendations for monitoring, estimating critical head, and setting SMCs
- The BMP also sets expectations for how subsidence SMCs, infrastructure protection, and subsidence response will be evaluated by DWR in future plan reviews



KEY PRINCIPLES OUTLINED IN THE BMP

- Monitoring is the backbone, but it is not just about subsidence measurements
 - *GWs and Pumping (metering) monitoring are emphasized*
- GSAs have broad authority under SGMA, and they should use it
 - *Well registration, metering, and permitting (with Counties)*
 - *Adopt rules and regulations managing pumping*
- Reference point is critical heads not lowest GWs
 - *Infrastructure coordination is mandatory*
 - *Modeling is not an optional analysis anymore if subsidence is a significant consideration*
- GSAs need to prevent substantial additional impact to land uses and infrastructure through revised SMC and update P/MAs; GSAs/pumpers may need to pay to mitigate otherwise
 - *Principle: “Raise GWs above critical head as high and as rapidly as possible.”*
 - *GSA Managers should “weigh the risk of future subsidence, and the potential revenue associated with that groundwater pumping, with the potential costs to repair infrastructure impacted by subsidence”*
 - *BMP cites a judgment indicating that entities may be held liable for damages caused by subsidence*

ENVISIONED SUBSIDENCE MANAGEMENT PROCESS



Regional Subsidence Management

- BMP acknowledges regional impacts on subsidence and GWLs
- Notes obligation under SMGA to coordinate with neighboring subbasins
 - Encourages documentation such as memoranda of understanding, legal contracts, interbasin agreements, or other forms of cooperation
- Lacks detailed guideline on resolving significant differences and may be an area for Basin to comment and request additional guidance

IMPLICATIONS FOR DELTA-MENDOTA SUBBASIN

- The GSP / GSAs are already complying with most of the outlined best practices (see checklist on slide 12)
 - *Key points of alignment are MTs at 2015, use of a model, and SMCs and monitoring across the entire Basin*
- Some of the key points of the BMP related to risks of allowing MTs to go below historical lows (or critical heads) helps our case with points we have made on adjacent basins' MTs (e.g., Chowchilla and Westlands)
- Potential remaining vulnerabilities remain related to:
 - *Coordination with entities responsible for managing critical infrastructure*
 - *Actually doing everything that was committed to in GSPs and PRPs; DWR will review GSP after SWRCB Exit and at 5-year evaluations*
 - *Being able to effectively demonstrate that some the observed subsidence is due to non-Basin causes*

RECOMMENDATIONS

- Increase GWL monitoring frequency to monthly wherever possible, especially in subsidence-prone areas
- Build on and enhance the performed technical analysis
 - Extend and improve subsidence modeling, including analysis of zonal critical heads
 - Improve subsidence simulation and regional impacts on local GWLs and subsidence as committed in the GSP
- Continue engagement with neighboring basins and managers/operators of key infrastructure
- Provide comments on the BMP, specifically requesting additional guidance on regional subsidence and coordination of SMC → Public comments are due Sep 22, 2025

BMP Compliance Checklist		
Proposed BMP	Approach used in GSP / Actions Taken	Alignment
Monitor and use all available subsidence data/stations	GSP uses all subsidence data and SMC is based on both InSAR and station data	✓
High frequency GWL monitoring, well registration and well metering	GSP requires quarterly monitoring or more frequent, PRP may require monthly GWLs and requires registration and metering	✓
SMC are defined anywhere in the Basin	Subsidence SMC are defined at any point in the Basin	✓
Model subsidence, assess critical heads, and project subsidence on critical infrastructure	Integrated modeling including subsidence simulation using approved model (CVHM2); commitment to improve and apply	✓
Catalogue infrastructure vulnerable to subsidence	GSP focuses on DMC and CA Aqueduct	○
SMC to be coordinated with infrastructure entities and incorporate specific tolerances	Engagement during GSP development and public comments periods; on-going coordination post-adoption	○
SMC is not based on GWLs but maintains GWLs above historical levels	Subsidence SMC are not based on GWLs, GWL SMC are based on 2015 WLs	✓
Prevent onset of new subsidence and avoid additional subsidence	GWLs maintained above 2015 WLs, PRP intends to prevent GWL declines below 2015 levels and prevent significant additional subsidence	✓
P/MAs specific to subsidence mitigation are developed and implemented	Demand management and supply augmentation projects are defined and being implemented including PRP	✓
Coordinate with neighboring basins on regional subsidence	Ongoing, planned in the GSP, and comment letters provided to neighboring basins	○

OTHER HIGHLIGHTS

- *“Although the BMP references and discusses provisions and concepts from SGMA and the GSP Regulations, it does not create new requirements or obligations for the GSAs or other interested parties and is not a substitute for compliance with SGMA and the GSP Regulations.”*
- *“While the dominant mechanism resulting in land subsidence is related to groundwater withdrawals, subsidence can also result from oil and gas operations (extraction of water and oil), tectonic and volcanic activity, hydrocompaction of historically dry sediment that becomes saturated, the elastic loading of the Earth’s crust due to mass changes, thawing of permafrost, and oxidation of organic matter such as peat soil.^{2,3} This Subsidence BMP focuses on the management of compaction due to declines in groundwater levels.”*

OTHER HIGHLIGHTS

- *“Historical modeling studies and recent one-dimensional (1D) compaction models show that delayed compaction of clay layers, and consequent residual subsidence, can occur over decades to centuries.”*
- *“When identifying infrastructure, groundwater managers should assess specific impact criteria that may limit functionality or performance, including: Physical damage; Perturbation of designed operating conditions; Increased maintenance due to reduced operational flexibility; Reduced capacity to convey water or control flooding; Broader impacts to the basin or other basins reliant upon that infrastructure”*
- *“The reality is that many groundwater managers, who are required to manage a basin for various beneficial users and uses, may not be able to immediately manage to avoid or minimize subsidence. These managers should weigh the risk of future subsidence, and the potential revenue associated with that groundwater pumping, with the potential costs to repair infrastructure impacted by subsidence. As explained in this BMP, the actual cost-benefit analysis of achieving sustainability—when all factors are considered—is not simple and can reveal that it is in the long-term interests of a basin to achieve sustainable groundwater management, which includes addressing subsidence.”*

OTHER HIGHLIGHTS

- “Groundwater managers have the ability to limit future subsidence based on how they choose to manage groundwater levels.”
- “Each time repairs are made to infrastructure, should land subsidence in that area continue, there is a risk that the repairs themselves will become stranded or ineffective, and even more additional costs must be expended on yet more repairs. The key to minimizing damage and costs associated with land subsidence is managing the basin to avoid or minimize land subsidence, not simply repairing the damage without addressing the root cause.”
- “Although general public funds and specific infrastructure owners and their ratepayers have in the past paid to repair damage caused by subsidence, under California law, groundwater pumpers may also be liable for damages caused by subsidence from their groundwater pumping. For example, in *Los Osos Valley Associates v. City of San Luis Obispo* (1994) 30 Cal.App.4th 1670, the owner of a shopping mall sued the city for structural damage caused by subsidence from the city’s increased groundwater pumping during a drought. The court announced: “The rule, as it pertains to subterranean water, is stated in the Restatement Second of Torts section 818: ‘One who is privileged to withdraw subterranean water, oil, minerals, or other substances from under the land of another is not for that reason privileged to cause a subsidence of the other’s land by the withdrawal.’” Accordingly, the court held that “the City may not ... avoid compensation for the physical destruction of [plaintiffs’] buildings due to its groundwater pumping operations,” and affirmed that the city was liable for physical damage to the buildings owned by plaintiff. The potential for liability should further incentivize efforts to avoid or minimize subsidence in basins where costly infrastructure damage or other risks could occur.”

OTHER HIGHLIGHTS

- *“GSAs must evaluate the amount of subsidence and groundwater level decline that has recently occurred in a basin and continuously evaluate whether the sustainable management criteria for groundwater levels will avoid causing undesirable results for land subsidence. If it is determined that management criteria for groundwater levels may lead to undesirable results for land subsidence, this indicates the Plan may not reach sustainability for the basin and the sustainable management criteria should be updated.”*
- *“Each GSP that has proposed to lower groundwater levels below recent low levels should establish undesirable results and provide clear qualitative and quantitative definitions.”*
- *“The best practices for establishing minimum thresholds for subsidence reflect the intent of SGMA to avoid or minimize subsidence.”*
- *If substantial interference has already occurred to land uses from subsidence, ... The GSA should then set the minimum threshold as the amount of additional subsidence that does not cause further substantial interference with land uses that the **GSA cannot pay to mitigate.**”*

QUESTIONS

