

**Resolution No. 104-26**  
**Westlands Water District**  
**A Resolution of the Board of Directors**  
**Adopting a Subsidence Policy**

WHEREAS, Westlands Water District ("Westlands") is the largest agricultural water district in the United States and holds a water supply contract with the United States Bureau of Reclamation for the delivery of surface water from the Sacramento-San Joaquin Delta ("Delta"), made available through the Central Valley Project ("CVP") to landowners within its boundaries; and

WHEREAS, Westlands also overlies the Westside Subbasin groundwater basin, where groundwater is withdrawn by landowners holding overlying water rights, for beneficial uses, including, but not limited to, agricultural irrigation; and

WHEREAS, Westlands was formed in 1952 by farmers who were concerned about the overdraft of groundwater and its negative effects, and who sought to secure a reliable surface water supply as a more sustainable alternative to continued groundwater reliance; and

WHEREAS, subsidence has been a long-standing problem throughout the San Joaquin Valley, and the desire by the state and federal governments to prevent and avoid subsidence was a significant historical impetus for the development of the CVP and the State Water Project ("SWP");

WHEREAS, Westlands, as a California water district, has never directed, authorized, or overseen any significant source of groundwater withdrawals and withdraws no groundwater today; and

WHEREAS, the San Luis Canal—a federally owned portion of the California Aqueduct that passes through Westlands—is vitally important for delivery of surface water to Westlands, allowing Westlands to deliver surface water to growers for irrigation,

municipal and industrial users including disadvantaged communities, and the Naval Air Station Lemoore; and

WHEREAS, the San Luis Canal is vitally important to the growers and communities downstream on the California Aqueduct for the delivery of surface water to additional agricultural districts and farming communities in the San Joaquin Valley, as well as the extensively urbanized populations in Southern California; and

WHEREAS, Westlands does not operate or maintain any part of the San Luis Canal, which is instead owned by the federal government, and operated and maintained by the State of California; and

WHEREAS, financing for the CVP was made possible by investments from landowners within Westlands and other CVP contract holders, who entered repayment contracts with the federal government and have subsequently fully paid for the construction of dams and canals that were built to supply water to the CVP, with the expectation that CVP surface water deliveries would meet all of the water needs in Westlands; and

WHEREAS, the San Luis Canal was designed, planned, and constructed by the State and Federal government with knowledge that the canal's alignment crossed lands that were prone to subsidence and near surface compaction within an area that would become Westlands, a route selected over more expensive alternatives in less sensitive areas, with the designed expectation that delivery of CVP surface water would ameliorate the need for groundwater pumping and reduce future subsidence to a level that could maintain the designed capacity of the San Luis Canal as it passed through Westlands; and

WHEREAS, from the time surface water deliveries to Westlands commenced to 1987, groundwater elevations increased until reaching 89 feet above sea level, a record previously reached in the 1940's; and

WHEREAS, the reduction of surface water to the CVP and ensuing damage caused to

these conveyance systems occurred was a foreseeable consequence of environmental regulations that redirected CVP water supplies from its contractors, including Westlands, with the intent of improving outcomes for fisheries, and without regard to the impact on conveyance infrastructure; and

WHEREAS, these consequences were known and understood at the time the state and federal governments began reallocating water supplies from the CVP and SWP for dedication to fisheries benefits, and federal and state agencies consistently asserted with each incremental dedication of water supply that it would not result in significant socioeconomic impacts to agricultural water users in the San Joaquin Valley because groundwater pumping was expected to be substituted for reduced surface deliveries—a conclusion that relied on then-existing conditions in which groundwater was readily accessible and largely unregulated; and

WHEREAS, impacts from unreliable surface water supplies have indirectly caused damage to the Central Valley aquifers, including those of the Westside Subbasin, and forced many growers within Westlands to fallow their land, limiting the ability of growers in Westlands to produce the nuts, fruits, and vegetables our state and country needs; and

WHEREAS, prior to the passage of the Sustainable Groundwater Management Act in 2014, no statewide authority existed to regulate groundwater extraction in California, and although Westlands adopted a Groundwater Management Plan in 1996 under AB 3030, that plan expressly stated that Westlands had no authority to suspend or limit groundwater pumping by individual landowners; and

WHEREAS, overlying landowners that historically withdrew their correlative share of groundwater did so lawfully and for beneficial use; and

WHEREAS, the Sustainable Groundwater Management Act (SGMA) required the adoption of Groundwater Sustainability Plans (“GSPs”) to establish limits on the withdrawal of groundwater to avoid “undesirable results” including “significant and

unreasonable land subsidence that substantially interferes with surface land uses” and thereby avoid impacts to conveyance systems in the future (Wat. Code, § 10721(x)); and

WHEREAS, Westlands adopted its Westside GSP in January of 2020 and secured timely approval from the California Department of Water Resources (“DWR”) and currently has one of the few DWR-approved GSPs in the San Joaquin Valley in full conformity with applicable law; and

WHEREAS, prior to the approval of its GSP in January 2020, Westlands had no legal authority to restrict groundwater use (Wat. Code, § 10725); and any attempt to curtail private groundwater pumping would have lacked both legal authority and enforcement mechanisms; and

WHEREAS, the Westside Subbasin GSP commits Westlands to, among other things, the establishment of minimum thresholds, interim milestones and measurable objectives to prevent land subsidence; maintenance and improvement of a robust subsidence monitoring network; and projects and management actions to develop public and private recharge projects and adaptively manage groundwater resources to avoid land subsidence consistent with SGMA; and

WHEREAS, Westlands has demonstrated leadership in groundwater management by implementing a realistic allocation program, installing groundwater flow meters on every pump and well in the District, ensuring every drop of water is accounted for, and by establishing a robust monitoring network far ahead of most other groundwater sustainability agencies in the San Joaquin Valley; and

WHEREAS, with a fully approved and operational Westside Subbasin GSP, Westlands is reaching its sustainability goal ten years ahead of the statutory deadline in SGMA, unlike many groundwater sustainability agencies in the San Joaquin Valley which adopted plans with unrealistic allocation programs (if at all), that tolerate excessive subsidence, and do not require groundwater use to be metered; and

WHEREAS, the Westside Subbasin GSP and Westlands' implementing Rules and Regulations include stricter pumping limits and adaptive management strategies to prevent land subsidence in "Subsidence Prone Areas" ("SPAs") near the San Luis Canal consistent with SGMA; and

WHEREAS, for decades, Westlands' growers have been among the most efficient agricultural water users in the state, and in 2023 and 2024, Westlands and its growers recharged approximately 465,000 acre-feet of surface water back into aquifers underlying Westlands; and

WHEREAS, Westlands has significantly reduced irrigated acres through its acquisition of almost 100,000 acres of private land, further taken action to pursue, evaluate, and approve a transitional land use strategy to transition use of up to 136,000 acres within its boundaries from irrigation to the generation and transmission of solar energy; and

WHEREAS, as a result of Westlands' actions and the associated efforts of its growers, subsidence has slowed or completely arrested in key areas of Westlands, including one area identified as an area of concern by the DWR, and some recharge zones have experienced up to a foot of uplift; and

WHEREAS, the observed slowdown and cessation of subsidence are results of Westlands': implementation of a groundwater allocation program, reduction of groundwater pumping through the Landflex program's permanent retirement of transition allocation on 941 acres in the SPAs and land acquisition/retirement of 5,350 acres in the SPAs, the development of over 600 surface recharge projects and 100 Aquifer Storage and Recovery injection wells, and other actions; and

WHEREAS, notwithstanding these actions, Westlands' actions alone cannot correct historical subsidence and near surface compaction or fully arrest subsidence within the Westside Subbasin and some subsidence will continue to occur that is attributable, in part, to groundwater withdrawals that occurred prior to the adoption of SGMA, and

because many adjacent GSAs do not have approved GSPs or are subject to enforcement by the State Water Resources Control Board (SWRCB), and even those with approved plans are not as protective with respect to subsidence as the Westside Subbasin GSP.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Westlands as follows:

1. Recitals. The above recitals are true and correct and incorporated herein by reference.

2. Subsidence Policy. Westlands hereby adopts the following principles as its subsidence policy:

- a. Westlands is committed to full implementation of its Westside Subbasin GSP, including reaching sustainability prior (or “according to”) to the statutory deadline, monitoring and adaptively managing to avoid exceeding minimum thresholds, and pursuing reasonable, feasible methods to avoid and ameliorate land subsidence conditions within the Westside Subbasin in accordance with Water Code section 10720, et seq.
- b. Westlands supports DWR and the SWRCB efforts to compel GSAs to adopt GSPs that are consistent with the intent of SGMA and of the quality and commitment set forth by Westlands’ GSP.
- c. Westlands acknowledges and declares that the damage to state and federal conveyance infrastructure caused by subsidence is not the product of wrongdoing on the part of Westlands or its growers; rather, it is one consequence of redistributing water that was stored behind farmer-funded dams and reappropriating it for environmental purposes (a public benefit). Therefore, the consequences of this policy decision should be borne by the public, and the impacts of water unreliability should be shared by all.

- d. Restoring and protecting critical infrastructure requires shared responsibility and collective action among all affected stakeholders, including, but not limited to, the pursuit of federal and state funding to plan, design, and implement reasonable and feasible strategies to repair, construct, and operate critical water conveyance facilities to avoid future subsidence.
- e. Westlands will collaborate with other stakeholders to raise awareness of the risk of subsidence and the importance of correction in accordance with the aforementioned objectives and to implement actions with partners, including obtaining water, strategically recharging available supplies, and pursuing funding for projects that will address subsidence impacts that cannot be addressed by any single entity acting alone.

3. Implementation Direction. The Westlands Board of Directors directs staff to consider and implement this policy including, without limitation, in the context of ongoing SGMA implementation actions, partnerships with communities and public water agencies, and opportunities for federal and state public funding for the restoration of capacity to conveyance infrastructure under reasonable and feasible means.

4. Effective Date. This Resolution shall take effect immediately upon adoption. Adopted at a regular meeting of the Board of Directors at Fresno, California, this 19<sup>th</sup> day of February 2026.

Ayes: Hughes, Costamagna, Coelho, Fortune, Anderson, Franson, Diener

Noes:

Absent: Ferguson, Bourdeau

  
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Stephen Farmer, Assistant Secretary