

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2025-0040**

**RETURNING THE KAWEAH GROUNDWATER SUBBASIN TO THE
JURISDICTION OF THE DEPARTMENT OF WATER RESOURCES CONSISTENT
WITH THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT**

WHEREAS:

1. Groundwater provides a significant portion of California's water supply, making up more than one-half of the water used by Californians in drought years when other sources are unavailable. When properly managed, groundwater resources provide for communities, farms, and the environment and help protect against prolonged dry periods and climate change, preserving water supplies for existing and potential beneficial uses. However, excessive groundwater extraction can cause long-term overdraft, failed wells, deteriorated water quality, environmental damage, and irreversible land subsidence that damages infrastructure and diminishes the capacity of aquifers to store water for the future, all of which can have substantial economic impacts. Additionally, failure to manage groundwater to prevent long-term overdraft can potentially infringe on rights to or use of groundwater or interconnected surface water.
2. In 2014, the State of California enacted Assembly Bill 1739, and Senate Bills 1168 and 1319, collectively referred to as the Sustainable Groundwater Management Act (SGMA). SGMA is intended to ensure the proper and sustainable management of groundwater resources in California.
3. The State Water Resources Control Board ("State Water Board" or "Board") recognizes that near-term SGMA implementation has the potential to result in substantial economic impacts in overdrafted basins. The State Water Board further recognizes that the goal of SGMA is sustainable groundwater management that will ensure the long-term viability of groundwater resources for future use by communities, farms, businesses, and the environment.
4. SGMA allows local agencies overlying alluvial groundwater basins to form Groundwater Sustainability Agencies (GSAs), and in basins determined by the Department of Water Resources to be high- or medium-priority, requires each GSA to prepare and implement a Groundwater

Sustainability Plan (GSP) to achieve sustainable management of the basin.

5. SGMA recognizes that groundwater management is best accomplished locally. However, if local agencies fail to form a GSA or prepare a GSP for a groundwater basin, or the Department of Water Resources determines that the GSP is inadequate or not being implemented in a way that is likely to achieve SGMA's sustainability goal, SGMA authorizes the State Water Board to intervene in the basin to ensure that the basin is managed sustainably.
6. SGMA requires GSAs, which can have broad impacts within their basins, to consider the interests of all beneficial uses and users of groundwater and to encourage the active involvement of diverse elements of the population of a groundwater basin during the development and implementation of GSPs.
7. The State Water Board may designate a basin as probationary as part of SGMA's state intervention process. If the State Water Board designates a basin as probationary, it must identify the deficiencies in the GSP, identify potential actions to remedy the deficiencies, and exclude from probationary status any portion of a basin for which a GSA demonstrates compliance with SGMA's sustainability goal, and may exclude a class or category of extractions if those extractions are adequately managed under an applicable plan or program or are likely to have a minimal impact on basin withdrawals from the reporting and fee requirement that applies to probationary basins under Water Code section 5202.
8. The deadline for GSAs in critically overdrafted high- and medium-priority basins to adopt and submit GSPs for review by the Department of Water Resources was January 31, 2020.
9. The Kaweah Subbasin is depicted in Figure 1 of the [Kaweah Subbasin Staff Assessment \(Staff Assessment\)](#) and is a critically overdrafted high-priority basin.
10. The Mid-Kaweah Groundwater Sustainability Agency, the Greater Kaweah Groundwater Sustainability Agency, and the East Kaweah Groundwater Sustainability Agency (collectively, the Kaweah Subbasin GSAs) are recognized by the Department of Water Resources as the GSAs for the Kaweah Subbasin.

11. The Kaweah Subbasin GSAs submitted revised GSPs (2022 Revised GSPs) to the Department of Water Resources for review on July 27, 2022, and on March 2, 2023, the Department issued its “Statement of Findings Regarding the Determination of Inadequate Status of the Kaweah Subbasin Groundwater Sustainability Plan” (Inadequate Determination), which referred to the Kaweah Subbasin to the State Water Board consistent with Chapter 11 of SGMA.
12. The Department of Water Resources identified two deficiencies in the 2022 Revised GSPs:
 - a. Inadequate justification and selection of sustainable management criteria for chronic lowering of groundwater levels.
 - b. Inadequate justification of established land subsidence management criteria.
13. State Water Board staff reviewed the Kaweah Subbasin’s 2022 Revised GSPs and released a Draft Staff Report for public comment in May 2024 recommending the Board designate the basin as probationary and identifying additional issues:
 - a. Issues regarding groundwater quality undesirable results, sustainable management criteria, and groundwater quality monitoring.
 - b. Issues regarding interconnected surface water beneficial uses and users, minimum thresholds, and monitoring.
14. The State Water Board noticed and scheduled a probationary hearing for the Kaweah Subbasin, later re-noticed and rescheduled the probationary hearing, and on November 15, 2024, canceled the probationary hearing.
15. The State Water Board canceled the probationary hearing to give Board staff additional time to review the Kaweah Subbasin’s amended GSPs, adopted by the GSAs in November 2024 (2024 GSPs), because on initial review, the 2024 GSPs appeared to substantially address the deficiencies identified by DWR and the issues identified in the Draft Staff Report.

16. State Water Board staff reviewed the 2024 GSPs and found the Kaweah GSAs made significant steps towards addressing the deficiencies listed in the Department of Water Resources' Inadequate Determination and the issues identified in the Draft Staff Report. The 2024 GSPs:
- a. Established groundwater level management criteria to minimize impacts to drinking water users, allowing for operational flexibility and mitigating for impacts.
 - b. Established land subsidence management criteria to reduce active subsidence and only allow for residual subsidence in the southwest portion of the subbasin.
 - c. Established a goal of zero subsidence along the Friant-Kern Canal.
 - d. Addressed groundwater quality concerns by agreeing to sample monitoring wells twice a year for an expanded list of constituents.
 - e. Made significant progress to address impacts to interconnected surface water and to resolve data gaps.
17. Throughout the period between DWR's referral of the Kaweah Subbasin to the State Water Board and the Kaweah Subbasin GSAs' adoption of the 2024 GSPs, State Water Board staff and staff of the Kaweah GSAs met nineteen times to discuss the GSAs' efforts to improve the GSPs and how the GSAs could address deficiencies identified by the Department of Water Resources and additional issues raised by State Water Board staff.
18. The State Water Board acknowledges and appreciates the efforts of the Kaweah Subbasin GSAs in developing and revising the Kaweah GSPs, including continued constructive engagement with State Water Board staff to discuss technical information and potential approaches to remedy deficiencies.
19. Based on the improvements made by the GSAs in the 2024 GSPs, State Water Board staff prepared a Staff Assessment concluding that the GSAs addressed the deficiencies identified by the Department of Water Resources and additional issues raised by State Water Board staff and

recommending that the State Water Board return the Kaweah Subbasin to the Department's jurisdiction.

20. On October 13, 2025, the State Water Board released the Staff Assessment to the public, established a November 12, 2025, deadline for public comments regarding the Staff Assessment, and provided notice that the State Water Board would consider the staff recommendation to return the Kaweah Subbasin to the jurisdiction of the Department of Water Resources at a public meeting held on or after December 2, 2025.
21. The State Water Board reviewed and considered the staff recommendation, public comment at the board meeting, and comments received during the public comment period.
22. Based on its review and consideration, the State Water Board agrees that the Kaweah Subbasin should be returned to the jurisdiction of the Department of Water Resources.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Finds that the Department of Water Resources' determination that the GSPs for the Kaweah Subbasin were inadequate made the Kaweah Subbasin subject to state intervention under Chapter 11 of SGMA and authorized the State Water Board to, after notice and hearing, designate the Kaweah Subbasin as probationary pursuant to Water Code section 10735.2.
2. Finds that the Kaweah Subbasin GSAs addressed the deficiencies identified in the Department of Water Resources' Inadequate Determination and additional issues raised by State Water Board staff.
3. Finds that designating the Kaweah Subbasin as probationary under SGMA is not necessary at this time and that the subbasin should be returned to the jurisdiction of the Department of Water Resources under Chapter 10 of SGMA.

4. Directs Office of Sustainable Groundwater Management staff to transmit a letter to the Department of Water Resources formalizing the return of the Kaweah Subbasin to the Department's jurisdiction consistent with the above findings.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on December 2, 2025.

AYE: Chair E. Joaquin Esquivel
Board Member Sean Maguire
Board Member Laurel Firestone
Board Member Nichole Morgan

NAY: None

ABSENT: Vice Chair Dorene D'Adamo

ABSTAIN: None



Courtney Tyler
Clerk to the Board