
State Water Resources Control Board

NOTICE OF OPPORTUNITY TO PROVIDE FEEDBACK, PUBLIC STAFF WORKSHOPS, AND PUBLIC BOARD HEARING FOR THE PROPOSED DESIGNATION OF TULE SUBBASIN AS A PROBATIONARY BASIN

A copy of this notice in Spanish can be found at (Este aviso está en español en):
<https://bit.ly/tule-aviso>

NOTICE IS HEREBY GIVEN

The California State Water Resources Control Board (State Water Board or Board) will hold a public hearing at which it will consider designating the Tule Subbasin as a probationary basin pursuant to the Sustainable Groundwater Management Act (SGMA). The Board is seeking comments from the public to inform its decision. All members of the public are therefore encouraged to provide input at the hearing, leading up to the hearing at public workshops, or in writing, as described in this notice. The hearing itself will include time for public comments that the Board will consider. Participants can provide comments during the hearing in-person or via Zoom. Spanish interpretation will be available. Additionally, there will be a watch-only webcast option for viewing the hearing. The State Water Board will hold the public hearing at the time and location noted below.

Public Board Hearing

Tuesday, September 17, 2024, at 9:00 AM

In-Person Location

Coastal Hearing Room
Joe Serna Jr.– CalEPA Headquarters Building
1001 I Street, Second Floor
Sacramento, CA 95814

To Participate Virtually and Provide Oral Public Comment During the Hearing

Before or on the day of the public Board hearing, fill out a virtual speaker card using our online form at bit.ly/speaker-card-form. The form will not accept responses until a few days prior to the public hearing. The Board clerk will respond with Zoom login information in advance of the meeting. For more information about participating remotely, please visit bit.ly/providingcomments.

To Watch Only and Not Provide Comment

The English and Spanish webcast of the public hearing with closed captioning can be accessed at video.calepa.ca.gov.

PROVIDE FEEDBACK ON STAFF RECOMMENDATION

The State Water Board will not make a decision about a probationary designation for the Tule Subbasin prior to the public hearing described above; however, State Water Board staff have developed a draft recommendation for the Board to consider, which describes the actions staff recommends the Board should take. We invite your input on the draft staff report **no later than May 7, 2024, at 12:00 noon**. Staff will consider all comments received by the May 7, 2024, 12:00 noon deadline when developing the final staff report. The following documents are available for review:

- Draft Staff Report – Executive Summary in English: bit.ly/tule-draft-summary
- Draft Staff Report – Executive Summary in Spanish: bit.ly/tule-borrador
- Draft Staff Report – Full Report (in English only): bit.ly/tule-draft-report

INSTRUCTIONS FOR SUBMITTING WRITTEN COMMENTS

Persons interested in submitting written comments on the probationary notice or draft staff report are encouraged to submit electronic comments. All written comments **must be received no later than May 7, 2024, at 12:00 noon**. Please use the subject line: **“Comments – Tule Subbasin.”**

Electronic Comments:

Written comments may be submitted electronically via email in pdf format (if less than 15 megabytes in total size) to SGMA-Tule@waterboards.ca.gov. If the file is greater than 15 megabytes in size, the written comments may be submitted by fax at (916) 341-5620, in multiple emails, by mail, or by hand delivery.

Mail/Hand Delivery:

Comments submitted by mail or hand delivery must be addressed as follows:

Courtney Tyler, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor, Sacramento, CA 95814-0100 (**hand delivery**)
P.O. Box 100, Sacramento, CA 95812-2000 (**mail**)

Mail must be received (not postmarked) at the State Water Board office by May 7, 2024. All hand-delivered submittals must arrive and be date and timestamped prior to May 7, 2024, at 12:00 noon. Couriers delivering hard copies of comment letters must check in with lobby front desk personnel who will contact the Clerk to the Board at (916) 341-5611.

If you would like a copy of the written comments submitted on this subject, please send a request to SGMA-Tule@waterboards.ca.gov identifying the subject listed above. Copies of written comments will not be available until after the comment deadline.

PUBLIC STAFF WORKSHOPS PRIOR TO PUBLIC PROBATIONARY BOARD HEARING

Staff will also hold two public staff workshops to explain the draft staff report and share more about how to participate in the State Water Board's state intervention process. Staff will also accept verbal public comments on the draft staff report at the workshops. While a quorum of the State Water Board may be present, the State Water Board will not take regulatory action at the workshops.

Virtual Staff Workshop

Friday, April 5, 2024

11:00 AM – 1:30 PM

Staff presentation will start at 11:00 AM
Staff will begin accepting public comments at 12:15 PM
Zoom link: <https://kearnswest.zoom.us/j/84005853021>

In-Person Staff Workshop

Monday, April 8, 2024

5:30 PM – 8:30 PM

(No internet viewing option; in-person only)
Staff presentation will start at 5:30 PM
Staff will begin accepting public comments at 7:00 PM

Porterville Veterans Memorial Building
1900 W Olive Ave,
Porterville, CA 93257

LANGUAGE ACCESS

Spanish language interpretation will be provided at the public staff workshops on April 5 and April 8, 2024, and at the public Board hearing on September 17, 2024. To request interpretation in another language or sign language services, please submit your request by the following deadlines: March 21, 2024, for the April 5, 2024 virtual public workshop, March 22, 2024, for the April 8, 2024, in-person public workshop, and September 3, 2024, for the September 17, 2024, public Board hearing. Submit your request using one of the following options:

- Complete an online request at bit.ly/LanguageAccessForm
- Call (916) 341-5254
- Email OPP-LanguageServices@waterboards.ca.gov

ACCESSIBILITY

The Porterville Veterans Memorial Building and the CalEPA Building are both accessible to persons with disabilities. Individuals requiring special accommodations are requested to call (916) 341-5261 at least 5 working days prior to the meeting. Telecommunications Device for the Deaf (TDD) users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922.

PARKING

April 8, 2024, Public Staff Workshop:

Public parking is available at the Public Staff Workshop venue:

Porterville Veterans Memorial Building
1900 W Olive Ave,
Porterville, CA 93257

September 17, 2024, Public Board Hearing:

For directions to the Joe Serna, Jr. (CalEPA) Building and public parking information, please refer to the map at www.calepa.ca.gov/headquarters-sacramento/location.

All visitors to the CalEPA Building are required to sign in and obtain a visitor badge at the Visitor Services Center located just inside the main entrance (10th Street entrance) of the lobby of the building. Valid picture identification may be required. Please allow up to 15 minutes for checking in at the front desk.

BACKGROUND

SGMA and State Intervention

SGMA (Senate Bill [SB] 1168, Assembly Bill 1739, and SB 1319) requires local groundwater sustainability agencies (GSAs) to develop and implement groundwater sustainability plans (GSPs) so that the many uses of groundwater can continue into the future. If local GSAs do not propose an adequate plan to sustainably manage groundwater use in their basin, SGMA gives the State Water Board authority to protect groundwater resources through a process called “state intervention.” State intervention is additional to local management and is intended to be temporary, lasting only until local agencies demonstrate an adequate plan to manage their respective basins.

Inadequate Groundwater Sustainability Plans and State Intervention Trigger

The Department of Water Resources (DWR) has designated the Tule Subbasin as a high-priority basin that is subject to critical conditions of overdraft. The GSAs for the Tule Subbasin adopted six groundwater sustainability plans for the Subbasin in January 2020 and submitted the plans to DWR for review.

On March 2, 2023, DWR determined the GSPs for the Tule Subbasin to be “inadequate.” The DWR inadequate determination of the Tule Subbasin GSPs triggers “state intervention” with the State Water Board. (Wat. Code, § 10735.2, subd. (a)(3).)

Effects of a Probationary Designation

After state intervention is triggered in a groundwater basin, the next step is for the State Water Board to consider making a probationary determination for the basin. This is done through a public process that includes the probationary public hearing discussed in this notice. If the State Water Board designates a basin as probationary, GSAs have time to address the issues (deficiencies) that caused the basin to go into probation while the State Water Board will focus on data collection and analysis to better understand what management challenges are occurring in the basin.

To acquire the necessary data, the State Water Board can require extractors (groundwater pumpers) to install meters to measure and report their groundwater extractions accurately. Alternatively, the State Water Board can specify other means for measuring and reporting groundwater extractions. (Wat. Code, § 10735.2, subd. (c)(3).) Extractors must report all groundwater extractions annually to the State Water Board and pay reporting fees to cover the cost of Board activities, except where excluded by SGMA or the Board. (Wat. Code, § 5202.) The State Water Board may also conduct investigations and gather data necessary for sustainable groundwater management. (Wat. Code, § 10736.6.)

Local agencies have at least one year from the probationary designation to resolve the deficiencies identified by the State Water Board. If they demonstrate to the State Water Board adequate efforts to manage the basin, the State Water Board may end state intervention and extractors would no longer have to report or pay fees to the Board. If, after a year, local agencies have not resolved the deficiencies, the State Water Board may develop an interim plan to manage groundwater use in the basin. An interim plan is intended to be a temporary measure to protect groundwater until effective local management is in place. Adoption of an interim plan would only occur after public notice and a public hearing.

SIGN UP FOR UPDATES

Subscribe to our Groundwater Management email list to receive updates related to State Water Board actions under SGMA. See the “Stay Informed” section on the State Water Board’s SGMA website, www.waterboards.ca.gov/sgma.

ADDITIONAL INFORMATION

Find information on state intervention in the Tule Subbasin at the State Water Board’s Tule Subbasin webpage <https://bit.ly/swb-sgma-tule>.

For questions regarding the workshop or this notice, please contact us at SGMA@waterboards.ca.gov or at (916) 322-6508.

For more information about the State Water Board's role in SGMA, visit:
www.waterboards.ca.gov/sgma.

Date March 7, 2024



Courtney Tyler
Clerk to the Board