

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2025-0016**

**RETURNING THE CHOWCHILLA GROUNDWATER SUBBASIN BACK TO 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, whose projects and management actions 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. To implement SGMA's state intervention process, the State Water Board may designate a basin as probationary. 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 Chowchilla Subbasin is depicted in Figure 1 of the [Chowchilla Subbasin Staff Assessment](#) (Staff Assessment) and is a critically overdrafted high-priority basin.
 10. The Chowchilla Water District Groundwater Sustainability Agency, County of Madera Groundwater Sustainability Agency - Chowchilla, County of Merced Groundwater Sustainability Agency - Chowchilla, and the Triangle T Water District Groundwater Sustainability Agency (collectively, the Chowchilla Subbasin GSAs) are recognized by the Department of Water Resources as the GSAs for the Chowchilla Subbasin.
 11. The Chowchilla Subbasin GSAs submitted the Chowchilla Subbasin 2020 GSP to the Department of Water Resources for review on January 29, 2020.

12. On January 28, 2022, the Department of Water Resources issued a determination that the Chowchilla Subbasin 2020 GSP was incomplete and provided the Chowchilla Subbasin GSAs with 180 days to address the deficiencies identified in the incomplete determination.
13. The Chowchilla Subbasin GSAs submitted the Revised Chowchilla Subbasin GSP to the Department of Water Resources for review on July 27, 2022.
14. The Department of Water Resources evaluated the Revised Chowchilla Subbasin GSP, consulted with the Board, and on March 2, 2023, issued its “Statement of Findings Regarding the Determination of Inadequate Status of the Chowchilla Subbasin Groundwater Sustainability Plan” (Inadequacy Determination) which is available on the Department of Water Resources’ online SGMA portal.
15. The Department of Water Resources identified two deficiencies in the Revised Chowchilla Subbasin GSP:
 - a. Inadequate justification and selection of management criteria for chronic lowering of groundwater levels.
 - b. Inadequate justification of established land subsidence management criteria.
16. The Department of Water Resources’ inadequacy determination referred the Chowchilla Subbasin to the State Water Board consistent with Chapter 11 of SGMA.
17. The Chowchilla Subbasin GSAs submitted a revised draft GSP to the State Water Board on May 3, 2023 (May 2023 GSP) and adopted the May 2023 GSP on June 5, 2023.
18. State Water Board staff reviewed the May 2023 GSP and found it made significant steps towards addressing the deficiencies listed in the Department of Water Resources’ Inadequacy Determination. The May 2023 GSP:
 - a. Established groundwater level management criteria that better protects drinking water beneficial users and reduces potential impacts on land subsidence rates.

- b. Established new land subsidence management criteria to stop new subsidence and manage towards a goal of zero subsidence within the subbasin.
- 19. However, during review of the May 2023 GSP, Board staff identified issues with the GSP's groundwater level and subsidence management criteria, well mitigation program, and likelihood of achieving sustainability with the proposed projects and management actions.
- 20. The Chowchilla Subbasin GSAs submitted a second revised draft GSP to the State Water Board on August 2, 2024 (August 2024 GSP).
- 21. State Water Board staff reviewed the August 2024 GSP and concluded that it further addressed the deficiencies outlined in the Department of Water Resources' Inadequacy Determination and issues identified by the State Water Board staff, but that issues related to groundwater level management criteria and potential impacts to drinking water wells remained.
- 22. The Chowchilla Subbasin GSAs adopted a revised GSP on March 21, 2025 (2025 GSP).
- 23. Throughout the period between the submittal of the May 2023 GSP to the State Water Board and the Chowchilla Subbasin GSAs' adoption of the 2025 GSP, State Water Board staff and Chowchilla GSA staff met seven times to discuss the GSAs' efforts to improve the GSP and how the GSAs could address deficiencies identified by the Department of Water Resources and additional issues identified by State Water Board staff.
- 24. The State Water Board acknowledges and appreciates the efforts of the Chowchilla Subbasin GSAs to develop and revise the Chowchilla GSP, including continued constructive engagement with State Water Board staff on technical issues and approaches to remedy deficiencies.
- 25. Based on the improvements made by the GSAs in the 2025 GSP, 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 identified by State Water Board staff and recommending that the State Water Board return the Chowchilla Subbasin to the Department's jurisdiction.

26. On April 25, 2025, the State Water Board made the Staff Assessment available to the public, established a May 23, 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 Chowchilla Subbasin to the jurisdiction of the Department of Water Resources at a public meeting to be held on or after June 3, 2025.
27. State Water Board staff reviewed and considered input from public comments submitted during the public comment period and continues to recommend that the State Water Board return the Chowchilla Subbasin to the jurisdiction of the Department of Water Resources.
28. The State Water Board reviewed and considered the Staff Assessment, public testimony, and comments received during the public comment period and at the Board meeting.
29. The State Water Board recognizes the established Human Right to Water Policy of the State that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.
30. The State Water Board is committed to upholding California's human right to water and making racial equity, diversity, inclusion, and environmental justice a central consideration in water law.
31. The State Water Board has a duty to consider the adverse impacts groundwater overdraft would have on public trust resources and to protect public trust resources where feasible.
32. Based on its review and consideration, the State Water Board agrees that the Chowchilla 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 GSP for the Chowchilla Subbasin was inadequate made the Chowchilla Subbasin subject to state intervention under Chapter 11 of SGMA.

2. Finds that the Chowchilla Subbasin GSAs addressed the deficiencies identified in the Department of Water Resources' Inadequacy Determination and additional issues identified by State Water Board staff.
3. Finds that designating the Chowchilla Subbasin as probationary under SGMA is not necessary at this time and that the Chowchilla 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 Chowchilla 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 June 3, 2025.

AYE: Chair E. Joaquin Esquivel
Vice Chair Dorene D'Adamo
Board Member Sean Maguire
Board Member Laurel Firestone
Board Member Nichole Morgan

NAY: None

ABSENT: None

ABSTAIN: None


Courtney Tyler
Clerk to the Board