



Media Release

Water Board to hold probationary hearing for Kern County Subbasin under Sustainable Groundwater Management Act

Critically overdrafted subbasin is fourth to be noticed for a probationary hearing

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Contact: [Edward Ortiz](#), Office of Public Affairs

SACRAMENTO – Moving to protect the long-term viability of groundwater supplies for the benefit of all groundwater users, the State Water Resources Control Board today issued a [public notice](#) for a Feb. 20, 2025, hearing to consider placing the Kern County Groundwater Subbasin on probationary status under the landmark [Sustainable Groundwater Management Act](#) (SGMA).

To help inform the hearing, the State Water Board released a [draft staff report](#) that describes groundwater conditions in the Kern County Subbasin and recommends how its groundwater sustainability agencies (GSAs) can address deficiencies in their groundwater sustainability plans. Excessive groundwater pumping can overdraft aquifers, which can cause water supply wells to go dry, land subsidence, and other impacts on water supplies.

Under SGMA, GSAs of critically overdrafted groundwater basins, like the Kern County Subbasin, must submit plans that demonstrate how the basin's groundwater supplies will be managed sustainably by 2040. The subbasin has 20 GSAs.

The board's report identifies several key deficiencies in these plans submitted by the GSAs in 2022, chief among them being that they do not rely on the same data and methodologies or monitoring objectives, effectively preventing functional co-management of the basin. The plans also use low projected groundwater level thresholds that could result in groundwater levels declining below historic lows without triggering any management actions.

"The board has been meeting with groundwater sustainability agencies for the Kern County subbasin intensively for over a year to help them remedy deficiencies in their plans. Despite some progress, substantial deficiencies remain. Probation is the next step to ensure the sustainable management required by law, and necessary for the basin's communities and environment," said Sam Boland-Brien, Director of the State



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

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1001 I Street, Sacramento, CA 95814 • Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 • www.waterboards.ca.gov



Water Resources Control Board's Office of Sustainable Groundwater Management. "SGMA empowers the board to step in and protect California's groundwater supplies in critically overdrafted basins because, without a state backstop to ensure sustainability, groundwater overpumping in these basins will continue. Communities will be left vulnerable to dry wells and other negative impacts that will only grow worse over time."

The draft report released today provides an in-depth review of the 2022 plans that would serve as a roadmap for addressing plan deficiencies. After the board began preparation of the draft report, Kern County GSAs submitted seven revised draft plans on May 28, 2024. The plans are considered draft because they have yet to be adopted by the GSAs and are currently undergoing public review. The board's preliminary review of these 2024 plans found that they suffer from many of the same deficiencies, even though the GSAs have made progress in some areas.

Today's notice begins a 60-day public comment period to gather input from stakeholders and others, which will be incorporated into a final draft report.

The Kern County Subbasin is the fourth of the basins [referred by the Department of Water Resources for state intervention in 2022](#) to be scheduled for a hearing, where the board will decide if a probationary designation is warranted after a robust public input process. To date, the board has noticed probationary hearings for the Tulare Lake, Tule and Kaweah subbasins and has placed the Tulare Lake subbasin under probation.

If the board does place the Kern County Subbasin on probation, most groundwater pumpers could be required to [report their groundwater usage and pay state fees](#) 90 days following the onset of probation. In the meantime, the GSAs overseeing the Kern County Subbasin would have at least a year to prepare viable sustainability plans, at which point the board could terminate probation. If there still are not acceptable plans covering the subbasin, at the end of a minimum of one year, the board could move forward with the next stage of the state intervention process, which could include the board temporarily implementing its own plan to prevent the depletion of the groundwater supply.

Board workshops on the probationary hearing process for the Kern County Subbasin will take place with an Aug. 26 virtual workshop from 11 a.m. to 1:30 p.m., followed by an in-person Aug. 29 workshop in Bakersfield from 5:30 to 8:30 p.m.

The board will determine whether to place the Kern County Subbasin on probation at a public hearing on Feb. 20, 2025, at 9:30 a.m. in the California Environmental Protection Agency Headquarters Building in downtown Sacramento.

The State Water Board's mission is to preserve, enhance and restore the quality of California's water resources and drinking water for the protection of the environment,



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public health, and all beneficial uses, and to ensure proper resource allocation and efficient use for present and future generations.