
THIRD READING

Bill No: AB 1413
Author: Papan (D), et al.
Amended: 9/2/25 in Senate
Vote: 21

SENATE NATURAL RES. & WATER COMMITTEE: 4-3, 7/8/25

AYES: Limón, Allen, Laird, Stern

NOES: Seyarto, Grove, Hurtado

SENATE JUDICIARY COMMITTEE: 10-3, 7/15/25

AYES: Umberg, Allen, Arreguín, Ashby, Durazo, Laird, Stern, Wahab, Weber
Pierson, Wiener

NOES: Niello, Caballero, Valladares

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/29/25

AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab

NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 45-21, 6/3/25 - See last page for vote

SUBJECT: Sustainable Groundwater Management Act: groundwater
adjudication

SOURCE: Author

DIGEST: This bill makes various changes to comprehensive groundwater adjudication procedures and to the Sustainable Groundwater Management Act (SGMA) including, amongst others, providing that a court's judgment substantially interferes with the implementation of SGMA if the judgment permits more total pumping from a basin annually or on average than a valid groundwater sustainability plan (GSP); permitting a court to establish a safe yield that exceeds the sustainable yield established in a valid GSP under certain circumstances; requiring a groundwater sustainability agency (GSA) to review its sustainable yield

every seven years; and requiring that a validation action be filed within 180 days of the GSP's adoption.

ANALYSIS:

Existing law:

- 1) Enacts SGMA, which requires groundwater sustainability agencies (GSAs) to sustainably manage groundwater in high- or medium-priority basins by 2040 pursuant to a GSP. (Water Code (WAT) §§ 10720 *et seq.*)
- 2) Requires, prior to initiating the development of a GSP, the GSA to make available to the public, as provided, a written statement describing how to participate in the development and implementation of the GSP. (WAT §10727.8)
- 3) Requires a GSA to encourage the active involvement of diverse social, cultural, and economic elements of the population within the groundwater basin prior to and during the development and implementation of the GSP. (WAT §10727.8)
- 4) Requires a GSA to periodically evaluate its GSP, as provided. (WAT 10728.2)
- 5) Authorizes a GSA that adopts a GSP to file an action to determine the validity of the GSP 180 days after the adoption of the GSP. (WAT §10726.6)
- 6) Provides that actions by a GSA are subject to judicial review pursuant to a writ of mandate. (WAT §10726.6(e))
- 7) Requires a GSA to submit the initial GSP to the Department of Water Resources (DWR), upon which the following must occur:
 - a) DWR must post the plan on its website and provide 60 days for persons to submit comments about the plan;
 - b) DWR must review the plan and issue an assessment of the GSP and offer recommendations for any measures necessary to correct deficiencies in the plan. (WAT §10733.4)
- 8) Requires, at least every five years, DWR to review a GSP or alternative submitted, and the implementation of the corresponding groundwater

sustainability program for consistency with SGMA. (WAT §10733.8)

- 9) Outlines process and scope for a comprehensive adjudication of a groundwater basin. (Code of Civil Procedure (CCP) §830 *et seq.*)
- 10) Provides that in a comprehensive adjudication, the court may determine all groundwater rights of a basin, whether based on appropriation, overlying right, or other basis of right, and use of storage space in the basin. (CCP §834.)
- 11) Requires an action against a GSA that is located in a basin that is being adjudicated to be coordinated and consolidated with the adjudication, as appropriate, if the action concerns the adoption, substance, or implementation of a GSP, or the GSA's compliance with the timelines in SGMA. (CCP §838)
- 12) Requires a court to impose a physical solution on the parties subject to a comprehensive adjudication when necessary to ensure the water is put to reasonable and beneficial use. (CCP §849 (a))
- 13) Authorizes a court to enter a judgment in an adjudication action for a basin required to have a GSP if the court determines the judgment will not substantially impair the ability of a GSA, the State Water Board, or DWR to comply with SGMA and to achieve sustainable groundwater management, as specified. (CCP §850(b))

This bill:

- 1) Requires an action against a GSA in a basin that is subject to a pending comprehensive adjudication be consolidated with the comprehensive adjudication and require the court to resolve the cause of action for judicial review of a GSP's sustainable yield before trying any other issue in the action.
- 2) Provides that a judgment substantially impairs the ability of a GSA, State Water Board, or DWR to comply with SGMA and achieve sustainable groundwater management if the judgment permits more total pumping from the basin annually or on average than the latest GSP or GSPs covering the basin and if the GSP or GSPs meet both of the following:
 - a) The GSP or GSPs have received a determination from DWR that the GSP or GSPs are likely to achieve the sustainability goal of the basin.

- b) The GSP or GSPs have been validated by a final judgment issuing from a validation action; or the GSP or GSPs have been validated by operation of law because no validation action was filed.
- 3) Authorizes a GSA that adopts a GSP to file an action to determine the plan's validity within 180 days of the plan's adoption, except as specified.
 - 4) Requires a challenge to GSA actions be filed within 90 days of the challenged action or determination by the agency. If judicial review is sought of an action or determination that is concurrently being reviewed by DWR or the State Water Board pursuant to SGMA, require the court to consider whether, in the interest of efficiency or justice, to stay the challenge until DWR or the State Water Board completes its evaluation.
 - 5) Requires a GSA, at least every seven years, to review, and update if appropriate, its sustainable yield, as provided.
 - 6) For adjudications filed after January 1, 2025, prohibits a court from establishing a safe yield or sustainable yield that exceeds the sustainable yield or sustainable yield established by a valid GSP unless the court determines that the sustainable yield was not made based on the best available information and best available science at the time the GSP was adopted. Provides that a party that claims the sustainable yield was not made based on the best available information and best available science bears the burden of proof.
 - 7) Requires a court, if it is found that certain information relating to determining the sustainable yield was not made publicly available for review, to require the GSA to readopt the GSP after making such information publicly available.
 - 8) Declares that it is the intent of the Legislature, in enacting this bill, to, among other things:
 - a) To provide specific terms supporting implementation of existing law to ensure that a comprehensive adjudication of groundwater rights in a basin does not interfere with the timely completion and implementation of a GSP.
 - b) To provide specific terms supporting implementation of existing law to ensure that a comprehensive adjudication of groundwater rights in a basin avoids redundancy and unnecessary costs in the development of technical

information and physical solution.

- c) To provide specific terms supporting implementation of existing law to ensure that a comprehensive adjudication of groundwater rights in a basin is consistent with the attainment of sustainable groundwater management within the timeframes established by SGMA.
- d) Ensure that the filing of a comprehensive groundwater adjudication not be used as a means of delaying or undermining the implementation of SGMA.

Background

Groundwater 101. Groundwater is a critical source of supply that meets more than 40 percent of water demand in an average year and more than 60% of demand during drought years. There are three types of groundwater rights: overlying, appropriative, and prescriptive. Due to lack of regulation for the management of groundwater for most of California's history, many groundwater basins in California are in a state of overdraft.

SGMA. In 2014, to address overdraft and other adverse effects of excessive pumping, the Legislature passed SGMA, a statewide framework for groundwater management. Under SGMA, a GSA has broad management authority of the groundwater basin or basins under their jurisdiction including defining the basin's or basins' sustainable yield, limiting groundwater extraction, and imposing fees. GSAs are authorized to perform any act necessary to carry out the purposes of SGMA, including adopting rules, regulations, and ordinances and developing the GSP.

A GSP is a roadmap for how a basin will reach SGMA's sustainability goal for that basin and ensure that the basin is operated within its "sustainable yield," as determined by the GSA. SGMA defines "sustainable yield" as the maximum quantity of water, calculated over a base period representative of long-term conditions in the basin and including any temporary surplus, that can be withdrawn annually from a groundwater supply without causing an undesirable result.

Adjudications. A groundwater adjudication is when parties ask a court to resolve conflicts over groundwater rights. An adjudication is initiated when one or more groundwater pumpers files a civil action asking the court to intervene to determine groundwater rights and/or limit pumping to a basin's "safe yield" (the amount of groundwater pumped that is equal to the average replenishment rate of a

groundwater basin).

Groundwater adjudications can cover an entire basin, a portion of a basin, or a group of basins, and may include non-basin areas. Groundwater rights are defined for the overlying landowners and appropriators within the adjudicated area. The court decides who is allowed to extract groundwater, how much they are allowed to extract, and designates a watermaster who ensures the adjudicated areas are managed in accordance with the court ruling.

Determining who has groundwater rights that could be affected by an adjudication and the scope of those rights is difficult and can be a lengthy process; adjudications typically take more than a decade to resolve. Identifying and noticing every party that may have a right, completing technical work and sorting through disagreements over this technical work, and determining historic groundwater use which could affect the scope of one's rights are all factors that can contribute to increasing the time and expense of an adjudication.

See Senate Natural Resources and Water Committee analysis for additional background information.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee,

- “Unknown, potentially significant cost pressures to the state-funded trial courts due to additional workload (Trial Court Trust Fund, General Fund).
- To the extent that courts seek additional input or assistance from the State Water Board or Department of Water Resources (DWR) as a result of this bill, there could be additional state costs associated with State Water Board or DWR workload (General Fund).
- The above costs may be at least partially offset by General Fund cost savings elsewhere for the courts, State Water Board, or DWR.”

SUPPORT: (Verified 8/29/25)

California Rural Legal Assistance Foundation, INC.
City of Ridgecrest
Clean Water Action
Cleaneearth4kids.org
Community Alliance With Family Farmers
Community Water Center

Facts: Families Advocating for Chemical & Toxics Safety
Fox Canyon Groundwater Management Agency
Indian Wells Valley Groundwater Authority
Leadership Counsel Action
Madera County
Planning and Conservation League
Regional Water Authority
Sacramento Suburban Water District
Sierra Club California
The Nature Conservancy
W.A.T.E.R.

OPPOSITION: (Verified 8/29/25)

Agricultural Council of California
Almond Alliance
Alta Irrigation District
Arvin Groundwater Sustainability Agency
Association of California Water Agencies
California Alfalfa and Forage Association
California Association of Realtors
California Association of Wheat Growers
California Association of Winegrape Growers
California Chamber of Commerce
California Citrus Mutual
California Farm Bureau
California Fresh Fruit Association
California Grain and Feed Association
California Groundwater Coalition
California Municipal Utilities Association
California Seed Association
California Tomato Growers Association
California Water Association
Cawelo Groundwater Sustainability Agency
Central Delta-Mendota Groundwater Sustainability Agency
Central Kings Groundwater Sustainability Agency
East Turlock Subbasin Groundwater Sustainability Agency
El Rico Groundwater Sustainability Agency
Fresno County Farm Bureau
Golden State Water Company
Henry Miller Water District Groundwater Sustainability Agency

Indian Wells Valley Economic Development Corporation
Indian Wells Valley Water District
Kern County Farm Bureau
Kern County Taxpayers Association
Kern Non-Districted Land Authority
Kern Water Bank Groundwater Sustainability Agency
Kern-Tulare Water District Groundwater Sustainability Agency
Kings River Conservation District
Kings River Water Association
Mission Springs Water District
Monterey County Water Resources Agency
Monterey; County of
Nisei Farmers League
North Kern Groundwater Sustainability Agency
Ridgecrest Area Association of Realtors
Searles Valley Minerals
Semitropic Water Storage District
South San Joaquin Irrigation District
Tejon-Castac Water District Groundwater Sustainability Agency
United Water Conservation District
Valley Ag Water Coalition
West Turlock Subbasin Groundwater Sustainability Agency
Western Growers Association
Western Plant Health Association
Westside District Water Authority Groundwater Sustainability Agency

ARGUMENTS IN SUPPORT: According to the author, “Successful implementation of SGMA is of vital importance to California. A minority of pumpers should not be able to use the groundwater adjudication process to get around, delay, or undermine SGMA. AB 1413 will limit abuse of the groundwater adjudication process. To accomplish this goal, this bill prevents pumpers from filing a comprehensive groundwater adjudication to get around a GSP and rehash the sustainable yield (or groundwater budget) established in a GSP.

“Unfortunately, it appears this is occurring in pending groundwater adjudications in basins subject to SGMA. Revisiting the question of sustainable yield in a groundwater adjudication delays sustainable groundwater management and is redundant. While the court has an important role to play in determining individual groundwater water rights, the GSP development and implementation processes are the best forums for determining the sustainable yield for a given groundwater basin (akin to land use planning and zoning). This administrative planning process is

bolstered by review and oversight by the state agencies with technical expertise in water management – DWR and the State Water Board – that take an active and ongoing role in SGMA implementation. To avoid delay in reversing groundwater overdraft and avoid shutting out smaller actors, this bill directs courts to not permit more groundwater pumping than would be allowed under a valid GSP when entering a judgment in a comprehensive groundwater adjudication.”

ASSEMBLY FLOOR: 45-21, 6/3/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Ávila Farías, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Lee, Lowenthal, McKinnor, Muratsuchi, Ortega, Papan, Patel, Pellerin, Petrie-Norris, Celeste Rodriguez, Schiavo, Schultz, Sharp-Collins, Solache, Stefani, Wicks, Wilson, Zbur, Rivas

NOES: Alanis, Bains, Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Lackey, Macedo, Patterson, Ransom, Sanchez, Ta, Tangipa, Wallis

NO VOTE RECORDED: Arambula, Carrillo, Krell, Nguyen, Pacheco, Quirk-Silva, Ramos, Michelle Rodriguez, Rogers, Blanca Rubio, Soria, Valencia, Ward

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