

Date of Hearing: September 10, 2025

ASSEMBLY COMMITTEE ON WATER, PARKS, AND WILDLIFE

Diane Papan, Chair

AB 568 (Macedo) – As Amended July 18, 2025

**SUBJECT:** Tule East Groundwater Sustainability Agency Act

**SUMMARY:** Creates the Tule East Groundwater Sustainability Agency (GSA) to oversee groundwater management and compliance with the Sustainable Groundwater Management Act (SGMA) in portions of the Tule subbasin in eastern Tulare County. Specifically, **this bill:**

- 1) Provides the initial boundaries of the Tule East GSA shall include all land located within the boundaries of Hope Water District and Ducor Water District and areas east of the Lower Tule Irrigation District, Pixley Irrigation District, and Delano-Earlimart Irrigation District, excluding the boundaries of the Porterville Irrigation District, Saucelito Irrigation District, Vandalia Water District, Tea Pot Dome Water District, Terra Bella Irrigation District, Kern-Tulare Water District, and the City of Porterville.
- 2) Provides the initial boundaries may change upon an action by the Tule East GSA board at a public hearing with 14 days' notice. Provides the boundaries shall not include an area subject to management by another GSA or a management area unless the Tulare Basin GSA has entered into a memorandum of understanding or other legal agreement with said GSA.
- 3) Provides that the Tule East GSA shall be governed by a five-member board that consists of the following members: (a) one member chosen by Hope Water District; (b) one member chosen by Ducor Water District; (c) one member chosen by Tulare County; and (d) two members to represent groundwater-dependent agricultural interests within the territory of the Tulare Basin GSA that may be selected from a list provided by the Tulare County Farm Bureau; at least one of these two members shall represent socially disadvantaged farmers.
- 4) Authorizes the board to adopt resolutions, policies, rules, and regulations at a public hearing for the purpose of regulating, conserving, managing, and controlling groundwater within the agency's territory.
- 5) Requires the Tule East GSA to enter into a coordination agreement with other GSAs managing portions of the Tule subbasin.
- 6) Authorizes the Tule East GSA to impose fees, including permit fees and groundwater extraction fees, to fund the costs of a groundwater sustainability program.

**EXISTING LAW:**

- 1) Requires, under SGMA, local agencies to sustainably manage groundwater in critically over-drafted basins by 2040 and in high- or medium-priority basins by 2042. Defines sustainable management of groundwater as the avoidance of the following six "undesirable results:" (a) chronic lowering of groundwater levels; (b) reduction of groundwater storage; (c) seawater intrusion; (d) degraded water quality; (e) land subsidence; and (f) depletions of interconnected surface water (Water Code § 10720 *et seq.*).

- 2) Requires local agencies in high- and medium-priority basins to form a GSA by June 30, 2017, unless statute designates an “exclusive local agency” for a given area. Provides that a county will be the default GSA for any area in a high- or medium- priority basin not managed by a GSA unless said county notifies the Department of Water Resources (DWR) that it will not be the GSA for an uncovered portion of a high- or medium-priority basin (Water Code §§ 10723 – 10724).
- 3) Provides that a GSA may be formed by a combination of local agencies via a joint powers agreement or memorandum of agreement or other legal agreement (Water Code § 10723.4).
- 4) Provides that a Groundwater Sustainability Plan (GSP) may be a single plan covering a basin implemented by a single GSA, a single plan covering a basin implemented by multiple GSAs, or multiple plans implemented by several GSAs subject to a coordination agreement (Water Code § 10727).
- 5) Requires GSAs intending to develop and implement multiple GSPs in a basin to coordinate with each other and ensure the GSPs utilize the same data and methodologies for the following assumptions: (a) groundwater elevation data; (b) groundwater extraction data; (c) surface water supply; (d) total water use; (e) change in groundwater storage; (f) water budget; and (g) sustainable yield (Water Code § 10727.6).
- 6) Designates 17 local agencies as the “exclusive local agencies” within their service territory that are responsible for complying with SGMA. Examples include Desert Water Agency, Fox Canyon Groundwater Management Agency, Orange County Water District, and Pajaro Valley Water Management Agency [Water Code § 10723(c)].

**FISCAL EFFECT:** The Assembly Appropriations analysis of the previous version of this bill is not relevant and the Senate Appropriations Committee did not hear this bill and, instead, reported it to the Senate Floor pursuant to Senate Rule 28.8; indicating this bill does not appropriate money, does not result in significant state costs or require the appropriation of funds, and will cause no significant reduction in revenues.

**COMMENTS:**

- 1) **Purpose of this bill.** The author asserts that this bill “restores stability to the community by creating a dedicated [GSA], empowering the County to protect its water resources, support its agricultural economy, and secure a sustainable future for its residents.” The author estimates the boundaries of the Tulare Basin GSA proposed in this bill represent approximately one-half of the territory previously managed by the Eastern Tule GSA.
- 2) **Background.** This bill is substantially similar to AB 1044 (Macedo) of the current legislative session. AB 1044 did not pass out of the Assembly before the house of origin deadline. The author subsequently amended this bill to include the contents of AB 1044, making three notable changes: 1) provide that a Tulare County supervisor shall represent Tulare County on the Tule East GSA; 2) provide that an individual who represents socially disadvantaged farmers shall be on the board of the Tule East GSA; and 3) remove a provision exempting “supplemental water” from oversight by the Tule East GSA.

*Tule subbasin.* Located in California’s Central Valley in the southern portion of the San Joaquin Valley, the Tule Subbasin covers approximately 475,895 acres, or about 744 square

miles. DWR designates the subbasin as “high” priority and subject to conditions of critical overdraft. Communities within the subbasin include the City of Porterville, Allensworth, Alpaugh, Ducor, Earlimart, East Porterville, Pixley, Poplar-Cotton Center, Richgrove, Terra Bella, Teviston, Tipton, and Woodville. According to the 2022 Census data, the Tule Subbasin has an estimated population of 152,577 people. Most of the land within the subbasin and surrounding areas is used for growing crops and raising livestock. Groundwater in the subbasin is used for drinking water, agriculture, wildlife habitat, and oil and gas extraction.

*GSAs for the Tule subbasin.* As recently as 2023, there were seven GSAs responsible for managing groundwater in the subbasin: Pixley Irrigation District GSA, Tri-County Water Authority GSA, Alpaugh GSA, Delano-Earlimart Irrigation District GSA, Eastern Tule GSA, Tulare County GSA, and the Lower Tule River Irrigation District GSA. Today, there are 12 GSAs managing portions of the Tule subbasin. The increase in GSAs is a result of the breakup of the Eastern Tule GSA, which this bill seeks to address.

*Eastern Tule GSA.* Formed in 2016, the Eastern Tule GSA is a joint powers authority that took on responsibility for managing groundwater in the eastern portion of the subbasin. This GSA initially had eight members: the County of Tulare, City of Porterville, Saucelito Irrigation District, Teapot Dome Water District, Vandalia Water District, Terra Bella Irrigation District, Kern-Tulare Water District, and Porterville Irrigation District. For various reasons, all of the original members of the GSA, except Tulare County, have since split off to form new GSAs.

*Probationary status for Tule subbasin.* The State Water Resources Control Board (State Water Board) designated the Tule subbasin as a “probationary” basin in September 2024 due to significant deficiencies in several of the groundwater sustainability plans for the subbasin and the adverse impacts that land subsidence resulting from over-pumping of groundwater is having on the Friant-Kern canal. Due to this designation, the basin is subject to “state intervention” under which the State Water Board will work with GSAs to develop an interim plan that will get the subbasin back on track to achieve sustainable groundwater management. Delano-Earlimart Irrigation District GSA and Kern-Tulare Water District were partially excluded from the State Water Board’s probationary designation and pumpers within the jurisdiction of these agencies will not be subject to reporting requirements and fees imposed by the State Water Board. These two agencies will retain this status so long as they comply with specified management actions. Some of the agencies that have split off from the Eastern Tulare GSA appear to think that they may obtain this “good actor” exemption from the State Water Board’s probationary designation as well.

*Hope and Ducor Water Districts.* Based on information available on the State Water Board’s website, Hope Water District has seven connections and primarily serves an elementary school. Ducor is a community services district serving 176 connections in rural towns. Both districts are dependent on groundwater and located south of the city of Porterville in eastern Tulare County.

- 3) **Arguments in support.** Tulare County is the sponsor of this bill and asserts it is necessary “to provide ongoing GSA coverage for the lands previously governed by the Eastern Tule GSA.” Tulare County maintains that “the new formation will allow the Tule Subbasin to work on satisfying the [State Water Board] and get the subbasin out of probationary status.”

- 4) **Related legislation.** AB 1044 (Macedo) of the current legislative session is substantially similar to this bill and creates the Tulare Basin GSA to oversee groundwater management and compliance with SGMA in portions of the Tule subbasin in eastern Tulare County. AB 1044 is on the Assembly Inactive file.

SB 372 (Cannella), Chapter 357, Statutes of 2017, establishes the San Joaquin River Exchange Contractors Groundwater Sustainability Agency to manage a portion of the Delta-Mendota groundwater subbasin.

SB 37 (Vidak), Chapter 391, Statutes of 2016, establishes the Kings River East Groundwater Sustainability Agency to manage the south eastern portion of the Kings groundwater subbasin.

SB 564 (Cannella), Chapter 392, Statutes of 2016, establishes the North Fork Kings River Groundwater Sustainability Agency to manage the north-central portion of the Kings groundwater subbasin.

#### **REGISTERED SUPPORT / OPPOSITION:**

##### **Support**

County of Tulare (sponsor)  
Valley Ag Water Coalition

##### **Opposition**

None on file

**Analysis Prepared by:** Pablo Garza / W., P., & W. / (916) 319-2096