

CONCURRENCE IN SENATE AMENDMENTS

AB 568 (Macedo)

As Amended July 18, 2025

Majority vote

SUMMARY

Original Committee of Reference: Assembly Public Safety Committee

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.

Senate Amendments

Current Committee Recommendation: Concur

- 1) Delete the previous contents of this bill pertaining to establishing a felony penalty for knowingly furnishing fentanyl to a minor.
- 2) Create the Tule East GSA and deems it the exclusive GSA for purposes of complying with SGMA within its boundaries.
- 3) Provide 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.
- 4) Provide the initial boundaries may change upon an action by the Tule East GSA board at a public hearing with 30 days' notice. The boundaries shall be depicted on a map and submitted to the Department of Water Resources (DWR). 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.
- 5) Provide 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 from the Tulare County board of supervisors; 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.
- 6) Authorize 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.
- 7) Require the Tule East GSA to enter into a coordination agreement with other GSAs managing portions of the Tule subbasin.

- 8) Authorize the Tule East GSA to impose fees, including permit fees and groundwater extraction fees, to fund the costs of a groundwater sustainability program.

COMMENTS

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.

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.

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.

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.

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 Tule GSA appear to think that they may obtain this "good actor" exemption from the State Water Board's probationary designation as well.

According to the Author

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.

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."

Arguments in Opposition

None on file.

FISCAL COMMENTS

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.

VOTES**ASM PUBLIC SAFETY: 9-0-0**

YES: Schultz, Alanis, Mark González, Haney, Harabedian, Lackey, Nguyen, Ramos, Sharp-Collins

ASM APPROPRIATIONS: 11-0-4

YES: Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache

ABS, ABST OR NV: Sanchez, Dixon, Ta, Tangipa

ASSEMBLY FLOOR: 72-0-7

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Krell, Lackey, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

ABS, ABST OR NV: Alvarez, Bonta, Bryan, Elhawary, Kalra, Lee, Ortega

SENATE FLOOR: 39-0-1

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Reyes

ASM WATER, PARKS, AND WILDLIFE: 13-0-0

YES: Papan, Jeff Gonzalez, Alvarez, Ávila Farías, Bains, Bennett, Boerner, Caloza, Hart, Macedo, Celeste Rodriguez, Rogers, Lackey

UPDATED

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FN: 0001993