

SJV WATER

State recommends Kern subbasin be moved off enforcement track, with some caveats

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State Water Resources Control Board staff recommended on Friday that the Kern subbasin be moved back under oversight of the Department of Water Resources provided water managers fix three outstanding issues.

Make sure there's a plan in place to get clean water to people if excessive pumping boosts contaminants above allowable levels.

Include small water systems, those with four or more connections, in that plan.

Eliminate the May 2026 sunset provision for the Kern Non-Districted Land Authority Groundwater Sustainability Agency, which oversees land in the subbasin that is outside of water district boundaries.

Staff also singled out Semitropic Water Storage District over concerns that the groundwater plan may not supply enough water to 3,600 acres of wetlands in its boundaries. They encouraged the district to work with wetlands parties to find solutions to maintain that habitat, which is valuable to the Pacific Flyway.

The Water Board will vote on the recommendation at a Sept. 17 hearing in Sacramento.

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One of the key changes was Kern agencies contracted with Self-Help Enterprises to provide rapid response to residents if their wells do go dry and committed to a \$3.5 million revolving reserve, meaning more money will be put in as funds are spent to pay for wells damaged by overpumping.

The other notable improvement, according to Water Board staff, has been much greater cohesion among Kern's 20 groundwater sustainability agencies.

That was evident in more aligned "minimum thresholds" across the subbasin. Minimum thresholds are a flashing yellow light for groundwater depths. If the water table hits a minimum threshold, as measured at numerous monitoring wells, groundwater agencies kick in various restrictions to keep it from dropping further.

In previous plans, different groundwater agencies had set varying minimum thresholds, sometimes hundreds of feet below those of their neighbors.

"It's been a long road getting the Kern subbasin plan from 'byzantine' to 'sustainable,'" wrote Rosedale-Rio Bravo Water Storage District General Manager Dan Bartel in a text. "It looks like we have finally achieved a great step towards local and sustainable management."

Byzantine was a word Water Board staff used to describe the subbasin's 2020 plan, in which groundwater agencies used a mishmash of different data and definitions for how they would bring the withered aquifer back to balance.

The groundwater plans are required under the Sustainable Groundwater Management Act (SGMA), which mandates that overdrafted basins bring their aquifers into balance by 2040.

Groundwater plans for seven valley subbasins were deemed inadequate, including Kern, Tule, Tulare Lake, Chowchilla, Kaweah, Delta-Mendota and Pleasant Valley.

The Tule and Tulare Lake subbasins were placed on probation in 2024.

Sanctions have been held at bay in the Tulare Lake subbasin, so far, per a preliminary injunction issued as part of a lawsuit against the state by the Kings County Farm Bureau. The probation process is just getting underway in the Tule subbasin, which covers the southern half of Tulare County's flatlands.

The Kaweah and Chowchilla subbasins were moved back to DWR oversight earlier this year after the Water Board found plans for those regions had improved.

Water Board hearings for the Delta-Mendota and Pleasant Valley subbasins have not been set.