

**BEFORE
THE BOARD OF DIRECTORS
FOR THE COUNTY OF MADERA
GROUNDWATER SUSTAINABILITY AGENCY
CHOWCHILLA SUBBASIN**

In the Matter of

THE SUSTAINABLE GROUNDWATER
MANAGEMENT ACT

Chowchilla Subbasin

Resolution No. 2026- 040

RESOLUTION ADOPTING
THE CHOWCHILLA
SUBBASIN GROUNDWATER
DEMAND MANAGEMENT
PROGRAMS AND
SUBSIDENCE MITIGATION
MEASURES

WHEREAS, the California Legislature passed a statewide framework for sustainable groundwater management, known as the Sustainable Groundwater Management Act (California Water Code §10720 *et seq.*), pursuant to Senate Bill 1168, Senate Bill 1319, and Assembly Bill 1739, which was approved by the Governor and Chaptered by the Secretary of State on September 16, 2014; and

WHEREAS, SGMA requires that each groundwater basin be managed by a Groundwater Sustainability Agency (“GSA”), or multiple GSAs, and that such management be pursuant to an approved Groundwater Sustainability Plan (“GSP”), or multiple GSPs; and

WHEREAS, the Chowchilla Groundwater Subbasin (“Chowchilla Subbasin”) has been designated by the Department of Water Resources (“DWR”) as a high-priority basin and in critical groundwater overdraft (DWR Bulletin 118 Groundwater Basin: 5-022.05); and

WHEREAS, the Madera County - Chowchilla GSA is a GSA under SGMA for certain portions of the Chowchilla Subbasin; and

WHEREAS, pursuant to Water Code section 10727, SGMA requires that a Groundwater Sustainability Plan (GSP) or multiple GSPs be developed and implemented by January 31, 2020 for each high-priority basin; and

WHEREAS, the Madera County Chowchilla GSA, the Chowchilla Water District GSA, the Triangle T Water District GSA, and the Merced County Chowchilla GSA (collectively hereinafter the “Chowchilla Subbasin GSAs”) have collaboratively prepared a single GSP for the Chowchilla Subbasin (“Chowchilla Subbasin GSP”) in accordance with Water Code section 10727.2 to include all the components required by SGMA; and

WHEREAS, on or about December 17, 2019, the Chowchilla Subbasin GSAs adopted the Chowchilla Subbasin GSP; and

WHEREAS, on or about January 29, 2020, the Chowchilla Subbasin GSP was submitted to DWR for review, public comment, and approval; and

WHEREAS, on November 18, 2021, DWR completed a review of the Chowchilla Subbasin GSP and released an incomplete determination of the Chowchilla Subbasin GSP, initiating a 180-day consultation period between January 28, 2022, and July 27, 2022; and

WHEREAS, the Chowchilla Subbasin GSAs completed the first revision of the Chowchilla Subbasin GSP in response to the incomplete determination made by DWR; and

WHEREAS, on or about July 27, 2022, the first revision of the Chowchilla Subbasin GSP was submitted to DWR for review, public comment, and approval; and

WHEREAS, on March 2, 2023, DWR completed a review of the first revision of the Chowchilla Subbasin GSP submitted July 27, 2022, and released an inadequate determination of the first revision of the Chowchilla Subbasin GSP; and

WHEREAS, the Chowchilla Subbasin GSAs acted quickly whereby seeking to eliminate the need for a probationary hearing before the State Water Resources Control Board (SWRCB) through informal submission of the second revision of the Chowchilla Subbasin GSP to the SWRCB on May 5, 2023; and

WHEREAS, following the May 5, 2023, submission, the Chowchilla Subbasin GSAs consulted on numerous occasions with SWRCB staff; and

WHEREAS, over the course of numerous discussions with SWRCB staff, it was explicitly clear that SWRCB staff were concerned that Projects and Management Actions (PMAs) in the Chowchilla Subbasin GSP may not come to fruition and/or may not deliver the intended benefit; and

WHEREAS, given SWRCB staff's concern regarding the uncertainty of PMA implementation, SWRCB staff indicated that the Parties must prepare demand management programs and subsidence mitigation measures with specific triggers, providing a "backstop" and an alternative pathway for achieving sustainability should the other Chowchilla Subbasin GSP PMAs either not come to fruition or not yield the intended benefits; and

WHEREAS, in response to SWRCB staff direction, the Chowchilla Subbasin GSAs developed and entered into a Groundwater Demand Management and Subsidence Mitigation Measures Memorandum of Understanding (GDM MOU); and

WHEREAS, the GDM MOU obligated the Chowchilla Subbasin GSAs to develop, review, consider, and undertake demand management and subsidence mitigation measures through development of a GDM Program, ready for implementation no later than January 1, 2026, consistent with the terms of the GDM MOU; and

WHEREAS, the Chowchilla Subbasin GSAs completed additional revisions to the Chowchilla Subbasin GSP in 2023-2025, consistent with the direction provided by SWRCB staff; and

WHEREAS, the Chowchilla Subbasin GSAs submitted the 2025 Revised Chowchilla Subbasin GSP to the SWRCB in March 2025, inclusive of the GDM MOU; and

WHEREAS, in April 2025 the SWRCB released a Staff Assessment that concluded further consideration of a probationary designation for the Chowchilla Subbasin based on DWR's 2022 GSP Inadequate Determination was not warranted at that time, and further recommended that the SWRCB return the Chowchilla Subbasin to DWR's jurisdiction under chapter 10 of SGMA; and

WHEREAS, on June 3, 2025, the SWRCB voted unanimously to return the Chowchilla Subbasin to DWR's jurisdiction under chapter 10 of SGMA; and

WHEREAS, execution of the GDM MOU and development of the GDM Program is believed to be the primary mechanism that allowed the Chowchilla Subbasin GSAs to avoid probationary status; and

WHEREAS, consistent with the GDM MOU, the Chowchilla Subbasin GSAs have worked diligently and expeditiously to develop the GDM Program; and

WHEREAS, the GDM Program includes a host of voluntary, mandatory, and potential additional mandatory measures; and

WHEREAS, while the GDM Program is expected to broadly benefit groundwater conditions in the Subbasin across all sustainability indicators, subsidence and potential impacts of subsidence are anticipated to be the most limiting factors in achieving the Subbasin's sustainability goal, and thus the Chowchilla Subbasin GSAs have prioritized development and implementation of the GDM Program to proactively monitor and promptly address subsidence conditions in the Chowchilla Subbasin; and

WHEREAS, the GDM Program includes detailed and specific triggers for implementation; and

WHEREAS, the GDM Program includes specific quantitative analyses of conditions in the Chowchilla Subbasin that trigger action; and

WHEREAS, the GDM Program includes specific monitoring and reporting requirements; and

WHEREAS, the GDM Program is intended to focus mandatory measures in specific areas of concern – or Zones of Implementation – if triggers conditions occur and additional action is necessary; and

WHEREAS, the GDM Program is not one-size fits all, and includes GSA-specific voluntary, mandatory, and potential additional mandatory measures; and

WHEREAS, the Chowchilla Subbasin GSAs are responsible for implementation of voluntary, mandatory, and potential additional mandatory measures within their jurisdictional boundaries; and

WHEREAS, the GDM Program is not intended to override or otherwise alter ongoing implementation of existing voluntary, mandatory, and potential additional mandatory measures currently being implemented by the Chowchilla Subbasin GSAs; and

WHEREAS, the GDM Program recognizes the adaptive management approach of SGMA; and

WHEREAS, implementation of potential additional mandatory measures as outlined in the GDM Program and/or as may be developed through adaptive management are only necessary if warranted to address trigger conditions in locally focused areas within the Chowchilla Subbasin.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Madera County - Chowchilla GSA as follows:


1. The foregoing is true and correct.
2. The GDM Program as developed and as presented to the Board of Directors is hereby approved and adopted.
3. Implementation of the GDM Program will follow an adaptive management approach, as described in the GDM Program and the 2025 Revised Chowchilla Subbasin GSP.
4. The GDM Program and associated mandatory measures and/or potential additional mandatory measures may be developed and refined through adaptive management, and are only necessary if warranted to address trigger conditions within the Chowchilla Subbasin.

5. The Director of the County Department of Water and Natural Resources is hereby authorized and directed to timely provide notification of this approval and adoption to DWR, including a copy of this Resolution, the approved GDM Program, and any additional information required by law to DWR as an attachment to the Chowchilla Subbasin GSP Water Year 2025 Annual Report.

The foregoing Resolution was adopted this 14TH day of APRIL, 2026, by the following vote.



Director Wamhoff voted: yes
Director Rogers voted: yes
Director Poythress voted: absent
Director Gonzalez voted: yes
Director Macaulay voted: yes



Chair, Board of Directors

ATTEST:



Clerk, Board of Directors

Approved as to Legal Form:
COUNTY COUNSEL

Nick Clair
Digitally signed by: Nick Clair
DN: CN = Nick Clair email = nclair@lozanosmith.com C = US O = Lozano Smith
Date: 2026.03.25 13:56:40 - 07'00'

By _____