



On March 2nd, 2023, the Department of Water Resources (DWR) announced adequacy decisions for Groundwater Sustainability Plans (GSPs), ruling that plans in several subbasins were inadequate. One of these subbasins is the Delta-Mendota Subbasin. The Delta-Mendota Subbasin covers an area of approximately 1,170 square miles along the west side of the San Joaquin River from the Sacramento-San Joaquin Delta to the Mendota Pool. Six GSPs from 23 Groundwater Sustainability Agencies were submitted from the Delta-Mendota Subbasin to DWR.

Q: Why were the GSPs from the Delta-Mendota Subbasin judged to be “inadequate” by the DWR?

DWR did not review the six GSPs individually and instead reviewed whether the six GSPs implemented together would bring groundwater in the Subbasin into balance by the year 2040 as required by law. DWR staff determined that as structured, the GSPs contained inconsistent findings and varied too widely in methodologies and groundwater management strategies. DWR also stated that because the six GSPs were developed by multiple different entities, there was a lack of overall cohesion in the Subbasin’s plans and how they would be implemented.

Q: What are the next steps at the state government level?

By law, DWR submitted the GSPs to the State Water Resources Control Board (SWRCB) for further review. The SWRCB has the option to reject DWR’s determination, accept it, and/or add to the items that must be corrected before the Subbasin’s GSPs are approved. If SWRCB accepts DWR’s determination and/or adds to the list of deficiencies, it can place the Subbasin on “probationary” status.

Q: What does Probationary status mean?

If the Subbasin is placed on Probation, the Subbasin will have one year to correct the deficiencies in the GSP. During the time that the Groundwater Sustainability Agencies (GSAs) in the Subbasin work to correct deficiencies, they must continue to implement the revised GSPs. It is unclear whether the SWRCB will charge a fee on groundwater pumping to fund oversight of the Subbasin during the probationary period.

If the deficiencies are not corrected within one year, the SWRCB can prepare its own plan and impose its own strategies to manage groundwater within the Subbasin and groundwater pumping fees will begin. The GSAs are focused on resolving the issues in the GSPs before ever reaching the point where the state imposes an interim plan.

Q: What are the next steps at the Subbasin level?

GSA representatives across the Subbasin are working closely to address the inadequate determination. Here are the steps being taken now:

Step 1: Subbasin GSA representatives are meeting with SWRCB staff on a regular basis to better understand the process and how to correct the deficiencies. There are many unknowns at this time, including when the SWRCB will release its findings on the Subbasin GSPs, when a public hearing on probationary status for the Subbasin may be held, when and if the SWRCB will begin assessing fees, etc.

Step 2: A new consultant was hired to begin addressing the inadequacies identified by DWR. The consultant is working to standardize the methodologies and findings within our Subbasin's GSPs.

Step 3: Subbasin GSA representatives are working to consolidate the original six GSPs into one GSP so that state regulators will find it easier to understand how the GSAs intend to bring the Subbasin's groundwater into balance as required by law.

Step 4: Subbasin GSA representatives are meeting on an accelerated schedule in an effort to achieve an "approved" status in as timely and most cost-effective manner as possible.

Q: Will this impact my pumping?

The SWRCB says the Subbasin must continue to operate under the existing GSPs even during a potential probationary year. If the SWRCB prepares an interim plan, all well owners in the Subbasin will be subject to restrictions imposed by the SWRCB interim plan.

Subbasin GSA representatives are working to have a single GSP approved in the next year. It is expected to include some limitations on groundwater pumping in the Subbasin as a revised GSP is developed. GSA representatives are pursuing consistent standards across the Subbasin to provide the flexibility needed to farm and supplement surface water supplies.

Q: How long will it take before we know if the Delta-Mendota Subbasin plan is approved and this is resolved?

This is unknown. The SWRCB must provide a minimum 90-day notice prior to taking any action. This notice has not yet been provided (as of May 30, 2023). Therefore, GSA representatives believe there will be a minimum of three months to make significant progress, though it could be longer depending on when the notice is provided. Delta-Mendota Subbasin GSA representatives are focused on achieving "approved" status in as timely and most cost-effective manner as possible.