



# Board Agenda Item 38

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DATE: May 12, 2026

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director  
Department of Public Works and Planning

SUBJECT: Retroactive Revised and Restated Memorandum of Agreement among the  
Delta-Mendota Subbasin Groundwater Sustainability Agencies

RECOMMENDED ACTION(S):

**Approve and authorize the Chairman to execute a retroactive Revised and Restated Memorandum of Agreement among the Delta-Mendota Subbasin Groundwater Sustainability Agencies, effective March 1, 2026.**

Approval of the recommended action would authorize the County's execution of the Revised and Restated Memorandum of Agreement (MOA) among the Delta-Mendota Subbasin Groundwater Sustainability Agencies, effective March 1, 2026. The revised MOA updates the governance structure for Subbasin coordination and reflects the transition of consultant and financial administration responsibilities from the prior structure involving the San Luis & Delta-Mendota Water Authority to the Delta-Mendota Subbasin GSAs Joint Powers Authority. This item pertains to locations in District 1.

ALTERNATIVE ACTION(S):

Your Board may determine not to approve the recommended action, which could result in increased costs and a delay in the implementation of the Groundwater Sustainability Plan (GSP) required by the Sustainable Groundwater Management Act (SGMA).

RETROACTIVE AGREEMENT:

The recommended MOA is retroactive to March 1, 2026, to achieve a smooth transition of consultant services. Due to the negotiation and legal review to enter into the MOA, the Department was unable to present the final version of the MOA before the effective date, and the item was brought to your Board at the earliest possible date.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Sufficient appropriations are included in the County Administrative Office's Org 2540 - Interest and Miscellaneous Expenditures FY 2025-26 Adopted Budget to cover the County's share of costs for Delta-Mendota GSA Management Areas A and B.

DISCUSSION:

In September 2014, SGMA was signed into law establishing a new structure for managing California's

groundwater resources at a local level by local agencies. SGMA allows the formation of a Groundwater Sustainability Agency (GSA) in the State's high and medium priority groundwater basins, of which, the Delta-Mendota Subbasin (Subbasin) was designated "high priority" with critical overdraft.

Each GSA was required to develop and implement a GSP to meet the sustainability goal of the basin to ensure operation within its sustainable yield, without causing undesirable results, by January 31, 2020. Failure to implement a GSP in a groundwater basin would result in the state asserting its power to manage local groundwater resources. To assure compliance with SGMA within the Subbasin, the Department of Public Works and Planning staff continues to participate in regular meetings with representatives from the local agencies in the Subbasin. The County serves as the exclusive GSA for two areas designated as Fresno County Management Area A and B, approved by the Board on May 2, 2017, located in the area.

In anticipation of potential intervention by the State Water Resources Control Board, the GSAs entered into a Memorandum of Agreement approved by your Board on February 20, 2024, agreeing to collectively adopt a single GSP for the Subbasin instead of submitting multiple plans for each GSA to address the deficiencies identified by the California Department of Water Resources with the original submittal of the coordinated GSPs. The County is one of 21 parties to the Memorandum of Agreement. The County's portion of the single GSP was approved by the Board on September 10, 2024, and re-submitted for review by the State.

Under the MOA, the GSAs in the Subbasin had agreements with the SLDMWA whereby SLDMWA provided fiscal, contracting, and administrative services for the Subbasin. SLDMWA's Board directed that SLDMWA transition those services in a manner consistent with its core mission and operational priorities, and as a result, SLDMWA indicated that it intended to transition away from providing these services, with a goal of full transition by the start of the next SLDMWA fiscal year of March 1, 2026, without leaving a gap in services for the necessary functions to implement SGMA in the Subbasin. As a result, the Subbasin GSAs evaluated several structural options to ensure continuity of necessary services and provided direction to form a joint powers authority (JPA) and execute associated service agreements prior to the start of the March 1, 2026, SLDMWA fiscal year. The Final JPA was presented and approved by your Board on November 18, 2025. The Effective Date of the JPA Agreement is December 1, 2025.

With the establishment of the DM Subbasin GSAs Joint Powers Authority (DM Authority), the SLDMWA will no longer have a role in the management of the GSAs within the Subbasin, and therefore, the proposed MOA removes the role of SLDMWA and replaces it with the DM Authority. Additionally, in the proposed MOA, the Board of Directors of the DM Authority will supersede and replace the Coordination Committee.

REFERENCE MATERIAL:

BAI #53, November 18, 2025  
BAI #6, September 10, 2024  
BAI #35, February 20, 2024  
BAI #13, May 2, 2017  
BAI #11, May 2, 2017

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Memorandum of Agreement

CAO ANALYST:

Maria Valencia