



Board Agenda Item 53

DATE: November 18, 2025

TO: Board of Supervisors

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

SUBJECT: Joint Powers Authority Agreement within the Delta-Mendota Groundwater Subbasin.

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute a Joint Powers Authority Agreement for implementation of the Sustainable Groundwater Management Act for the Delta-Mendota Groundwater Sustainability Agencies within the Delta-Mendota Groundwater subbasin.**
- 2. Designate District 4 Supervisor as Director, District 1 Supervisor as First Alternate, and Department of Public Works and Planning's Water and Natural Resources Division Manager, as Second Alternate to serve as a member of the Board of Directors for the Delta-Mendota Groundwater Sustainability Agencies Joint Powers Authority.**

Approval of the recommended actions would authorize the County's execution of a Joint Powers Authority (JPA) Agreement between multiple agencies within the Delta-Mendota Groundwater Subbasin (Subbasin). In addition, the Director, First Alternate, and Second Alternate Board Member to the Board of Directors for the Delta-Mendota Groundwater Sustainability Agency (Agency) would be designated. The Agency would be a separate legal entity with its own Board of Directors, and each director would be serving at the preference of their participating agency's appointing body. Each member agency would also be able to appoint alternates for its member of the Board of Directors. Other member agencies of the Subbasin include the following seven Groundwater Sustainability Agencies (GSA) Groups: Aliso Water District, Central Delta-Mendota, Farmers Water District, Fresno County Management Area A and B, Grassland, Northern Delta-Mendota, and the San Joaquin River Exchange Contractors, a political subdivision of the State of California. This item pertains to locations in District 1.

ALTERNATIVE ACTION(S):

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

FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. The County will cover the cost for Delta Mendota GSA Management Areas A and B through appropriations allocated within the Interest and Miscellaneous Expenditures from the CAO's Org 2540 FY 2025-26 Adopted Budget.

DISCUSSION:

In September of 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 GSAs in the State's higher priority groundwater basins. Each GSA was then 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.

In an effort to assure compliance with SGMA within the Subbasin, 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 (FCMAAB), approved by the Board on May 2, 2017.

In anticipation of potential intervention by the State Water Resources Control Board, the GSAs entered into a Memorandum of Agreement approved by the 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's portion of the single GSP was approved by the Board on September 10, 2024, and re-submitted for review by the State. Implementation of the GSP is ongoing.

The GSAs in the Subbasin currently have agreements with the San Luis & Delta-Mendota Water Authority (SLDMWA) whereby SLDMWA provides fiscal, contracting and administrative services for the Subbasin. SLDMWA's Board has directed that SLDMWA consolidate its own mission to core objectives and as a result, SLDMWA has indicated that it intends 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 and execute associated service agreements prior to the start of the March 1, 2026 Fiscal Year.

On July 1, 2025, a special Subbasin Coordination Committee (Committee) meeting and Subbasin workshop were held to present and receive initial feedback from the Subbasin GSAs on a draft JPA Agreement. The initial GSA feedback was incorporated into the draft JPA Agreement, and additional GSA feedback was received at the August 11, 2025 meeting. A final JPA Agreement, dated September 3, 2025, was then presented to the Committee on September 8, 2025. At that meeting, the Committee made a motion to recommend GSAs adopt the JPA Agreement.

The final JPA Agreement is being presented to your Board for execution on behalf of FCMAAB. To meet the schedule for approving and implementing the JPA and ensure a successful transition of consultants and financial management from SLDMWA prior to the fiscal year close on February 28, 2026, the Committee requests that all GSAs adopt the JPA Agreement by November 21, 2025. The Effective Date of the JPA Agreement is December 1, 2025.

REFERENCE MATERIAL:

BAI #6, September 10, 2024
BAI #35, February 20, 2024
BAI #11, May 2, 2017
BAI #13, May 2, 2017

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - JPA within the Delta-Mendota Groundwater Subbasin

CAO ANALYST:

Maria Valencia