

SAN JOAQUIN RIVER EXCHANGE CONTRACTORS GROUNDWATER SUSTAINABILITY AGENCY

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On March 2nd, 2023, the Department of Water Resources announced decisions for Groundwater Sustainability Plans (GSPs), finding that numerous subbasins were found to be inadequate. One of these subbasins—the Delta-Mendota Subbasin in San Joaquin, Stanislaus, Merced, Fresno, Madera, and San Benito counties—includes a region for which the Exchange Contractors are responsible for developing the GSP. Our GSP for our region was one of six plans for the larger Subbasin of which we are a part.

Q: Why was the GSP plan that the Exchange Contractors worked on found to be “inadequate”?

The Exchange Contractors developed one of the six Groundwater Sustainability Plans for the Subbasin in our area, which encompasses the region from San Joaquin/Stanislaus County lines in the north to Tranquility in the south.

DWR did not review the plan for our section of the Subbasin individually. Rather, they reviewed the entire Subbasin—that is the combination of the six plans that cover the Subbasin—as one overall plan. What they found was that taken as a whole, the plan contained inconsistent findings and varied too widely in methodologies and groundwater strategies. In essence, since the plan was developed by multiple different entities, they found a lack of overall cohesion in the plan and how it would be implemented. It was therefore deemed “inadequate.”

Q: What are the next steps?

We are working closely with our partner organizations within our Subbasin to address this finding. Here are the steps we are taking:

Step 1: We have developed an Executive Committee of three representatives, one of whom represents the Exchange Contractors, to meet with State Water Board staff to understand how to correct the deficiencies.

Step 2: We have hired a new consultant to standardize the methodologies and findings within our Subbasin’s plan.

Step 3: We are scheduling meetings with the State Water Board and will be involved in an iterative process with them to come to a resolution over the coming months.

Step 4: Following these revisions, the State Water Board will rule if the plans are adequate or inadequate. If our plans are determined to be adequate, the subbasin will work on updating plans for the next updated submittal in 2025. If they are found to be inadequate, they will declare the subbasin to be in Probationary status.

Q: What does Probationary status entail?

If the plan is found to be inadequate and the Subbasin is put on Probationary status, the Subbasin will have one year to fix the deficiencies. During this time, the current groundwater management policies will remain the same as they have historically.

If the deficiencies are not fixed after one year, the State Water Board can adopt its own plan to manage the Subbasin and impose their own strategies to manage groundwater.

Q: What costs will this entail?

The Exchange Contractors will continue to use our consultant team for the specific management of our plan. We have, however, transitioned to new consultants for coordination amongst the entire subbasin and are already noticing some cost savings to this updated approach.

There is a risk that the State Water Board would choose to charge a fee on groundwater pumping. The current understanding is the State Board will not charge a groundwater pumping fee during the one-year period if the Subbasin is on Probationary status. If after one year the plan is still deficient, we expect groundwater pumping fees to start. We are focused though on rectifying the issues in the plan before ever reaching that status.

Q: Will this impact my pumping?

The State Board has indicated that we will continue to operate under our current program even during a potential year probationary status. If the State Board must adopt its own plan, everyone will be subject to restrictions imposed by the State Board.

Knowing this, our Subbasin has a renewed sense of urgency to achieve a sustainable plan over the next year. We expect some limitations on groundwater pumping to occur in the Subbasin. The Exchange Contractors are not in a state of overdraft, and we will be pursuing consistent standards across the Subbasin to provide the flexibility we need to farm and supplement our surface water supply.

Q: How long will it take before we know if our plan is deemed to be adequate and this is resolved?

This is uncharted territory. The State Board can take the first action to review our plan, after providing at least a 90-day noticing window. This gives us at a minimum three months to make significant progress, though it could be longer. We are focused on resolving the issue as quickly as we can.