



**RESOLUTION ADOPTING THE DELTA-MENDOTA SUBBASIN GROUNDWATER SUSTAINABILITY PLAN**

**WHEREAS**, in August 2014, the California Legislature passed, and in September 2014 the Governor signed, legislation creating the Sustainable Groundwater Management Act (“SGMA”) “to provide local groundwater sustainability agencies with the authority and technical and financial assistance necessary to sustainably manage groundwater” (Wat. Code, § 10720, (d)); and

**WHEREAS**, SGMA requires sustainable management through the development of groundwater sustainability plans (“GSPs”), which can be a single plan developed by one or more groundwater sustainability agencies (“GSAs”) or multiple coordinated plans within a basin or subbasin (Wat. Code, § 10727); and

**WHEREAS**, SGMA requires a GSP to be developed and implemented to manage groundwater in all basins designated by the Department of Water Resources (“DWR”) as medium or high priority, including the Delta-Mendota Subbasin (basin number 5-22.07); and

**WHEREAS**, the DM-II GSA was formed on April 19, 2017 to be an Multi-Agency GSA for a portion of the Delta-Mendota Subbasin, and is composed of the following member agencies: Del Puerto Water District and Oak Flat Water District (individually, a “Party” and in the plural or collectively, the “Parties”); and

**WHEREAS**, the DM-II GSA has the authority to draft, adopt, amend, and implement a GSP (Wat. Code, § 10725 *et seq.*; § 10728.4); and

**WHEREAS**, the DM-II GSA was originally a member of the Northern and Central Delta-Mendota Group formed for the purpose of developing a GSP and coordinating sustainable groundwater management in the Northern and Central Region of the Delta-Mendota Subbasin (Wat. Code, § 10723.6(i)); and

**WHEREAS**, the San Luis & Delta-Mendota Water Authority (the “Authority”) submitted an Initial Notification to DWR on behalf of the members of the Northern and Central Delta-Mendota Regions to jointly develop a single GSP for the Northern and Central Regions of the Delta-Mendota Subbasin on January 5, 2018; and

**WHEREAS**, other GSAs in the Delta-Mendota Subbasin initially prepared separate GSPs for other regions of the Delta-Mendota Subbasin for a total of six GSPs covering the entire Delta-Mendota Subbasin (each, a “GSP Group”); and

**WHEREAS**, the GSAs from all six GSP Groups entered into a Coordination Agreement effective December 12, 2018 (the “Coordination Agreement”), to comply with SGMA and ensure that the multiple GSPs within the Delta-Mendota Subbasin would be developed and

implemented utilizing the same methodologies and assumptions, that the elements of the GSPs are appropriately coordinated to support sustainable management, and to show how the multiple GSPs will achieve the sustainability goal for the Subbasin. The Coordination Agreement also established a Coordination Committee composed of representatives from each GSP Group, outlined information sharing obligations, procedures for resolving conflicts, and designated the Authority as the Plan Manager for the Delta-Mendota Subbasin; and

**WHEREAS**, SGMA states that a GSA “may adopt or amend a [GSP] after a public hearing, held at least 90 days after providing notice to a city or county within the area of the proposed plan or amendment” (Wat. Code, § 10728.4); and

**WHEREAS**, all the GSAs comprising the Northern and Central Regions of the Delta-Mendota Subbasin coordinated to develop the Northern and Central Delta-Mendota GSP (“N-C DM GSP”), which was adopted by the DM-II GSA after a public hearing and 90-day notification to the affected city and counties on December 18, 2019; and

**WHEREAS**, the Plan Manager submitted the N-C DM GSP and the Coordination Agreement to DWR on January 23, 2020; and

**WHEREAS**, on January 21, 2022, DWR completed its review of all the GSPs in the Delta-Mendota Subbasin and released a letter determining that the GSPs for the Delta-Mendota Subbasin as a whole were “Incomplete” and identified deficiencies and corrective actions for the GSAs in the Delta-Mendota Subbasin to take. Amended or modified GSPs addressing the corrective actions from each GSP Group had to be submitted to DWR by July 20, 2022; and

**WHEREAS**, after adequate notice, on June 20, 2022, the GSAs comprising the Northern and Central Regions of the Delta-Mendota Subbasin and the Coordination Committee recommended each of its GSAs adopt the final draft Common Chapter and the Amended N-C DM GSP; and

**WHEREAS**, the Amended N-C DM GSP and Appendices were submitted to DWR on July 20, 2022 (the “Revised 2022 GSP”); and

**WHEREAS**, the Revised 2022 GSP was deemed “Inadequate” by DWR in its March 2, 2023 Determination Letter; and

**WHEREAS**, the Delta-Mendota Subbasin is now subject to the State Water Resources Control Board (“SWRCB”) intervention process (Wat. Code, § 10735 *et seq.*); and

**WHEREAS**, in response to DWR’s “Inadequate” determination and prior to the Basin’s probationary hearing, the GSAs in the Delta-Mendota Subbasin signed and executed a Memorandum of Agreement (the “MOA”) on December 11, 2023, superseding the 2018 Coordination Agreement. Through the MOA, the Parties intend to mutually cooperate to adopt a single GSP (the “2024 GSP”) for the Subbasin, and to implement the GSP within their respective GSA boundaries. The 2024 GSP synthesizes, updates, and replaces content from the Revised 2022 GSPs and Common Chapter to address the Corrective Actions outlined by DWR in its March 2023 “Inadequate” Determination Letter. The MOA becomes effective upon the adoption of the 2024 GSP. The MOA establishes a Coordination Committee to provide a forum for the

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GSA Groups to work collaboratively and develop recommendations for technical and substantive subbasin-wide activities; and

**WHEREAS**, the 2024 GSP was jointly prepared by all 23 GSAs and the following seven GSA Groups, which are comprised of all 23 GSAs: the Aliso Water District GSA Group; the Farmers Water District GSA Group; the Fresno County Management Areas A and B (FCMA) GSA Group; the Grassland GSA Group; the Northern Delta-Mendota GSA Group; the Central Delta-Mendota GSA Group; and the San Joaquin River Exchange Contractors (SJREC) GSA Group; and

**WHEREAS**, on March 8, 2024, the Plan Manager transmitted the 90-Day Notice to affected cities and counties notifying them of the Central Delta-Mendota GSAs' intent to adopt the 2024 GSP at one or more public hearings beginning in July 2024, but no earlier than 90 days from the date of the notice, and inviting consultation with the affected cities and counties; and

**WHEREAS**, on August 21, 2024, the Del Puerto Water District Board of Directors, on behalf of the DM-II GSA held a public hearing to discuss and consider adoption of the 2024 GSP.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Del Puerto Water District, on behalf of the DM-II GSA finds as follows:

1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. After a public hearing, the Board of Directors, on behalf of the DM-II GSA, hereby approves and adopts the final draft of the 2024 GSP, including its Appendices, in substantially the form presented, subject to such modifications as the executing officer shall approve, said execution to provide conclusive proof of approval of any such modifications.
3. The Board of Directors, on behalf of the DM-II GSA, authorizes the Authority and its consultants, as the Plan Manager, to take such other actions as may be reasonably necessary to submit the 2024 GSP to the SWRCB and implement the purpose of this Resolution.

**PASSED, APPROVED, AND ADOPTED** this 21<sup>st</sup> day of August 2024 at a regular meeting of the Board of Directors.

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William Koster, President

Attest:

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Anthea G. Hansen, Secretary

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I HEREBY CERTIFY that the foregoing is the resolution of said District as duly passed and adopted by said Board of Directors at a meeting thereof duly called and held on this 21<sup>st</sup> day of August 2024.

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Anthea G. Hansen, Secretary

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