

**STATE WATER RESOURCES CONTROL
BOARD MEETING SESSION – OFFICE OF RESEARCH, PLANNING, AND
PERFORMANCE
SEPTEMBER 19, 2023**

ITEM 4

SUBJECT

CONSIDERATION OF A PROPOSED RESOLUTION REGARDING GROUNDWATER SUPPORT SERVICES AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO ALLOW AN AMENDMENT TO A CONTRACT TO INCREASE SPENDING AUTHORITY FOR SERVICES PROVIDED TO THE STATE WATER RESOURCES CONTROL BOARD TO SUPPORT STATE INTERVENTION WORK PURSUANT TO THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT.

DISCUSSION

Under the Sustainable Groundwater Management Act (SGMA), state intervention can start after DWR finds a groundwater sustainability plan (GSP) to be inadequate and ends when the State Water Board returns basin oversight to DWR. In March 2023, Department of Water Resources (DWR) determined that six GSPs for basins in the San Joaquin Valley are inadequate and referred the basins to the State Water Board. The inadequate GSPs cover six high-priority critically overdrafted groundwater basins: Chowchilla, Delta-Mendota, Tulare Lake, Kaweah, Tule, and Kern. Deficiencies DWR noted in the GSPs include insufficient sustainable management criteria, the potential for dewatering of domestic wells, impacts of subsidence, and lack of coordination amongst GSAs.

DWR's inadequacy findings triggered the State Water Board's role in SGMA's state intervention process. The State Water Board will work directly with GSAs and people who pump groundwater to address deficiencies and will collect information about the basin to determine whether deficiencies in GSPs have been addressed. The State Water Board anticipates that probation hearings—a key component of state intervention—will begin in 2024. If the State Water Board designates a basin as probationary and the deficiencies are not addressed during the probationary period, the State Water Board may adopt an interim plan to sustainably manage the basin's groundwater until the basin can be returned to local management.

Given the degree of technical work that implementing SGMA may involve, the State Water Board's SGMA program would benefit from allowing the Executive Director to execute and amend contracts for SGMA-related work and increasing the current limit on possible contracts for SGMA-related work.

The State Water Board has retained a contractor to provide groundwater support services for certain intervention tasks. The contractor is providing groundwater engineering and technical services, including basin characterization and interim plan support. The requested new resolution provides additional contracting and spending

authority and is needed because the duration and scope of the planned contract will likely be insufficient to cover the necessary SGMA work. At the time that the original budget was developed for the contract, the number of inadequate subbasins was unknown.

POLICY ISSUE

Should the State Water Board authorize the Executive Director or Designee to allow execution of contracts and amendments to contracts for groundwater support services provided to the State Water Board to support implementation of SGMA?

FISCAL IMPACT

The proposed resolution delegates authority to execute contracts for SGMA-related work and authorizes additional spending authority increases in future years if funding is available. The term of the contract may be extended to accommodate additional increases in spending authority provided that the contract funds encumbered are expended in accordance with applicable law. Currently, \$325,000 is available from General Fund fiscal year 2023-24 and \$325,000 is available from General Fund fiscal year 2024-25.

REGIONAL BOARD IMPACT

None.

STAFF RECOMMENDATION

Staff recommends the State Water Board adopt the proposed resolution.