

501 Taft Highway Bakersfield, California

TUESDAY, August 18, 2020

AGENDA

THERE IS NO PHYSICAL LOCATION FOR THIS MEETING

Please join this meeting from your computer, tablet, or smartphone. https://global.gotomeeting.com/join/764474629 You can also dial in using your phone.

United States: +1 (312) 757-3121 Access Code: 764-474-629

CALL TO ORDER AND ANNOUNCEMENT OF QUORUM

12:00 NOON

EXECUTIVE SESSION:

- **A.** Conference with Legal Counsel Pending Litigation Closed Session Pursuant to Gov. Code § 54956.9(d)(1):
 - 1. SWRCB Kern River
- **B.** Conference with Legal Counsel Initiation of Litigation Closed Session Pursuant to Gov. Code § 54956.9(d)(4):
 - 1. Two Potential Matters
- C. Conference with Legal Counsel Potential Litigation Closed Session Pursuant to Gov. Code § 54956.9(d)(2),(e)(1):
 - 1. Two Matters
- **D.** Conference with Real Property Negotiators Pursuant to Gov. Code Section 54956.8:
 - 1. Eastside Canal Right of Way (Multiple Parcels)
 - a. District Negotiator: Steven Teglia
 - 2. Potential Recharge Lands
 - a. District Negotiator: Steven Teglia

REGULAR SESSION:

1:30PM

INTRODUCTION OF GUESTS AND PUBLIC

- I. <u>PUBLIC COMMENT</u> (Members of the public may address the Board of Directors on any matter not on the agenda, but absent extraordinary circumstances, the Board may not act on such matters. Members of the public may address items of interest that are listed on the agenda prior to the Board's decision on such items.)
- II. <u>CONSENT CALENDAR</u> (The Board will consider various non-controversial routine items and issues relating to matters which are of interest to the District. Any Board Member may request that any or all items be considered and acted upon independently of the others.)
 - A. Approve Minutes of the Regular Board Meeting of July 21, 2020.
 - B. Approve July/August 2020 District Construction and Water Banking Disbursements.

- C. Approve July/August 2020 District Accounts Payable.
- III. <u>BUSINESS AND FINANCE</u> (The Board will consider various items and issues relating to financial matters which are of interest to the District.)
 - A. Business & Finance Committee August 13, 2020.
 - Approve July 2020 Financials.
 - B. Pacific Legal Foundation 2020 Contribution
 - C. Greenfield Baseball Association Request
- IV. OPERATIONS AND PROJECTS (The Board will consider various items and issues relating to matters which have been, or will be, considered by committees of the Board and which are of interest to the District.)
 - A. Operations and Projects Committee August 4, 2020.
 - B. District Facility and Maintenance Update.
 - C. District Office Expansion Project Update.
 - D. Sunset Groundwater Recharge Facility Project Update.
- V. <u>KERN RIVER WATERMASTER</u> (The Board will consider various items and issues relating to the Kern River Watermaster that are of interest to the District.)
 - A. District Watermaster Report.
 - B. Kern River Watermaster Report.
 - C. Isabella Dam Safety Remediation Report.
- VI. MANAGER'S REPORT (The General Manager will discuss, and the Board will consider various items and issues relating to the ongoing and future operations of the District which are of interest to the Board)
 - A. Verbal Report.
 - Onyx Ranch DEIR Comment Letter
 - Arvin-Edison WSD Grant Support Letter
 - 2019 Draft District Crop Report
- VII. WATER BANKING PROJECTS (The Board will consider various items and issues relating to local water banking projects that are of interest to the District.)
 - A. Pioneer/KWB/Other Local Operations, Spreading and Pumping.
 - B. Kern Fan Monitoring Committee.
 - C. KDWD Water Banking Project.
 - D. Cross Valley Canal Advisory Committee.
- VIII. <u>EXTERNAL AGENCY REPORT</u> (The Board will consider various items and issues relating to external agencies that are of interest to the District.)
 - A. KCWA Activities and SWP Update Delta Conveyance, Contract Extension, Yuba River Water Program.
 - B. Member Unit Policy Meetings.
 - C. Kern Fan Authority.
 - D. Kern River Watershed Coalition Authority (ILRP).
 - E. Local Groundwater Sustainability Activities.
 - F. South Valley Water Resources Authority.
 - G. Water Association of Kern County.
 - H. Integrated Regional Water Management Plan.
- IX. <u>ATTORNEY'S REPORT</u> (Legal Counsel will discuss, and the Board will consider items and issues of legal interest to the District.)
 - A. Resolution (2020-06) Adopting a Negative Declaration for the Kern Fan Authority Integration Project.
 - B. Cal Trans Pumpkin Center 3R Rehabilitation Project Initial Study/Proposed Mitigated Negative Declaration District Comment Letter.

X. BOARD MEMBER COMMENTS (This item provides Board Members with an opportunity to make announcements or provide general comments.)

XI. ADJOURN

Requests for disability related modifications or accommodations, including auxiliary aids or services may be made by telephoning or contacting Lynn Fredricks at the District Office (661-834-4656). Please attempt to make such requests known at least 24 hours before the scheduled meeting. Pursuant to Government Code section 54957.5, any materials relating to an open session item on this agenda, distributed to the Board of Directors after the distribution of the agenda packet, will be made available for public inspection at the time of distribution at the District, 501 Taft Highway, Bakersfield, CA.

SPECIAL NOTICE Public Participation and Accessibility August 18, 2020 Kern Delta Water District (Kern Delta) Board Meeting

On March 17, 2020, Governor Gavin Newsom issued Executive Order N-29-20, which includes a waiver of Brown Act provisions requiring physical presence of the Board or the public in light of the COVID-19 pandemic. Based on guidance from the California Governor's Office and Department of Public Health, as well as the County Health Officer, in order to minimize the potential spread of COVID-19, the Kern Delta Board hereby provides notice that the following adjustments have been made:

- 1. The Kern Delta Board meeting scheduled for **August 18, 2020, at 12:00 p.m.** will have public access via GoToMeeting. Closed session will take place between 12:00 p.m. to 1:30 p.m. Open session will convene at 1:30 p.m. or shortly thereafter.
- 2. Consistent with the Executive Order, the Board and Staff will attend the meeting via GoToMeeting and participate in the meeting to the same extent as if they were physically present.
- 3. The public may participate in the meeting and address the Board as follows:
 - Join the meeting from a computer, tablet, or smartphone at https://global.gotomeeting.com/join/764474629 You can also dial in using your phone +1 (312) 757-3121 Access Code: 764-474-629_and comment during the public statements portion of the agenda.
 - If you cannot attend the meeting you can submit your comment via email at info@kerndelta.org prior to the Kern Delta Board meeting.
 - Alternatively, you may comment by calling (661) 834-4656 and leaving a message no later than 4:00 p.m. the day prior to the Kern Delta Board meeting. Your message will be transcribed as accurately as possible and will not be read but will be included as part of the permanent public record of the meeting.

Tab II





To: Kern Delta Water District Board of Directors

From: Steven Teglia – General Manager

Date: August 18, 2020

Re: Agenda Item II – Consent Calendar

RECOMMENDATION:

Approve items A through C listed under Agenda Item II – Consent Calendar.

DISCUSSION:

Consent Calendar items are non-controversial routine matters. Board Members may request that any or all items listed under the Consent Calendar be moved to the regular agenda to be discussed and voted on separately. Otherwise, all items will be approved through one motion and vote.

II A. – Approve Minutes of the Regular Board Meeting of July 21, 2020 (attached).

II B. – Approve July/August 2020 District Construction and Water Banking Disbursements totaling \$435,186.04* (attached) partially recommended for approval by the Operations and Projects Committee (see August 4, 2020 Operations and Projects Committee Minutes for additional detail).

II C. – Approve July/August District Accounts Payable (attached) recommended for approval by the Business and Finance Committee (see August 13, 2020 Business and Finance Committee Minutes for additional detail).

*Staff will provide additional comment regarding the difference in disbursements approved by the Operations and Projects Committee (\$158,762.87) and the total stated above.



DRAFT MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

July 21, 2020

TUESDAY, July 21, 2020, 12:08PM-2:45 PM

DIRECTORS PRESENT:

DIRECTORS PRESENT VIA VIDEO: Palla (until 1:30PM), Kaiser, Tillema, Antongiovanni, Garone,

Bidart, Mendonca, Spitzer.

DIRECTORS ABSENT: Collins.

STAFF PRESENT: General Manager Teglia, Water Resources Manager Mulkay, Assistant General

Manager Bellue, General Counsel Iger, Controller Duncan, Hydrographer Hyatt, and

Special Counsel Hartsock.

OTHERS PRESENT VIA VIDEO: Lindsey McGuire, George Capello, Brandon Lancaster, and Brice Jones.

EXECUTIVE SESSION DECLARED AT 12:08 PM

President Palla called to order the Executive Session of the Kern Delta Board of Directors at 12:08PM regarding the following agenda items:

- A. Conference with Legal Counsel Pending Litigation Closed Session Pursuant to Gov. Code § 54956.9(d)(1):
 - 1. SWRCB Kern River
- B. Conference with Legal Counsel Initiation of Litigation Closed Session Pursuant to Gov. Code § 54956.9(d)(4):
 - 1. Two Potential Matters
- C. Conference with Legal Counsel Potential Litigation Closed Session Pursuant to Gov. Code § 54956.9(d)(2),(e)(1):
 - 1. One Matter

Executive Session was concluded at 1:07 PM.

REGULAR SESSION DECLARED AT 1:33 PM

President Palla excused himself from the remainder of the meeting so Vice-President Kaiser called to order the Regular Session of the Kern Delta Board of Directors at 1:33PM.

Executive Session Report: District General Counsel Iger reported the following:

Item A: No reportable action. Item B: No reportable action. Item C: No reportable action.

INTRODUCTION OF GUESTS AND PUBLIC

Lindsey McGuire, George Capello and Brice Jones were announced as participating in the meeting.

I. PUBLIC COMMENT

None.

II. CONSENT CALENDAR

M/S/C (Antongiovanni/Garone) (yes-7, no-0): By roll call vote, the Board approved and authorized item II A through II C of the Consent Calendar.

- A. Approve Minutes of the Regular Board Meeting of June 16, 2020.
- B. Approve June/July 2020 District Construction and Water Banking Disbursements.
- C. Approve June/July 2020 District Accounts Payable.

General Manager Teglia informed the Board that unless there were any objections, staff had the capability to utilize an electronic signature for Board Secretary Tillema and would do so only for Board approved minutes and resolutions with the concurrence of Secretary Tillema. This allows routine documents to be signed following Board approval. No objections were voiced and Secretary Tillema provided his concurrence.

III. BUSINESS AND FINANCE

A. Business & Finance Committee – July 16, 2020

Controller Duncan presented the June 2020 District and Water Banking Project Financial Statements, Treasurer's Reports, and District Delinquency Report.

M/S/C (Antongiovanni/Tillema) (yes-7, no-0): By roll call vote, the Board approved the June 2020 District and Water Banking Project Financial Statements, Treasurer's Reports, and Delinquency Report as presented.

B. Acceptance of the 2019 Audited Financial Reports

Controller Duncan and Lindsey McGuire, from Brown Armstrong, provided the Board with an overview presentation of the 2019 Audited Financial Reports which were included in the Board package for review. Ms. McGuire stated the review produced a clean audit which included no current year agreed upon conditions and recommendations.

Note: Item III B was heard at the beginning of the meeting by approval of the Vice-President to accommodate the participation of audit staff from Brown Armstrong.

M/S/C/ (Antongiovanni/Bidart) (yes-7, no-0): By roll call vote, the Board accepted the 2019 Audited Financial Reports.

IV. OPERATIONS AND PROJECTS

A. Operations and Projects Committee – July 7, 2020.

Assistant General Manager Bellue briefly reported on the July Operations and Projects Committee Meeting including District maintenance activities. Mr. Bellue also provided a brief update regarding the District office expansion project and the Sunset Groundwater Recharge Facility Project. During the discussion regarding maintenance activities, staff highlighted the need to focus on weed abatement efforts as several factors combined during the year to cause this issue to grow outside of acceptable levels.

V. KERN RIVER WATERMASTER

A. – C. District Hydrographer Perry Hyatt reviewed and discussed the water supplies of the District for the month of June and early July. Approximately 29,756 acre-feet was delivered in District during June. In addition, Mr. Hyatt provided graphical information regarding depth to groundwater at various monitoring locations throughout the District. The July Kern River Watermaster Report and the Isabella construction update was also highlighted by staff.

VI. MANAGER'S REPORT

A. Mr. Teglia provided a brief verbal report on various District activities. The report included a discussion regarding a Notice of Preparation (NOP) issued by the City of Bakersfield for the McAllister Ranch Groundwater Banking Project. Staff provided a comment letter to the NOP which was included in the Board package for reference. In addition, staff briefly discussed the City of Bakersfield Water Resources Department's SCADA project. The District provided access for City contractors to conduct a pilot test of the communications of the system on the Buena Vista Canal. District staff will coordinate with the City and their contractors on the design and implementation of the full system as it progresses. The Valley Ag Water Coalition July Sacramento Report was provided to the Board.

VII. WATER BANKING PROJECTS

A. – D. Mr. Teglia provided verbal comments supplementing a memorandum included in the Board package which provided information on water banking projects on the Kern River Fan. Recovery within the Kern Fan area will likely continue through August 2020. District recovery efforts will continue in part through mid-September. The CVC continues to run primarily in reverse flow to the California Aqueduct, with some forward flow deliveries to Arvin-Edison WSD and the Friant Kern Canal.

VIII. EXTERNAL AGENCY REPORT

A. – G. Mr. Teglia provided verbal comments supplementing a memorandum included in the Board package which provided information on the meetings and activities of various external agencies. These agencies include, but are not limited to, the Kern County Water Agency (including the status of the Delta Conveyance Project and Contract Extension), Kern Fan Authority, Kern River Watershed Coalition, Kern Groundwater Authority, Kern River Groundwater Sustainability Agency, the South Valley Water Resources Authority, the Water Association of Kern County, and the Integrated Regional Water Management Plan.

IX. ATTORNEY'S REPORT

A. Mr. Iger introduced District Resolution (2020-05) Adopting a Mitigated Negative Declaration for the Sunset Groundwater Recharge Facility Project.

M/S/C (Antongiovanni/Bidart) (yes-7, no-0): By roll call vote, the Board approved District Resolution 2020-05 Adopting a Mitigated Negative Declaration for the Sunset Groundwater Recharge Facility Project.

X. BOARD MEMBER COMMENTS

Vice-President Kaiser provided comment relating to the need for the District to increase maintenance efforts to ensure District facilities, including banking facilities, are maintained in an appropriate manner. Staff acknowledged the comments and will follow-up accordingly.

XI. ADJOURNMENT:

There being no further business, Vice-President Kaiser adjourned the meeting at approximately 2:45 P.M.

Respectfully Submitted,

Steven Teglia, General Manager

Shun Tota

Approved by Board,

Richard Tillema, Board Secretary

KERN DELTA WATER BANKING PROGRAM DISBURSEMENT RECOMMENDED BY THE OPERATIONS & PROJECTS COMMITTEE - AUGUST 4, 2020

VARIABLE

BC LABORATORIES	Water analysis	660.00	2819
BAKERSFIELD WELL	Pump repair - Buena Vista	375.00	2820
K.C.W.A.	TRF fees	2,200.00	2821
P.G.&.E	Well utilities	150,634.97	2822
PEDROZA SURVEYING	Land surveying - Stenderup Recharge, Edison Rd.	4,350.00	2823
QUINN	Parts - backhoe	542.90	2824

\$158,762.87

These invoices came in after the August 4, 2020 Operations and Projects Committee and will be reviewed at the August 13, 2020 Business and Finance Committee.

KERN MACHINERY	Tractor, mower repair	1,709.32	2825
P.G.&E.	Well utilities	274,713.85	2826

\$276,423.17

TOTAL \$435,186.04

KERN DELTA WATER DISTRICT DISBURSEMENTS RECOMMENDED BY THE BUSINESS AND FINANCE COMMITTEE THURSDAY, AUGUST 13, 2020

JULY 2020 SUB TOTAL \$ 204,089.56

#	PAYEE	AMOUNT	CHECK
$\frac{\pi}{1}$	AMERIFUEL - fleet fuel	10,561.54	43788
2	BLACK/HALL CONST progress payment #2 - office remodel	79,375.96	43789
3	BANK OF AMERICA - maintenance supplies, computer supplies	2,495.81	43790
4	CASH - replenish petty cash	65.37	43791
5	COX, CASTLE & NICHOLSON LLP - Onyx Ranch Project	16,000.00	43792
6	ELITE SITE SERVICES - temporary restrooms	4,826.26	43793
7	KERN COUNTY RECORDER - lien redemptions	140.00	43794
8	KERN COUNTY WASTE - dumping fee	696.98	43795
9	P.G.&E office utilities	2,462.68	43796
10	PROGRESSIVE TECH telephone service, IT support	1,933.34	43797
11	PACVAN INC temporary offices	795.64	43798
12	SSD SYSTEMS - alarm monitoring	395.00	43799
13	SCHWEBEL - diesel exhaust fluid	96.53	43800
14	STINSON - office supplies	592.91	43801
15	TARGET - Roundup, Torpedo, Cheetah	17,226.55	43802
16	TARGET - Captain, Cheetah, Torpedo, Roundup	12,627.91	43803
17	TARGET - Cheetah, Torpedo TARGET - Cheetah, Torpedo	10,622.58	43804
18	VERIZON - cellular service	694.66	43805
19	SERVICE MASTER - office sanitizing	1,796.00	43806
20	PAYROLL - #13	64,962.72	WIRE
21	PAYROLL PEOPLE - #13	160.78	WIRE
22	EDD-STATE P/R #13	4,399.01	WIRE
23	EFT-IRS P/R #13	23,799.90	WIRE
24	LINCOLN LIFE - retirement program	11,274.92	WIRE
25	LINCOLN LIFE - deferred comp.	4,256.00	WIRE
26	MASS MUTUAL - deferred comp.	1,390.00	WIRE
27	PAYROLL #14	65,545.91	WIRE
28	PAYROLL PEOPLE #14	147.78	WIRE
29	EDD-STATE P/R #14	4,345.49	WIRE
30	EFT-IRS P/R #14	23,953.27	WIRE
31	LINCOLN LIFE - retirement program	11,301.98	WIRE
32	LINCOLN LIFE - deferred comp.	4,256.00	WIRE
33	MASS MUTUAL - deferred comp.	1,390.00	WIRE
34	PAYROLL #15	64,442.00	WIRE
35	PAYROLL PEOPLE #15	147.78	WIRE
36	EDD-STATE P/R #15	4,227.56	WIRE
37	EFT-IRS P/R #15	22,711.22	WIRE
38	LINCOLN LIFE - retirement program	11,194.77	WIRE
39	LINCOLN LIFE - deferred comp.	3,806.00	WIRE
40	MASS MUTUAL - deferred comp.	1,840.00	WIRE
	JULY 2020 TOTAL	\$697,048.37	11.12

JULY 2020 TOTAL \$697,048.37

1	IACOD DATE: Einst stone	1 010 01	42007
1	JACOB DALE - Final check	1,919.81	43807
2	A-1 ANSWERING - answering service	641.48	43808
3	ACWA/JOINT POWERS AUTHORITY - annual property insurance program	17,548.64	43809
4	ADMINISTRATIVE SOLUTIONS - COBRA administration - July 2020	49.95	43810
5	AG SPRAY EQUIPMENT - sprayer parts	351.41	43811
6	AMERICAN BUSINESS MACHINE - postage	8.00	43812
7	AMERIFUEL - fleet fuel	6,179.37	43813
8	KEVIN ANTONGIOVANNI - directors fee, misc. meeting	200.00	43814
9	BLUE PRINT SERVICE - hand level	169.48	43815
10	BROWN ARMSTRONG ACCOUNTANT - final 2019 audit invoice	5,500.00	43816
11	BUDGET BOLT - nuts, bolts, washers	101.35	43817
12	JOHN BIDART - directors fee, misc. meeting	200.00	43818
13	CNA SURETY - surety bonds - basic, General Manager, Secretary-Treasurer	346.16	43819
14	CARQUEST - parts - #324	12.21	43820
15	COFFEE BREAK SERVICE - coffee service	195.00	43821
16	DONALD COLLINS - directors fee misc. meeting	200.00	43822
17	COUNTRY TIRE & WHEEL - tires - #T-11, #T-3,	2,151.85	43823
18	ELLISON, SCHNEIDER & HARRIS - regulatory matters	222.00	43824
19	E.D.D unemployment insurance benefit	5,555.00	43825
20	FRANK AND SONS - windshield - #323	193.25	43826
21	FRED GARONE - directors fee, misc. meeting	200.00	43827
22	GREENFIELD C.W.D water service	90.42	43828
23	HD SUPPLY - maintenance supplies	305.95	43829
24	HALL LETTER - paper	47.99	43830
25	INDUSTRIAL MEDICAL - medical screening	75.00	43831
26	JERRY AND KEITH'S - parts - #T11	14.31	43832
27	JIM BURKE FORD - parts - #208, #211, mechanic supplies	1,411.27	43833
28	DAVID KAISER - directors fee, misc. meeting	300.00	43834
	K. C. AUDITOR-CONTROLLER - Special District charges	7.09	43835
30	K.C. RECORDER - redemption fee	100.00	43836
31	KERN COUNTY TREASURER - to interest bearing County fund	900,000.00	43837
32	KISCO SALES - electrical repair - #326	1,310.00	43838
33	LOWE'S - maintenance supplies	663.86	43839
34	MARCOM - web site support	95.00	43840
35	JOEY MENDONCA - directors fee, misc. meeting	200.00	43841
36	MOTOR CITY - parts - #293	79.43	43842
37	McMURTREY & HARTSOCK	31,815.24	43843
31	General - \$8,029.00	31,013.24	43043
	State - \$70.00		
	Special - \$23,660.00		
20	Other - \$56.24	407.20	12011
38	O'REILLY AUTO - parts - #430F, #213, #210	407.28	43844
39	PACIFIC LEGAL FOUNDATION -2020 annual support	3,000.00	43845
40	RODNEY PALLA - directors fee	100.00	43846
41	PRICE DISPOSAL - dumping fee	13.22	43847
42	PACVAN INC portable offices	795.64	43848
43	QUINN COMPANY - parts - grader	9,065.91	43849
44	SSD SYSTEMS - alarm monitoring service	187.50	43850
45	SCHWEBEL PETROLEUM - exhaust fluid	135.14	43851

46	SKARPHOL/FRANK - construction services	34,853.52	43852
47	SNIDER'S - keys, locks	23.82	43853
48	SPECTRUM - internet access	715.20	43854
49	SPARKLE - laundry service	1,549.80	43855
50	ROSS E. SPITZER - directors fee, misc. meeting	200.00	43856
51	STINSON - office supplies	169.25	43857
52	RICHARD TILLEMA - directors fee, misc. meeting	200.00	43858
53	TRAFFIC MANAGEMENT - sign	27.06	43859
54	UNITEDAG - group medical insurance premium	28,950.73	43860
55	UNITED PHOSPHORUS - Teton	69,526.34	43861
56	VACUSWEEP - parking lot maintenance	325.00	43862
57	VALLEY AG WATER COALITION - 2nd billing of membership installment	3,000.00	43863
58	WATERMAN VALVE - thrust collars, nuts	155.16	43864
59	WEST COAST MAINTENANCE - cleaning service	751.00	43865
60	WESTAIR GASES - cylinder rentals	565.34	43866
61	ZENITH INSURANCE COMPANY - workers comp. insurance premium	4,962.00	43867
62	PRINCIPAL LIFE INS dental/medical/vision insurance premium	4,476.83	43868
		\$1,142,616.26	

Tab III KERN DELTA WATER DISTRICT

Thursday, August 13, 2020, 10:09 A.M. – 11:27 A.M.

DIRECTORS PRESENT: Antongiovanni, Tillema

DIRECTORS PRESENT VIA VIDEO: Garone

OTHERS PRESENT: From KDWD: General Manager Teglia, Water Resources Manager Mulkay,

Assistant General Manager Bellue, General Counsel Iger, Controller Duncan,

Administrative Assistant Rodriguez.

1. PUBLIC COMMENTS

None

2. INFORMATIONAL

- a. Staff reviewed the status of credit card acceptance as an additional method of payment for the District's customers.
- b. Staff reviewed the status of transitioning HRIS and payroll processing services to the new service provider, WorkLogic. Payroll processing is set to begin with the payroll period beginning on August 17, 2020.

3. ACTION

a.- b. Approval of July and August 2020 Accounts Payable and July 2020 Financial Reports.

M/S/C (Tillema/Garone) (yes -3, no -0): By roll call vote, the Business & Finance Committee recommends the Board approve the July and August 2020 District Accounts Payable Invoices, the anticipated August 2020 end of month Accounts Payable Invoices, and the July 2020 District and Water Banking Project Financial Statements, Treasurer's Reports, and Delinquency Report as presented.

c. Review of Draft 2021 Kern Delta Water District Budget.

<u>M/S/C (Garone/Tillema) (yes -3, no -0):</u> By roll call vote, the Business & Finance Committee recommends the District not move forward with a \$3,000 contribution to Pacific Legal Foundation in 2020 and that future contributions not be included in the District's budget.

M/S/C (Garone/Tillema) (yes -3, no -0): By roll call vote, the Business & Finance Committee recommends the District approve a \$1,250 sponsorship for the Greenfield Baseball Association in 2020 and budget for future annual sponsorships of \$250 beginning in 2021.

 $\underline{\text{M/S/C}}$ (Tillema/Garone) (yes -3, no -0): By roll call vote, the Business & Finance Committee recommends the Board adopt the 2021 District Budget, as amended, during the September 2020 Board meeting.

4. FUTURE ITEMS

a. Staff updated the Business & Finance Committee regarding the ongoing medical and dental benefit renewal process. This included an informational item that, unless the Committee/Board objects, staff

will be looking to switch third party administrators who operate the District's deductible offset program.
This action will result in an annual reduction in cost estimated at \$3,500 while also providing enhanced
customer service.

Meeting was adjourned at 11:27A.M.		
Respectfully submitted,		
Kevin Antongiovanni, Chairman		

Kern Delta Water District Balance Sheet As of July 31, 2020

<u>Assets</u>	July 31, 2020	June 30, 2020		onth-to- Month ariance
Current Assets:				
Cash & Securities in Bank Accounts Receivable Due From KDWBP	\$ 21,788,722 995,830	\$ 21,561,908 934,073	\$	226,814 61,757
Inventories & Prepaid Expenses	- 137,501	- 126,825		- 10,676
Total Current Assets	22,922,053	22,622,807		299,246
Fixed Assets				
District Structures, Rights of Way Construction in Progress CVC Expansion	\$ 13,674,511 273,388 8,622,495	\$ 13,666,999 190,318 8,622,495	\$ \$	7,512 83,071 -
Machinery & Equipment	 1,543,476	 1,519,726		23,750
A	24,113,870	23,999,538		114,332
Accumulated Depreciation Net Fixed Assets	 (6,493,975) 17,619,895	 (6,452,975) 17,546,562		(41,000) 73,332
14011 1200 7 100010	17,010,000	17,040,002		70,002
Investment in Joint Powers Authority Investment in MET Program	\$ 27,482 8,890,130	\$ 27,482 8,890,130	\$	- -
Total Assets	\$ 49,459,561	\$ 49,086,982	\$	372,579
<u>Liabilities & Equity</u> Current Liabilities:				
Trade Accounts Payable	\$ 235,026	\$ 187,497	\$	47,529
Accrued Liabilities	 159,941	 153,079		6,862
Total Current Liabilities	 394,967	 340,577		54,391
Long-Term Liabilities: Bonds & COP Borrowing Bonds Premium & Costs Total Long-Term Liabilities	\$ 4,230,000 168,032 4,398,032	\$ 4,230,000 168,032 4,398,032	\$	- - -
Total Liabilities	 4,792,999	 4,738,608		54,391
	,,	,,		
Equity: Equity From Past Years Accumulative Equity - Current Year	\$ 44,371,448 295,114	\$ 44,371,448 (23,074)	\$	- 318,188
Total Liabilities & Equity	\$ 49,459,561	\$ 49,086,982	\$	372,579

Kern Delta Water District Cash Variance Analysis July 31, 2020

Cash Received:

Net positive/(negative) variance	226,814
	(589,057)
Payrolls Paid	(219,310)
Accounts Payable Paid	(369,748)
Cash Disbursed:	
	815,871
Interest Received	18,457
Share of Property Tax Receipts	33,004
Accounts Receivable Collections	764,410

Kern Delta Water District Accounts Receivable Variance Analysis July 31, 2020

Revenue Added to Accounts:

Water Sales - Utility Water	421,706
Water Sales - State Water	191,439
Seepage Revenue	196,959
District Wells Revenue	1,729
Other Misc Revenues	14,334
	826,167

Cash Received on Account:

Net positive/(negative) variance	61,757
	(764,410)
Interest Payments	-
	(764,410)
Assessments Payments	(126,245)
Misc Payments	(155,942)
Water Payments	(482,223)

Kern Delta Water District Inventory/Prepaids Variance Analysis July 31, 2020

Additions to Accounts:

Weed Control Chemicals Purchased	110,004
Prepaid Additions	
	110,004
Usage/Amortization:	
Chemicals Consumed During Month	(91,388)
Amortization of Prepaid Accounts	(7,940)
	(99,328)
Net positive/(negative) variance	10,676

Kern Delta Water District Operating Results - Year To Date Through the Month Ended July 31, 2020

	(Actual Current Month	Ac	tual Year to Date		Annual Budget	YTD as % of Annual Budget (Target is 58%)	R	Budget emaining
REVENUES:									
State water sales	\$	367,028	\$	721,584	\$	996,706	72%	\$	275,122
Utility water sales	•	245,914	•	1,289,626	,	3,214,297	40%	•	1,924,671
COB/Cal Water/GCWD Revenue		196,959		358,370		816,000	44%		457,630
Equalization		-		9,147		9,147	100%		0
Assessments		1		1,013,185		1,014,767	100%		1,582
Share of county tax		33,004		1,973,945		4,316,386	46%		2,342,441
ILRP Contract Revenue		-		-		-			-
Interest income		18,457		224,122		320,000	70%		95,878
Other income		15,460		161,527		175,000	92%		13,473
Water Transfer Charges		-		548,250		731,000	75%		182,750
Water Banking Expense Reimbursement						150,000	0%		150,000
Total income	\$	876,825	\$	6,299,756	\$	11,743,303	54%	\$	5,443,548
EXPENDITURES:									
Source of supply:									
State water costs	\$	_	\$	2,492,870	\$	2,725,000	91%	\$	232,130
Exchange fees	Ψ	_	*	-, .02,0.0	*	76,500	0%	Ψ	76,500
Watermaster, City, Isabella		1,650		90,193		361,400	25%		271,207
Miscellaneous source costs		-		28,730		500,000	6%		471,270
Total Source of supply	\$	1,650	\$	2,611,793	\$	3,662,900	71%	\$	1,051,107
Transmission and Distribution:									
Labor	\$	229,186	\$	1,406,730	\$	2,217,409	63%	\$	810,679
Employee benefits	Ψ	57,388	Ψ	423,145	Ψ	741,811	57%	Ψ	318,666
Maintenance & Repairs		129,536		522,405		1,141,803	46%		619,398
Total Transmission and Distribution	\$	416,111	\$	2,352,281	\$	4,101,023	57%	\$	1,748,742
	Ψ	410,111	Ψ	2,002,201	Ψ	4,101,020	0170	Ψ	1,740,742
Administrative & other costs:	•		•		•			•	
Engineering consultant	\$	-	\$	1,220	\$	50,000	2%	\$	48,780
Legal consultants		9,709		98,882		250,000	40%		151,118
Special legal/engineering		38,328		94,505		100,000	95%		5,496
Kern River GSA		40.050		-		200,000	0%		200,000
Insurance		18,359		88,859		163,663	54%		74,804
Office operations		27,706		190,616		327,313	58%		136,697
Special expenses (see Footnote below):		- - 774		179,290		557,518	32%		378,228
Construction Expense - Peripheral		5,774		24,211		400.000	FF0/		00.044
Bond Interest expense		-		76,849		138,863	55%		62,014
Depreciation	_	41,000		286,137	_	492,000	N/A	_	205,863
Total adminstrative & other	\$	140,876	\$	1,040,568	\$	2,279,357	46%	\$	1,263,000
Total expenses	\$	558,637	\$	6,004,642	\$	10,043,280	60%	\$	4,038,638
Net Fav/(Unfav) Operating Results	\$	318,188	\$	295,114	\$	1,700,023		\$	1,404,909

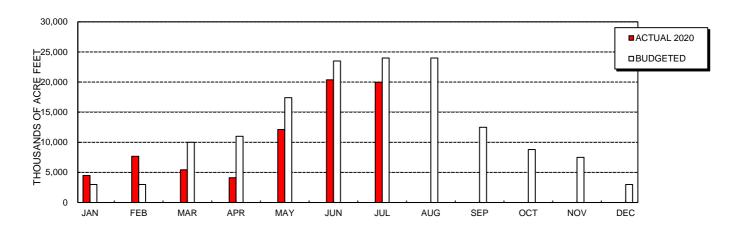
TREASURER'S REPORT

July 2020

	2020	2019	2018	2017
Cash & Securities on hand - July 1	\$ 21,561,908	\$ 16,907,394	\$ 14,896,480	\$ 14,325,758
Add: July receipts	815,871	1,138,945	2,832,586	1,036,269
Less: July disbursements	589,057	677,981	355,964	715,880
Cash & Securities on hand - July 31, 2020	\$ 21,788,722	\$ 17,368,359	\$ 17,373,102	\$ 14,646,147
Petty Cash \$ 500				
Citizens Business Bank 910,209				
Kern County Treasury 19,628,013				
CBB Trust/LPL Financial 1,250,000				
\$ 21,788,722				
Restricted Reserves:				
Restricted Reserve Fund - General Manager	\$ (300,000)	\$ (300,000)	\$ -	\$ -
Unrestricted Reserves:				
Employee Medical/Dental Benefits	(166,565)	(215,663)	(246,241)	(274,751)
Pipeline Maintenance	(213,845)	(213,845)	(213,845)	(213,845)
Water Rights Protection & Litigation Reserve	(3,136,608)	(3,261,605)	(3,331,646)	(3,484,915)
2015-A COP Reserve Fund	(4,230,000)	(372,600)	(372,600)	(372,600)
Operating Reserve	(5,000,000)			
Capital Reserve	(2,000,000)			
Groundwater Program Reserve	 (3,500,000)			
Total Reserves	\$ (18,547,017)	\$ (4,363,713)	\$ (4,164,332)	\$ (4,346,110)
Cash Available - July 31, 2020	\$ 3,241,705	\$ 13,004,646	\$ 13,208,770	\$ 10,300,036

Kern Delta Water District Monthly Water Sales Volume in Acre Feet

	2019						2020					
	Actual	Bud	geted		Actual							
	(Accum-		(Accum-		М	onthly			% of			
	ulated)	Monthly	ulated)	Utility	State	Contracts	Total	Utility	State	Contracts	Total	Budget
JAN	5,974	3,000	3,000	4,371	0	117	4,488	4,371	0	117	4,488	150%
FEB	8,134	3,000	6,000	7,356	0	325	7,681	11,727	0	442	12,169	203%
MAR	14,331	10,000	16,000	5,018	0	413	5,431	16,744	0	855	17,600	110%
APR	30,287	11,000	27,000	3,719	0	394	4,114	20,464	0	1,250	21,713	80%
MAY	45,512	17,400	44,400	11,042	700	384	12,126	31,506	700	1,634	33,840	76%
JUN	72,976	23,500	67,900	12,816	7,151	413	20,379	44,322	7,850	2,046	54,218	80%
JUL	101,995	24,000	91,900	17,539	2,128	297	19,964	61,861	9,979	2,343	74,182	81%
AUG	127,068	24,000	115,900				0					
SEP	141,308	12,500	128,400				0					
ОСТ	150,924	8,800	137,200				0					
NOV	156,390	7,500	144,700				0					
DEC	157,506	3,000	147,700				0					



KERN DELTA WATER DISTRICT

Aged Accounts Receivable Past Due Accounts August 18, 2020

Account	Name	0-30 Days	31-60 Days	61-90 Days	Over 90 Days	Total Past Due
105	Antongiovanni, Ugo	5,756.51	-	-	-	5,756.51
887	Forney, Bruce	4.87	4.80	4.72	314.84	329.23
2915	Spasiano, Robert	389.76	-	-	-	389.76
3377	Van Surksum Family Trust	484.26	-	-	-	484.26
3664	City of Los Angeles	3,779.28	-	-	-	3,779.28
3861	Vandenberge Dairy	4,286.55	-	-	-	4,286.55
4682	Olam Farming	660.73	-	-	-	660.73
	OTHER	1,192.46	0.96	-	-	1,193.42
		16,554.42	5.76	4.72	314.84	16,879.74

Kern Delta Water Banking Project Balance Sheet July 31, 2020

Assets

			_	_
July 31, 2020		June 30, 2020		lonth-to- Month /ariance
\$ 14,051,560	\$	14,142,423	\$	(90,864)
-		-		-
95,635		95,635		
\$ 14,147,195	\$	14,238,058	\$	(90,864)
\$ 58,915,642	\$	58,911,292	\$	4,350
 418,064		418,064		_
\$ 59,333,706	\$	59,329,356	\$	4,350
(9,885,484)		(9,791,484)		(94,000)
\$ 49,448,222	\$	49,537,872	\$	(89,650)
\$ 63,595,417	\$	63,775,930	\$	(180,514)
\$ 	\$		\$	-
\$ -	\$	-	\$	-
\$ 8,890,130	\$	8,890,130	\$	-
55,876,911		55,876,911		-
(1,171,625)		(991,111)		(180,514)
\$ 63,595,417	\$	63,775,930	\$	(180,514)
\$ 63,595,417	\$	63,775,930	\$	(180,514)
\$ \$ \$ \$ \$ \$ \$	\$ 14,051,560 95,635 \$ 14,147,195 \$ 58,915,642 418,064 \$ 59,333,706 (9,885,484) \$ 49,448,222 \$ 63,595,417 \$ - \$ - \$ 8,890,130 55,876,911 (1,171,625) \$ 63,595,417	\$ 14,051,560 \$ 95,635 \$ 14,147,195 \$ \$ 58,915,642 \$ 418,064 \$ 59,333,706 (9,885,484) \$ 49,448,222 \$ \$ 63,595,417 \$ \$ \$. \$. \$	2020 2020 \$ 14,051,560 \$ 14,142,423 95,635 95,635 \$ 14,147,195 \$ 14,238,058 \$ 58,915,642 \$ 58,911,292 418,064 \$ 418,064 \$ 59,333,706 \$ 59,329,356 (9,885,484) (9,791,484) \$ 49,448,222 \$ 49,537,872 \$ 63,595,417 \$ 63,775,930 \$ 8,890,130 \$ 8,890,130 55,876,911 (1,171,625) \$ 63,595,417 \$ 63,775,930	July 31, 2020 June 30, 2020 V \$ 14,051,560 \$ 14,142,423 \$

Kern Delta Water Banking Project Cash Variance Analysis July 31, 2020

Cash Received:

Accounts Payable Paid	(158,832)
Cash Disbursed: Accounts Payable Paid	(158,832)
Cash Bishamanda	67,969
Interest Received	12,342
Received From ID#4 - CVC Ops/Power	55,627

Kern Delta Water Banking Project Statement of Operating Results Through the Period Ended July 31, 2020

	Current Month		Year to Date		
REVENUE:	_				
MET Revenues	\$	-	\$	-	
Water Sales		-		-	
Interest Income		12,342		107,421	
Total of all income	\$	12,342	\$	107,421	
Transfer and Exchange Fees:					
Exchange Fees	\$	2,200	\$	7,400	
Wheeling Fees		-		-	
Total Exchange Fees	\$	2,200	\$	7,400	
Other Costs					
Power - KB1-8, KDW1-2	\$	150,635	\$	213,149	
Power - AE1, AE2, AE3, AE4		-		4,211	
Power - BV1, BV2, BV3, BV4, BV5		444		1,630	
CVC Operating Costs		(55,239)		330,534	
CVC Power Costs		(388)		3,081	
O&M Spreading		-		47,360	
Other O&M & Miscellaneous Costs		1,203		13,681	
Legal & Accounting		-		-	
Depreciation		94,000		658,000	
Total Other Costs	\$	190,655	\$	1,271,646	
Total all expenses	\$	192,855	\$	1,279,046	
Favorable/(Unfavorable) Operating Results	\$	(180,514)	\$(1,171,625)	

KERN DELTA WATER BANKING PROJECT TREASURER'S REPORT											
July											
			2020		2019		2018		2017		
Cash & Securities on hand - July 1, 2	2020	\$	14,142,423	\$	9,059,864	\$	9,771,591	\$	9,341,940		
Add: July receipts			67,969		132,478		131,777		56,223		
Less: July disbursements			158,832		14,503		151,186		28,765		
Cash & Securities on hand - July 3	1, 2020	\$	14,051,560	\$	9,177,839	\$	9,752,182	\$	9,369,398		
Citizens Business Bank LPL Financial Kern County Treasury	\$ 234,068 500,000 13,317,492 \$ 14,051,560										
Restricted Cash included in above:	OM&R Spreading OM&R Extraction OM&R CVC/Delivery Canal Take/Put Fees	\$	802,808 (50,616) (3,066,450) (4,821,397)	·	584,913 (137,772) (3,206,664) (1,961,126)						
Total Restricted		\$	(7,135,655)	\$	(4,720,650)						
Cash Available for Construction - Jul	y 31, 2020	\$	6,915,905	\$	4,457,189	:					

Tab IV KERN DELTA WATER DISTRICT



MINUTES OF THE OPERATIONS AND PROJECTS COMMITTEE

Tuesday, August 4, 2020

Tuesday, August 4, 2020, 10:30 A.M. – 11:10 A.M.

DIRECTORS PRESENT: Collins, Kaiser (call in), Mendonca (call in), Spitzer (call in)
OTHERS PRESENT: Assistant General Manager Bellue, General Manager Teglia,

Water Resources Manager Mulkay, General Counsel Iger

1. PUBLIC COMMENTS

None.

2. ASSISTANT GENERAL MANAGER'S REPORT:

- a. Encroachment Permit Update
- b. District Facility and Banking Maintenance: Mr. Bellue discussed several items of note including weed abatement performed at the Stonefield Basins and removal of the Progress Road crossing on the Stine Canal.
- c. District Office Construction Update: Mr. Bellue provided a verbal update regarding the progress of the District office expansion project.
- d. Romero Basins Update: Mr. Bellue provided a verbal update regarding the status of the Romero Basin Project.
- e. Sunset Basin Design Update: Mr. Bellue provided a verbal update regarding the status of the Sunset Groundwater Banking Project.
- f. District Wells: Mr. Bellue discussed the possibility of using a backup generator to power wells for maintenance and sampling to avoid the demand charge by PG&E.
- g. Water Banking Construction and Power Invoices:

 M/S/C (Mendonca/Kaiser) (yes-4, no-0): By roll call vote, the Committee recommends the Board approve payment of Water Banking and Power Invoices totaling \$158,762.87 (plus additional PG&E well energy costs). See the attached August 18, 2020 Invoice and Disbursements memo to the Board for a full breakdown of the Invoices.

3. <u>CLOSED SESSION:</u> Real Property Negotiations (54956.8): Declared (11:00 A.M.):

Property Description: Potential Recharge Lands/Water Exchange/Transfer/Sale/Purchase

District Negotiator: Steve Teglia Under Negotiation: Price and Terms

Regular Session Declared (11:10 A.M.): No action was taken that required disclosure under the Brown Act.

Meeting was adjourned at 11:10	A.M.		
Respectfully Submitted,			
David L. Kaiser			



To: Kern Delta Water District Board of Directors

From: Steven L. Teglia

Date: August 18, 2020

Re: Encroachment Permit Applications

RECOMMENDATION:

No action required

DISCUSSION:

Following are the organizations that have applied for an encroachment permit with Kern Delta Water District and a summary of their intended locations and purposes for encroaching.

Organization: MCI

Location: Farmers Canal @ Berkshire

Purpose: Install fiberoptic line underneath canal crossing

Anticipated Start Date: TBD

Organization: PG&E

Location: Buena Vista Canal @ Bear Mt. Blvd

Purpose: Install overhead powerline over the BV Canal

Anticipated Start Date: TBD

Organization: City of Bakersfield

Location: Buena Vista Canal @ Ming Ave

Purpose: Install SCADA system Anticipated Start Date: TBD

Organization: Rain-For-Rent

Location: Central Branch Canal @ Cottonwood Purpose: Install temporary pipeline crossing

Anticipated Start Date: TBD

Maintenance Report

July 2020

- 1. Structure and Turnout Repairs. The following jobs were completed during the month;
 - a. Remove the failing Progress Rd crossing on Stine Canal west of Gosford Rd.
 - b. Build up the bank of the BV Canal at the BV East Canal intersection
 - c. Repair wash in on Central near Panama Rd.
 - d. Begin cleaning bottom of Stine Canal with rental Dozer
 - e. Repair turnout # 3-0-88 (rebuild stem and rails)
- 2. **Shop.** The following jobs were completed during the month;
 - a. Normal service and repairs on District vehicles and equipment.
 - b. Repairs to truck # 219, 221, 220, 213 and 211
 - c. Repairs to Backhoe Trailer #T11 (frame/spring weld failure)
 - d. Repairs to grader and sloper (fan assembly, exhaust system & sloper arm)

3. District Wells.

- a. Monthly service and inspection of all District wells is month.
- b. Replace oil drippers on 8 wells
- c. Clean pads and service wells as Needed
- 4. **Motor Grader # 403** The following canals were sloped, and roads graded;
 - a. Slope portions of Central, East Branch, Kern Island, Branch 1, 13-Ditch, Rim, Drain and Farmers.
- 5. **Backhoe # 402** The following jobs were completed during the month;
 - a. Load, haul, and place dirt for washout on Central
 - b. Dip with debris bucket the Eastside, Central and Kern Island canal screens
 - c. Remove Stine Canal crossing on Progress Road; remove dilapidated corrugated pipe and reshape the canal
- 6. **Backhoe # 404** The following jobs were completed this month;
 - a. Removed mattresses, debris, tumbleweeds, and tires from the Eastside, Central, Stine, Randal, 13-Ditch, Branch 1 and East Branch
 - b. Dig and haul dirt to backfill washout on Central
 - c. Remove Moss from 13 Ditch, Central and Eastside
- 7. **Weed Spraying.** The following canals were sprayed during the month;
 - a. Famers, Smith Judd, Randal, Stine and BV Canals
- 8. **Aquatic Treatments.** Treatments including surface spraying for algae mats and injection treatments for control of algae or vascular aquatic weeds; Treatments where made to the Eastside, Central, 13 Ditch, BV, and Kern Island Canals

9. Rodent Control

a. Bait Stations were frequently checked and all locations were filled throughout the District this month

10. Trash Removal.

- a. Daily cleaning of crossings, weirs, and screens on all canals
- b. Remove brush from cottonwood trees along 13-Ditch return for Grader passage
- c. Remove debris from the Kern Island, Eastside, Central, Branch 1, Farmers. Both trash trucks were used along with dump trucks to haul debris to the landfill.

11. Fence Repairs. Fences and Gates were repaired at the following locations;

- a. Kern Island 30th St., 34th St., Columbus, 4th and Niles
- b. Branch 1 Hughes, White Lane and McCourry
- c. Central Terrace Way
- d. Stine California, Chester Lane, Garnsey, Gosford, District Blvd, and Ash
- e. Eastside 30th, 34th St., Columbus, Kentucky, and Lake St.

12. Safety Meetings. Weekly tailgate safety topics were;

- a. Public Relations
- b. Covid-19 Updates
- c. Slips, Trips & Falls
- d. Effects of Heat
- e. Shop Safety

13. Water Banking Activities. The following jobs were completed during the month;

- a. Mowing weeds in cells of basins (Stonefield)
- b. Weed spraying with spray trailer

14. **Future Projects.** The following projects will be completed as time and scheduling permit:

- a. Oversee removal piping obstruction on 20-foot in December
- b. Install 24" piping at 3-0-149 for Boswell
- c. Install meters on Stine at the Bladder basin discharge
- d. Clean bottoms of canal with rental dozer
- e. Repair turnouts on Stine Canal

15. Future Water Banking Projects.

- a. Install permanent staff gauges in basins
- b. Place riprap around eroded intertie structures as needed at DiGiorgio Basin
- c. Mow and remove trees at DiGiorgio Basin
- d. Mow weeds when possible (If dry enough to get equipment in basins)
- e. Spray weeds and Typha (cattails), with new trailer mount system



To: Kern Delta Water District Board of Directors

From: Steven L. Teglia

Date: August 18, 2020

Re: Invoices and Disbursements, Special Projects & Water Banking Project Operation/Construction.

RECOMMENDATION:

Staff recommends payment of the following six payables divided into three overall groups of: 1) water banking program design, construction, and construction support -- \$00.00; 2) water banking variable -- \$158,762.87; 3) Kern Delta Water District construction -- \$00.00. The total expenditure in July for these areas is \$158,762.87 (plus additional PG&E well energy stand-by cost).

DISCUSSION:

The following six payables can be divided into three overall groups: 1) water banking program design, construction, and construction support, 2) water banking variable, and 3) Kern Delta construction.

First group (Water Banking Program Design, Construction and Construction Support):

Second group (Water Banking Variable):

- 1) BC Labs \$660.00 (Water analysis)
- 2) Bakersfield Well & Pump \$375.00 (Pump repair; Buena Vista)
- 3) K.C.W.A \$2,200.00 (TRF fees)
- 4) Pedroza Surveying \$4,350.00 (Land Surveying; Sunset Basins)
- 5) Quinn \$542.90 (Parts; Backhoe)
- 6) PG&E \$150,634.97 (Power/stand-by energy cost for the wells associated with the Water Banking water production)

Third group (Kern Delta Construction)

Tab V KERN DELTA WATER DISTRICT

KERN DELTA WATER DISTRICT

<u>KERN DELIA</u>	1 WAILN L	JIJIN.	<u> </u>	
			August 12, 2020	
	2/12/2020	Last Year	August 12, 2020	
KERN RIVER 3 DAY MEAN INFLOW	198 CFS	860	CFS	
KERN RIVER MEAN OUTFLOW	620 CFS	1,743		
ISABELLA RESERVOIR STORAGE	125,163 ACFT	283,666		
REQUESTED OUTFLOW	665 CFS	1,750		
Estimated: (CFS)				
KDWD DAILY DIVERTED: (AUGUST 12, 2020)	@HEAD	STATE	XCHNG	BANKING
KERN ISLAND	245	0	0	
EASTSIDE	45	0	0	
BUENA VISTA -LEVEE	0	0	0	
STINE	0	0	0	
OTHER - River Channel	0	0	0	
K.I. / A.E. Exchange Gate	0	0	0	
STINE / A.E. Exchange Gate	0	0	0	
Total CFS	290	0	0	-
Estimated: (Acre Feet) DIVERTED (JULY 2020)	UTILITY	STATE	PURCHASE	BANKING
KERN ISLAND	15,667	547	0	DAIVAIIV
EASTSIDE	2,575	924	0	
C.O.B. Misc.	0	0	0	
BUENA VISTA	2,813	450	0	
STINE	3,269	191	0	
FARMERS	2,001	24	0	
SOUTH FORK	0	0	0	
West Side State Sale	0	0	0	
MONTHLY TOTAL	26,325	2,136	0	
YEAR TO JULY 31, 2020	118,783 <i>ACFT</i>	4,880	0	
Year to July 31, 2020 Utility - State - Banking	123,663 ACFT			
			Estimate	Max Storag
ACFT. STORAGE BALANCE AS OF:	7/31/2020		8/12/2020	
KERN ISLAND	6,402		5,096	2,50
BUENA VISTA	138		138	2,00
STINE	183		183	1,50
FARMERS	2,711		1,657	2,50
STATE (19) Carryover	1,119		1,035	N/
STATE (20) Contract	5,100		5,100	N/
RRBWSD STORAGE	23,805		23,805	N/
				3 T /
PIONEER PROJECT STORAGE TOTAL ACFT.	23,285 62,743		23,285 60,299	N/A

				Total	6,21	19	4,880
	tate Carryover*: e Contract: Table A	*		2019 Carryover 2020 Contract	-		4,880 0
B.V.W.S.D. 2019 St	tato Carryover*•	5,999		2019 Carryover	•	,	4,880
Water owed to K.	D.W.D as of: 7/31/.	2020		Summary of Total State V	Vater Used Year to OWF)) ED)
W . I. V	D.W.D	2020				D . 5/21/202	
Total	118,783	2,500	0	Total	4,880	0	
December	r			December			
November				November			
October				October			
Septembe	r			September			
August				August			
July	26,325	0	0	July	2,136	0	
June	29,756	0	0	June	2,098	0	
May	13,664	0	0	May	535	0	
April	9,759	2,500	0	April	81	0	
March	11,718	0	0	March	30	0	
February	12,528	0	0	February	0	0	
January	15,033	0	0	January	0	0	
	Uility	North Kern*	Other Exchanges		State	Purchase	Banki
Summary of Utili	ty Water Diverted	Year to Date: 7/31	/2020	Summary of Other Water	Diverted Year to	Date: 7/31/2020	
			ĺ	I			
	COE STORA	GE CAPACITY	360,000	% OF COE CAPA	CITY		35%
		OF CAPACITY	22%	ACCUMULATIV		DW 3	94,356
		GE CAPACITY	568,075	ACCUMULATIV		` ′	265,100
	ST	ORAGE ACFT.	125,163	JULY AC. FT. OU	TFLOW		70,713
	LAKE ELI	EVATION (FT.)	2,552.17	JULY AC. FT. IN	FLOW		20,015
ISABELLA RESEVO	OIR:						
	Seasonal	6.70 Y	EAR TO DATE	E PRECIP. 9.56	Seasonal		
	_	0.00 PR	ECIPITATION	I - MONTH 0.00	<u> </u>		
	_	0.00 PRE	CIPITATION -	24 HR. DAY 0.00	<u>-</u>		
	<u> </u>	77 PR	ESENT TEMP	ERATURE 71	=		
	_		XIMUM TEMI		_		
		76 MI	NIMUM TEMP	PERATURE 70			
N.D. W.D. CERMIT	OLOGICAL OBSEI	CVATION.		ISABELI	LA CLIMATOLOC	GICAL OBSERVA	HON.



Depth-to-Groundwater 2020

			/-	/	7.	7.	//	7.	7.	/_	/.	/s	7.	/_	/	_	/_	/	/	_	_
		1/2	2015 VY	Jule /	2017		200 / VE	780 KB	2,000	\$ 7000 1000	2020	1,000	J070 1	11.700 11.700	3700	7020 OC	1,40°	1700	, Jago		
	30/26-26C	R	196	206	190	R	204	202	210	R	202	R	R	R					210	202	204.5
	30/26-26G	187	199	207	197	R	199	320	324	R	200	R	R	R					324	199	260.8
ant	30/26-27J	177	198	206	198	R	210	315	311	R	201	R	202	NR					315	201	247.8
Northwest Quadrant	30/26-35N			NR	181	184	171	164	160	161	162	171	R	194					194	160	169
est Q	30/27-31E	185	202	214	181	202	219	218	208	R	215	R	219	R					219	208	215.8
rthw	31/26-08G	152	168	NR	168	NR	204	R	203	R	201	200	222	R					222	200	206
ž	31/26-10J	175	206	NR	170	202	NR	L	200	201	20	201	220	238					238	20	180
	31/27-06C	200	195	202	NR	208	215	210	206	206	R	R	R	236					236	206	214.6
	31/27-07B	189	198	NR	199	R	200	222	R	203	R	R	R	240					240	200	216.3
	31/26-13N			198	180	201	NR	200	R	203	R	R	226	R					226	200	209.7
Southwest Quadrant	31/26-15J			200	168	205	NR	L	L	L	237	237	229	234					237	229	234.3
	31/26-16P			NR	168	207	204	200	204	200	R	230	R	R					230	200	207.6
	31/26-17Q			NR	NR	210	203	218	217	200	227	R	R	238					238	200	217.2
est Q	31/26-21N			NR	175	238	204	R	201	203	220	250	249	R					250	201	221.2
uthw	31/26-30G			186	159	240	268	350	206	204	206	238	R	R					350	204	245.3
So	31/27-18D01			NR	NR	206	201	206	203	R	R	235	241	R					241	201	217.2
	32/26-08J			132	189	215	209	206	204	206	206	203	247	208					247	203	211.1
	32/27-07N			160	NR	200	288	289	200	223	220	206	215	NR					289	200	234.4
	30/28-29B			NR	236	243	229	234	234	240	225	R	R	R					240	225	232.4
ınt	31/27-01L			190	260	220	232	219	206	202	216	228	228	234					234	202	220.6
uadra	31/27-04A			158	176	183	184	168	170	167	173	170	180	185					185	167	174.6
North-Central Quadrant	31/27-05J			NR	200	NR	228	R	208	NR	210	210	226	230					230	208	218.7
Centı	31/27-10B			NR	NR	NR	208	200	NR	200	205	208	222	230					230	200	210.4
orth-	31/27-11K			171	170	330	227	326	218	NR	NR	NR	NR	R					326	218	257
Z	31/27-12Q			NR	140	140	139	133	133	131	R	131	R	R					139	131	133.4
	31/28-08A			216	220	243	244	230	248	240	247	R	R	R					248	230	241.8



Depth-to-Groundwater 2020

			Sais	2016	7017 2017		2019 July	1900 1900	2000	* 500 PER	2020	1200	2000	77.70g	3700	7000	, 40°	1700	14C	\$\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	
	31/27-20Н	\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \	<u> </u>	NR	NR	NR	211	299	202	202	205	200	R	200	7 7				299	200	217
ıt	31/27-21M			NR	160	L	L	298	316	340	212	201	NR	R					340	201	273.4
South-Central Quadrant	31/28-20D			NR	180	190	201	R	R	280	R	R	R	R					280	201	240.5
n) Ju	32/27-15B			192	196	231	202	205	200	200	220	219	229	241					241	200	214.5
entra	32/28-19A			216	NR	215	222	215	203	206	223	242	247	254					254	203	226.5
)-th	32/28-05A			NR	NR	250	239	211	200	210	206	232	258	268					268	200	228
So	32/28-05B			NR	NR	226	201	202	190	202	205	219	240	238					240	190	212.1
	32/28-08R			NR	NR	224	253	207	205	203	236	238	235	277					277	203	231.8
	30/28-11F	240	250	254	248	263	263	264	260	259	262	269	271	270					271	259	264.8
	30/28-13C			299	290	R	300	308	305	302	308	R	321	313					321	300	308.1
ınt	30/28-24R			NR	NR	306	311	NR	NR	NR	309	R	NR	323					323	309	314.3
Northeast Quadrant	30/28-26R			NR	NR	287	NR	NR	NR	NR	292	295	R	NR					295	292	293.5
ast Q	30/28-36A						212	218	215	210	A	Α	A	323					323	210	235.6
orthe	30/29-31C			319	323	327	338	328	323	360	325	320	331	333					360	320	332.3
ž	31/28-02H			NR	288	291	290	290	292	291	319	R	320	303					320	290	300.7
	31/28-10A			328	249	253	253	258	257	256	263	269	274	280					280	253	263.8
	31/28-12P			NR	222	286	284	R	NR	232	R	R	R	303					303	232	273
	31/28-13H2					NR	NR	315	315	312	305	310	NR	R					315	305	311.4
	31/28-14D			226	233	239	230	230	NR	227	247	R	R	247					247	227	236.2
	31/28-23H			NR	278	290	286	289	285	268	R	R	283	322					322	268	288.8
	31/28-34H			NR	NR	337	206	202	205	219	R	R	R	213					219	202	209
drant	31/29-18A			NR	234	335	333	338	322	289	334	336	344	340					344	289	329.5
t Qua	31/29-28C	326	257	NR	219	347	344	334	322	370	370	A	353	354					370	322	349.6
Southeast Quadrant	31/29-30H			NR	NR	NR	NR	320	220	210	R	R	330	R					330	210	270
Sout	31/29-33D			NR	294	342	250	319	313	316	319	315	315	350					350	250	312.1
	32/28-14F	287	NR	NR	NR	NR	222	228	225	230	NR	NR	NR	NR					230	222	226.3
	32/28-15R	250	305	NR	300	263	272	263	269	285	300	291	291	R					300	263	281.6
	32/28-01P			NR	NR	NR	NR	200	200	200	213	219	219	NR					219	200	208.5
	32/29-06P	193	198	201	NR	183	177	179	181	181	NR	189	187	223					223	177	188.1

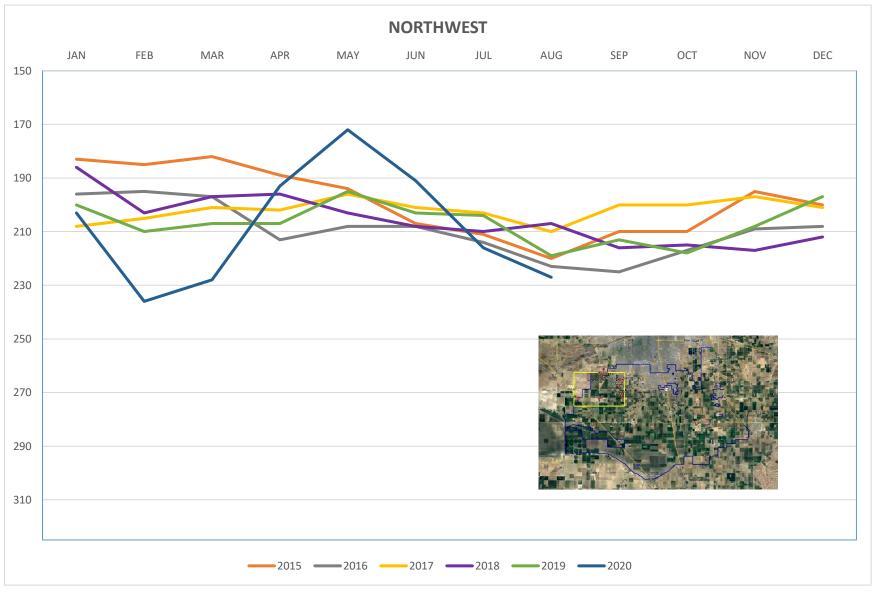
High Low Ave. A=anomalyous reading (either wildly high or wildly low, therefore not included in data)

NORTHWEST 324 20 212.7 R = Pump Running

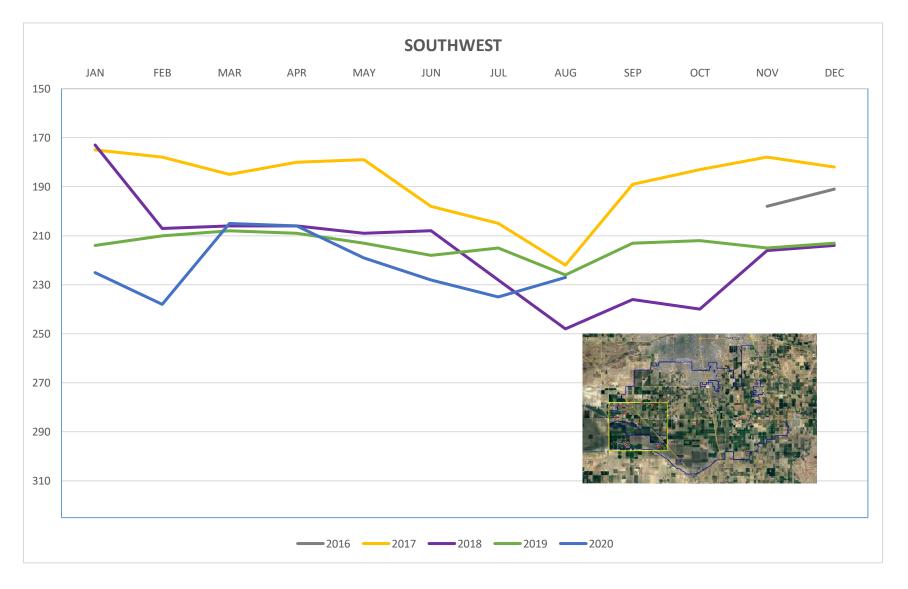
SOUTH-CENTRAL 340 190 230.5 WA= Well added to rotation

SOUTHEAST 370 177 267.6 L = Gated well, letter has been sent to property owner requesting access

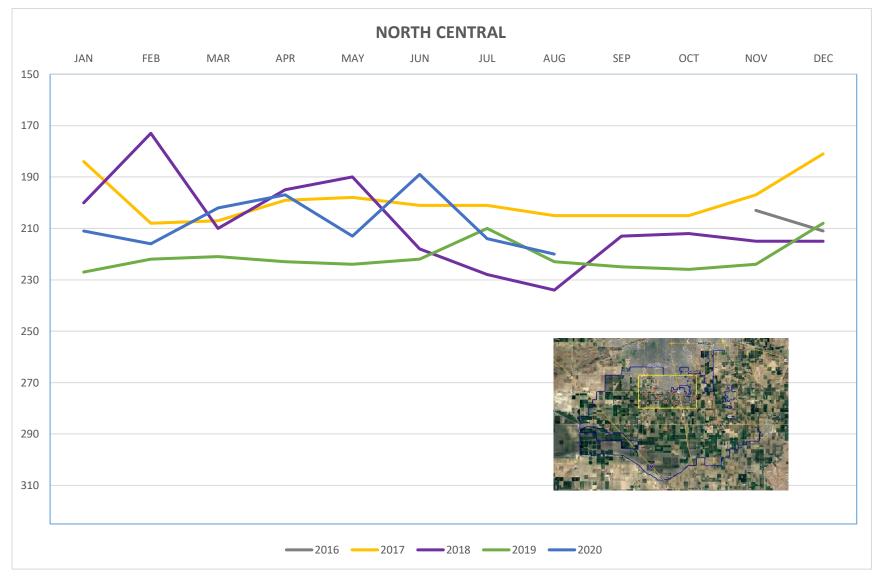




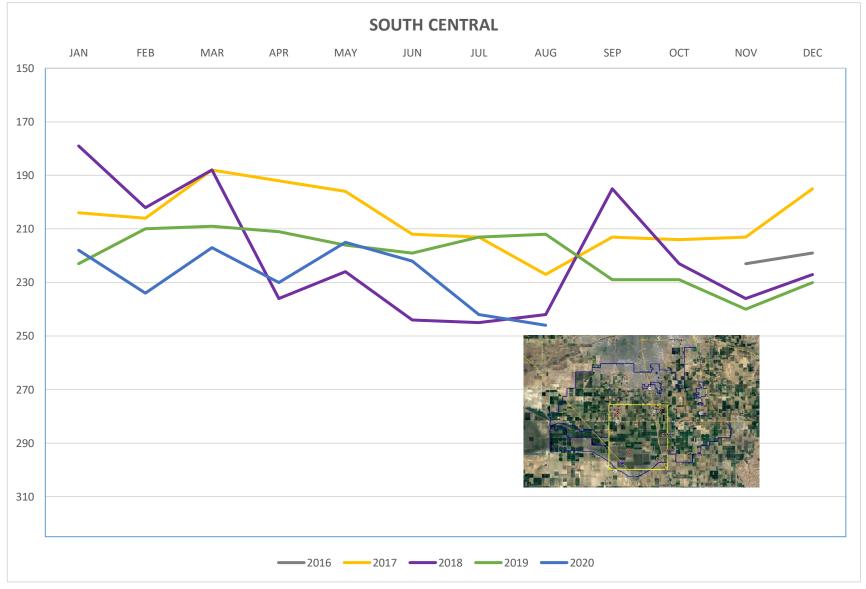




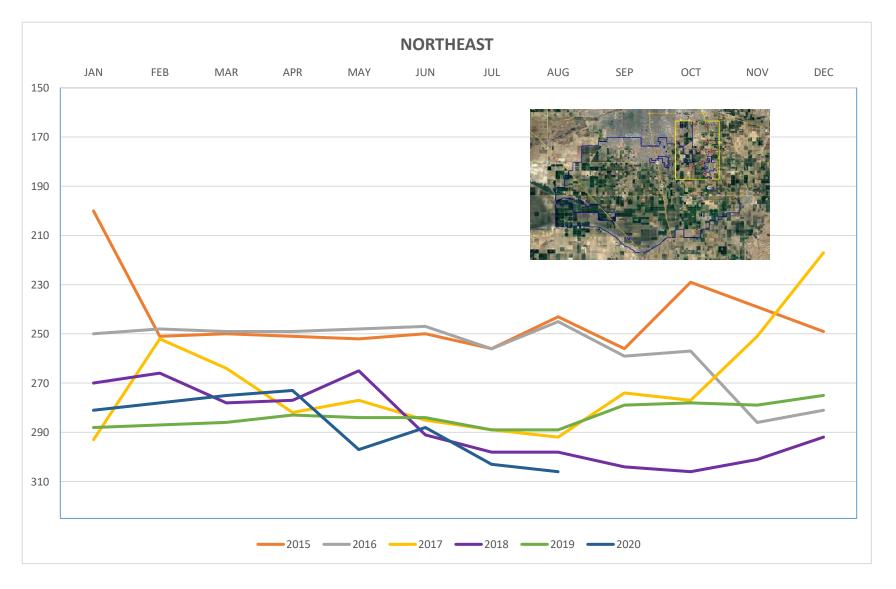




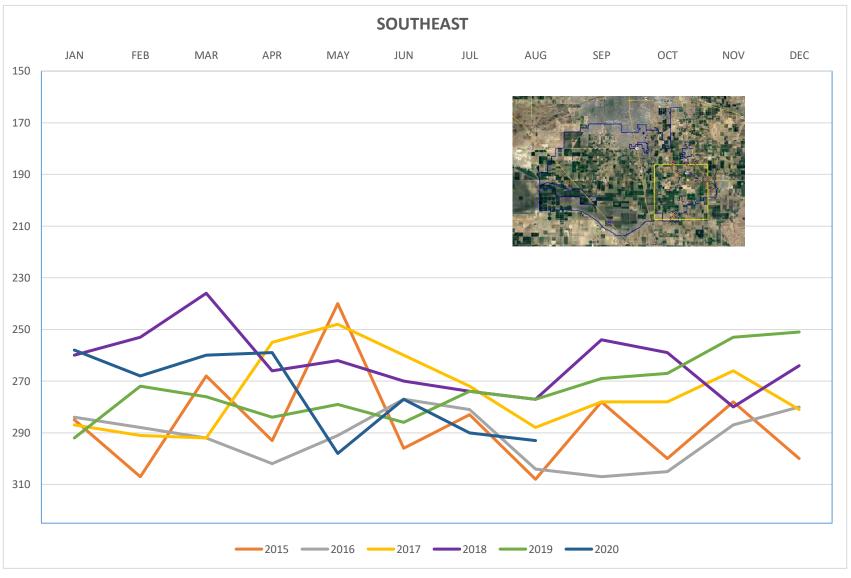












Kern River Watermaster

16294 Highway 43

P.O. Box 1168 Wasco, California 93280

> Office: (661) 758-5153 Cell (661) 201-5527 Fax: (661) 758-6167

August 13, 2020

TO: Kern River Interests

FROM: Dana S. Munn

RE: Report of Recent Activities

Isabella Dam Safety Modification Project - The August 2020 Situation Report is attached. The Phase II (dam) construction and blasting continues as an "essential project". As noted last month, they are starting structural concrete work on the labyrinth weir spillway structure.

Corp staff held a remote briefing August 4 for Kern River Interest staff. Selected site photo slides from the presentation are attached along with the current schedule (note the schedule uses, "FY", Fiscal Year that start in October). They continue to predict that construction on the dam will be complete by the end of 2021 with construction of recreational facilities continuing afterwards.

Runoff and Operations – I continue to be in discussions with DWR staff on getting the costs and what commitments are needed for the Kern River to participate in the Aerial Snow Observatory ("ASO") program. ASO aerially measures snow depth and uses algorithms from density measurements and remote sensors to estimate the volume of water in the basin. I have heard from other existing ASO measured watershed managers that DWR funding may not be available next year and Federal or local funding may be needed.

The 2020 April-July Kern River runoff came in (preliminary until Watermaster Report) at 44% of the 126 year average.

Attached are graphs of "March 1, 2020 to date Kern River Inflow, Outflow and Isabella Storage" and "Kern River Inflows and Chagoopa Plateau Sensor, Elevation: 10,300'. Absent unusual summer precipitation it appears that the peak runoff occurred on May 1 at 1,930 CFS and the reservoir storage peaked on May 31 at 227,876 acre-feet.

Public Outreach - I continue to respond to press and public inquiries during the month.

Watermaster Records – I continue to review records and forecasted reservoir operations with City staff.

Attachments: August 2020 Situation Report

Selected slides from August 4 Corp briefing to Kern River Interests

Graph of March 1, 2020 to date Kern River Inflow, Outflow and Isabella Storage

Graph of Kern River Inflows and Chagoopa Plateau Sensor, Elevation: 10,300', Minimum Temperature



ISABELLA LAKE, CA CONSTRUCTION

U.S. ARMY CORPS OF ENGINEERS

BUILDING STRONG.

Location & Description

Isabella Lake Dam (consisting of a Main Dam, Auxiliary Dam and service spillway) is located about 40 miles northeast of Bakersfield in Kern County, California, and became fully operational in 1953. The Main Dam is located near the confluence of the north and south forks of the Kern River and the Auxiliary Dam is located about half a mile east of the Main Dam. The Main Dam is a 185-foot-high earth-fill dam, and the Auxiliary Dam is a 100-foot-high earth-fill dam. The service spillway is located between the two dams. The reservoir (Isabella Lake) has a gross storage capacity of 568,075 acre feet.



Advisory

- USACE has established enhanced protocols to ensure the safety of our employees and our partners, and to take necessary precaution to prevent the spread of COVID-19.
- The Phase II Dams and Spillways contractor (Flatiron/Dragados/Sukut Joint Venture, or FDS JV)
 continues construction activities. As a result, the site including Engineers Point is an active construction
 area and is off limits to the public.
- Corps policy prohibits public operation of unmanned aircraft systems, such as drones, on or above federal lands and waters managed by USACE. The policy is intended to ensure critical infrastructure security and public safety.

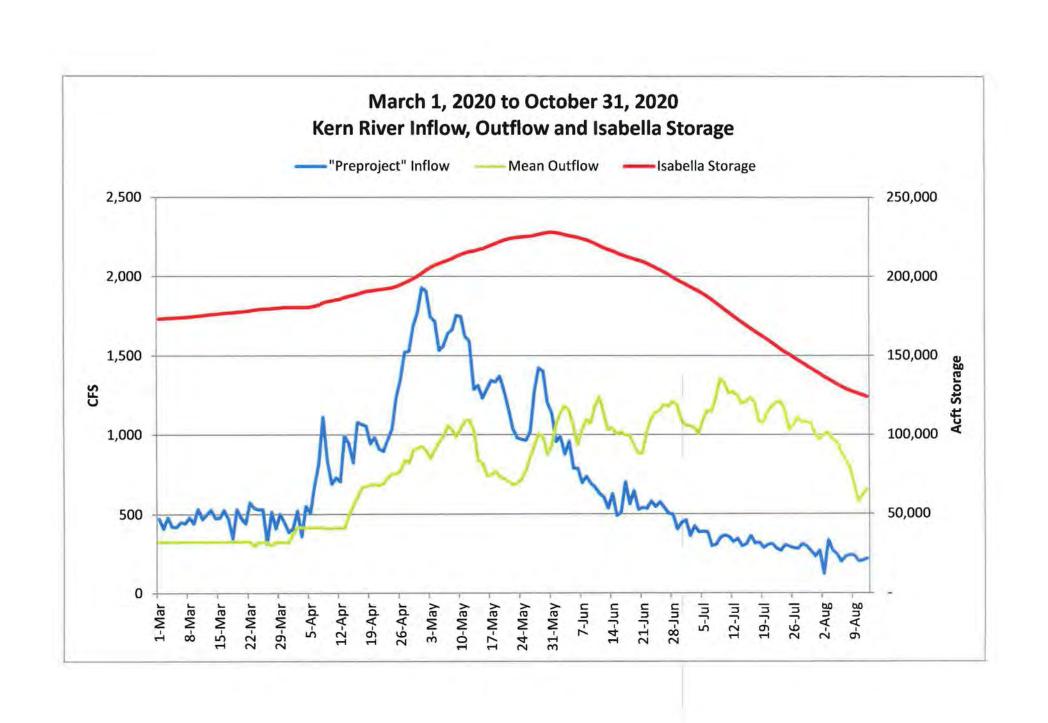
Looking Ahead Next 30+ days)

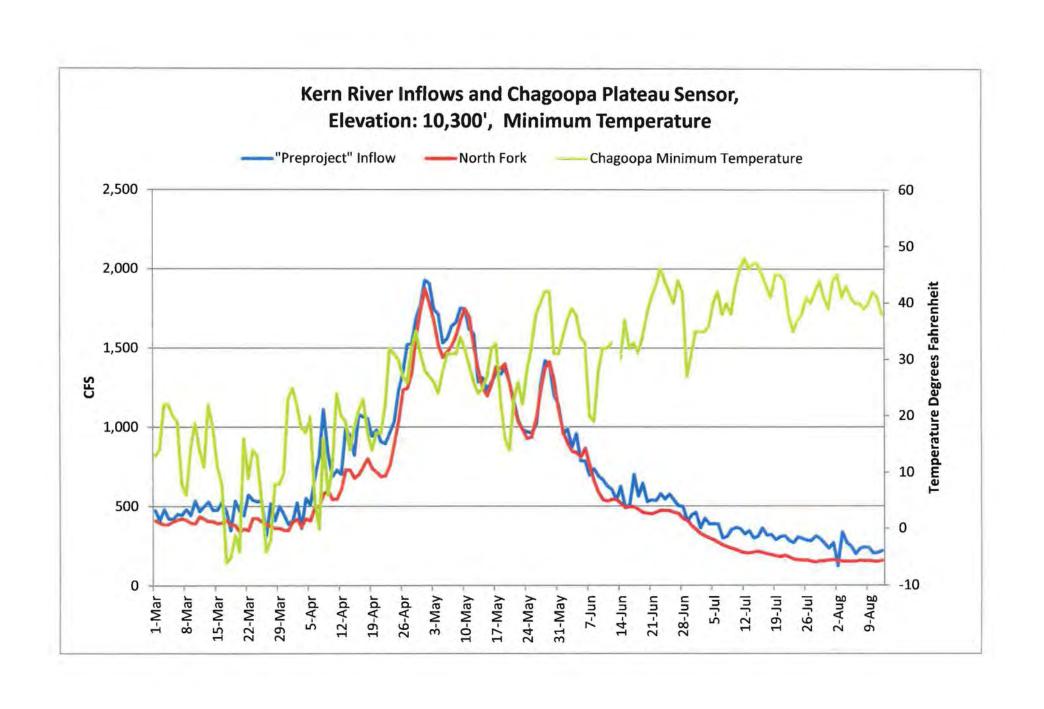
- Construction crews continue embanking on the Auxiliary Dam to connect the East and West sides of the Borel Canal (see photo above). The right wall of the service spillway is now complete while development of the labyrinth weir foundation continues. Structural concrete work for the labyrinth weir started at the end of July. Blasting and excavation of the emergency spillway also continues. Demolition of the control tower on the Main Dam is scheduled for this month.
- SR155 continues to have one lane traffic with signals, and is expected to continue through October 2020.
 Highway patrol officers will be monitoring the area. USACE will provide updates on any changes in traffic patterns or lane closures via public outreach, the monthly SITREP, and the Isabella Task Force engagements. Please help us ensure everyone's safety, and please obey all traffic signs and signals.

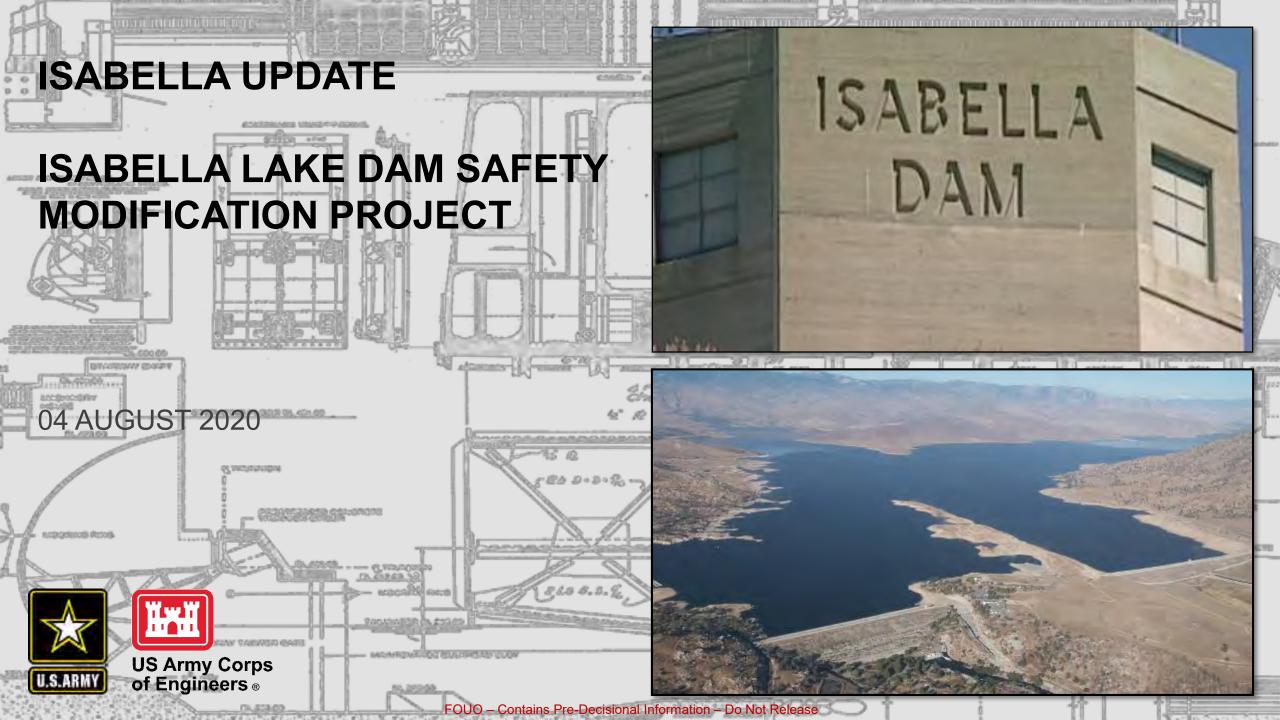
Current Lake Status (as of August 4, 2020)

The current pool resides at 135,005 acre-feet, which is 37% of restricted pool, and an elevation of 2,554 feet-IPD. As part of our interim risk reduction measures, Isabella Lake has a restricted elevation of 2,589 feet-IPD (361,250 acre-feet). Current lake status can be viewed at https://go.usa.gov/xE2pX

Milestones	
Pre-Construction Engineering and Design	Complete
Construction of USFS Fire Station and Admin Facilities	Complete
U.S. Forest Service Visitor's Information Center	In Planning
Dams and Spillways Construction	2018-2022









ISABELLA DSMP – WATERMASTER/DISTRICTS AGENDA



Introductions

Brief Project Review

Past 6 months successes

Overall project schedule

Phase II Construction Status

Look ahead

ALL

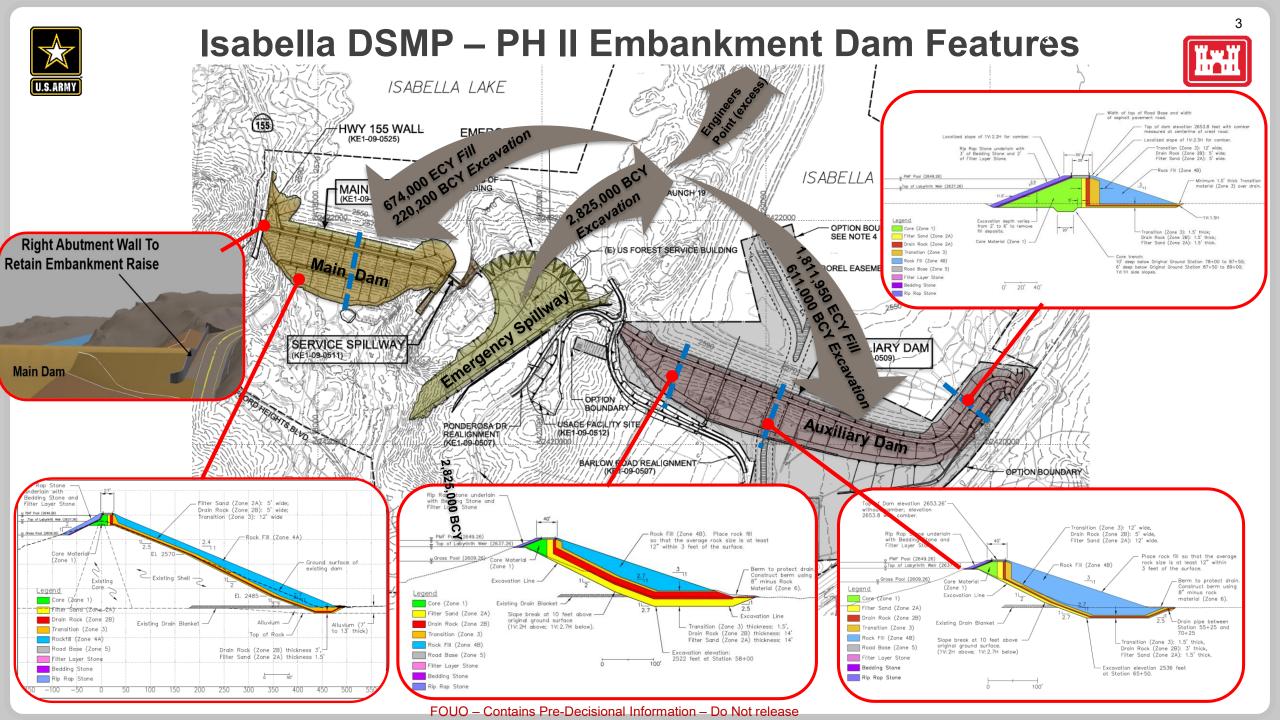
Serafini

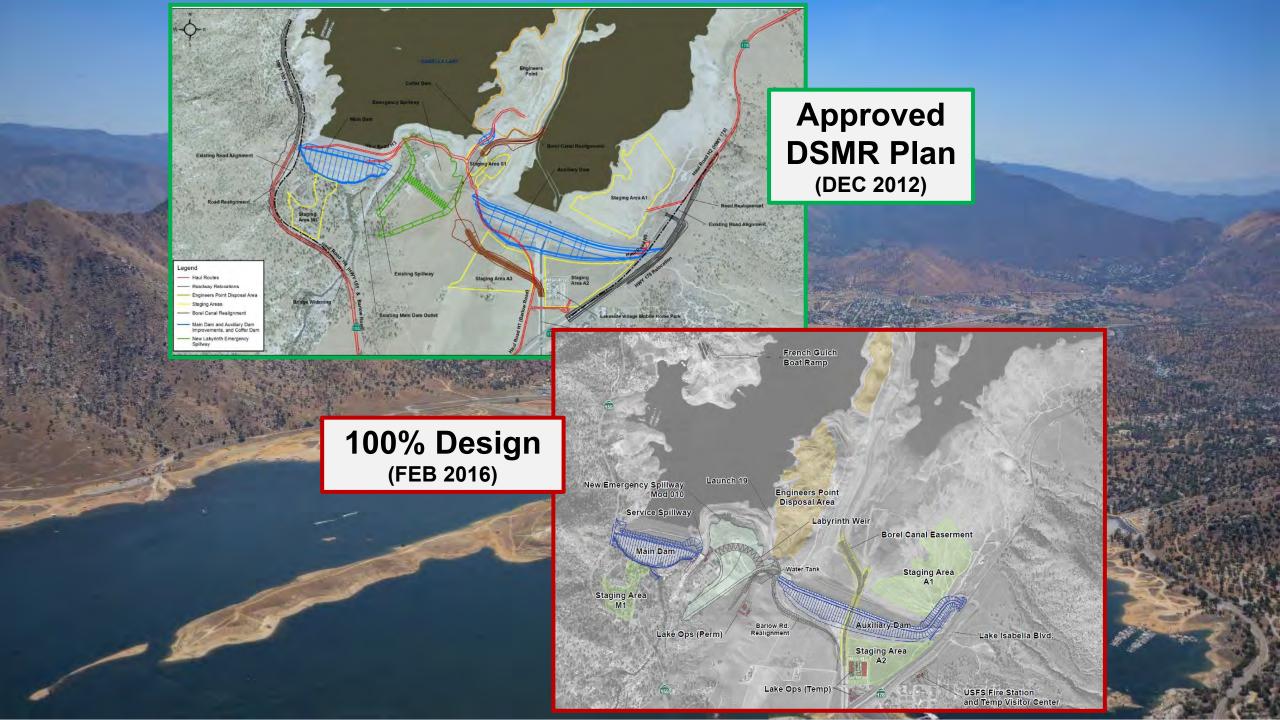
Serafini

Serafini

Serafini

Serafini





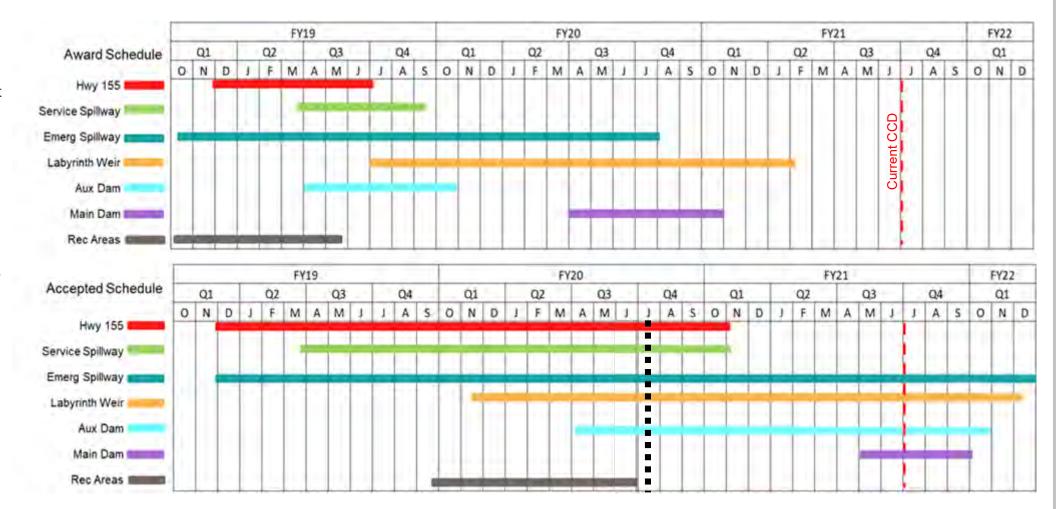


ISABELLA DSMP -SCHEDULE MANAGEMENT



Status

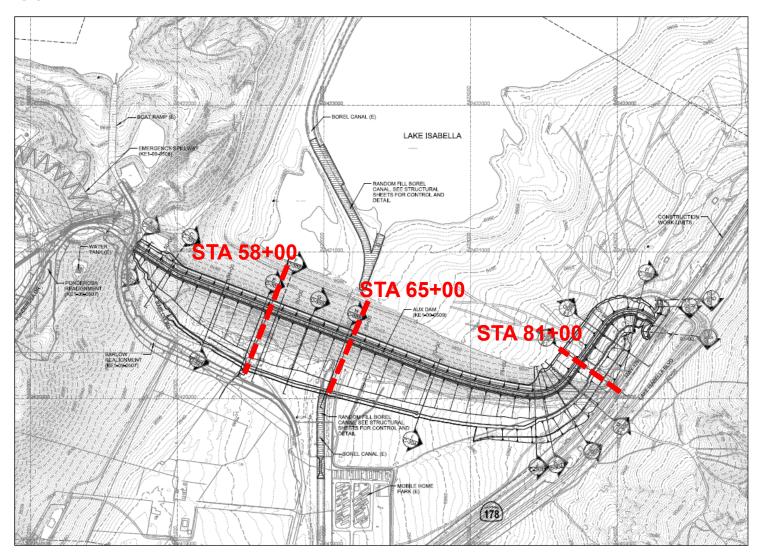
- The schedule currently has 157 days of negative float to a substantial completion date of DEC21.
- The current Contract completion date is 03JUL21.
- Punch list items and demobilization would occur in Spring 2022.





PH II – AUXILIARY DAM 100% DESIGN

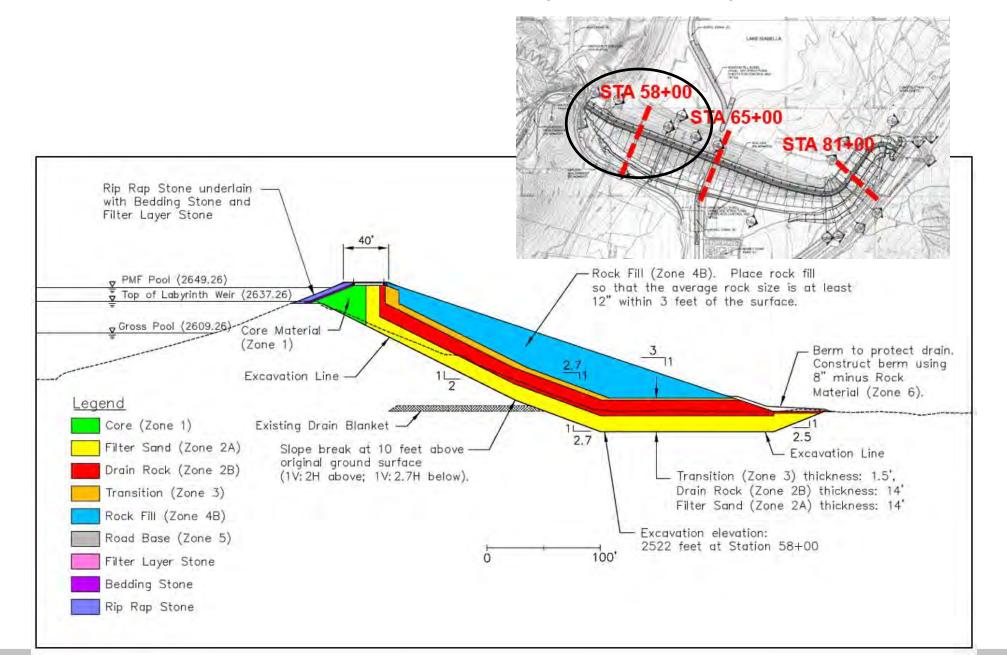






AUXILIARY DAM STA 58+00 (100% DESIGN)

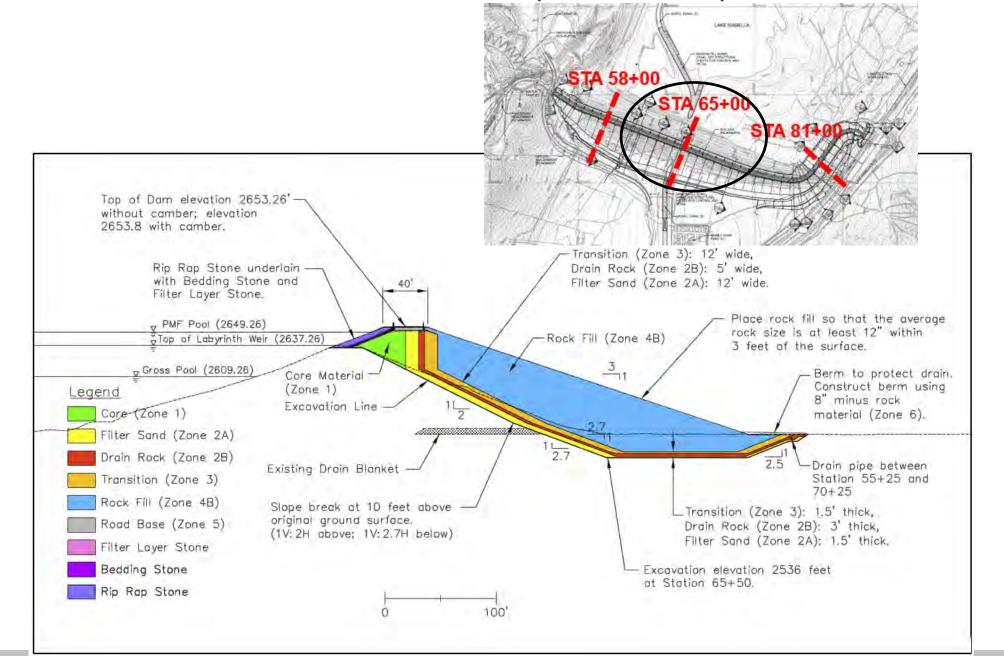






AUXILIARY DAM STA 65+00 (100% DESIGN)

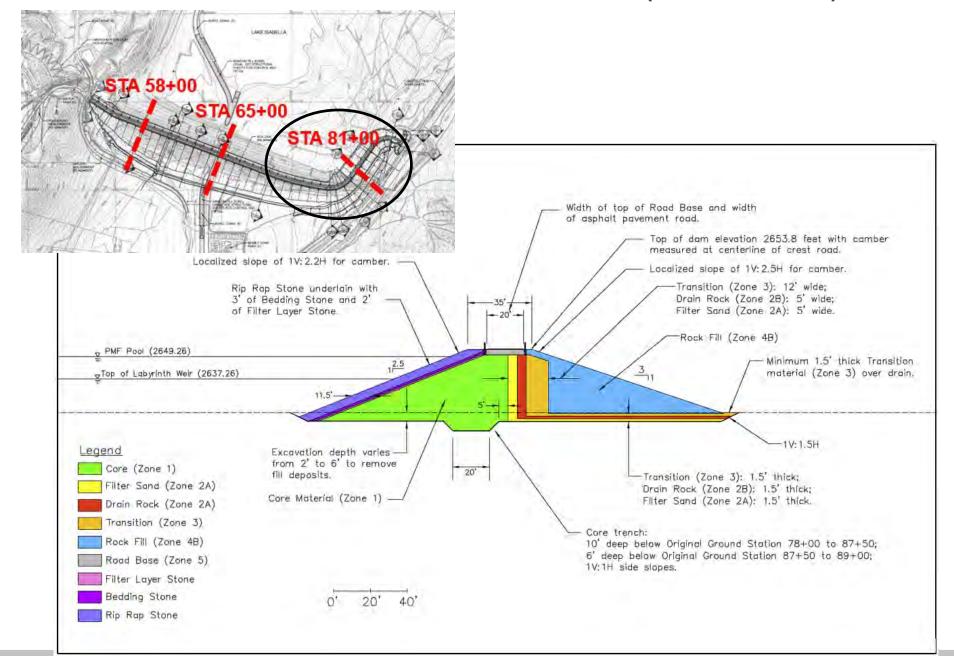






AUXILIARY DAM LEFT ABUTMENT (100% DESIGN)

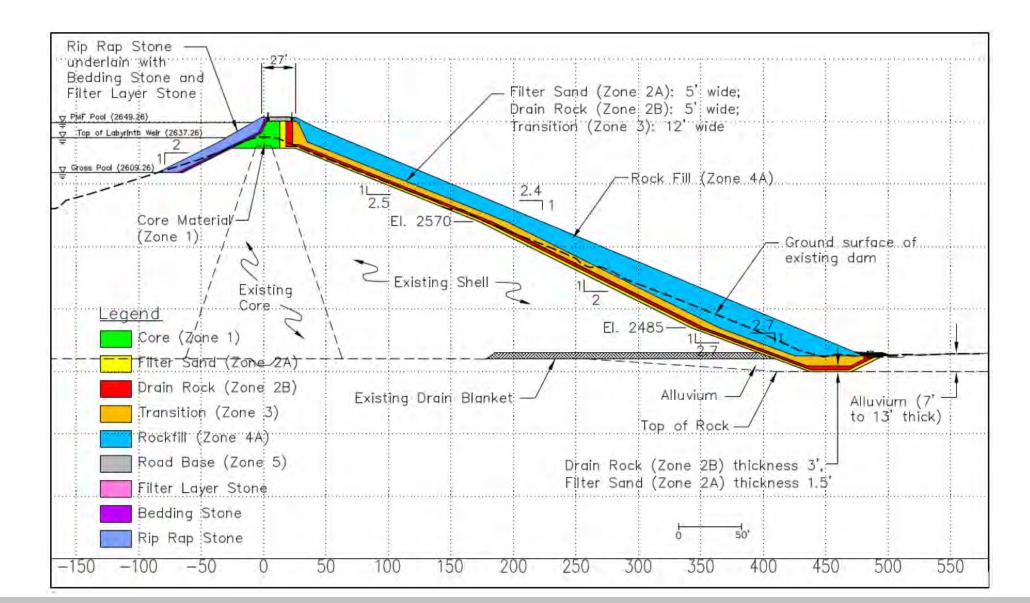






PH II – MAIN DAM (100% DESIGN)







ISABELLA DSMP – PAST 6 MONTH SUCCESSES



DATE	ACTIVITY (Most Recent First)
25JUN20	Executive partnering meeting
24JUN20	BG Colloton's Visit
24JUN20	Borel Settlement
15JUN20	Borel Canal LCC placement complete
01JUN20	Main Dam Left Abutment Wall Complete
28MAY20	Completion of Auxilliary Dam Recreation Areas
30MAR20	Started Aux Dam embanking and labyrinth weir leveling concrete
09MAR20	Started Aux Dam degrade
07MAR20	SPK Congressional Visits



ISABELLA DSMP - PH II CONSTRUCTION PHOTOS



Main Dam Right Abutment Wall at HWY155 (one lane detour)

Main Dam Right Wall

Percent Complete: 52%

Completion Date: 310CT20



FOUO - Contains Pre-Decisional Information - Do Not Release



ISABELLA DSMP – PH II CONSTRUCTION PHOTOS



Main Dam and Service Spillway

Main Dam

Percent Complete: 5%

Completion Date: 18 OCT 21

Service Spillway

Percent Complete: 67%

Completion Date: 05 OCT 20



FOUO - Contains Pre-Decisional Information - Do Not Release



ISABELLA DSMP – PH II CONSTRUCTION PHOTOS



Labyrinth Weir

Percent Complete: 7%

Completion Date: 08 DEC 21

Emerg. Spillway

Percent Complete: 36%

Completion Date: 31 DEC 21

Emergency Spillway, Leveling Concrete, Anchors, and Excavation



FOUO - Contains Pre-Decisional Information - Do Not Release



CONSTRUCTION PHASE:





Emergency Spillway Excavation and Primary Source for Materials



Temporary Aggregate Processing Plant



ISABELLA DSMP – PH II CONSTRUCTION PHOTOS



Auxiliary Dam

Aux Dam

Percent Complete: 20%

Completion Date: 27 OCT 21

Notes: Foundation excavation complete and continuing with geological mapping and embankment



FOUO - Contains Pre-Decisional Information - Do Not Release

U.S.ARMY

CONSTRUCTION PHASE:



Modifications to the Auxiliary Dam began in 2019

- Dewatering
- Embankment and Foundation Excavation
- Mapping/Foundation Approval
- Embankment Placement



U.S.ARMY

CONSTRUCTION PHASE:



Compaction of the chimney drain blanket with a Cat CS56B smooth drum vibratory roller.

Compaction started from the toe of the dam and proceeded to the right to avoid excessive overlap pattern on the Zone 2A and over-compaction

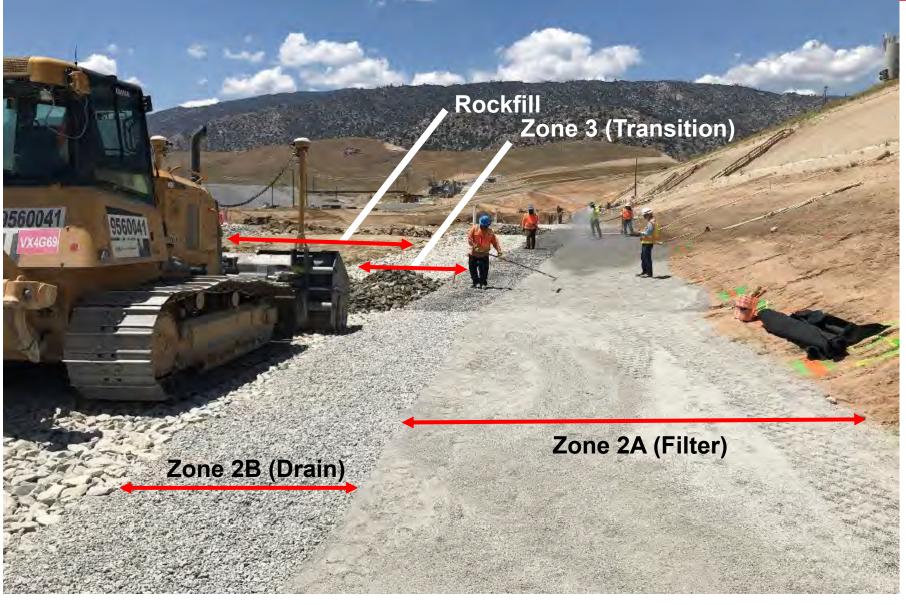


U.S. ARMY

CONSTRUCTION PHASE:



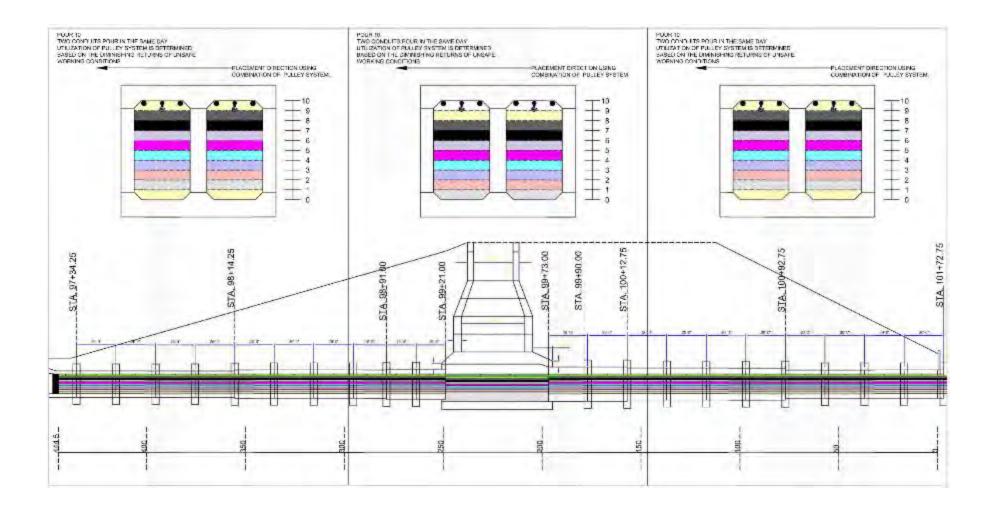
Chimney drain blanket near Station 70+00.





BOREL CONDUIT - DOWNSTREAM - LCC







ISABELLA DSMP – PH II CONSTRUCTION PHOTOS



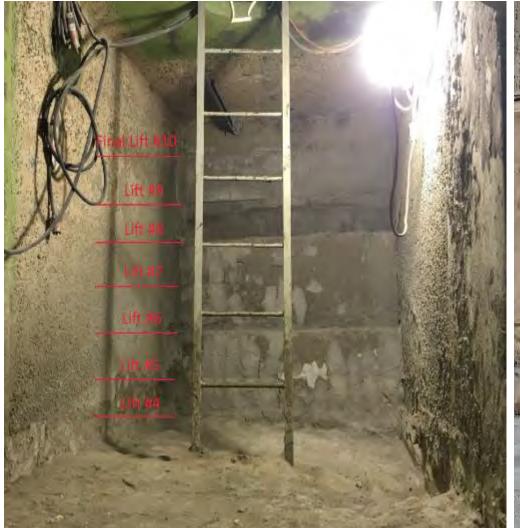
Borel Canal Conduit

Borel Conduit LCC

Complete: 100%

Date Complete: 18 JUN 20

Notes: Fill conduit with low strength concrete (LCC), demolition, and backfill





FOUO - Contains Pre-Decisional Information - Do Not Release



BOREL CONDUIT - MIDDLE TOWER SECTION



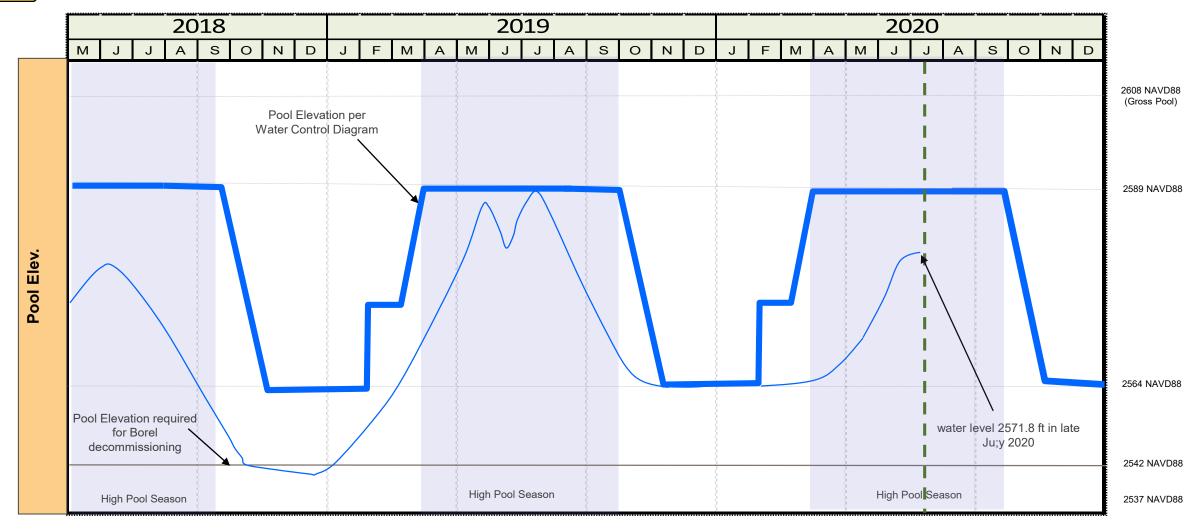
CONTACT GROUTING 20.06.17





ISABELLA DSMP – CURRENT POOL ELEVATION

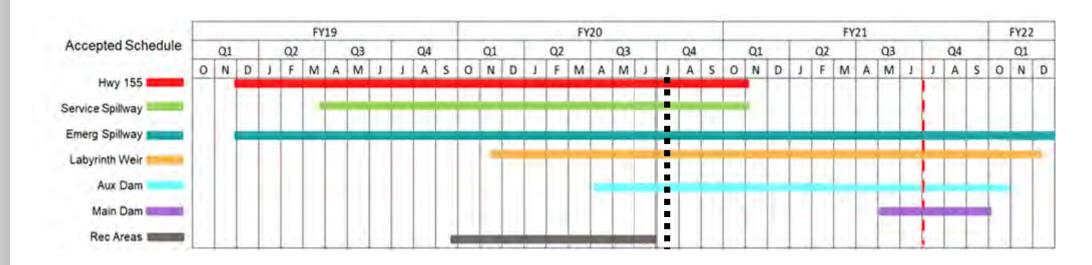






ISABELLA DSMP -SCHEDULE MANAGEMENT





Contractor is planning to start Main Dam Dewatering and Excavation Ahead of April 2021 (dependent upon flood season)



ISABELLA DSMP – 6 MONTH LOOK AHEAD



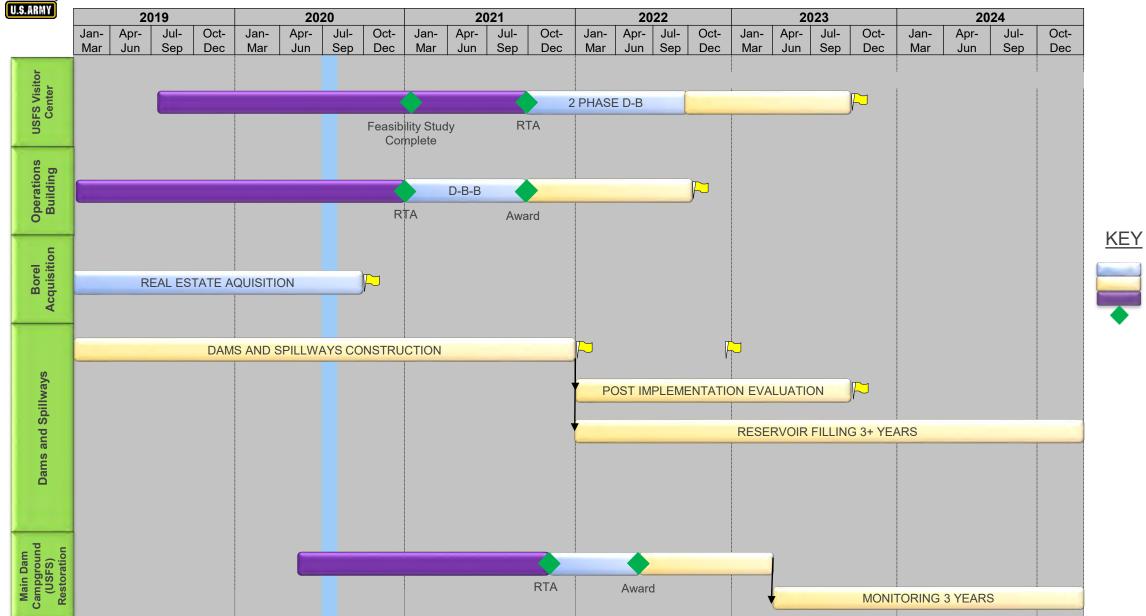
DATE	ACTIVITY (Most Recent First)
15JUL20 - 06AUG20	Onsite/Virtual SAR
TBD	BG Owen Site Visit (Tentative)
AUG20	PDT Partnering
01OCT20	Traffic Detour on HWY 155 complete
31OCT20	Aux Dam embankment to EL +2570'

ISABELLA DSMP IMS



Acquisition

Construction Design Milestone





ISABELLA DSMP – AERIAL VIEW FROM JULY 2020





Tab VI KERN DELTA WATER DISTRICT



Cox, Castle & Nicholson LLP

50 California Street, Suite 3200 San Francisco, California 94111-4710 **P**: 415.262.5100 **F**: 415.262.5199

Michael H. Zischke 415.262.5109 mzischke@coxcastle.com

File No. 083079

July 27, 2020

VIA E-MAIL

Mr. Dan Bartel Assistant General Manager/District Engineer Rosedale-Rio Bravo Water Storage District 849 Allen Road Bakersfield, CA 93314 DBartel@RRB.com

Re: Onyx Ranch South Fork Valley Water Project Draft Environmental Impact Report (SCH No. 2018021061) – Comments on Behalf of Kern Delta Water District

Dear Mr. Bartel:

On behalf of Kern Delta Water District, this letter provides comments on the Draft Environmental Impact Report ("Draft EIR") for the proposed Onyx Ranch South Fork Valley Water Project ("Project"), prepared by the Rosedale-Rio Bravo Water Storage District ("RRB") pursuant to the California Environmental Quality Act. We and Kern Delta appreciate the opportunity to review the Draft EIR and offer the following comments.

According to the Draft EIR, the Project proposes to change the points of diversion and place of use for the water rights associated with several parcels of land along the South Fork of the Kern River in the Kern River Valley. RRB proposes to deliver this water to the RRB service area, located on the San Joaquin Valley floor, for irrigation use and groundwater recharge. The Draft EIR further provides that the diverted surface water would remain in the South Fork of the Kern River and flow downstream, resulting in a net increase in flows in the South Fork that enter the Isabella Reservoir. The increased flows would then be released through the Isabella Dam and flow downstream in the Lower Kern River until the water is diverted at the RRB diversion points. RRB would then deliver the water to recharge basins and channels within and near its service area west of the City of Bakersfield.

The most critical issue presented by this Project is whether the proposed changes in water diversion will result in a loss of available Kern River water or water rights that would otherwise be available to Kern Delta in the absence of the Project. As explained below, in multiple respects, there simply is not sufficient information in the Draft EIR to evaluate this issue. The Project is not sufficiently defined, and the potential impacts are not fully evaluated. The Draft

EIR needs to be substantially revised and overhauled, and a new draft EIR circulated with an adequate project description and impact analysis.

I. The Project Description is Fundamentally Inadequate and Fails to Fully and Accurately Describe the Proposed Project

The Draft EIR's Project Description fails to meet CEQA's requirements for an accurate, stable, and finite project description and does not provide the public or decisionmakers with the requisite information to review and analyze the Project's anticipated environmental impacts. (See Sierra Club v City of Orange (2008) 163 Cal.App.4th 523, 533; County of Inyo v. City of Los Angeles (1977) 71 Cal.App.3d 185, 193.) The Project Description is therefore fundamentally inadequate.

Rather than delineate the amount of water proposed for diversion from the Onyx Ranch and Smith Ranch sites, the Draft EIR sets forth several "elements" as the Project Description:

- "Project Element 1" proposes to collect surface flow diversion data for the South Fork of the Kern River and prepare data records for use by downstream water right holders;
- "Project Element 2" proposes to collect groundwater pumping data and prepare data records for use by the water right holders;
- "Project Element 3" proposes to collect groundwater level and water quality data;
- "Project Element 4" proposes a comprehensive calibrated groundwater/surface-water model that will be used to estimate the net difference between the amount of water in the South Fork of the Kern River reaching Isabella Reservoir under existing conditions and with the proposed project. According to the Draft EIR, the estimate would include a "no-injury factor," which accounts for: (a) evapotranspiration between the Onyx Ranch and the Isabella Reservoir; and (b) the portion of the prior diverted and applied surface water that was previously reaching Isabella Reservoir as return flow;
- "Project Element 5" contemplates that RRB will coordinate with the U.S. Army Corps of Engineers, Kern River Watermaster, and the Kern River Interests to release diverted RRB water through the Isabella Reservoir and ensure it is not diverted by others between the Isabella Reservoir and the downstream diversion points in the RRB service area; and
- "Project Element 6" proposes to incorporate land management practices for the agricultural fields on the project site.

These "Project Elements"—in particular Elements 1 through 4—do not constitute an adequate project description that can serve as the basis for an adequate and complete assessment of the Project's environmental impacts. Instead, many of the Project Elements are essentially a process for developing a project description, rather than presenting a completed description, and they are steps that should be implemented and completed prior to the circulation of the Draft EIR. In other words, the Draft EIR should provide historical surface flow diversion data for the South Fork of the Kern River, substantiate and justify the no-injury factor and detail the harms it is intended to protect, quantify the amount of water RRB will divert from the Project site, and present that information for public and stakeholder review now. Instead, the Draft EIR defers these critical determinations to a later point in time, and outside of CEQA's public review and comment process.

By failing to define how much water RRB will divert upstream or to substantiate and explain the "no-injury factor," the Draft EIR cannot adequately evaluate downstream impacts. In fact, the "Project Location" in the Draft EIR does not include any downstream diversion sites, but rather is limited to the "Onyx Ranch and Smith Ranch where points of surface water diversion and place of use would change as a result of the proposed project." Given that the underlying purpose of the Project is to replenish groundwater in the RRB service area, the Draft EIR must include a discussion of how downstream diversions will be achieved, and what new or expanded structures will be required. These are necessary components of any future groundwater recharge activities, yet they are absent from the Draft EIR.

II. The Draft EIR Leaves Many Questions Unanswered Regarding RRB's Claimed Water Rights

The Draft EIR fails to provide adequate evidence to support the Project's water rights and leaves several questions unanswered regarding RRB's rights to, and ability to transfer and convey the water and water rights that are the subject matter of the Project (see Draft EIR, section 2.6). If needed, the ultimate resolution of questions regarding the Project's water rights will take place in another forum other than this EIR process, and Kern Delta reserves its rights to assert all claims necessary to protects its rights in an appropriate water rights forum. These water rights issues also need to be evaluated and disclosed, however, in the Project EIR in order to provide the meaningful disclosure that CEQA requires, and thus we raise these issues as comments on the Draft EIR.

Based on the lack of information provided in the Draft EIR, it is impossible for RRB, Kern Delta, other Kern River water rights holders, or any other member of the public to fully and completely evaluate and analyze the extent to which a water supply is legally and/or physically available to RRB for this Project, and how the Project may impact the water supply and water rights of others. Additional information is needed to make a legitimate review of the water supply which RRB believes is available to satisfy its Project. Until additional, conclusive information is provided regarding RRB's claimed water rights, the Project's water supply remains wholly speculative and does not provide a sufficient basis for analyzing the Project's

reasonably foreseeable environmental impacts. Future water supplies identified and analyzed by the Draft EIR must actually prove available; speculative sources are insufficient bases for decision making under CEQA. (See Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova (2007) 40 Cal.4th 412, 430-32.)

Attached as **Exhibit A** is a detailed list of questions that should be addressed in order to provide decisionmakers and the public with adequate information to evaluate the likely environmental impacts associated with RRB's claimed right to transfer and convey water. RRB also should provide as an appendix to a recirculated draft EIR all documents and evidentiary materials that clearly evidence RRB's right to water in the South Fork of the Kern River, and its right to transfer and convey that water downstream. This appendix should include, at minimum, a detailed analysis of the amount and priority of the claimed water rights, historic records of diversions and beneficial use, known disputes and adverse claims, agreements, and a complete analysis of how the Project could impact and possibly interfere with all other established Kern River rights and interests. The water rights analysis should further include a detailed discussion of the claimed rights in relation to what is commonly referred to as the "Law of the River," which includes but is not limited to the Miller-Haggin Agreement (and its various amendments), the Shaw Decree (an actual judicial determination of certain rights), the Kern River Water Rights and Storage Agreement, and numerous other agreements and judicial opinions. These agreements and decrees currently are absent from the Draft EIR, but are of paramount importance in determining whether and to what extent RRB may divert water.

III. The Project Purpose and Objectives are Too Narrowly Defined

The underlying purpose of the Project is to increase water supplies in RRB's service area to mitigate shortages in RRB's contracted SWP water supply and to assist RRB in meeting its sustainability goals under SGMA. The Draft EIR, however, narrows this goal, providing that the "purpose of the proposed project is to enable the RRB to change the points of diversion and place of use of the surface water on the Onyx and Smith Ranches in order to move the water downstream for diversion and use in the RRB's service area."

By narrowing the Project purpose in such a fashion, the Draft EIR improperly limits the analysis of the Project and possible project alternatives, and confuses the means of meeting the objective with the objective itself. This type of narrow statement of project objectives is invalid. (See North Coast Rivers Alliance v. Kawamura (2015) 243 Cal.App.4th 647, 668.)

The Draft EIR includes only two alternatives: the No Project Alternative and the 50 Percent Diversion Alternative. However, the Draft EIR rejects alternative locations for the Project without sufficiently explaining why other sources of water were unavailable or infeasible. The Draft EIR simply dismisses possible alternative locations by asserting that the proposed Onyx and Smith ranch locations are "critical to the implementation of the project." However, without as much as a list of possible alternative water sources, it is impossible to analyze whether those sources would meet Project objectives or result in reduced impacts.

As evidenced by other sections of the Draft EIR (*see, e.g.*, Section 3.2.4, listing the "Kern Fan Groundwater Storage Project" as a related project), RRB is attempting to drastically increase its groundwater storage capacity. To satisfy this objective, the Draft EIR should thoroughly analyze a much broader range of alternatives, rather than limit its analysis to two alternatives. As it currently stands, the Draft EIR does not appear to meet CEQA's requirement that RRB consider a range of reasonable alternatives that would feasibly attain most of the basic objectives of the Project. (14 Cal Code Regs § 15126.6(a).) This deficiency requires revision and recirculation. (*See North Coast Rivers Alliance*, 243 Cal.App.4th at 669-70.)

IV. The Draft EIR Fails to Describe or Analyze Downstream Impacts

The proposed Project includes at least three major components: (1) the change of points of diversion from the Onyx and Smith Ranch parcels along the South Fork of the Kern River; (2) the change in downstream water flow in the South Fork of the Kern River, Isabella Reservoir, and Lower Kern River; and (3) the development and/or use of downstream diversion and conveyance facilities in and near the RRB service area. The Draft EIR, however, limits its analysis to only the first component. The other components are absent from the Draft EIR, as the Draft EIR simply assumes that existing downstream diversion facilities have adequate capacity to accept increased diversions following the change of points of diversion upstream. Without evidence supporting this assumption, Kern Delta and other interested members of the public cannot adequately consider all potential environmental impacts which may result from the Project, nor can they rely on RRB's assertions that downstream facilities will not be expanded or that new facilities will not be required to accommodate downstream diversions. This oversight infects each environmental impact section, requiring substantial revision and recirculation.

A. Aesthetics

The Draft EIR's discussion of aesthetic impacts is limited to a consideration of whether the Project would "substantially degrade the existing visual character or quality of the project site and its surroundings" or "have a substantial adverse effect on a scenic vista." However, because the "project site" is limited to the Onyx and Smith ranch locations, the Draft EIR does not provide an aesthetics analysis of any downstream diversion locations or facilities required for the Project.

Without a detailed understanding and description of the proposed downstream diversion and conveyance facilities, the Draft EIR cannot properly consider all potential aesthetic impacts associated with the Project, including whether the Project will have a substantial adverse effect on scenic vistas, substantially degrade scenic resources, substantially degrade the existing visual character of quality of the site and its surroundings, or create a new source of light that would adversely affect views. (See Appendix G, CEQA Guidelines.)

Further, by avoiding analysis of downstream Project elements, the Draft EIR ignores potentially applicable thresholds of significance and regulatory requirements. The Draft EIR's discussion of the regulatory framework is limited to local plans and policies affecting only the

South Fork of the Kern River and does not include any discussion of downstream policies, namely those implemented by the City of Bakersfield. Based on figures provided in the Draft EIR, downstream diversions may occur along portions of the Kern River that are located within the City's boundaries; therefore, City plans and regulations should be included and analyzed in the Draft EIR.

B. Agricultural Resources

Similarly, the Draft EIR's agricultural resources section is inadequate. The Draft EIR analyzes only those agricultural resources located on the Onyx and Smith Ranch properties. There is no discussion of whether the expansion or construction of downstream diversion, conveyance, and recharge facilities will convert prime farmland, unique farmland, or farmland of statewide importance, conflict with existing zoning for agricultural use or Williamson Act contracts, or result in the cancellation of open space contracts. (*See* Appendix G, CEQA Guidelines.)

As recognized by the Draft EIR, agriculture is a "vital component of the character and rural lifestyle" of Kern County. Kern County also is "recognized as the top of the State's 57 agricultural counties in total value." Yet, the Draft EIR does not discuss whether any prime farmland or protected open space exists or will be impacted by downstream facilities. The Draft EIR should be recirculated after properly considering whether new or expanded downstream facilities may result in substantial changes to agricultural practices.

C. Air Quality

Without identifying downstream diversion points and any needed improvements to structures or facilities, it is impossible to fully analyze the Project's potential air quality impacts. The thresholds of significance identified in the Draft EIR do not account for the construction, operation, and maintenance of expanded or newly created downstream diversions, or the extraction and farming operations associated with an increased water supply placed in the ground; therefore, the Draft EIR does not properly consider all applicable plans and policies relating to air quality. By limiting the Project location to the Onyx and Smith ranches, the Draft EIR improperly disregards applicable Air Quality Management Plans implemented by the San Joaquin Valley Air Pollution Control District, whose jurisdiction covers the RRB service area.

Accordingly, the Draft EIR fails to properly analyze whether the Project will "conflict with or obstruct implementation of the applicable air quality plan," "violate any air quality standard ... or contribute substantially to an existing or projected air quality violation," "result in a cumulatively considerable net increase of any criteria pollutant for which the project region is designated non-attainment," or "expose sensitive receptors to substantial pollutant concentrations." In particular, the Draft EIR provides no analysis on whether the construction and operation of downstream diversion facilities will result in emissions that exceed thresholds established by all relevant air pollution control districts. The Draft EIR also does not consider

sensitive receptors that may be negatively impacted by the construction and operation of diversion facilities in the City of Bakersfield or the RRB service area.

The Draft EIR's cumulative air quality analysis is similarly deficient in scope. The Draft EIR accounts only for projects located within one to six miles of the Project site, i.e., the Onyx and Smith ranches. Thus, it fails to identify any projects located near downstream diversion points or analyze whether emissions from the Project, when considered in addition to other projects in the area, exceed established air quality thresholds.

D. Biological Resources

The protection of biological resources is a fundamental policy underlying CEQA. (Pub. Res. Code § 21001(c) ["[I]t is the policy of the state to . . . [p]revent the elimination of fish or wildlife species due to man's activities, insure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities."].) Accordingly, the Draft EIR must provide a detailed discussion of any special-status species and their habitat located on or in the vicinity of the Project site, as well as any wetlands or other protected waters that exist and may be impacted by Project activities.

The Draft EIR does not satisfy CEQA's requirements for analyzing impacts to biological resources. According to the Draft EIR, the "biological study area" is limited to the Onyx and Smith ranch sites. More specifically, the Draft EIR provides that the "potential impact area" is limited to the study area that "may be affected by the proposed project including: agricultural fields and ditches that would see a reduction in flow, including a 50-foot buffer." This is inadequate.

Given the significant downstream impacts associated with the Project, the study area should be much broader and include the South Fork of the Kern River, Isabella Reservoir, Lower Kern River, and any areas impacted by downstream diversion, conveyance, and recharge facilities. Due to its strictly limited scope, the Draft EIR does not properly analyze the following biological resources impacts:

- Whether any vegetation communities and special-status plants exist along other portions of the Kern River, and whether they will be impacted by the proposed Project;
- Whether any special-status species exist within the lower sections of the Kern River or in the area surrounding downstream diversion facilities;
- Whether increased river flows will affect special-status fish or other aquatic species;
- Whether Project construction or operation will impact critical habitat in the Kern River or in the areas surrounding downstream diversion facilities;

- Whether downstream diversion and conveyance facilities will adversely impact wildlife movement and habitat linkage;
- Whether downstream diversion and conveyance facilities will result in the "take" of protected species;
- Whether the Project will impact waters of the United States in relation to the construction of new or expanded downstream facilities;
- Whether the Project will divert, obstruct, or change the natural flow, bed, channel, or bank of any river, stream, or lake in relation to the construction of downstream facilities;
- Whether downstream facilities will impact protected wetlands or riparian habitat;

This list is by no means exhaustive, but rather illustrates the number of potentially significant environmental impacts that are entirely missing from the Draft EIR. Revision and recirculation are necessary to adequately assess the Project's likely impacts to biological resources.

E. Cultural Resources and Tribal Cultural Resources

The Draft EIR's analysis regarding the potential impacts to cultural resources is limited to an Area of Potential Effect ("APE") that includes only a portion of the Onyx and Smith ranches, as well as the channel and floodplain of the South Fork of the Kern River. Thus, no archival research or site surveys were conducted for any potential changes to downstream diversion facilities. Without this information, it is impossible to determine whether the Project may cause a substantial adverse change in the significance of historical or archaeological resources.

Further, by limiting the scope of analysis to the Onyx and Smith ranches, it appears that RRB has failed to comply with Assembly Bill 52 ("AB 52") in preparing the Draft EIR. AB 52 requires that RRB provide formal notification to the designated contact, or a Tribal representative, of California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the Project. RRB must also engage in good faith consultation with any responding Tribe regarding potential impacts to tribal cultural resources in the Project area. However, the Draft EIR does not evidence that any Tribes traditionally and culturally affiliated with the geographic area of downstream diversion facilities were contacted, or that potential tribal cultural resources in that area were considered and analyzed. Accordingly, additional AB 52 notification procedures should be completed, and the Draft EIR should be recirculated following proper consideration of any tribal cultural resources located in the area of downstream diversion facilities.

F. Geology and Soils

The Draft EIR's discussion of potential impacts to geology, soils, and paleontological resources is limited in geographical scope to the Onyx and Smith ranches. Accordingly, the Draft EIR fails to provide a complete review of the Project's potential impacts to geology soils, and paleontological resources that may result from the construction and operation of new or expanded downstream diversion facilities.

The Draft EIR does not indicate whether downstream diversion facilities are located near any active earthquake faults, nor does it consider whether those downstream diversion facilities would directly or indirectly cause potential adverse effects, including the risk of loss, injury, or death, due to the rupture of a known earthquake fault or strong seismic ground shaking. Similarly, the Draft EIR does not provide any information on the type of soils underlying downstream diversion facilities and, therefore, does not consider whether those facilities would be adversely impacted by liquefaction, lateral spreading, subsidence, or collapse.

G. Greenhouse Gas Emissions

The Draft EIR's review of greenhouse gas ("GHG") emissions takes into account only the construction of groundwater wells, field and pasture transitions, and general operation and maintenance of the wells and cattle transport. It does not consider the construction or operation and maintenance of new or expanded downstream diversion and conveyance facilities, which likely will result in significant GHG emissions. Thus, the Draft EIR underestimates the amount of GHG emissions that would result from the Project, and its conclusion that the Project would result in a net decrease of emissions is likely inaccurate. Accordingly, the Draft EIR should be revised and recirculated in order to consider whether the entire Project will result in the generation of GHG emissions that exceed existing conditions or otherwise have a significant impact on the environment.

Further, the Draft EIR does not consider applicable guidance established by the San Joaquin Valley Air Pollution Control District ("SJVAPCD"), whose jurisdiction covers the RRB service area. SJVAPCD has adopted a Climate Action Plan, which uses performance-based standards to assess project-specific GHGs and requires projects to demonstrate a 29 percent reduction in GHG emissions to be considered less than significant. The Draft EIR, however, ignores these requirements and does not indicate whether the Project—including the construction and operation and maintenance of new or expanded downstream facilities—would implement performance-based standards or otherwise result in a reduction in GHG emissions consistent with SJVAPCD standards. These impacts should be thoroughly reviewed in a revised and recirculated EIR.

H. <u>Hazards and Hazardous Materials</u>

Pursuant to the Draft EIR, the scope of the Project's Phase I Environmental Site Assessment ("ESA") was limited to the Onyx and Smith ranches. The same is true of the

Project's search of the State Water Resources Control Board GeoTracker and Department of Toxic Substances Control EnviroStor databases. Thus, the Draft EIR does not disclose whether there are hazardous materials in the vicinity of new or expanded downstream diversion and conveyance facilities, nor does it indicate whether those areas include any listed hazardous materials sites under Government Code Section 65962.5. These issues should be addressed in a recirculated EIR.

I. Hydrology and Water Quality

The hydrological study area presented in the Draft EIR is limited to a rectangular area that is approximately 19 miles long and 9 miles wide, surrounding the Onyx and Smith ranches. Accordingly, the Draft EIR does not consider any hydrological impacts to surface water or groundwater downstream of Isabella Reservoir. Further, and as more particularly described in the attached technical analysis prepared by Todd Groundwater (*see* **Exhibit B**), there are various inaccuracies and uncertainties associated with the modeling used in the Draft EIR to determine Project diversions, the no-injury factor, and impacts to surface and groundwater in the hydrological area. These issues require substantial additional analysis and should be addressed in a revised and recirculated Draft EIR.

J. Land Use and Planning

In determining whether the Project would conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect, the Draft EIR considers only the Onyx and Smith ranch sites. Additionally, the Draft EIR primarily addresses the Kern River Valley Specific Plan, since the majority of the Onyx and Smith ranches are located within the Specific Plan's boundaries. However, there is no discussion regarding whether new or expanded downstream diversion facilities would be consistent with the Kern County General Plan, relevant specific plans, including the Western Rosedale Specific Plan, or applicable City of Bakersfield land use regulations. These issues should be analyzed in a revised and recirculated Draft EIR.

K. Utilities, Service Systems, and Energy

The Draft EIR concludes that there would be no impacts or less than significant impacts to surface or groundwater supplies available to serve adjacent land uses. Please refer to Exhibits A and B requesting additional information to fully analyze the Project's potential impact on other Kern River water interests in the South Fork Valley and downstream of Isabella Reservoir.

Additionally, the Draft EIR limits its discussion on potential energy consumption impacts to the operation of existing onsite electrical wells, transportation of cattle between pastures, and construction of new solar-powered wells. The Draft EIR does not discuss energy and fuel consumption required for the construction of new or expanded downstream facilities, the conveyance of water from the Kern River to the RRB service area, or the discharge of water in the RRB service area for groundwater recharging activities. These downstream activities likely

will result in significant energy and fuel consumption and should be properly analyzed in the Draft EIR.

V. The Draft EIR Ignores Possible Growth Inducement From Additional Water Supplies

Chapter 4 of the Draft EIR on growth-inducing impacts does not include any analysis of the possible growth-inducing impacts of additional water supply in RRB's service area. Instead, the Draft EIR focuses only on whether the Project would develop new housing, build or extend roads or other infrastructure, or result in increased employment, ignoring the recognized fact that increased water supply is a key factor that can induce growth. By providing "water supply reliability" to the RRB service area, the Project may remove an obstacle to population growth and foster increased housing in the area. (See 14 CCR § 15126.2(e).) The Project also may encourage and facilitate other activities that could have a significant impact on the environment. The Draft EIR should be revised to appropriately consider these issues.

VI. A Corrected EIR Must Be Recirculated

In response to the above comments, RRB must both prepare specific responses, and also prepare substantial additional analysis for a revised Draft EIR. CEQA requires that an EIR must be recirculated for a second round of public review and comment if significant new information is added to the EIR before it is certified. (Pub. Res. Code § 21092.1; 14 CCR § 15088.5; *Laurel Heights Improvement Ass'n v. Regents* (1993) 6 Cal.4th 1112 [lead decision by California Supreme Court on EIR recirculation]). While RRB must evaluate recirculation based upon the additional information that is added to the EIR in response to comments, based on the above comments, the information to be added will be substantial, and is the type of information that will require recirculation. (*See, e.g., Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1120 [requiring recirculation for amendment to EIR mitigation measure when feasibility of measure was not evaluated in original draft EIR]). Here, there are a number of analytical gaps and instances of missing information, similar to the missing feasibility analysis in *Gray*.

Given the scope of our comments on the EIR, and the amount of information required to address these comments, we ask that the entire EIR be recirculated so that the public and all stakeholders can evaluate a more complete analysis of the proposed Project and its environmental impacts and potential mitigation measures and alternatives.

VII. Conclusion

On behalf of Kern Delta Water District, we appreciate the opportunity to comment upon the Draft EIR, and we look forward to reviewing a substantially revised Draft EIR. In responding to this letter, please also respond to each point noted in Exhibits A and B attached to this letter. Please provide the undersigned with any notices relating to the EIR and the proposed Project.

Sincerely,

Michael H. Zischke

cc: Steven L. Teglia, General Manager Richard Iger, General Counsel L. Mark Mulkay, Water Resources Manager Robert W. Hartsock, Esq. Robbie Hull, Esq.

EXHIBIT A

As noted above, this Exhibit A provides a detailed list of questions and comments that should be addressed in order to provide decisionmakers and the public with adequate information to evaluate the likely environmental impacts associated with RRB's claimed right to water in the South Fork of the Kern River, and its right to transfer and convey that water downstream.

Water Rights

- The Draft EIR does not provide sufficient information to determine if the "1902 Decree" is a judicial decree, which truly adjudicates the claimed water rights, or if it is merely the result of an agreement amongst some of the then-existing landowners in the Kern River Valley in the 1900s. If merely an agreement, it binds only those who were parties. Those who were not parties to the agreement are not bound.
- The Draft EIR does not provide sufficient information to determine the extent to which there are other rights in and to the Kern River in the Kern River Valley that were not included in the 1902 Decree. The DEIR is silent as to such other rights, and whether or not they may have a priority over the Project's water supply rights.
- The Draft EIR does not provide sufficient information to determine which lands were subject to the 1902 Decree.
- The Draft EIR does not provide sufficient information to determine if any of the claimed diversion rights have ever been perfected as pre-1914 appropriative rights. The Draft EIR should evaluate whether some or all of these rights are riparian rights, and the impact this may have on the availability of water for the Project.
- The Draft EIR does not provide sufficient information to determine if there are any disputes as to allocation of water supplies in the Kern River Valley amongst Kern River Valley interests. If the 1902 Decree did not adjudicate all water rights in the Kern River Valley, what other rights exist, and what are their priorities?
- RRB states that it acquired a "one-third interest in Smith Ranch and the associated pre1914 appropriative water rights..." Is RRB's ownership as a co-owner? Has the
 property been parceled between RRB and the other owners? Who controls the ranch
 operations and the water rights, if any, that are associated with the property? If the Smith
 Ranch has appropriative rights, why were they not included in the 1902 Decree? Were
 such rights ever perfected? Have they otherwise been impacted? Smith Ranch contains
 mountainous lands as well as riparian lands. Which land did RRB acquire? How is title
 held? Is the acreage owned by RRB severable from the other Smith Ranch acreage?
 Were the riparian or other rights to the Smith Ranch ever adjudicated? If so, when and

how? There is insufficient information to determine the scope of the water rights associated with the Smith Ranch.

- Of the one-third of the Smith Ranch lands that RRB acquired, were those acres riparian? Were they farmed? Was groundwater used? Based upon the information given, it is not possible to determine what RRB controls (water rights, land rights, irrigation practices, etc.) and therefore not possible to evaluate this part of the Project or the Project site.
- The Draft EIR does not provide sufficient information to determine which properties in the Kern River Valley area were or are subject to the "1902 Decree." The Draft EIR provides that the Wirth/Lieb and Boone Fields were not covered by the "1902 Decree." Why were such properties not included? Were or are there any disagreements or disputes (in the past or presently) regarding the "1902 Decree" or other water rights to the Kern River?
- There are no documents included in the Draft EIR that explain how water rights associated with the Wirth/Lieb Fields, the Boone Field, and the Smith Ranch parcels were calculated or determined. How were such rights determined? If the historic documents describe the priority dates for the water rights, "but do not specifically quantify these rights", on what factual and legal basis does RRB claim any particular amount of water from such rights. Were any of these rights perfected? Do all property owners in the Kern River Valley agree with these rights, or are there any disagreements or competing claims for such water supply?
- The Draft EIR does not provide sufficient information to determine which Project properties and fields are entitled to which water right and which priority as is set forth in the 1902 Decree, nor is there sufficient information to determine if the supply is appropriative or riparian in nature.
- The Draft EIR does not provide sufficient information to determine if any of the claimed water rights have already been transferred, or if there has been a prior change in point of diversion, place, or purpose of use.
- The Draft EIR does not provide sufficient information to determine if any of the claimed rights have been impacted, such as by abandonment, prescription, non-use, transfer, forfeiture, or otherwise, or if there are more senior upstream or downstream rights (appropriative or riparian) that could impact the Project.
- Does the Project intend to take and divert water which otherwise would end up in Isabella Reservoir and otherwise be available to downstream Kern River users? How would such diversion impact such entities, including those entities subject to the Miller-Haggin Agreement, Shaw decree, and other various agreements and judicial determinations,

commonly known as the Law of the River. How would such diversions impact other South Fork water users and water rights?

- Figure 2-3 appears to depict lands outside of the Onyx and Smith Ranches. Are such lands irrigated with Kern River Water and if so, what quantity is available to such lands? If RRB proposes to leave water in the river, may lands outside of the Onyx and Smith Ranches use such water that RRB intends to use for the Project? What restrictions are in place to stop others from taking water that may belong to RRB?
- Figure 2-4 has portions of Smith Ranch; Landers 1; Boone Ditch; Lieb Ditch; Mack Ditch; Hillside Ditch; Smith Ditch; and certain "Points of Diversion" not included within the project site. Are such areas not covered by the Draft EIR and were environmental consequences not considered for such non-Project area lands or facilities? Why were certain lands, ditches, and points of diversion excluded from the Project site?
- RRB's proposed change in point of diversion does not appear to be consistent with how other "Kern River Interests" have managed their Kern River water supplies (Draft EIR 2-7). The other Kern River interests have taken over a century of litigation and agreements to measure, allocate, divert, use, and account for their supplies. RRB's Draft EIR does not provide any evidence or documents regarding its alleged supplies, nor how such supplies would reasonably be measured, allocated, diverted, used, and accounted for vis a vis all other Kern River interests. A complete appendix is needed to document RRB's claimed water right, and how such right would be measured, allocated, diverted, used, and accounted for in relation to all other Kern River Interests.
- How does RRB allocate and account for other water users on the river, including those with water right disputes (for example Tribal claims and other local claims), and those users and water right holders downstream of Isabella? How does RRB guarantee that its project will not impact other legal users of Kern River water, including but not limited to the measurement, allocations, diversion, distribution, storage, and recovery of such water?
- Table 2-1 goes back only to 2009. What crops were grown historically prior to such time? What water source was used for such land prior to 2009. Prior to 2009, water rights may have been impacted due to non-use or other changes. A complete history of field, crop type, and water source use (appropriative, riparian, well water) is needed to accurately consider and analyze what water rights may exist for the Project.
- There is no table similar to Table 2-1 for the Smith Ranch. A complete history of field, crop type, and water source use (appropriative, riparian, well water) is needed to accurately consider and analyze what water rights may exist for the Project.

- There is no analysis of the past, present, and future uses of well water regarding the Onyx or Smith Ranch fields. Such information would be helpful to analyze past, present and future water use on such fields. If well water was used on the properties, it may influence the amount of Kern River water rights that may exist.
- The list of RRB water right priorities on Table 2-2 does not allow Kern Delta or others to determine which right (or priority) goes with which property, nor is it possible to designate which Onyx and Smith Ranch fields are associated with which right listed in the Table. Because RRB proposes to change the points of diversion and place of use for the water rights associated with the parcels, a cross reference should be provided to make a full and complete analysis of water rights and prior water use on all project parcels.
- It is our understanding the "1902 Decree" lists specific canals and ditches and their priorities to receive water. Are the canals and ditches listed on Table 2-5 the same canals and ditches listed in the 1902 Decree? A cross reference to the "1902 Decree" should be provided for (1) each of the diversion points, and (2) each of the canals that will be used for the project in order to accurately analyze what water supply or rights may be available for the project. Additionally, if the Lieb, Scodie, and or other ditches are not used, what impact will discontinued use have on the water rights, if any, and have any such rights already been diminished or lost?
- The Draft EIR should disclose the extent to which water rights or available water for the project may be affected by the provisions of the Miller-Haggin agreement (recorded October 13, 1888), as amended. Part Fourteen of that agreement binds the signatories to oppose and legally challenge certain diversions from the Kern River, and Part Seventeen specifies that such agreements are perpetual and run with the land. We understand some of the properties within RRB may be subject to the provisions of this Agreement.
- By whom, how often, how, and when are measurements taken of flows within the various ditches, and to the various fields. What historic measurement records are available? This information should be provided to determine which fields receive which water, and from which ditch, and under which water right. Without this information, one cannot determine the water supply which might be available for the project.
- Have any water rights associated with the Boone Field been adjudicated? If so, how was such adjudication accomplished, and when? The Draft EIR states that such land is riparian (Draft EIR 2-16). What is the historic water use/demand on the Boone field? Why will Kern River water previously used on the Boone Field be replaced with groundwater (see Table 2-5 and Draft EIR 2-25) when it is stated groundwater would not be used to replace surface water (e.g. Draft EIR 3.4-22)? What will the impacts be to groundwater levels if wells are used to supply the Boone Field?

- If groundwater will be used to replace prior surface water used on the Boone field, from which well will such groundwater originate, and where is it located? If Boone Field has riparian rights, and if such rights will not be used, the riparian water cannot be transferred, as acknowledged by RRB (Draft EIR 2-16). Please explain how RRB intends to legally transfer riparian water after acknowledging such supply cannot be legally transferred. Is it possible other riparian right holders (or others) will divert such supply if RRB leaves such water in the river channel?
- Do the diversion quantities in Table 2-3 include diversions to Smith Ranch? Do the amounts include riparian diversions? To which fields were diversion made? A historic accounting of the amounts and types of diversion (riparian, appropriative, and prescriptive) should be provided for each field to allow a full analysis of the prior use of the water, which may impact existing and future water use, and the availability of water for the project.
- By whom, how, and where were the diversions referenced in Table 2-3 measured and verified?
- Table 2-4 does not provide sufficient information to determine how much of each field in the project has its demands met by well water, riparian water right supplies, and appropriate water right supplies. This information is needed to determine historic application of such supplies and the ongoing use (or lack of use) of same, which could impact the availability of such supplies. Additional clarification is needed because RRB may not move water based upon prior needs that were met by riparian or groundwater supplies.
- It is our understanding that the ditches referenced in Table 2-5, which have been used to deliver water (presently or in the past) under Project Implementation, are not necessarily the same ditches as are referenced in the "1902 Decree." Please explain the specific diversion rights, if any, that are available to each of the ditches in Table 2-5 as apparently allowed pursuant to the "1902 Decree" with some type of cross reference and documents supporting such information. Also, Table 2-5 mentions a reduction in ditch use or flow rate but does not explain what the volumes of water would be under that reduction. What were the historic volumes used (based upon the claimed water right diversion) and what would the proposed flow be under the project, and to which properties (flow and acrefeet per acre)? This information is needed to verify the project's operations and diversion reductions.
- Because a right to water often depends upon continued beneficial use, when cattle ranching was the main economic activity in the Kern River Valley (Draft EIR 3.4-3), how much surface water was used for such purposes on each field/tract, and has the water demand increased or decreased since that time?

- The Smith Ranch acreage is unclear because the Draft EIR has inconsistent acreage amounts specified for such property (see for example Draft EIR 3.12-2 compared to Draft EIR 2-13).
- The DEIR does not adequately explain how a range of 2,000 to 12,000 acre-feet per yearis made available under the project. Within the Draft EIR, there appear to be only four references to the amount of water RRB proposes to move: "The total amount of surface water would range from about 2,000 acre-feet per year to 12,000 acre-feet per year, depending on year type." (Draft EIR 2-19); "The approximately 2,000 to 12,000 AFY of water to be supplied by the proposed project would help replace the 10,000 AF of imported water, thereby augmenting the groundwater basin with a sustainable local supply to support agricultural irrigation." (Draft EIR 3.12-30); "Based on the 13-year modeled period of 2005 to 2017, the proposed project would make approximately 2,000 to 12,000 AFY available for recharge into the San Joaquin Valley Groundwater Basin (groundwater basin).... The approximately 2,000 to 12,000 AFY to be supplied by the proposed project would help replace the 10,000 AFY of imported water, thereby augmenting the groundwater basin with a sustainable local supply." (Draft EIR 4-4) However, and considering the other comments made on behalf of Kern Delta, there are no documents attached or provided with the Draft EIR that support the proposition that RRB has a water right that can be moved, that competing water rights have been adequately addressed (in fact there is no real discussion about competing water rights), the acreage numbers included within the Draft EIR are inconsistent, and the diversion amounts claimed are inconsistent. The Draft EIR contains no clear indication as to how the proposed diversion amount is calculated (such as hourly, daily, weekly, monthly flow and diversion records.) Additionally, if the diversion is 12,000 acre-feet per year, then over a 50-year period approximately 600,000 acre-feet would be diverted from the Kern River Valley to the Kern subbasin. How much will be diverted in perpetuity? The Draft EIR includes no analysis that considers how moving this amount of water would impact the local Onyx area, nor the RRB service area.
- When considering alternatives to the project, there is concern that the project as originally proposed is made necessary as a result of RRB's financial situation. The Draft EIR notes that the "no project alternative" was dismissed at least partially because of finances: "Furthermore, continuing the existing agricultural operations on the Onyx and the Smith Ranch under the No Project Alternative is not economically feasible for the RRBWSD. Continuing the agricultural operations on the project site alone would not be financially sustainable for the RRBWSD as the payoff of the debt service associated with the property acquisition is required." (Draft EIR 5-15) The same financial considerations also eliminated the 50 percent project alternative: "Furthermore, continuing only 50 percent of the existing agricultural operations on the Onyx Ranch and reducing irrigation by 16.5 percent on the Smith Ranch under the 50 Percent Diversion Alternative is not economically feasible for the RRBWSD. Continuing only 50 percent of the agricultural operations on the project site would not be financially sustainable for the

RRBWSD due to the payoff of the debt service associated with the property acquisition." (Draft EIR 5-24.) Given the vast presumed cost and scope of this project (potentially up to 600,000 AF over 50 years), why was a full EIR not prepared prior to the acquisition of the Onyx and Smith Ranches, especially if finances dictate whether or not to proceed with the project?

Quantity of Water to be Transferred

- RRB states that it is using a three-step process to determine the amount of water that would flow downstream for use in their service area, but it is unclear if the time frame included in the Draft EIR (2009-2017) accurately reflects 100% of normal.
- Based on Table 2-1, only approximately 1,643 acres of the project area included irrigated crops, with a majority of those acres being used for "Irrigated Pasture", yet diversions for 2010 and 2011 were 27,435 acre-feet per year and 41,119 acre-feet per year respectively. There is no information or evidence tying those diversions to the consumptive use of the water at Onyx and Smith Ranches.
- It is unclear why RRB uses limited water measurement information in the Draft EIR. Table 2-3 uses only nine years of information (2009-2017); other areas of the Draft EIR reference water during 2005-2017 (Draft EIR 2-8); and during 1947-2014 (Draft EIR 2-9). All historical diversions must be included for a complete understanding of the project's water supply. The historical diversion information should include the diversion structure, the diversion ditch or canal used, and the property to where the water was diverted. The information should also include a cross reference to the right from which such water is derived, and the nature of the diversion should be included (whether appropriate, riparian, prescriptive, or other.)
- If there is no formal water master organization for the South Fork (Draft EIR 2-10), who is responsible for record keeping? Who has rights to the water supply? How and where are measurements taken? By whom? Have all water users on the Kern River agreed to the RRB process? Have any users disagreed with RRB's claimed water rights? How often are measurements taken? Weekly measurements are not sufficient to detail water use or delivery, and substantial inaccuracies can occur if only weekly measurements are taken. For example, measurements taken on weekends may not be a true representation of water used during the course of a work week. If water not taken by a right holder is available to others, how does RRB ensure water left in the river is not taken by another user (appropriative/riparian/prescriptive/other)?
- It appears the Onyx Ranch contains only 1,658 acres of non-riparian irrigated lands (3,418 total, less 1,149 mountainous, less 611 riparian) and the Smith Ranch contains only 242 acres of non-riparian irrigated lands (691 total, less 171 mountainous, less 278 riparian.) (Draft EIR 2-10 through 2-13). Combined, such properties have 1,900 acres of

non-riparian irrigated lands. The Boone field is elsewhere stated as also being riparian (Draft EIR 2-16), but it is not indicated as such on Table 2-1. If the Boone field is riparian, then it appears that only 1804 acres are non-riparian irrigated acres over the entire project site. Accordingly, it is unclear exactly how much water is intended to be moved for the Project.

- An historic analysis of type of water used should be given for each field listed on Table 2-1, which should include how much was surface water (either appropriative or riparian), and how much well water was used. RRB acknowledges that it cannot move riparian rights, and it does not intend to move groundwater, so it is not clear from the Draft EIR exactly how much water RRB intends to move.
- How are diversions to Smith Ranch calculated? (Draft EIR 2-18). In determining the water that might be available, why would only two-thirds of the Smith Ranch diversion be excluded from the analysis? Why would not all diversions onto Smith Ranch be included in the calculation of water available for diversion under the project?
- How are "accretions" that occur below the USGS Onyx Gage measured, and by whom and how often are such measurements taken? (Draft EIR 2-18)
- The claimed diversions in Table 2-3 for the Onyx Ranch appear to be inaccurate. For example, a claimed diversion of 41,119 acre-feet took place in 2011. Onyx Ranch has only 2,269 irrigated acres (including riparian acres) (Draft EIR 2-10). This calculates to a diversion rate of over 18 acre-feet per acre. This amount seems excessive, especially considering Water Code 1004 and the limitations contained therein. This example shows why historic diversion records and use data for each field are necessary for a complete analysis of the water available for the project.
- Why is the amount claimed to be diverted in 2017 by Onyx Ranch in Table 2-3 (309,727 AF) different from the diversion of the same year as referenced in the Harder Report (appendix E, page 3)? Why are there additional inconsistencies between Table 2-3 and the Harder Report Table 2? Harder Report Table 2 [without project] has lower total annual diverted amounts in 2010, 2011, and 2012 for multiple ditches and properties compared to those shown as diverted solely to Onyx Ranch in Table 2-3 of the Draft EIR. How were such diversion records obtained and which diversion amounts are accurate, and how would this impact the water balance, budget, and the calculation of available water for the project?
- With regard to the typical irrigation demand by month information in Table 2-4, what are the calculated demands in acre-feet? Other information in the Draft EIR shows water supply in acre-foot volumes.

- Why are such a limited number of years used in Table 2-4? How are the demands in Table 2-4 allocated among the various fields and tracts of the project properties? Without this information, one cannot determine if the demand is reasonable, especially considering Water Code 1004 and the requirement that water be put to beneficial use.
- Are the demands in Table 2-4 consistent with the various diversion quantities in Draft EIR Table 2-3 and the diversion amounts referenced in the Harder Report (noting the apparent inconsistencies referenced elsewhere in this letter)? Given the inconsistencies between Table 2-4 and the Harder report, is the information contained in Table 2-4 still correct?
- The Draft EIR does not provide sufficient information to determine how much water is proposed to be moved from the Smith Ranch on a daily, weekly, monthly, or annual basis. Can this information be clearly and succinctly provided?
- The Draft EIR does not provide sufficient information to determine how much water is proposed to be moved from the Onyx Ranch on a daily, weekly, monthly, or annual basis. Can this information be clearly and succinctly provided?
- Table 2-1 indicates some of the project properties contain fallow lands. Does Table 2-4 irrigation demand information incorporate the fallow land referenced in Draft EIR Table 2-1? If so, how?
- It is noted that facilities consisting of metering devices have already been installed. Have any other improvements occurred on the project property (such as gages, weirs, diversion structures, wells) since RRB acquired ownership, and has CEQA review been completed with respect to such improvements?
- The Draft EIR states, when discussing the model: "For this 13-year period, the model shows that reducing 94,452 acre-feet per year of previous net diversions to the project site results in 78,183 acre-feet per year more water in the Isabella Reservoir, without impacting other reservoir storage amounts." (Draft EIR 2-22) A review of the various Tables included in the Draft EIR and in the Appendix does not indicate any diversions of such a quantity of water, and a diversion of that amount onto all of the irrigated acres of the project would seemingly be an unreasonable use of water (94,452 acre-feet per year ÷ 2,789 total irrigated acres (including riparian) = 33.86 acre-feet per acre per year). If riparian lands are eliminated from the equation, 94,452 acre-feet per year ÷ 1,900 total non-riparian irrigated acres = 49.71 acre-feet per acre per year. Why was a diversion factor of 94,452 acre-feet per year used in the model if such a diversion never previously occurred?
- The discussion under operation and maintenance (Draft EIR 2-26) references that water will be diverted by RRB into and through Isabella Reservoir, but there is no indication of

how much water would be moved, when such water would be moved, what facilities would be used downstream of Isabella Reservoir to transport such water, how such water will be measured and allocated, and how such water would ultimately arrive at the RRB service area and into underground storage. Where, when, and how does RRB intend to take delivery of the water and in what "facility" will the water be placed for underground storage? It seems these are fundamental project components that have not been clearly described, discussed, or analyzed in the Draft EIR.

- The total acreage of Smith Ranch and associated riparian acres are uncertain because different amounts are referenced for the ranch at Draft EIR 2-13 and Draft EIR 3.3-2.
- It appears one of the purposes of the Upper Taylor Meadow Gully Repair Project is to spread water onto a meadow upstream of the project property, as opposed to allow the continued channelization of the water. Will the Upper Taylor Meadow Gully Repair Project reduce flows into the Onyx area, and if so, what are the cumulative impacts? (See: Preliminary Environmental Assessment Kern River Ranger District, Sequoia National Forest Tulare County, California.)
- Regarding the Model Results, what is the basis for using 94,442 acre-feet of net diversion (Draft EIR 3.11-28)? If this amount was from the Harder Report (Table 2), why was such a limited time period (13 years) chosen for the analysis? Also, in Table 2, why do non-project entities (Prince and Hafenfeld) divert different amounts of Kern River water depending upon whether or not the project occurs? Why does Smith Ranch divert more Kern River water under the no project analysis in years 2013 and 2017? Why does Draft EIR Table 2-3 use only nine years of data? The Draft EIR should provide all information regarding historic and proposed future diversions, because existing supplies may be impacted by historic use and/or non-use.
- What other riparian rights exist in the South Fork area that may impact the amount of water available to RRB?

Impacts to Other Kern River Water Interests

- It is unclear whether the water to be moved pursuant to the Project would be limited to the consumptive use of the Onyx and Smith Ranches. If the Project proposes to move more than the consumptive use, would diversions greater than the consumptive use impact all other Kern River water right holders, including downstream diverters (such as the City of Bakersfield, Kern Delta, North Kern Water Storage District, Buena Vista Water Storage District, Kern County Water Agency, and others)?
- Regarding Project Element 1, when will this element be implemented and by whom, how, and how often? If water flow fluctuates on a daily, weekly, and monthly basis, how does monthly posting and coordination accurately document what is occurring? How is monthly posting accomplished? How does monthly posting prohibit downstream users

from taking water which RRB intends for its project? Do downstream users have Kern River rights, and by what method are they prohibited from taking water that is claimed by RRB?

- Regarding Project Element 2, when will this element be implemented? By whom, how, and how often will such data be developed? Why are pumping records not already part of this CEQA analysis? Was surface water historically used for livestock, landscape, and dust control? Will groundwater be used to replace surface water for such purposes? How does the development of groundwater pumping records "preclude water rights disputes" as to surface water? There is an inconsistency in the Draft EIR regarding replacing surface water with well water (see other comments regarding the Boone Field.)
- Regarding Project Element 3, when will this element be implemented? By whom, how, and how often will such data be developed? How will such records "preclude water rights disputes" as to surface waters? What agreements are in place to obtain data regarding properties and wells not located on the Project site? What actions will occur if groundwater levels begin to change? What is the trigger point for actions if groundwater levels drop?
- Regarding Project Element 4, the Draft EIR should substantiate and justify the basis for the estimated 17 percent no-injury factor, which appears to be significantly underestimated. (*See* Exhibit B.) The Draft EIR should further explain what harms the no-injury factor is intended to protect.
- With respect to the model contemplated in Project Element 4, how is it calibrated if direct measurement into Isabell Reservoir cannot be done (Draft EIR 2-21)? Calibration is a critical component of the no-injury requirement of the project.
- Would the no-injury factor change depending upon temperature, flow, time of year, vegetation, or other conditions? If so, the Draft EIR should discuss and analyze these issues.
- The model results appear to be entirely dependent upon the 78,183 acre-feet referenced at Draft EIR 3.11-28 because such amount is the "...estimated volume of surface water that could be released downstream of the Isabella Dam without creating a change in the volume of water in the Isabella Reservoir..." Is this the criteria used as the basis for the 17 percent no-injury factor? How were these calculations verified and how was the model calibrated?
- Regarding Project Element 5, when will this element be implemented? How will coordination with the USACE, Kern River Watermaster, and other Kern River Interests actually occur? What specific agreements are in place to facilitate movement of Project water? Many issues would need to be addressed, including but not limited to

measurement, allocation, diversion, distribution, and storage of the project water. Each agreement will require conditions that may also have environmental consequences that should be considered (loss calculations as an example.) Additionally, how does RRB ensure water is not diverted by others downstream of the project?

- The discussion under Project Schedule (Draft EIR 2-26) merely provides for an "implementation timeframe of up to approximately 3 years depending on hydrology and lease terms." How does hydrology affect the project's implementation? What leases affect the project's implementation, and how do they affect implementation? When will the project Elements be implemented?
- Will RRB need the approval or concurrence of any public agency(ies) downstream of Isabella Reservoir to convey the project water? If so, the agency(ies) should be listed under Section 2.10, with a description of the necessary approval(s).
- The Draft EIR says the Project does not include new diversion structures (Draft EIR 3.11-25). Have new diversion structures already been created or have other diversion structures been modified and improved by RRB or its tenants? If so, please explain.
- It is noted "the project site consists of the Onyx Ranch and Smith Ranch where the points of surface water diversion and place of use would change as a result of the proposed project." (Draft EIR 2-10.) The project site and the analysis should include areas downstream of Onyx and Smith Ranches, including but not limited to Isabella Reservoir, Hart Park, Lake Ming, transportation facilities, storage and extraction facilities, and the place of ultimate use, the RRB service area. The Draft EIR should include a description of how the project and its water supply will impact such areas. For example, where, when and by how much will transportation losses decrease the project's supply? How will the project's supply impact operations of Isabella Reservoir, Hart Park, Lake Ming, transportation facilities, and whatever storage and extraction facilities would be used? Will the project impact operations of RRB's storage facilities? Will the project impact well usage within RRB? If so, when, where, and by how much?
- How will the transportation of the project water actually be accomplished, and through which specific facilities? With whom will agreements be structured, when will the transportation occur, and what environmental consequences will occur downstream of Onyx Ranch?
- There is no discussion regarding the agreements, or the terms thereof, that would be necessary to transport the project water to its ultimate location within RRB's service area. With whom would such agreements be implemented, and what would be the terms thereof? What facilities will be used to transport the project water, when would they be used, and how would losses be calculated, and at what locations?

- Because there are approximately 1,500 farmed acres downstream of the Onyx and Smith Ranches (Draft EIR 2-15), how does RRB ensure that such downstream users do not take water that is left in the river by RRB, especially if water not taken by one right holder can be taken by another?
- Are there any property owners downstream of the Onyx and Smith Ranches with riparian rights who may take and use all water remaining in the river?
- Despite the premise that the project would not cause "injury to other water right holders" (Draft EIR 2-7), there is no discussion regarding how such non-injury would occur. There is no discussion regarding what is commonly referred to as the Law of the River (Miller-Haggin Agreement and amendments, Shaw decree, Kern River Water Rights And Storage Agreement, and a myriad of other agreements and court decisions of which RRB is fully aware), nor how the RRB project would impact the measurement, allocations, diversion, distribution, storage, recovery and use associated with Kern River supplies amongst those burdened and protected by the Law of the River.

Groundwater Conditions and Use

- If the alluvial aquifer system of the South Fork Valley is relatively shallow and extremely permeable (DEIR 2-10), it is unclear how removing a (presumably) substantial amount of water from the area will "result in a net increase of groundwater in storage" or improved groundwater conditions.
- How much groundwater will be used for cattle grazing purposes (Draft EIR 3.4-23)? What is the total possible production of the new wells described in the Draft EIR?
- Does the permanent removal of a long-term surface water supply from the area assist in meeting sustainability for the Kern River Valley (Draft EIR 3.12-22)? If water levels are anticipated to drop in certain areas and for community water systems (Draft EIR 3.11-30), will such levels also impact small individual domestic water users over the long term? Will lowering groundwater levels eventually stop, or will the groundwater levels continue to decrease in perpetuity? Kern River Valley overdraft conditions should be discussed, including groundwater sustainability.
- The Draft EIR notes that groundwater levels may decrease by 15.6 feet (Draft EIR 3.11-30). Will such decreases continue over time, or continue in perpetuity? Do such decreases account for a cumulative impact of less water in the project area as a likely result of the Upper Taylor Meadow Gully Repair Project?
- Since the proposed project water would increase supplies to the RRB service area (Draft EIR 1-5), where is the detailed discussion regarding future storage of the project water underground, and later extraction of such water? How will the project impact

groundwater in RRB and in the Kern subbasin? For example, what will happen with groundwater levels, and will pumping depressions occur upon extraction of such water?

- Will the project water be stored in the newly proposed Kern Fan Groundwater Storage Project? Who will extract the project water?
- It appears that approximately 17 percent of RRB land is residential, commercial, and industrial. (Draft EIR 4-2) Will the project water ultimately be extracted and used for domestic, municipal, and/or industrial purposes, and therefore encourage urban growth in the RRB service area? Will the project support increased agricultural activity? Will domestic, municipal, and industrial users pay for a portion of the project, and if so, will they be allocated a proportionate share of the supply? This may impact growth in the RRB area.
- RRB intends to take 2,789 acres out of production in the Kern River Valley and move such supply to RRB. Will the project water encourage continued or any additional farming in the RRB area?
- Will any of the project water be sold outside of RRB? If so, how much, when and to whom?
- RRB is involved with various groundwater banking programs. Will any of the project water be used to meet any of its return obligations? How would RRB ensure such project water is not used for its out of county commitments?
- Has RRB considered any mitigation measures or considered taking any actions in the event water levels drop in the project area more than anticipated?

Future Uses on the Project Site

- Regarding Project Element 6, when will this element be implemented? It is unclear from the Draft EIR what will happen with the Boone Field. Will it continue to receive riparian water supplies (Draft EIR 2-23)? Will it be fallowed (Draft EIR 2-23)? Will it receive well water (Table 2-5; Draft EIR 2-25)? If it receives well water, how much water will be applied, and from which well?
- What is the Grazing Management Plan as applied to the Onyx Ranch, and how will it change grazing practices, performance standards, soil conservation, weed management, and agricultural productivity? The Draft EIR is silent as to how such activities will occur and the environmental consequences of such activities. Will groundwater ever be used during a prolonged drought or dry period? When and under what circumstances would such a decision be made, and what impacts would occur, including but not limited to impacts to the project's water supply?

- What actual land management changes will occur on the Smith Ranch? The Draft EIR notes that no "substantial changes" would occur other than a "33 percent reduction in irrigated acres" (Draft EIR 2-23). Which acres will no longer receive a water supply, and are they riparian pasture, mountainous areas, or irrigated pasture (Draft EIR 2-13)? What is the difference between an irrigated pasture and a riparian pasture?
- What is the Grazing Management Plan as applied to the Smith Ranch, and how will it change grazing practices, performance standards, soil conservation, weed management, and agricultural productivity? The Draft EIR is silent as to how such activities will occur and the environmental consequences of such activities. Will groundwater ever be used during a prolonged drought or dry period? When and under what circumstances would such a decision be made, and what impact would occur, including but not limited to impacts to the project's water supply?
- During the field and pasture transition (Draft EIR 2-25), specifically what fields will be converted? The Draft EIR mentions conversion of irrigated fields and pastures to non-irrigated fields and pastures. What specifically will be planted, and in which specific fields? The Draft EIR also mentions conversion to non-irrigated row crops. What fields will be converted to such crops? The Draft EIR should specify by field/tract what will occur under the proposed project. Without such information, an informed environmental review and decision cannot be made. After the transition, is any well water intended to be used on the converted acreage during prolonged periods of drought? If so, what criteria are used to determine when such action would occur? After the project's full implementation, what is the anticipated consumptive use for the new crops and/or native growth on the converted fields, and will it impact the local groundwater conditions?
- Draft EIR page 3.11-27 notes, "The existing diversions that deliver surface water to the Onyx Ranch via the Mack/Scodie, Landers, Nicoll/Pruitt, and Lieb ditches would be discontinued..." However, Table 2-5 indicates the Mack Ditch will continue to be used for irrigating a portion of the Onyx Ranch. An explanation and clarification are needed as to the intended use (or nonuse) of the Mack Ditch.
- The Draft EIR notes that the Boone Field would still receive 875 acre-feet per year during the project (Draft EIR 3.11-27). Table 2-1 indicates the Boone Field contains only 96 acres, which means the Boone Field would receive approximately 9.11 acre-feet per acre per year. This amount seems excessive and may be an unreasonable use of water, especially considering Water Code 1004. Please explain why such a small field would receive such a large amount of groundwater. Additionally, if the Boone Field is entitled to riparian rights, it is impermissible to transfer such supply. Please explain exactly what RRB intends to do with any riparian supplies available to Boone field.

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EXHIBIT B



July 17, 2020

DRAFT TECHNICAL MEMORANDUM

To: Richard Iger, General Counsel

Kern Delta Water District

cc: Steve Teglia, General Manager

Kern Delta Water District

From: Phyllis Stanin, Vice President/Principal Geologist

Michael Maley, Senior Engineer/Modeler

Re: Review of Onyx Ranch South Fork Valley Water Project

Draft Environmental Impact Report (DEIR)

In May 2020, Rosedale-Rio Bravo Water Storage District (RRBWSD) released a Draft Environmental Impact Report (DEIR) on its proposed Onyx Ranch South Fork Valley Water Project (Proposed Project) (ESA, May 2020). The Proposed Project involves RRBWSD use of water from the South Fork of the Kern River that was previously used on ranch lands adjacent to the river and about five miles upstream of Isabella Reservoir. In brief, RRBWSD proposes to leave previously-diverted water in the South Fork channel, allowing it to flow downstream into Isabella Reservoir and be subsequently released into the lower Kern River channel. The water released to the Kern river channel would be diverted into the RRBWSD service area at an existing diversion point for irrigation of crops or groundwater replenishment.

Kern Delta Water District (KDWD) relies on its allocation of the Kern River as a critical water supply for agricultural and urban land uses throughout its 129,000-acre service area. In addition, KDWD relies on its right to store water in Isabella Reservoir, including the ability to access carryover storage, to better manage its water supplies. Optimization of the use of its Kern River water rights and Isabella storage rights are the cornerstones of KDWD's water management and key components of its Groundwater Sustainability Plan (GSP) as prepared by the Kern River Groundwater Sustainability Agency (GSA), of which KDWD is a member.

KDWD has requested Todd Groundwater to conduct a technical review and analysis of the Proposed Project to better understand the potential for impacts to Kern River flows and associated water rights holders. The technical analysis presented herein has identified issues and questions that KDWD may consider for submittal to RRBWSD during the public comment period of the DEIR; public comments on the DEIR are due on July 27, 2020.

BACKGROUND

RRBWSD proposes to change the points of diversion and place of use for the water rights associated with RRBWSD-owned parcels located in the upper Kern River Valley, about 50 miles from the RRBWSD service area. RRBWSD plans to leave previously-diverted water in the South Fork of the Kern River, allowing it to flow into Isabella Reservoir and be released from Isabella Dam into the Lower Kern River channel. RRBWSD would divert the water from the Kern River channel in the City of Bakersfield to provide irrigation and groundwater replenishment in its service area.

RRBWSD owns about 4,109 acres in the South Fork of the Kern River Valley and plans to use the associated water rights to supply the water for the Proposed Project. These lands lie within larger ranch lands referred to as the Onyx Ranch (including 3,418 acres owned by RRBWSD) and the Smith Ranch (including 691 acres owned by RRBWSD); RRBWSD parcels are collectively referred to as the *Project Site*.

The amount of water delivered to RRBWSD as a result of the Proposed Project would vary from month to month (and year to year) based on water year type and estimated losses during conveyance. Over a 13-year period (based on conditions from 2005-2017), the DEIR concludes that a total of about 78,183 AF would be available for release at Isabella Dam as a result of the Proposed Project, averaging about 6,014 AFY (Appendix E, p. 9; DEIR).

The DEIR specifically identifies "potential impacts to flow and injury to water rights holders in the Lower Kern River, downstream of Isabella Reservoir" as an area of controversy or issue of concern to be analyzed in the DEIR (ESA, p. ES-13, May 2020). The DEIR subsequently concludes that there are no significant impacts on hydrology and no mitigation measures are required.

APPROACH FOR THE TECHNICAL REVIEW

This review of the DEIR focused on the hydrologic and hydrogeologic analyses and presentation of information related to the Proposed Project, including the following:

- Amounts of water available for the Proposed Project
- Accounting of water losses
- Surface water and groundwater budgets with and without the Proposed Project
- Development and application of a numerical MODFLOW model
- Documentation of key information
- Proposed Project impacts on surface water, groundwater, and storage in Isabella Reservoir.

Potential impacts and losses in the Kern River channel downstream of Isabella Dam were not analyzed in the DEIR.

The DEIR relies on a hydrogeologic evaluation of the Proposed Project conducted by Thomas Harder & Co., included in the DEIR as Appendix E. The evaluation incorporated the development, calibration, and application of a numerical model. This review of the evaluation in Appendix E focused on the methodology – and embedded assumptions – and the adequacy of the model based on the data and information presented, as well as the model application and results.

The review also considers a supplemental technical memorandum relevant to the DEIR. That memorandum, dated April 15, 2010 and prepared by Davids Engineering Inc., provided an independent analysis of transferrable water for Onyx Ranch separate from the RRBWSD Proposed Project (Davids, 2010). The analysis was apparently prepared at the request of Kern County.

A discussion of issues of concern and related comments are provided below. Additional comments are compiled at the end of the memorandum.

HISTORICAL DIVERSIONS AND PROJECT WATER

There appears to be significant uncertainty associated with the historical diversions for irrigation on the Project Site parcels. According to the analysis in Appendix E, diversion amounts appeared to be over-stated and subject to significant downward adjustment. In some cases, reported diversions even exceeded the capacity of the diversion structure. Adjustments were noted at the bottom of Table 2 (page 6 of Appendix E) and are summarized as follows:

- 1. Adjusted diversion downward if reported data exceeded diversion capacity.
- 2. Excess diversions would be distributed to other canals if South Fork River gage minus the total diversions was less than the inferred ACOE flow into Lake Isabella
- 3. If diverted water exceeded crop demand, 50% was returned to South Fork and 50% was applied to return flows.

To better understand what modifications were made, we recommend that the DEIR include the original data and show the annual volumetric modification made at each diversion for each of the 3 diversion adjustments listed above. Even though diversions were reduced, the inability of these water amounts to balance in a reasonable manner suggest significant uncertainty associated with the historical diversions and the resulting Proposed Project water rights, as discussed in more detail in the following sections of this review.

The analysis in Table 2 (Appendix E) provides a summary of adjusted diversions with and without the Proposed Project. The annual differences between the two diversions amounts (before adjustments for conveyance losses associated with a "No-Injury" analysis) are summarized in the following table for each year of the 13-year study period 2005 – 2017. (Note that the adjusted total diversions in Appendix E used in the subtraction for amounts in this table do not match the diversions listed in DEIR Table 2-3 for the years 2009-2017).

Difference between Adjusted Diversions Without and With the Proposed Project (using data from Table 2 in Appendix E)

Year	Project Water before correction for Losses
2005	9,665
2006	6,843
2007	2,731
2008	6,825
2009	7,689
2010	6,412
2011	11,961
2012	5,490
2013	7,113
2014	5,192
2015	2,988
2016	6,871
2017	14,661
Total	94,441
Average	7,597.44

As explained in Appendix E, a No-Injury analysis indicated that this amount of water requires further adjustments to account for losses associated with changes in the Proposed Project water budget (discussed in more detail in the Model Analysis Review section below). The total amount of 94,441 AF as shown above was reduced to 78,183 AF (6,014 AFY) after application of these losses. In order to better understand the adjustments and Project Water amounts over time, we request that a similar table showing the amounts of Project Water corrected for the losses over the 13-year period be provided.

In Section 2.7 of the DEIR (Description of the Proposed Project), there is a significant typographical error in *Project Element 4 – Groundwater/Surface-Water Model to Estimate No-Injury Factor* (p.2-22, 3rd paragraph). The water budget in the second sentence is listed as 94,452 acre-feet <u>per year</u> and the project water budget is listed as 78,183 acre-feet <u>per year</u>. These are not annual rates but cumulative 13-year volumes as shown on Appendix E Table 2; units should be corrected to acre-feet, not acre-feet <u>per year</u>.

IRRIGATION DEMAND OF CROPS

DEIR Table 2-1 provides a summary of crops associated with the Onyx Ranch portion of the Project Site from 2009-2017. Primary crops include irrigated pasture, grains, alfalfa, and other miscellaneous crops covering approximately 2,269 acres. The total acreage includes both irrigated and non-irrigated (riparian) lands. Riparian pasture is not irrigated and relies on precipitation, local surface water, and shallow groundwater, which would not add to the

availability of water for the Proposed Project. Therefore, this water is not included in the Project water.

The total amount of riparian pasture cannot be fully segregated because there are 70 acres of mixed irrigated and riparian pasture, but the minimum amount of riparian pasture on Table 2-1 appears to cover 541 acres. When the total acreage is adjusted for these riparian pasture lands, the maximum amount of irrigated lands decreases to 1,728 acres. Although several fields listed on Table 2-1 indicate some fallowing of the acreage, data are insufficient to determine where, when, or how much land is fallowed over the 13-year study period.

The overall total acreage and the irrigated and riparian acreage represented on DEIR Table 2-1 compares well with the total amount of acreage analyzed in an independent study by Davids Engineering (Davids, 2010). For that study, Davids Engineering conducted a root zone water balance for Onyx Ranch irrigated fields consisting of 1,725 acres (compared to 1,728 acres in DEIR Table 2-1) to determine the evapotranspiration (ET) associated with the irrigated crops. The analysis was performed to determine the amount of water that might be transferable if irrigated fields were fallowed – an objective similar to those of the Proposed Project.

The Davids Engineering analysis was conducted to obtain a hypothetical maximum of the amount of applied water to satisfy irrigation demands. The analysis focused on the root zone and assumed there was sufficient surface water available for irrigation. No consideration was given to the source of the irrigation water, which historically has included both surface water and groundwater. Results for the analysis from 1985 through 2008 indicated an irrigation demand of about 5,480 AFY of applied water (ET_{aw}).

This average is substantially lower than the crop consumptive use and additional applied water presented in Appendix E from the model water budget analysis. In that water budget, the average ET_{aw} was 15,640 AFY and consisted of an average crop ET of 7,031 AFY and average deep percolation of irrigation water of 8,609 AFY. This large volume of applied water suggests an irrigation rate of more than 9 AF/acre, even if no fallowing was occurring throughout the 1,728 acres.

The large variation between the two estimates for ET_{aw} is not readily understood because the analysis of the crop ET (ET_c) including crop type, location, contribution of precipitation, and irrigation efficiency are not presented in Appendix E. That analysis should be presented and described to explain the annual crop consumptive use volumes in Table 3. A report by the Irrigation Training and Research Center (ITRC), California Polytechnic State University, San Luis Obispo, CA (ITRC, 2013) is referenced in the footnote of Table 3; that report should be described, along with included data and its use in the crop ET analysis of Appendix E.

As mentioned above and shown in Table 3, the average amount of deep percolation of applied irrigation water is 8,609 AFY, an amount much larger than typically expected with irrigation practices. Typically irrigation inefficiencies combined with permeable soils can lead to some percentage of irrigation water percolating beyond the root zone, either unavailable to or not needed by the crop at that time. However, in this case, the amount of deep

percolation is 122 percent of the crop ET and seems inexplicably excessive. The analysis should acknowledge this large amount of percolating water and explain why the percolation amounts are reasonable.

Neither the DEIR nor the Davids Engineering analysis provides a time series assessment of irrigated acreage to allow a reviewer to determine how irrigation demand has varied over time. Two coverages of agricultural land use from DWR, 2014 and 2016, were reviewed with respect to irrigated lands in the Project Site. Although these coverages were mapped after the land purchase by RRBWSD, both years are part of the 13-year study period used to determine the Project water.

The DWR 2014 land use map indicates that irrigated acreage on the Project Site was only about 492 acres in July of 2014. Yet, diversions for 2014 were estimated at 9,620 AFY, even after downward adjustment (Table 2, Appendix E). During that year, crop consumption and deep percolation of irrigation water suggested an applied irrigation of 12,652 AFY (consisting of surface water and groundwater – see Table 3, Appendix E), equivalent to 25 AF/acre. Based on this assessment, the change in cropping patterns over time does not appear to have been considered in the model water budget analysis.

Given the long distances of the unlined canals associated with these diversions, there may be much larger amounts of canal losses than estimated in the water budget analysis (Tables 3 and 5 in Appendix E). This could also account for the large amounts of water diverted that do not appear to be needed for crop ET and beneficial use. In addition, canal losses would likely be returning back into the shallow groundwater-surface water system and continuing to flow downstream to Isabella Reservoir even though it was recorded as diverted water.

MODEL ANALYSIS REVIEW

As mentioned previously, Appendix E describes the development and application of a MODFLOW groundwater model to support analysis of the Proposed Project. The groundwater model was developed to provide a means to evaluate groundwater-surface water interactions along the South Fork of the Kern River as part of the technical analysis for the Onyx Ranch Project by RRBWSD. The stated purpose of the modeling analysis is:

"to estimate changes in the water budget anticipated from discontinuing some or all of the existing diversions of surface water from the South Fork of the Kern River to the Project site and, instead, allowing the water to flow in the river channel downstream into Isabella Reservoir."

This review identifies uncertainties and potential inadequacies with model development, data sets, and results for this application of the model.

Model Overview

The model was constructed over a 171 square mile Onyx Ranch Project study area as a 19 by 9 mile rectangle. The active simulation area of the model includes the portion of the Kern River Valley Groundwater Basin within the Study Area, accounting for less than half of the

model domain. The model simulation includes portions of both the South and North Forks of the Kern River, the entire Isabella Reservoir, and a small area of the Kern River downstream of Isabella Dam. Although the model extends over this larger area, the model results presented in Appendix E are limited to the portion of the Kern River Valley Groundwater Basin in the South Fork watershed.

The model grid uses a 100 by 100 foot simulation grid, and the aquifer is defined as a single model layer. The groundwater-surface water interactions for the South Fork of the Kern River and the diversion canals off of the South Fork were simulated using the Stream Flow Routing Package. Other boundary conditions were added to simulate groundwater pumping, precipitation recharge, irrigation return flow and tributary recharge. Subsurface inflow and outflows were tracked by MODFLOW. Although Isabella Reservoir is located within the MODFLOW model domain, there is no mention of how it was simulated or whether it was included in the simulation.

The Proposed Project consists of discontinuing irrigated crop production in most areas of the Onyx Ranch and one-third of the Smith Ranch and allowing surface water that would otherwise have been diverted to the ranch lands to flow down the South Fork of the Kern River to Isabella Reservoir. Groundwater and surface water budgets for both with and without Proposed Project conditions were developed using the MODFLOW model.

The model was used as the tool to determine a No-Injury factor to account for losses of Project Water between the Project Site and Isabella Reservoir including increased ET, increased streambed infiltration, and increased subsurface outflow along the South Fork of the Kern River between the Onyx Ranch and Isabella Reservoir. RRBWSD would reduce the amount of Project water under its Project Site water rights by the No-Injury factor, reducing water claimed to reach Isabella Reservoir. This factor was determined by comparing the changes in estimated reservoir storage of the historical model (Without Project) to a Project Scenario. Model results were also used to analyze the change in groundwater levels between the historical model and a Project Scenario to assess impacts on the Kern River Valley Groundwater Basin.

Specific Comments

Specific comments regarding the modeling analysis are provided below. Comments are focused on components that may have an impact on the results of the model analysis.

Model Setup and Calibration

• Simulated hydrographs from the historical model as presented in Appendix E indicate that 12 of the 28 hydrographs have groundwater levels above the ground surface elevation on more than one occurrence during the simulation. Of these, five hydrographs showed groundwater levels above ground surface for multi-year periods. Ten of the hydrographs have groundwater levels over 5 feet above the ground surface with a maximum of nearly 20 feet at the *Lieb Piezo*. Groundwater levels above ground surface may be tolerated in some model applications; however, these results are excessive for a model that is used to evaluate groundwater-surface water interactions. This indicates that the setup of the model does not properly

- account for groundwater-surface water interactions. There needs to be an explanation as to why groundwater levels above the ground surface were allowed and what types of measures were attempted to correct this condition. The model should be modified and rerun to better simulate groundwater-surface water interactions. Revised runs should include an assessment of how these modifications would affect the water budgets and the No-Injury analysis.
- Appendix E provides inadequate documentation to evaluate the model setup.
 Discussion of how the aquifer parameters and boundary conditions were defined and implemented into the model is limited to table footnotes and, in some cases, not provided at all. This limits the ability to assess model results. A summary of the aquifer properties and boundary conditions, including associated values, should be provided. Documentation should also include a discussion of how the model setup represents the hydrogeologic conceptual model.
- Appendix E provides inadequate documentation on whether Isabella Reservoir is incorporated into the MODFLOW model. There are inferred references in the text that the surface water budget, including Isabella Reservoir, was derived from the model. Is Isabella Reservoir included as a model boundary condition? If so, the text should describe how it is defined in the model.

South Fork of the Kern River Valley/Isabella Reservoir Surface Water Budget (Tables 3 and 5)

- It is unclear from the text whether the surface water budgets in Tables 3 and 5 were calculated by MODFLOW, or whether MODFLOW input was incorporated into a spreadsheet-style water budget. Please provide a more detailed description of how the surface water budget was derived.
- There are inferred references in the text that the surface water budget for Isabella Reservoir (Tables 3 and 5) was derived from the model. Was the change in reservoir storage calculated by MODFLOW or was model output incorporated into a spreadsheet-style water budget? Please provide a more detailed description of how the specific Isabella water budget was derived.
- Using the data provided in Table 3, the inflows from the South Fork into Isabella Reservoir appear to be significantly higher than those based on the ACOE inflow for Isabella Reservoir listed in Table 1. However, because the inflows from Table 3 are developed over a larger area, it is difficult to parse out the Isabella Reservoir inflows with adequate precision to allow for a check with the ACOE data. Please provide a comparison of the South Fork inflows into Isabella Reservoir resulting from the analysis (as used in Table 3) to the inflows provided by the ACOE listed in Table 1. Describe how any differences may influence the No-Injury assessment.
- The Deep Percolation of Applied Irrigation Water shown on Table 3 for Onyx Ranch is very high and accounts for 50% to 80% of the combined Onyx Pumping and Diversions. In contrast, only about 20% to 35% of the combined Other Pumping and Diversions is assigned to deep percolation. The text should explain why such a high

percentage of applied water percolates to groundwater at Onyx Ranch, and why it is different than for the other nearby agricultural areas.

South Fork of the Kern River Valley Groundwater Budget (Tables 4 and 6)

- The groundwater budget zone used for the South Fork of the Kern River Valley
 Groundwater Budget (Tables 4 and 6) is not well-defined. Does this area include all
 of the groundwater basin along the South Fork or is it limited to just the Project
 Site? Please provide a map showing the limits of the South Fork groundwater
 budget zone.
- In Tables 4 and 6, South Fork River ET is listed in the groundwater budget but is not included in surface water budget. How is South Fork River ET accounted for in the surface water budget? If it is not included, why?
- The nearby community water systems are not documented in the groundwater budgets. Is the pumping from these systems included in the model?

Potential Impact on Conclusions

Due to the specific comments listed above, there is uncertainty regarding the model results both for quantifying the No-Injury factor and in assessing impacts to groundwater levels in the local aquifer. Our preliminary review of the available surface water budget data used to develop the No Injury factor indicates the potential that the No Injury factor of 17% underestimates the losses along the South Fork and should be increased. Because of the nonlinear nature of groundwater-surface water interactions and the limited level of documentation, it is difficult to readily assess how potential model modifications would affect the results. However, this level of uncertainty warrants better documentation of the surface water budget including a comparison of the calculated South Fork inflows into Lake Isabella to the Table 1 South Fork inflows from ACOE. If this comparison indicates a difference that affects the No Injury factor determination, then additional analysis is required.

Additional Miscellaneous Comments

- The DEIR should evaluate impacts to the adjacent KRGSA GSP, which relies on
 optimization of its Kern River water rights for key GSP projects. The DEIR evaluation
 should also include potential impacts on the City of Bakersfield operations of the
 Kern River Channel and potential losses associated with conveyance from Isabella
 Reservoir to the RRBWSD service area.
- The No-Injury assessment assumes that the Proposed Project will have no impact on Isabella Reservoir storage because of immediate releases of Project water. Releases will require coordination through the City of Bakersfield, Kern River Watermaster, and the ACOE as noted in the DEIR. The DEIR should assess the impacts if immediate releases cannot occur.
- Please explain if and how DEIR Table 2-2 will be used in the ongoing determination of the amount of Project water claimed by RRBWSD.

Cited Reference:

Davids Engineering, Inc., Technical Memorandum, To: Theresa A. Goldner, Counsel, County of Kern, CA, From: Davids Engineering, Inc., Date: April 15, 2010, Subject: Analysis of Transferrable Water for Onyx Ranch.



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July 24, 2020

Arvin-Edison Water Storage District Attn: Jeevan Muhar, Engineer-Manager P. O. Box 175 Arvin, CA 93203

Re: Letter of Support for the Arvin-Edison Water Storage District's Application for the USBR Water SMART Drought Response Program BOR-DO-20-F002

To Whom It May Concern:

This letter offers support for the Arvin-Edison Water Storage District's (AEWSD) application for the WaterSMART Drought Response Program. Kern Delta Water District (KDWD) is working cooperatively with AEWSD on the Forrest Frick Pipeline Eastside Canal Intertie Project (Project) since KDWD's Eastside Canal is involved and would receive water from the Project.

AEWSD and KDWD also share a common boundary in the Eastside Canal. This canal provides for the western boundary of AEWSD and the eastern boundary of KDWD.

The Project will also provide additional flexibility to deliver water to the AEWSD/KDWD jointly operated and owned Sunset Groundwater Recharge Facility, which requires Eastside Canal conveyance and is located about 6 miles downstream of the Project location. In addition, the Eastside Canal could be utilized to deliver water into AEWSD lands that currently rely solely on groundwater to meet agricultural demands.

The Project is an important feature for AEWSD's compliance with California's Sustainable Groundwater Management Act (SGMA) and is a critical drought resiliency project. A project of this nature could reduce the risk of rural wells going dry in this region.

KDWD recognizes the value of water infrastructure projects that provide for increased water management flexibility and water supply reliability in rural communities. This Project aligns with AEWSD's water management goals to achieve long-term sustainability and KDWD is therefore supportive of the Project and AEWSD's application for program funding.

Sincerely,

Steven L. Teglia General Manager

Kern Delta Water District



Crop Report 2019 Growing Season

DRAFT



August 18, 2020

DRAFT

Table of Contents

Table	of Contents	ii
1.0	SUMMARY	1
2.0	CROPS	1
2.1	Wheat	1
2.2	Corn	2
2.3	Cotton	2
2.4	Alfalfa	2
2.5	Trees	2
2.6	Vegetables	2
3.0	CONCLUSION	2

FIGURES

Crop Production, 2019

General Crop Trend, 2019

Crop Map, 2019

APPENDICES

Appendix A, Crop Summary by Acreage

Appendix B, Crop Summary by Township and Range

1.0 SUMMARY



Within Kern Delta Water District's boundaries, approximately 143,926 acres of land were cultivated (multiple cropping included) during the 2019 growing season.

The season's top produced commodity was wheat, with approximately 30,073 acres being cropped, followed by almonds, and corn, with 19,855 and 17,374 acres being cropped respectively. Table 1 shows selected crops and their accompanying growth trend.

TABLE 1
Selection Crops – 2019
& Accompanying Growth Trend

CROP	2019	2018	2017	2016	2015	2014	2013
Total Cropped Acres	143,926	146,351	140,042	141,061	145,000	141,300	122,154
Alfalfa	14,700	14,933	12,860	19,937	23,172	23,817	24,249
Corn Feed	17,374 (57,269)1	50,9342	55,241	47,077	62,254	67,572	57,911
Vegetables	21,433	22,323	30,014	18,278	18,239	16,914	11,329
Cotton	5,335	7,033	8,578	8,490	6,062	10,986	11,044
Trees	30,859	29,425	25,025	24,120	18,329	10,685	6,958
Vines	5,727	5,766	8,140	6,586	6,478	6,025	5,899

2.0 CROPS

Approximately 96 crop varieties were grown throughout the District in 2019 (see **Appendix A** and **Appendix B** for individual crop types, locations, and acreages). The major produced commodities are briefly discussed in the following sections.

2.1 Wheat

Wheat continues to be a major crop grown within the District, with approximately 30,073 acres being cropped. The crop was fairly evenly spread throughout, from the northwest to the southeast.

¹ All values have been rounded. The value in parenthesis represents corn, oats, and wheat

² Value includes corn, oats, and wheat to demonstrate a general growth pattern.



Approximately 17,374 acres of corn were cultivated in 2019, comprising 30% of the total grain production within the District.

2.3 Cotton

Cotton remained relatively the same with 5,335 acres cultivated in 2019.

2.4 Alfalfa

Alfalfa production within the District decreased slightly with approximately 14,700 acres being cultivated in 2019, a decline of 2,233 acres from 2018.

2.5 Trees

Tree crops remained relatively steady, with 30,859 acres being cultivated, a 4.87% increase, compared to the 17.63% increase from 2017 to 2018.

Table 2
Selected Tree Crops – 2018
& Accompanying Trend

TREES	2019	2018	2017	2016	2015	2014	2013	2012
Almonds	19,855	19,135	17,078	15,017	12,149	9,459	6,109	3,934
Pistachios	9,920	8,997	6,972	8,588	5,678	891	500	183
Cherries	288	331	353	291	311	303	317	66
Other ³	795	963	622	259	232	32	32	18
Total	30,859	29,425	25,025	24,155	18,369	6,958	6,958	4,300

2.6 Vegetables

Vegetable production declined by 890 acres. Carrots, potatoes, and onions remain the top vegetable crops at 5,887, 4,012, and 1,255 acres respectively.

3.0 CONCLUSION

Overall, 96 varieties of crops were grown within the District for the 2019 growing season. The top three commodities produced were wheat, almonds, and corn. Organic crops accounted for 2,635 acres in 2019. While 11,396 acres were fallowed, this could be due to crop rotation and or conversion to permanent crops, namely almonds.

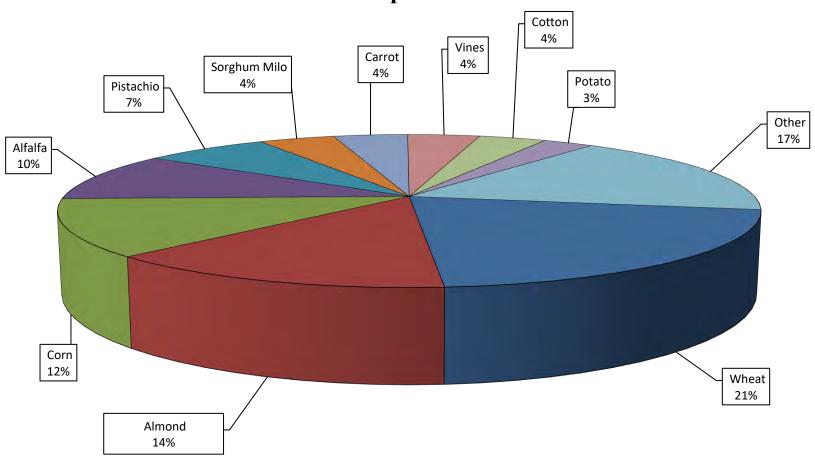
³ Other tree crops include apricots, nectarines, oranges, peaches, plums, and olives

DRAFT

FIGURES

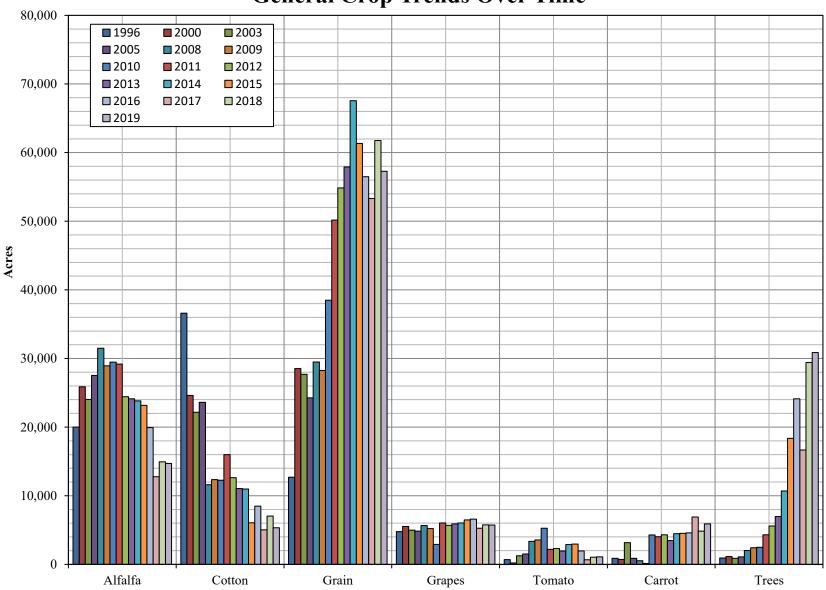
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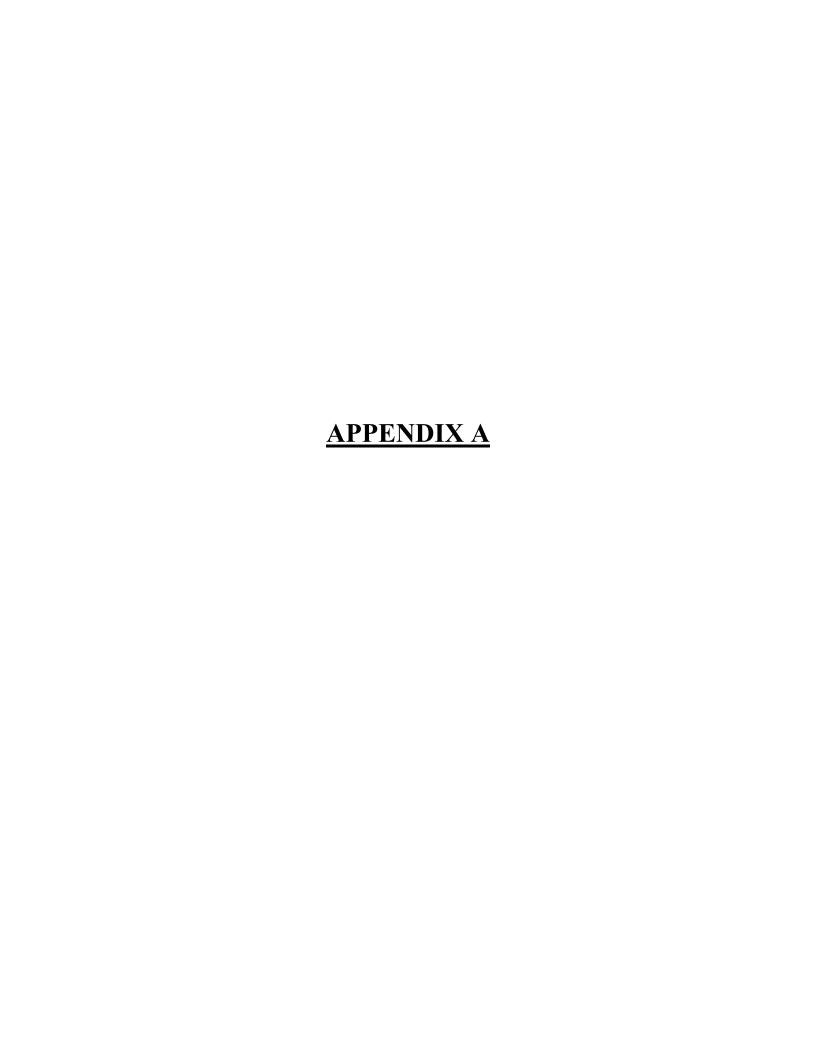
Kern Delta Water District 2019 Crop Production





General Crop Trends Over Time





COMMODITY	ACREAGE
Wheat	30,073
Almond	19,855
Corn	17,374
Alfalfa	14,700
Pistachio	9,920
Sorghum Milo	6,017
Carrot	5,886
Cotton	5,335
Potato	4,012
Grape, Table	3,402
Industrial Hemp	2,485
Oat	1,763
Triticale	1,860
Safflower	1,849
Grape, Wine	1,763
Bok Choy	1,219
Gai Lon	1,213
Onion, Dry	1,172
Tomato	1,095
Pasture	933
Watermelon	799
Grape, Raisin	562
Cabbage	539
Turnip	531
Olive	514
Lettuce	479
Mustard	457
Cilantro	437
Parsley	424
Garlic	423
Sudan Grass	368
Beet	338
Kale	329
Dill	323
Garbanzo Bean	320
Fennel	317
Cherry	288
Gai Choy	270

Sweet Basil 202 Sweet Potato 201 Romaine Lettuce 190 Arugula 177 Pepper, Spice 174 Swiss Chard 156 Daikon 154 Turf/Sod 154 Collard Greens 151 Cauliflower 136 Love Grass 136 Peas 131 Rutabaga 106 Squash, Summer 104 Radish 95 Broccoli 88 Kohlrabi 88 Spinach 88 Eggplant 84 Okra 84 Squash, Winter 84 Orange 80 Nursery 79 Hay 75 Crenshaw Melon 70 Vegetable Leaf 70 Pepper, Fruiting 58 Squash 58 Melon 57 Green Onion 52 Cantaloupe	COMMODITY	ACREAGE
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Arugula 177 Pepper, Spice 174 Swiss Chard 156 Daikon 154 Turf/Sod 154 Collard Greens 151 Cauliflower 136 Love Grass 136 Peas 131 Rutabaga 106 Squash, Summer 104 Radish 95 Broccoli 88 Kohlrabi 88 Spinach 88 Eggplant 84 Okra 84 Squash, Winter 84 Orange 80 Nursery 79 Hay 75 Crenshaw Melon 70 Vegetable Leaf 70 Pepper, Fruiting 58 Squash 58 Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dandelion Green	Sweet Potato	201
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Collard Greens 151 Cauliflower 136 Love Grass 136 Peas 131 Rutabaga 106 Squash, Summer 104 Radish 95 Broccoli 88 Kohlrabi 88 Spinach 88 Eggplant 84 Okra 84 Squash, Winter 84 Orange 80 Nursery 79 Hay 75 Crenshaw Melon 70 Vegetable Leaf 70 Pepper, Fruiting 58 Squash 58 Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dacc. Tree 40	Daikon	154
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Love Grass 136 Peas 131 Rutabaga 106 Squash, Summer 104 Radish 95 Broccoli 88 Kohlrabi 88 Spinach 88 Eggplant 84 Okra 84 Squash, Winter 84 Orange 80 Nursery 79 Hay 75 Crenshaw Melon 70 Vegetable Leaf 70 Pepper, Fruiting 58 Squash 58 Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	Collard Greens	151
Peas 131 Rutabaga 106 Squash, Summer 104 Radish 95 Broccoli 88 Kohlrabi 88 Spinach 88 Eggplant 84 Okra 84 Squash, Winter 84 Orange 80 Nursery 79 Hay 75 Crenshaw Melon 70 Vegetable Leaf 70 Pepper, Fruiting 58 Squash 58 Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	Cauliflower	136
Rutabaga 106 Squash, Summer 104 Radish 95 Broccoli 88 Kohlrabi 88 Spinach 88 Eggplant 84 Okra 84 Squash, Winter 84 Orange 80 Nursery 79 Hay 75 Crenshaw Melon 70 Vegetable Leaf 70 Pepper, Fruiting 58 Squash 58 Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	Love Grass	136
Squash, Summer 104 Radish 95 Broccoli 88 Kohlrabi 88 Spinach 88 Eggplant 84 Okra 84 Squash, Winter 84 Orange 80 Nursery 79 Hay 75 Crenshaw Melon 70 Vegetable Leaf 70 Pepper, Fruiting 58 Squash 58 Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	Peas	131
Radish 95 Broccoli 88 Kohlrabi 88 Spinach 88 Eggplant 84 Okra 84 Squash, Winter 84 Orange 80 Nursery 79 Hay 75 Crenshaw Melon 70 Vegetable Leaf 70 Pepper, Fruiting 58 Squash 58 Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	Rutabaga	106
Broccoli 88 Kohlrabi 88 Spinach 88 Eggplant 84 Okra 84 Squash, Winter 84 Orange 80 Nursery 79 Hay 75 Crenshaw Melon 70 Vegetable Leaf 70 Pepper, Fruiting 58 Squash 58 Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	Squash, Summer	104
Kohlrabi 88 Spinach 88 Eggplant 84 Okra 84 Squash, Winter 84 Orange 80 Nursery 79 Hay 75 Crenshaw Melon 70 Vegetable Leaf 70 Pepper, Fruiting 58 Squash 58 Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	_	95
Spinach 88 Eggplant 84 Okra 84 Squash, Winter 84 Orange 80 Nursery 79 Hay 75 Crenshaw Melon 70 Vegetable Leaf 70 Pepper, Fruiting 58 Squash 58 Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	Broccoli	88
Eggplant 84 Okra 84 Squash, Winter 84 Orange 80 Nursery 79 Hay 75 Crenshaw Melon 70 Vegetable Leaf 70 Pepper, Fruiting 58 Squash 58 Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	Kohlrabi	88
Okra 84 Squash, Winter 84 Orange 80 Nursery 79 Hay 75 Crenshaw Melon 70 Vegetable Leaf 70 Pepper, Fruiting 58 Squash 58 Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	Spinach	88
Okra 84 Squash, Winter 84 Orange 80 Nursery 79 Hay 75 Crenshaw Melon 70 Vegetable Leaf 70 Pepper, Fruiting 58 Squash 58 Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	Eggplant	84
Orange 80 Nursery 79 Hay 75 Crenshaw Melon 70 Vegetable Leaf 70 Pepper, Fruiting 58 Squash 58 Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40		84
Nursery 79 Hay 75 Crenshaw Melon 70 Vegetable Leaf 70 Pepper, Fruiting 58 Squash 58 Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	Squash, Winter	84
Hay 75 Crenshaw Melon 70 Vegetable Leaf 70 Pepper, Fruiting 58 Squash 58 Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	Orange	80
Crenshaw Melon 70 Vegetable Leaf 70 Pepper, Fruiting 58 Squash 58 Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	Nursery	79
Vegetable Leaf 70 Pepper, Fruiting 58 Squash 58 Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	Hay	75
Pepper, Fruiting 58 Squash 58 Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	Crenshaw Melon	70
Squash 58 Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	Vegetable Leaf	70
Melon 57 Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	Pepper, Fruiting	58
Green Onion 52 Cantaloupe 49 Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	Squash	58
Cantaloupe49Strawberry49Asparagus43Celery42Dandelion Green42Dec. Tree40	Melon	57
Strawberry 49 Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	Green Onion	52
Asparagus 43 Celery 42 Dandelion Green 42 Dec. Tree 40	Cantaloupe	49
Celery 42 Dandelion Green 42 Dec. Tree 40	Strawberry	49
Dandelion Green 42 Dec. Tree 40	Asparagus	43
Dec. Tree 40	Celery	42
	Dandelion Green	42
Leek 38	Dec. Tree	40
Leek	Leek	38
Apricot 35	Apricot	35

COMMODITY	ACREAGE
Blackberry	35
Musk Melon	35
Nectarine	35
Peach	35
Plum	35
Onion, Seed	30
Pumpkin	28
Lemon	20
Rose	15
Bean, Succulent	14
Red Beet	14
Sweet Corn	14
Cucumber	14
Fava Bean	14
Herb/Spice	14
Mint	14
Bean, Dried	12
Rye	5
Pecan	2
Apple	.09
Total	143,926

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APPENDIX B

KERN DELTA WATER DISTRICT CROP REPORT 2019 GROWING SEASON

DRAFT

SUMMARY BY TOWNSHIP AND RANGE

LOCATION	COMMODITY	QUANTITY	UNITS	
30S/26E	Total Cultivated Acres			3,384
	Almond	2,939	Acres	
	Almond, Organic	295	Acres	
	Carrot	75	Acres	
	Potato	75	Acres	
30S/27E	Total Cultivated Acres			3,417
COSTETE	Carrot	907	Acres	0,117
	Potato	556		
	Almond	458	Acres	
	Alfalfa	273	Acres	
	Corn	257		
	Turf/Sod	154	Acres	
	Garlic	150	Acres	
	Watermelon	140		
	Cotton	118	Acres	
	Potato, Organic	97	Acres	
	Turnip	62	Acres	
	Cabbage	60	Acres	
	Industrial Hemp	40	Acres	
	Watermelon, Organic	35	Acres	
	Pumpkin	28	Acres	
	Oat	20	Acres	
	Rutabaga	16	Acres	
	Beet	6	Acres	
	Orange	5	Acres	
	Orange	3	Acies	
30S/28E	Total Cultivated Acres			6,648
	Wheat	1,360	Acres	
	Corn	886	Acres	
	Almond	750	Acres	
	Alfalfa	590	Acres	
	Grape, Table	480	Acres	
	Grape, Wine	320	Acres	
	Carrot	233	Acres	
	Tomato	160	Acres	
	Sorghum Milo	159	Acres	
	Potato, Organic	156	Acres	
	Oat, Organic	100	Acres	

LOCATION	COMMODITY	QUANTITY	UNITS
	Carrot, Organic	98	Acres
	Onion, Dry	80	Acres
	Cotton	76	Acres
	Bok Choy	70	Acres
	Crenshaw Melon	70	Acres
	Eggplant	70	Acres
	Garlic, Organic	70	Acres
	Okra	70	Acres
	Pepper, Spice	70	Acres
	Squash, Summer	70	Acres
	Squash, Winter	70	Acres
	Sweet Potato	70	Acres
	Watermelon	70	Acres
	Grape, Raisin	60	Acres
	Love Grass	60	Acres
	Oat	60	Acres
	Asparagus	43	Acres
	Cabbage	43	Acres
	Garlic	43	Acres
	Lettuce	43	Acres
	Melon	43	Acres
	Peas	43	Acres
	Industrial Hemp	23	Acres
	Lemon	20	Acres
	Orange	20	Acres
	J		
30S/29E	Total Cultivated Acres		540
	Almond	326	Acres
	Grape, Raisin	202	Acres
	Grape, Table	12	Acres
31S/26E	Total Cultivated Acres		26,871
	Wheat	10,147	Acres
	Corn	5,052	Acres
	Almond	3,737	Acres
	Sorghum Milo	2,790	Acres
	Pistachio	1,592	Acres
	Alfalfa	1,493	Acres
	Cotton	648	Acres



LOCATION	COMMODITY	QUANTITY	UNITS
	Triticale	598	Acres
	Sudan Grass	368	Acres
	Carrot	332	Acres
	Oat	74	Acres
	Cabbage	40	Acres
31S/27E	Total Cultivated Acres		29,472
	Almond	7,451	Acres
	Wheat	5,320	Acres
	Corn	4,288	Acres
	Carrot	2,714	Acres
	Potato	2,280	Acres
	Alfalfa	1,852	Acres
	Triticale	710	Acres
	Onion, Dry	601	Acres
	Sorghum Milo	557	Acres
	Watermelon	436	Acres
	Industrial Hemp	363	Acres
	Cotton	344	Acres
	Garbanzo Bean	320	Acres
	Grape, Table	278	Acres
	Cherry	246	Acres
	Oat	200	Acres
	Sweet Basil	188	Acres
	Pistachio	180	Acres
	Potato, Organic	179	Acres
	Bok Choy	160	Acres
	Gai Lon	160	Acres
	Beet	107	Acres
	Carrot, Organic	97	Acres
	Turnip	93	Acres
	Tomato	80	Acres
	Cilantro	40	Acres
	Pepper, Spice	40	Acres
	Pasture	24	Acres
	Squash	18	Acres
	Sweet Potato	18	Acres
	Onion, Seed	15	Acres
	Bean, Dried	12	Acres



LOCATION	COMMODITY	QUANTITY	UNITS
	Rutabaga	8	Acres
	Dec. Tree	5	Acres
	Pecan	3	Acres
	Tomato, Organic	.25	Acres
	Apple, Organic	.09	Acres
	Apricot, Organic	.09	Acres
	Broccoli, Organic	.09	Acres
	Cauliflower, Organic	.09	Acres
31S/28E	Total Cultivated Acres		29,573
315/2012	Wheat	6,896	Acres
	Corn	4,272	Acres
	Alfalfa	4,152	Acres
	Grape, Table	1,751	Acres
	Almond	1,432	Acres
	Industrial Hemp	1,381	Acres
	Cotton	1,102	Acres
	Gai Lon	1,053	Acres
	Grape, Wine	991	Acres
	Bok Choy	915	Acres
	Carrot	734	Acres
	Oat	690	Acres
	Sorghum Milo	539	Acres
	Mustard	301	Acres
	Gai Choy	270	Acres
	Pistachio	264	Acres
	Potato	247	Acres
	Turnip	230	Acres
	Grape, Raisin	219	Acres
	Beet	198	Acres
	Kale	190	Acres
	Cabbage	168	Acres
	Lettuce	86	Acres
	Love Grass	76	Acres
	Parsley	75	Acres
	Swiss Chard	75	Acres
	Tomato	75	Acres
	Triticale	73	Acres
	Lettuce, Romaine	65	Acres

LOCATION	COMMODITY	QUANTITY	UNITS
	Collard Greens	54	Acres
	Onion, Dry	50	Acres
	Cauliflower	48	Acres
	Cilantro	48	Acres
	Dill	48	Acres
	Olive	44	Acres
	Grape, Table Organic	40	Acres
	Watermelon	34	Acres
	Pasture	31	Acres
	Oat, Organic	30	Acres
	Potato, Organic	30	Acres
	Onion, Seed	15	Acres
	Arugula, Organic	15	Acres
	Bean, Succulent	15	Acres
	Beets, Red Organic	15	Acres
	Broccoli, Organic	15	Acres
	Cabbage, Organic	15	Acres
	Carrot, Organic	15	Acres
	Cantaloupe, Organic	15	Acres
	Cauliflower, Organic	15	Acres
	Cilantro, Organic	15	Acres
	Collard Greens, Organic	15	Acres
	Corn, Sweet	15	Acres
	Cucumber, Organic	15	Acres
	Dill, Organic	15	Acres
	Eggplant, Organic	15	Acres
	Fava Bean	15	Acres
	Fennel, Organic	15	Acres
	Herb/Spice, Organic	15	Acres
	Kale, Organic	15	Acres
	Kohlrabi, Organic	15	Acres
	Lettuce, Organic	15	Acres
	Melon, Organic	15	Acres
	Mint, Organic	15 15	Acres Acres
	Okra, Organic Onion, Dry Organic	15	Acres Acres
	Onion, Green Organic	15	Acres
	Parsley, Organic	15	Acres
	Peas, Organic	15	Acres
	Pepper, Fruiting	15	Acres

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KERN DELTA WATER DISTRICT CROP REPORT 2019 GROWING SEASON SUMMARY BY TOWNSHIP AND RANGE

LOCATION	COMMODITY	QUANITITY	UNITS
	Pepper, Spice Organic	15	Acres
	Radish, Organic	15	Acres
	Spinach, Organic	15	Acres
	Squash, Summer	15	Acres
	Squash, Winter	15	Acres
	Strawberry, Organic	15	Acres
	Sweet Basil, Organic	15	Acres
	Swiss Chard, Organic	15	Acres
	Tomato, Organic	15 15	Acres Acres
	Turnip, Organic Watermelon, Organic	15	Acres
	Rose	11	Acres
	Rye	5	Acres
	Nursery	2	Acres
	1.010019	_	
31S/29E	Total Cultivated Acres		9,805
	Almond	2,199	Acres
	Industrial Hemp	639	Acres
	Grape, Table	591	Acres
	Oat	564	Acres
	Carrot	530	Acres
	Alfalfa	523	Acres
	Olive	328	Acres
	Wheat, Organic	306	Acres
	Sorghum Milo	282	Acres
	Grape, Wine Organic	270	Acres
	Potato	267	Acres
	Lettuce	250	Acres
		250	
	Onion, Dry		Acres
	Grape, Wine	182	Acres
	Garlic, Organic	160	Acres
	Corn	158	Acres
	Lettuce, Romaine	125	Acres
	Sweet Potato	113	Acres
	Tomato	110	Acres
	Grape, Raisin	81	Acres
	Arugula	80	Acres
	Daikon	80	Acres
	Radish	80	Acres
	Rutabaga	80	Acres
	Turnip	80	Acres
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KERN DELTA WATER DISTRICT CROP REPORT 2019 GROWING SEASON

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SUMMARY BY TOWNSHIP AND RANGE

LOCATION	COMMODITY	QUANTITY	UNITS
	Nursery	77	Acres
	Carrot, Organic	77	Acres
	Cotton	75	Acres
	Fennel	72	Acres
	Vegetable Leaf	70	Acres
	Swiss Chard	60	Acres
	Orange	55	Acres
	Cabbage	54	Acres
	Pepper, Spice	50	Acres
	Potato, Organic	46	Acres
	Pepper, Fruiting	44	Acres
	Celery	42	Acres
	Dandelion Green	42	Acres
	Kale, Organic	42	Acres
	Cherry	42	Acres
	Leek	38	Acres
	Onion, Green	38	Acres
	Wheat	38	Acres
	Cantaloupe	35	Acres
	Apricot	35	Acres
	Blackberry	35	Acres
	Musk Melon	35	Acres
	Nectarine	35	Acres
	Dec. Tree	35	Acres
	Peach	35	Acres
	Plum	35	Acres
	Squash	35	Acres
	Watermelon	35	Acres
	Strawberry	35	Acres
	Cilantro	30	Acres
	Dill	30	Acres
	Parsley	30	Acres
	Onion, Dry Organic	20	Acres
	Lettuce, Organic	11	Acres
	Swiss Chard, Organic	7	Acres
	Squash, Organic	5	Acres

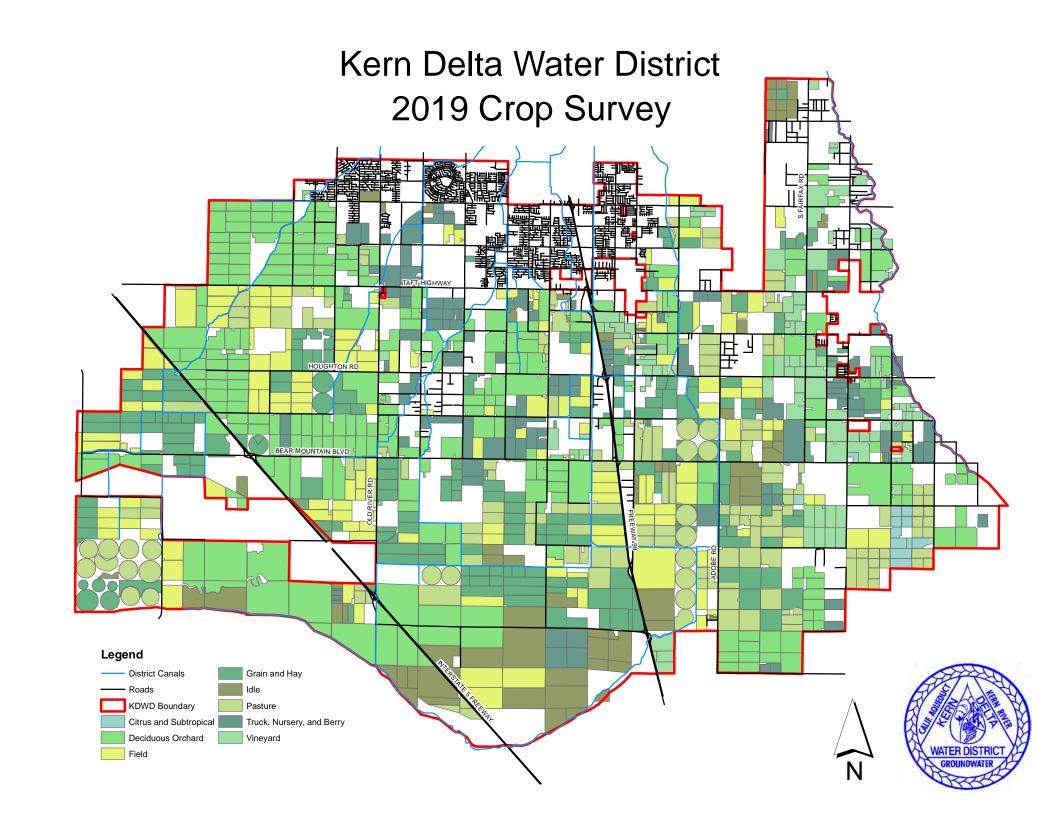
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KERN DELTA WATER DISTRICT CROP REPORT 2019 GROWING SEASON SUMMARY BY TOWNSHIP AND RANGE

LOCATION	COMMODITY	QUANTITY	UNITS
32S/26E	Total Cultivated Acres		5,473
	Pistachio	2,542	Acres
	Alfalfa	1,143	Acres
	Corn	480	Acres
	Sorghum Milo	423	Acres
	Wheat	423	Acres
	Cotton	351	Acres
	Oat	110	Acres
32S/27E	Total Cultivated Acres		15,783
328/2/E	Pistachio	3,411	Acres
	Wheat	3,189	Acres
	Safflower	1,702	
	Corn	1,633	Acres
	Cotton	1,429	Acres
	Alfalfa	1,373	Acres
	Pasture	878	Acres
	Tomato	582	Acres
	Triticale	480	Acres
	Sorghum Milo	413	Acres
	Almond	189	Acres
	Onion	157	Acres
	Potato	80	Acres
	Oat	77	Acres
	Lettuce	77	Acres
	Turnip	51	Acres
	Watermelon, Organic	35	Acres
	Beet	27	Acres
	Rutabaga	2	Acres
	Кишоиди	2	Ticles
32S/28E	Total Cultivated Acres		20,519
	Alfalfa	2,607	Acres
	Wheat	2,395	Acres
	Pistachio	1,931	Acres
	Cotton	1,192	
	Sorghum Milo	855	Acres
	Corn	349	Acres
	Cilantro	305	Acres
	Parsley	305	Acres



LOCATION	COMMODITY	QUANTITY	UNITS
	Grape, Table	251	Acres
	Dill	231	Acres
	Fennel	231	Acres
	Mustard	157	Acres
	Safflower	147	Acres
	Arugula	83	Acres
	Collard Greens	83	Acres
	Kale	83	Acres
	Bok Choy	74	Acres
	Broccoli	74	Acres
	Cabbage	74	Acres
	Cauliflower	74	Acres
	Daikon	74	Acres
	Kohlrabi	74	Acres
	Peas	74	Acres
	Spinach	74	Acres
	Tomato	73	Acres
	Squash, Summer	20	Acres
	Rose	4	Acres
32S/29E	Total Cultivated Acres		1,101
325/27L	Alfalfa	693	Acres
	Olive	142	Acres
	Almond	77	Acres
	Carrot	75	Acres
	Hay	75	Acres
	Industrial Hemp	39	Acres
	1		
	Total Cultivated Acres		143,926



Tab VII KERN DELTA WATER DISTRICT



To: Kern Delta Water District Board of Directors

From: Steven Teglia – General Manager

Date: August 18, 2020

Re: Agenda Item VII – Water Banking Projects

RECOMMENDATION:

Receive report, informational item only.

DISCUSSION:

Below is a summary of activities of note related to various water baking projects/activities of interest to the District.

Kern Fan Recovery Activity:

• As of August 11th, various Kern Fan projects were recovering groundwater (roughly 232cfs) as reported via KCWA.

Pioneer Participant Meeting:

- The Pioneer Participants met on August 13, 2020.
- Discussion regarding options for City of Bakersfield project to construct new facilities to deliver water to McAllister Ranch.

Kern Fan Monitoring Committee:

No Report

KDWD Water Banking Project:

• With the SWP allocation increasing to 20%, Metropolitan Water District notified Kern Delta regarding reducing their request for return water. Kern Delta will continue to deliver return water to MET until the latter half of September.

Cross Valley Canal Advisory Committee:

- Last meeting held July 22, 2020.
- Most water in the CVC is groundwater running in reverse flow to the California Aqueduct. There are some deliveries to AEWSD and the Friant Kern Canal.

Tab VIII KERN DELTA WATER DISTRICT



To: Kern Delta Water District Board of Directors

From: Steven Teglia – General Manager

Date: August 18, 2020

Re: Agenda Item VIII – External Agency Report

RECOMMENDATION:

Receive report, informational item only.

DISCUSSION:

Staff participates in / monitors multiple external agency meetings monthly. Below is a summary including items of note from the various meetings:

Kern County Water Agency:

- The KCWA Board met July 23, 2020.
- SWP allocation increased from 15% to 20%.
- Most KCWA Office Staff teleworking...CVC field and ID-4 staff working as normal (social distancing).
- DCF DEIR December 2020 (see attached timeline graphic).
- Agency approved an agreement with Ernst and Young for the State Water Project Audit for FY 2020-21.

Kern Fan Authority:

- The KFA met July 22nd and July 30th, 2020.
- Steven Teglia appointed Chair and Mark Mulkay appointed as alternate member for Kern Delta.
- KFA approved letter clarifying the intent of the KFA Integration Project Initial Study/Negative Declaration. Letter provided to KCWA, KWBA, and STWSD (see attached).

Kern River Groundwater Sustainability Agency (KRGSA):

- The August 6, 2020 KRGSA Meeting was canceled.
- Next meeting scheduled for September 3, 2020.

Kern Groundwater Authority (KGA):

- The KGA met on July 22, 2020.
- Discussion regarding basin monitoring network submittal.
- Discussion regarding Prop. 68 Grant and Data Management System.
- Next meeting scheduled for August 26, 2020.

Kern River Watershed Coalition Authority (KRWCA)(ILRP):

- The KRWCA met on August 6, 2020.
- Reminder on-farm drinking water well reports due by December 31, 2020.
- Next meeting scheduled for September 3, 2020.

South Valley Water Resources Authority:

- SVWRA met on July 23, 2020.
- Discussion regarding recent meeting with DWR staff.
- Discussion of potential future funding.

Integrated Regional Water Management Plan:

No Report.

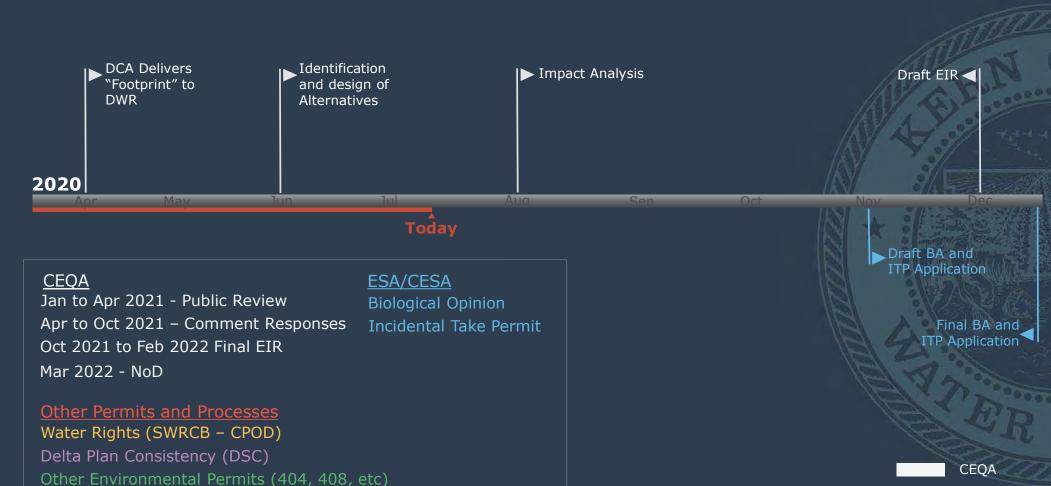
Water Association of Kern County (WAKC):

- WAKC met July 29, 2020.
- WAKC continues to promote the need for agricultural water in California. Plans developed to utilize "wraps" on busses and other locations to support "Magic of Water" campaign.
- Efforts continue to identify/select a successor to Beth Pandol who has announced her retirement.
- The 2021 Water Summit is on hold for now.
- Planning for the 2020 Annual Dinner in November will begin, with the understanding it may have to be canceled.

ESA/CESA

July 23, 2020

Delta Conveyance Planning and Permitting Timeline



Kern Fan Authority

Rosedale-Rio Bravo Water Storage District PO Box 20820 Bakersfield, CA 93390 Buena Vista Water Storage District PO Box 756 Buttonwillow, CA 93206 Kern Delta Water District 501 Taft Highway Bakersfield, CA 93307 Henry Miller Water District PO Box 9759 Bakersfield, CA 93389

July 30, 2020

Jonathan Parker, General Manager KERN WATER BANK AUTHORITY 1620 Mill Rock Way, Suite 500 Bakersfield, CA 93311

Jason Gianquinto, General Manager SEMITROPIC WATER STORAGE DISTRICT 1101 Central Avenue Wasco, CA 93280

Re: Supplemental and Additional Response to Comments Regarding Kern Fan Authority's Draft Initial Study and Negative Declaration

Dear Mr. Parker and Mr. Gianquinto:

The Kern Fan Authority has received and considered your comments to its draft initial study/negative declaration (CEQA document) regarding the proposed Kern Fan Authority (KFA) Integration Project (Project) approved by the KFA. Additionally, the KFA has considered comments by the Kern County Water Agency (KCWA), and has countersigned correspondence dated July 23, 2020 (KCWA Letter), which addresses the same concerns raised by your respective public agencies (a copy of which is attached). Please note that the KFA and its members acknowledge being bound to your respective agencies by the terms and conditions contained in the attached KCWA Letter.

Sincerely,

Steven L. Teglia

Chairman

SLT:vty Enclosure



RECEIVED

JUL 3 0 2020

KDWD

July 23, 2020

Directors:

VIA US MAIL AND E-MAIL

[Steven@kerndelta.org; Robert@mhwlegal.com]

Ted R. Page Division 1

Steven L. Teglia, Chairman Robert Hartsock, Legal Counsel

Bruce Hafenfeld Division 2

Kern Fan Authority c/o Rosedale-Rio Bravo Water Storage District

Martin Milobar Division 3 849 Allen Road

Philip Cerro

Bakersfield, CA 93314

Division 4

Re: Kern Fan Authority's Integration Project Initial Study/Negative Declaration

Charles (Bill) W. Wulff, Jr. Division 5 Chairman Teglia and Mr. Hartsock:

Royce Fast President Division 6 Thank you both for the recent exchange of correspondence and meetings between the Kern Fan Authority (the "Authority") and the Kern County Water Agency (the "Agency") regarding the Authority's Integration Project and Initial Study/Negative Declaration (jointly, the "Negative Declaration"). As you know, the Agency has concerns regarding the purpose and intent behind the Authority's Project, and we appreciate the opportunity to discuss those.

Gene A. Lundquist Vice President Division 7

In the Agency's view, the Negative Declaration did not fully explain what activities are, and are not, analyzed for purposes of CEQA and covered by the scope of the Authority's Project approval. The Agency wishes to ensure that we all have a clear, and mutually agreeable, understanding amongst the Agency, the Authority, and the Authority's Member Agencies¹ as to what the Negative Declaration covers insofar as "water management and groundwater banking programs" and the "exchange, transfer, recharge, recover[y], and operat[ion]" of the water projects already developed by the Authority's Member Agencies.

Thomas D. McCarthy General Manager

Amelia T. Minaberrigarai

General Counsel

As you know, a Tolling Agreement is currently in place with regard to any potential litigation challenging the approval of the Project. The Agency is prepared to give up its right to challenge the Project's approval by allowing the Tolling Agreement to expire and the statutes of limitations to run. However, as a condition of the Agency doing so, we require some clarification and confirmation on a few points as set forth below.

(661) 634-1400

Mailing Address
P.O. Box 58
Bakersfield, CA 93302-0058

Street Address 3200 Rio Mirada Drive Bakersfield, CA 93308

¹ The Authority's Member Agencies include the Rosedale-Rio Bravo Water Storage District ("Rosedale"), Kern Delta Water District ("Kern Delta"), Henry Miller Water District ("Henry Miller"), and Buena Vista Water Storage District ("Buena Vista"). Each of the Member Agencies are identified as CEQA "responsible agencies" in the Negative Declaration and may be relying upon the Negative Declaration for their own actions regarding the Project. (Initial Study p. 1-2.)

The Agency's goal in seeking these confirmations is to avoid litigation, but also to work pro-actively with the Authority and its Member Agencies to confirm there are no issues that might otherwise slow down ability of the Authority and its Member Agencies to implement their integration efforts. Particularly given the budgetary challenges that face many agencies as a result of COVID-19, we know that it is more important than ever to develop reliable and cost-effective planning schedules and to engage in pro-active outreach to neighboring agencies in order to avoid misunderstandings.

Specifically, the Agency would appreciate confirmation of the points below, via a returned, countersigned copy of this letter. The Agency believes that these points are consistent with the prior meetings and correspondence between the Agency and the Authority. If the Authority is able to provide these confirmations on behalf of itself and its Member Agencies, then the Agency is prepared to forego legal challenge against the Project:

- The primary purpose of the Project and the Negative Declaration is to confirm that the Authority and its Member Agencies may be sharing in the use and operation of existing facilities that are currently approved and/or operated by one or more Member Agencies. In that regard, the MND serves a procedural purpose by confirming that the Authority and each Member Agency is "signing onto" one another's previous CEQA documents and/or previous approvals, without the burden of each Member Agency making voluminous and individualized "findings" as to each and every project.
- The Negative Declaration states that to the extent the Authority and/or its Member Agencies wish to use/operate one another's facilities any such use [is] restricted to the capacity limitations and operational constrains of the individual [p]roject descriptions." (Initial Study p. 2-1.) Similarly, the Negative Declaration confirms that "this integration would be limited by the existing capacity and operational constraints of the individual programs of each agency." (Initial Study p. 1-1.) The Negative Declaration further confirms that reciprocal use of facilities among the Member Agencies is "restricted to the existing approved capacity limitations and operational constrains of the individual projects and programs." (Initial Study p. 2-19.) Based on these representations:
 - O To the extent CEQA review <u>has</u> been done for a particular facility, the Authority and its Member Agencies will not use that facility or operate that facility in a manner that exceeds or differs from what was analyzed in those prior CEQA documents, without first undertaking any appropriate supplemental CEQA review. The Agency does understand that the overall use of the facilities may increase as compared to current usage, but any increase in existing use would be "capped" by the maximum level analyzed and approved as part of the prior CEQA documents.
 - o To the extent that CEQA review <u>has not</u> been done for a particular facility,² the Authority and its Member Agencies will not use that facility or operate that facility in a manner that exceeds or differs from the facility's actual historic use, without first undertaking any appropriate CEQA review. As an example, Table 3 of the Negative Declaration mentions

² The Agency notes, for example, that some facilities operated by Henry Miller have not undergone prior CEQA review. Thus, a distinction between facilities that have CEQA coverage and those that do not is appropriate.

Henry Miller's past water management activities (e.g., Kern Delta wheeling Henry Miller's Kern River water obtained through Carmel rights to Henry Miller's lands within Kern Delta, and KFA Members sharing Henry Miller's capacity in the Pioneer and CVC), but the Negative Declaration does not analyze, and the Authority did not approve, any expansion of Henry Miller's facility operations beyond the uses already occurring.

- o Reciprocal usage and operation by the Authority and its Member Agencies applies to each facility on an *individual* facility basis. In other words, the Authority and its Member Agencies will not be treating all the facilities as a single, integrated project, will not be recharging water at one facility but recovering water from a different facility or visa versa, and will not be taking water from one facility and recharging it in a different facility, *unless* the CEQA review or prior approvals for those individual facilities analyzed and authorized those operations. For example, the Negative Declaration does not provide coverage for future use of Henry Miller's groundwater wells by the Authority or its Member Agencies, and such use would not be approved (if at all) until and unless all appropriate project-level CEQA review was completed. As another example, the Negative Declaration does not provide coverage for extraction or recovery of water from Rosedale's facilities, based on water being recharged or banked in Buena Vista's Palms Groundwater Banking Project.
- Similarly, the Negative Declaration and the Project approvals does not authorize the Authority or its Member Agencies to take water of a lesser quality obtained from one facility and use it to recharge an area with higher water quality, unless the CEQA review or prior approvals for those individual facilities analyzed and authorized those operations.
- The Negative Declaration repeatedly confirms that it does not analyze or cover any "construction of new facilities." (E.g., Initial Study pp. 2-1, 2-19.) Therefore, the Negative Declaration and Project approvals do not authorize the Authority or its Member Agencies to construct or operate any new facilities, even if *potential* future facilities are referenced in the Negative Declaration. For example, the "Palms Groundwater Project Extraction Wells and Treatment Facilities" are referenced in Initial Study Table 4 [Summary of Buena Vista Facilities Available to the KFA Integration Program], but construction and operation of those facilities (a separate phase of the Palms Project) has not yet undergone CEQA review or been approved. Thus, that project, including its recovery phase, would not be approved or implemented by the Authority or its Member Agencies prior to the completion of all appropriate CEQA review, i.e., the Palms Groundwater Recovery Project EIR for which Buena Vista Water Storage District has recently published a Notice of Preparation with the State Clearinghouse (SCH # 2020060315).

Please also consider this letter as a request that the Kern County Water Agency be placed on the Ralph M. Brown Act and CEQA notice lists for any future construction projects proposed by the Authority and its Member Agencies.

Kern Fan Authority July 23, 2020 Page 4

Thank you for your consideration of this letter, and we look forward to the Authority's response. Finally, and on a personal note, I hope that both you and your families are doing well. It is a difficult time, and I am happy to discuss the above issues with you if that would be helpful.

Sincerely,

Holly Melton

Water Resources Manager

cc: Eric Averett, General Manager, Rosedale-Rio Bravo Water Storage District

Steven L. Teglia, General Manager, Kern Delta Water District Dominic Sween, General Manager, Henry Miller Water District Tim Ashlock, Engineer-Manager, Buena Vista Water Storage District

Counter-signed this 30 4day of 3014, 2020

by Steven L. Teglia, Chairman of Kern Fan Authority

Tab IX KERN DELTA WATER DISTRICT

RESOLUTION OF THE BOARD OF DIRECTORS OF KERN DELTA WATER DISTRICT ACTING AS A RESPONSIBLE AGENCY IN REGARD TO THE KERN FAN AUTHORITY INTEGRATION PROJECT

RESOLUTION NUMBER: 2020-06

WHEREAS, Kern Delta Water District ("District") is a member of the Kern Fan Authority ("Authority"), a Joint Powers Authority formed pursuant to Government Code §6500 et seq.; and

WHEREAS, the Authority adopted a Negative Declaration for the Kern Fan Authority Integration Project ("Project") and approved the Project on January 22, 2020; and

WHEREAS, District was designated as a Responsible Agency in the Authority's analysis of the Project under the California Environmental Quality Act (CEQA), and as a responsible agency, the District has duly considered the Authority's Initial Study and Negative Declaration dated October 2019 as required by CEQA.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

- 1. The District has reviewed and considered the Authority's Initial Study and Negative Declaration for the Project, including the environmental effects, and the various comments related thereto, as required by 14 CCR 15050 (b) and 14 CCR 15096 (f).
- 2. The District has reached its own independent conclusion on whether or not to approve the Project as required by 14 CCR 15096(a).
- 3. The District has determined the Project will not have a significant effect on the environment.
- 4. The District approves the Project.

ABSTAINED:

5. The District hereby authorizes the filing of a Notice of Determination in substantially the form attached hereto as Exhibit A and authorizes staff to take any and all other appropriate actions to effectuate the purposes of the resolution hereby adopted.

All the foregoing being on the motion of Director _ authorized by the following vote, namely:	, seconded by Director	and
AYES:		
NOES: ABSENT:		

full, true, and correct copy of a resolution of the et adopted at its meeting held on August 18, 2020.
RODNEY PALLA President of the Board of Directors
RICHARD TILLEMA Secretary of the Board of Directors

TO:		FROM:	
☐ Office of Planning and Rese		Public Agency: Kern Delta Water District	
For U.S. Mail:	Street Address:		
P.O. Box 3044 Sacramento, CA 95812-3044	1400 Tenth Street Sacramento, CA 95814	Address: 501 Taft Highway, Bakersfield CA 93307	
,	,	Contact: Steven Teglia	
□ County Clerk		Phone: (661) 834-4656	
County of: Kern		Lead Agency (if different from above):	
Address: 1115 Truxtun Avenue, Bakersfield CA		Kern Fan Authority	
93301		Address: 849 Allen Road, Bakersfield CA 93314	
		Contact: Eric Averett	
		Phone: (661) 589-6045	
State Clearinghouse Number (i	if submitted to State Clearing	with Section 21108 or 21152 of the Public Resources Code. ghouse): 2019109085	
Project Location (include coun			
Project Location (include coun	ty): Kern County, Camornia	d	
decade, th groundwa storage in Bravo Wa Vista Wat recover, a opportunit would not	the member districts of the KF ter banking programs, and ear frastructure. By integrating that ter Storage District, Kern Deser Storage District will be about operate individual water raties for the reciprocal use of the require any new construction.	rations and flexible response capabilities. Over the last A have developed various water management and ach has its own water conveyance, recharge, extraction, and heir respective water management activities, Rosedale-Rio elta Water District, Henry Miller Water District, and Buena ble to maximize their ability to exchange, transfer, recharge, management activities. This integration would create facilities and infrastructure among the four members and n. In addition, this integration would be limited by the existing the individual programs of each agency.	
	Lead Agency or Respons	has approved the above described project on sible Agency) erminations regarding the above described projects.	
		nt effect on the environment.	
		for this project pursuant to the provisions of CEQA. roject pursuant to the provisions of CEQA.	
3. Mitigation measures [[☐ were ⊠ were not] made	a condition of the approval of the project.	
	-	was not] adopted for this project.	
5. A statement of Overrice		was not] adopted for this project.	

This is to certify that the final EIR with comments a Declaration, is available to the General Public at:	and responses and record of project approval, or the Negative
849 Allen Road, Bakersfield, CA 93314	
Signature (Public Agency)	Title: General Manager
Date:	Date Received filing at OPR:



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L. Mark Mulkay
Water Resources Manager
Chris Bellue
Assistant General Manager
Bryan C. Duncan
Controller
Richard Iger
General Counsel
McMurtrey, Hartsook & Worth
Special Counsel

August 11, 2020

California Department of Transportation Central Region Environmental Attn: Som Phongsavanh 855 M Street, Suite 200. Fresno, CA 93721

Via Email: som.phongsavanh@dot.ca.gov

Re: Pumpkin Center 3R Rehabilitation Project

Dear Mr. Phongsavanh:

Kern Delta Water District ("Kern Delta") appreciates the opportunity to comment on the Initial Study with Proposed Mitigated Negative Declaration ("IS/MND") for the Pumpkin Center 3R Rehabilitation Project ("Project"). Kern Delta generally supports the project as a whole and will benefit from an improved State Route 119. However, Kern Delta owns and operates two water banking facilities and five canals/ditches that will be directly impacted by the Project. Accordingly, Kern Delta offers the following comments on the Project.

Kern Delta conjunctively manages the surface water and groundwater resources within its 128,960 acre service area. The Project is located within Kern Delta's boundary and crosses over the Farmers Canal, Randall Ditch, Burness Ditch, Stillson Ditch, and Branch One Ditch (collectively referred to as "Canals") and will encroach upon two water banking projects. The IS/MND states that Kern Delta's Canals may be jurisdictional Waters of the United States thus subject to the jurisdiction of the U.S. Army Corp of Engineers. However, Kern Delta's Canals are not Waters of the U.S. and not subject to U.S. Army Corps of Engineers jurisdiction. Kern Delta's Canals are not, and have never been, used in interstate or foreign commerce and are not subject to the ebb and flow of the tide. Water from Kern Delta's canals are exclusively delivered to agricultural uses and are never released into traditional navigable waters. Therefore, the IS/MND must be corrected to remove any implication that Kern Delta's Canals may be considered Waters of the U.S.

Since the Project impacts Kern Delta's Canals, Caltrans will need to work with Kern Delta as follows:

 Caltrans and Kern Delta will need to enter a common use agreement for the Farmers Canal, Randall Ditch, and the Branch One Ditch. Caltrans and Kern Delta recently entered into a common use agreement for the Burness Ditch and Stillson Ditch, and these may need to be amended.

- Kern Delta will need to review all plans and hydraulic calculations to ensure its facilities are not impacted by Caltrans' improvements.
- Kern Delta will need to approve construction windows for the portions of the Project that impact Kern Delta's Canals.
- Caltrans' contractor must apply for an encroachment permit prior to working within Canal rights-ofway.
- Kern Delta owns parcels 184-220-06 (Romero) and 532-040-14 (property north of Taft Hwy), which
 are identified in the estimated land acquisitions for the project. Kern Delta would like to discuss the
 specific plans for the proposed takes in more detail to see if there are potential impacts to our projects.
 Depending upon that conversation, Kern Delta may help streamline the acquisition process.

Thank you for the opportunity to comment on this Project. Please add Kern Delta to the mailing list for any further proceedings. We look forward to working with Caltrans on the Project.

Sincerely.

Steven L. Teglia General Manager

Kern Delta Water District