



September 18, 2024

Bakersfield Mayor and City Council  
1600 Truxtun Avenue  
Bakersfield, CA 93301

**RE: September 11, 2024, Bakersfield City Council Meeting - Kern River Discussion.**

Dear Mayor and Councilmembers:

During the public statements portion of the September 11, 2024, Bakersfield City Council meeting, several City Council members and City staff engaged in a dialogue with public speakers regarding water in the Kern River. After reviewing the discussion, Kern Delta Water District and North Kern Water Storage District (Districts) would like to provide information and context to the discussion that was missing during the responses provided by City representatives. In addition to providing this important information to enhance transparency, the Districts would also like to recommend a collaborative approach in furtherance of the City's stated desire to provide for annual water flow in the lower reaches of the river.

As background, the valley floor portion of the Kern River Channel is part of an alluvial fan. The flow of the Kern River naturally slows and spreads as the Kern River emerges from the confined borders of the Kern River Canyon and onto the valley floor. The hydrology of the Kern River watershed is highly variable, producing April through July surface water runoff totals as low as 57,665 acre-feet of water (2015) to a record high of 1,747,874 acre-feet of water (1969), and annual amounts ranging unpredictably at points between those two extremes. In the dry to below average years, daily natural flows can be below 100cfs. Given the variable nature of the Kern River, in many years available water cannot support continuous wetting of lower reaches. The river naturally dries back to upstream reaches, even without diversions for beneficial uses such as those that support urban and agricultural demands.

An important element of the operation of the Kern River is the Miller Haggin Season, the annual period of March 1<sup>st</sup> through August 31<sup>st</sup> which coincides with spring/summer snowmelt. This period of time has historical significance as river flows reached downstream water users known as Second Point. Constructed in 1953, Isabella Dam provides both flood protection and water conservation/storage which protects and serves the greater Bakersfield area. Post construction of Isabella Dam, Second Point users continue to accrue water pursuant to their water rights to be delivered “loss-free” to the Second Point of Measurement (near the City’s 2800-acre water recharge facility) during the Miller Haggin Season. The First Point right holders (Kern Delta, City of Bakersfield, and North Kern Water Storage District) collectively contribute to the delivery of Second Point water in one of several ways. First, water can be delivered downstream via the Kern River Channel with First Point users absorbing transportation losses (due to seepage, percolation, and potential evaporation); Second, water can be delivered downstream via the “Kern River Conduit” (A combination of the Carrier Canal and River Canal) which takes water out of the River Channel and significantly reduces the delivery losses, as the Conduit is narrower than the river and the combined canals include lined sections; and lastly, Second Point water can be delivered via exchange which requires no transportation of water through either facility.

It should be noted that the City of Bakersfield’s largest annual water supply is produced during the Miller Haggin Season by using the Conduit to avoid delivering water to Second Point via the Kern River. This water supply, referred to as the “Conduit Entitlement,” is generated by calculating the amount of water “salvaged” or saved by not putting water in the Kern River for delivery to Second Point. Each First Point right holder contributes a daily amount of water consistent with the calculation during the Miller Haggin Season. The Districts, as primary contributors to the Conduit Entitlement, provide a significant portion of this water, which the City has stored in Isabella Reservoir or used to meet its obligations.


In 2024, the Districts agreed to contribute to the Conduit Entitlement during the Miller Haggin Season, with the understanding that the City agreed to flow a significant portion of that supply down the river channel daily from March through August. This arrangement, which is highly dependent on the hydrology of the year, resulted in visible flows in the Kern River during the above-referenced period. This collaborative effort highlights the productive partnership between the City and the Districts.


Given the foregoing, the Districts support contributing annually to the Conduit Entitlement, again, with the understanding that the City continues to utilize the majority of that supply for flow in the river channel to a reasonable extent based on hydrology and the City’s obligations. This arrangement will benefit the City, as no agency is better positioned to capitalize on water flowing in the Kern River within the City limits.


The landowners represented by the Districts, a majority of which are also your constituents, have historically and continue to utilize water from the Kern River for beneficial uses in a reasonable manner to support a major portion of our local economy by providing employment and economic activity vital to the well-being of our community. These efforts have far-reaching benefits, throughout and well beyond our city and county. In the current regulatory environment in California, it is more important than ever that the Districts work to ensure our landowners have a reliable source of surface water consistent with the respective rights of the Districts.

Notwithstanding the foregoing, the Districts are committed to working collaboratively with the City to develop feasible and reasonable operational options that consider annual hydrology, the need for beneficial water use, and the public's desire to see more frequent visible flows in the lower reaches of the Kern River.


**On behalf of Kern Delta Water District:**


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Rodney Palla – President


DocuSigned by:  
  
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Steven Teglia – General Manager

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Richard Iger – General Counsel

**On behalf of North Kern Water Storage District:**

DocuSigned by:  
  
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Kevin Andrew – President

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David Hampton – General Manager

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Scott K. Kune – Legal Counsel

cc: City of Bakersfield – City Manager's Office  
City of Bakersfield – City Attorney's Office  
City of Bakersfield – Water Resources Department