



## REGULAR BOARD OF DIRECTORS MEETING

501 Taft Highway  
Bakersfield, California

**TUESDAY, December 17, 2024**

### AGENDA

#### **CALL TO ORDER AND ANNOUNCEMENT OF QUORUM**

**12:00PM**

#### **CLOSED SESSION:**

- A. Conference with Legal Counsel – Existing Litigation – Closed Session Pursuant to Gov. Code § 54956.9(d)(1):
1. SWRCB Kern River.
  2. Rosedale Rio Bravo Water Storage District, et al. v. Kern County Water Agency, et al. (CVC).
  3. Kern Delta Water District et al. v. Rosedale Rio Bravo Water Storage District, et al. (Onyx Ranch CEQA).
  4. Rosedale Rio Bravo Water Storage District v. Buena Vista Water Storage District, et al. (Onyx Ranch Water Rights).
  5. Bring Back the Kern, et al. v. City of Bakersfield, et al.
  6. Sierra Club v. California Department of Water Resources (Delta Conveyance Project Validation).
- B. Conference with Legal Counsel – Potential Litigation – Closed Session Pursuant to Gov. Code § 54956.9(d)(2),(e)(1):
1. Two Matters.

#### **REGULAR SESSION:**

**1:00PM**

#### **INTRODUCTION OF GUESTS AND PUBLIC**

- I. **PUBLIC COMMENT** (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. **CONSENT CALENDAR** (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. Approval of Minutes from the Regular Board Meeting of November 19, 2024.
  - B. Approval of November/December District Construction and Water Banking Project(s) Disbursements.
  - C. Approval of November/December District Disbursements.
- III. **BUSINESS AND FINANCE** (The Board will consider various items and issues relating to financial matters which are of interest to the District.)
- A. Business & Finance Committee Report – December 12, 2024.
    - i. Approval of November 2024 Financial Reports.

- 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 Report – December 3, 2024 – (Meeting Canceled).
    - i. District Encroachment Permit Report.
    - ii. District Facility and Banking Maintenance Report.
    - iii. Pending Development Projects.
    - iv. Sunset Groundwater Banking Project Update.
  - B. Ratification of Task Order #3 with Lonnie A. Cross Land Leveling Inc. for Miscellaneous Canal Dredging in an amount not to exceed \$34,320.
- V. WATER RESOURCES REPORT** (The Board will consider various items and issues relating to the Kern River of interest to the District.)
- A. District Watermaster Report.
    - i. State Water Project – 2025 SWP Allocation 5%.
    - ii. Kern River Runoff Forecast.
    - iii. Water Management Update.
  - B. Kern River Watermaster Report.
  - C. District Groundwater Manager 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.
    - i. District Grower Portal Update.
    - ii. SGMA Update – 2024 Adopted Kern Subbasin GSP.
  - B. External Agency Report.
  - C. Water Banking Projects Report.
- VII. ATTORNEY'S REPORT** (Legal Counsel will discuss, and the Board will consider items and issues of legal interest to the District.)
- A. Verbal.
  - B. Valley Ag Water Coalition Annual Report.
- VIII. BOARD MEMBER COMMENTS** (This item provides Board Members with an opportunity to make announcements or provide general comments.)
- IX. ADJOURN**

Requests for disability related modifications or accommodations, including auxiliary aids or services may be made by telephoning or contacting Madelyne Rodriguez 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.

# Tab II





To: Kern Delta Water District Board of Directors

From: Steven Teglia – General Manager

Date: December 17, 2024

**Re: Agenda Item II – Consent Calendar**

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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.** Approval of Minutes from the Regular Board Meeting of November 19, 2024 (attached).

**II B.** Approval of November/December District Construction and Water Banking Project(s) Disbursements totaling \$234,845.77\* (attached), recommended for approval by the Business and Finance Committee (*see December 12, 2024 Business and Finance Committee Minutes for additional detail*).

**II C.** Approval of November/December District Disbursements (attached) recommended for approval by the Business and Finance Committee (*see December 12, 2024 Business and Finance Committee Minutes for additional detail*).

*\*The Operations and Projects Committee meeting of December 3, 2024 was canceled. Therefore, the District Construction and Water Banking Project(s) Disbursements were reviewed and recommended for approval by the Business and Finance Committee on December 12, 2024.*



## MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

November 19, 2024

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### **Tuesday, November 19, 2024, 12:03PM– 3:04PM**

DIRECTORS PRESENT: Palla, Mendonca, Antongiovanni, Tillema, Garone, Spitzer, and Kaiser.

DIRECTORS ABSENT: Fanucchi, and Borba.

STAFF PRESENT: General Manager Teglia, Assistant General Manager Bellue, General Counsel Iger, Controller Duncan, Hydrographer Hyatt, Groundwater Manager Marquez, and Office Manager Rodriguez.

OTHERS PRESENT:

### **CLOSED SESSION DECLARED AT 12:03PM**

President Palla called to order the Closed Session of the Kern Delta Board of Directors at 12:03PM regarding the following agenda items:

A. Conference with Legal Counsel – Existing Litigation – Closed Session Pursuant to Gov. Code § 54956.9(d)(1):

1. SWRCB Kern River.
2. Rosedale Rio Bravo Water Storage District, et al. v. Kern County Water Agency, et al. (CVC).
3. Kern Delta Water District et al. v. Rosedale Rio Bravo Water Storage District et al. (Onyx Ranch CEQA).
4. Rosedale Rio Bravo Water Storage District v. Buena Vista Water Storage District, et al. (Onyx Ranch Water Rights).
5. Bring Back the Kern, et al. v. City of Bakersfield, et al.
6. Sierra Club v. California Department of Water Resources (Delta Conveyance Project Validation).

B. Conference with Legal Counsel – Potential Litigation – Closed Session Pursuant to Gov. Code § 54956.9(d)(2),(e)(1):

1. One Matter.

Closed Session concluded at 1:21PM.

### **REGULAR SESSION DECLARED AT 1:27PM**

President Palla called to order the Regular Session of the Kern Delta Board of Directors at 1:27PM.

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

Item A: No reportable action.

Item B: No reportable action.

## **INTRODUCTION OF GUESTS AND PUBLIC**

Those listed as others present were introduced.

### **I. PUBLIC COMMENT**

None.

### **II. CONSENT CALENDAR**

M/S/C (Mendonca/Tillema) (yes-7, no-0): By unanimous vote, with Directors Fanucchi and Borba absent, the Board approved and authorized items II A through II D of the Consent Calendar.

- A. Approval of Minutes from the Special Board Meeting of October 15, 2024.
- B. Approval of October/November District Construction and Water Banking Project(s) Disbursements.
- C. Approval of October/November District Disbursements.
- D. Approval of District 2025 Meeting Calendar.

### **III. BUSINESS AND FINANCE**

A. - A(i). Public Hearing: Consideration of Resolution 2024-04 Levying Special Assessments Within Zones of Benefit: Following summary comments by staff, President Palla opened the Public Hearing and asked if there was anyone present wanting to comment on the item. Seeing none, President Palla closed the Public Hearing and returned the item to the Board for discussion and action.

M/S/C (Garone/Kaiser) (yes-7, no-0): By unanimous vote, with Directors Fanucchi and Borba absent, the Board adopted Resolution 2024-04 Levying Special Assessments Within Zones of Benefit as presented.

B. Business & Finance Committee Report – November 14, 2024: District Controller Duncan provided a report from the November Business & Finance Committee Meeting.

B(i). Approval of October 2024 Financial Reports: Mr. Duncan presented the October 2024 District and Water Banking Project(s) Financial Statements, Treasurer's Reports, and District Delinquency Report.

M/S/C (Antongiovanni/Kaiser) (yes-7, no-0): By unanimous vote, with Directors Fanucchi and Borba absent, the Board approved the October 2024 District and Water Banking Project(s) Financial Statements, Treasurer's Reports, and Delinquency Report as presented.

### **IV. OPERATIONS AND PROJECTS**

A. - A(i-iv). Operations and Projects Committee Report – November 5, 2024: Assistant General Manager Bellue reported on several items, including District maintenance activities, recent encroachment permit requests, pending development projects impacting District facilities, and a status update related to the Sunset Groundwater Banking project.

## **V. WATER RESOURCES REPORT**

A. - A(i-ii). District Watermaster Report: Staff reviewed and discussed the water supplies of the District for the months of October and early November. Approximately 7,730 acre-feet of water was diverted in District during October. Staff also provided information related to current precipitation totals and future forecasts.

B. Kern River Watermaster Report: The November Kern River Watermaster Report was included in the Board packet.

C. District Groundwater Manager Report: Groundwater Manager Marquez provided verbal comments supplementing graphical information regarding depth to groundwater at various monitoring locations throughout the District.

## **VI. MANAGER'S REPORT**

A. - A(i). Verbal and SGMA Update: Mr. Teglia provided a verbal report regarding several items including an update regarding current SGMA activities. This included a brief discussion regarding the Kern Subbasin coordination and outreach efforts. Teglia highlighted the subbasin's efforts to finalize the 2024 GSP following technical review meetings with the SWRCB staff and feedback provided during public outreach meetings. Teglia explained that the subbasin GSAs were working in coordinated fashion to adopt the final 2024 GSP in December so it can be provided to the SWRCB in advance of the scheduled February 20, 2025 Kern Subbasin probationary hearing. Teglia also noted that the Kaweah Subbasin probationary hearing scheduled for January 7, 2025 had been canceled by the SWRCB following the submittal of a newly adopted GSP in that basin.

B. External Agency Report: 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, Kern Fan Authority, Kern River Watershed Coalition Authority, Kern Water Collaborative, Kern Non-Districted Land 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.

C. Water Banking Projects Report: Mr. Teglia provided verbal comments supplementing a memorandum included in the Board package which provided information on water banking project activity on the Kern Fan as well as District water banking project activities. Mr. Teglia also provided a brief report regarding a recent field visit by MWD representatives.

## **VII. ATTORNEY'S REPORT**

A. Verbal: Mr. Iger provided a brief presentation regarding Director compensation regulations.

## **VIII. BOARD MEMBER COMMENTS**

President Palla updated the Board on a recent meeting of the Administrative and Executive Committee to review the District's surface water allocation policy as it relates to changing land uses. Additional meetings on this topic are anticipated and additional reports from the Committee will be forthcoming. In addition, Mr. Teglia provided a brief look ahead at the upcoming meeting schedule. The next two meetings of the Board will be December 17, 2024 and January 21, 2025. It is anticipated that both the December 3, 2024 and January 7, 2025 Board meetings will be canceled.

**IX. ADJOURNMENT**

There being no further business, President Palla adjourned the meeting at approximately 3:04PM.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Steven Teglia", written in a cursive style.

Steven Teglia, General Manager

Approved by Board,

A handwritten signature in black ink, appearing to read "Richard Tillema", written in a cursive style.

Richard Tillema, Board Secretary



**KERN DELTA WATER BANKING PROGRAM DISBURSEMENTS**  
**RECOMMENDED BY THE OPERATIONS & PROJECTS COMMITTEE**  
**Tuesday, December 3, 2024**

#	PAYEE	AMOUNT	CHECK
1	PGE - KB3	Well Utilities	68.17 EFT
2	PGE - FR2	Well Utilities	47.77 EFT
3	PGE - ST1	Well Utilities	30.22 EFT
4	PGE - KB6	Well Utilities	47.30 EFT
5	PGE - KB4	Well Utilities	47.30 EFT
6	PGE - BV2	Well Utilities	11.03 EFT
7	PGE - BV3	Well Utilities	27.97 EFT
8	PGE - BV2	Well Utilities	64.65 EFT
9	PGE - BV5	Well Utilities	50.79 EFT
10	PGE - BV4	Well Utilities	62.89 EFT
11	PGE - KD2	Well Utilities	237.04 EFT
12	PGE - FR3	Well Utilities	29.70 EFT
13	PGE - AE3	Well Utilities	33.16 EFT
14	PGE - KI8	Well Utilities	57.54 EFT
15	PGE - KD1	Well Utilities	28.25 EFT
16	PGE - AE2	Well Utilities	44.21 EFT
17	PGE - AE4	Well Utilities	193.70 EFT
18	LOWE'S	Bolts, Box Cover, Paint Supplies	139.75 EFT
19	PGE - KB3	Well Utilities	57.55 EFT
20	PGE - ST1	Well Utilities	0.68 EFT
21	PGE - KB6	Well Utilities	27.97 EFT
22	PGE - AE1	Well Utilities	118.03 EFT
23	PGE - KB4	Well Utilities	28.13 EFT
24	PGE - FR2	Well Utilities	28.32 EFT
25	PGE - KI7	Well Utilities	56.06 EFT
26	AGILITECH, IES	Kb1 Repairs, Maint. All Wells	24,480.59 4031
27	KCWA	2025 1st Quarter Cvc O&M	208,827.00 4032
<b>TOTAL</b>		<b>234,845.77</b>	

*\*The December 3rd 2024, Operations and Projects Committee was canceled, the above will be reviewed at the December 12th, 2024, Business and Finance Committee meeting.*

**KERN DELTA WATER DISTRICT**  
**DISBURSEMENTS RECOMMENDED BY THE BUSINESS AND FINANCE COMMITTEE**  
**Thursday, December 12, 2024**

**NOVEMBER 2024 SUB TOTAL    \$        385,761.39**

<b># PAYEE</b>	<b>AMOUNT</b>	<b>CHECK</b>
1 PRINCIPAL LIFE INSURANCE - 12/2024 Premium	5,743.45	EFT
2 PACIFIC GAS & ELECTRIC - Office utilities	1,954.70	EFT
3 PROGRESSIVE TECHNOLOGY, INC. - 2 Laptops, phone service	6,488.06	EFT
4 PITNEY BOWES - Service agreement	155.94	EFT
5 STERLING ADMINISTRATION - Hra admin	125.00	EFT
6 PACIFIC GAS & ELECTRIC - Office utilities	63.79	EFT
7 LOWE'S BUSINESS ACCOUNT - Anchor, bolts, ratchets, pipe	781.18	EFT
8 PROGRESSIVE TECHNOLOGY, INC. - Phones, laptop	2,671.35	EFT
9 CAREFREE TECHNOLOGY MANAGEMENT, LLC. - IT support	5,750.00	EFT
10 UNITED AG BENEFIT TRUST - 12/2024 Medical premium	38,817.42	EFT
11 ADVANCE AUTO PARTS - Brake pads #326	104.15	47737
12 AMAZON CAPITAL SERVICES - Office supplies	242.24	47738
13 AMERICAN HYDROTECH - Lawn maintenance	325.00	47739
14 BUDGET BOLT, INC. - All thread, bolts	431.65	47740
15 CHRISTENSEN, INC. - Fuel	8,165.35	47741
16 CINTAS - Uniforms, towels, mats	967.46	47742
17 DANIELS TIRE SERVICE - Tires #326, 4 tires #222	1,439.85	47743
18 EL PUEBLO RESTAURANT - 10/15/24 Catering	602.69	47744
19 CRYSTAL CLEAN, LLC - Waste oil pickup	225.00	47745
20 JIM BURKE FORD - Filters, repairs #234, wiper blades	1,653.99	47746
21 KERN COUNTY PUBLIC WORKS - Waste removal	1,944.96	47747
22 O'REILLY AUTO PARTS - Oil	162.31	47748
23 PROFORMA - Mark polo	37.89	47749
24 RELIABLE JANITORIAL - Cleaning service	1,185.00	47750
25 SCHWEBEL PETROLEUM - Def	153.45	47751
26 WIENHOFF AND ASSOCIATES, INC. - Annual consortium	595.00	47752
27 CITY OF BAKERSFIELD - 2024 3Rd qtr. clearing	88,403.23	47753
28 SCHWEBEL PETROLEUM - 55 Gal 5-20w	1,400.92	47754
29 TARGET SPECIALTY PRODUCTS - Capstone 20 gal	1,436.01	47755
30 FRED GARONE - Board member fees 04/2024-10/2024	1,400.00	47756
31 GEORGE BORBA - Board member fees 04/2024-10/2024	800.00	47757
32 JOEY MENDONCA - Board member fees 04/2024-10/2024	1,100.00	47758
33 JOHN KAISER - Board member fees 04/2024-10/2024	1,700.00	47759
34 KEVIN ANTONGIOVANNI - Board member fees 04/2024-10/2024	1,700.00	47760
35 RICHARD TILLEMA - Board member fees 04/2024-10/2024	1,400.00	47761
36 ROBERT FANUCCHI - Board member fees 04/2024-10/2024	1,600.00	47762
37 RODNEY PALLA - Board member fees 04/2024-10/2024	3,500.00	47763
38 ROSS E. SPITZER - Board member fees 04/2024-10/2024	800.00	47764
39 Payroll #24	82,554.28	EFT
40 EFT-IRS P/R #24	22,867.70	EFT
41 Edd-State P/R #24	5,310.78	EFT
42 CASDU	467.06	EFT

43 Payroll People #24	188.02	EFT
44 Lincoln Life - Retirement Program	12,715.42	EFT
45 Lincoln Life - Deferred Comp.	3,272.00	EFT
46 Empower - Deferred Comp.	1,282.00	EFT
<b>NOVEMBER 2024 TOTAL</b>		<b>700,445.69</b>

# PAYEE	AMOUNT	CHECK
1 CAREFREE TECHNOLOGY MANAGEMENT, LLC. - IT support	5,750.00	EFT
2 PROGRESSIVE TECHNOLOGY, INC. - Switch	1,418.18	EFT
3 LOWE'S BUSINESS ACCOUNT - Lumber, shop lights, batteries	25,026.75	EFT
4 SPECTRUM - Internet service	391.51	EFT
5 PACIFIC GAS & ELECTRIC - 10/24/24-11/21/24 Lights	14.54	EFT
6 VERIZON CONNECT - GPS service	514.50	EFT
7 VERIZON - Cell service	678.91	EFT
8 CENTRALIZE HR, LLC. - HR support	1,895.00	EFT
9 1 ANSWERING SERVICE - Answering service	284.71	47765
10 ADVANCE AUTO PARTS - Brake pads #225	37.88	47766
11 AMAZON CAPITAL SERVICES - Emp. X-mas	158.89	47767
12 B&B SURPLUS, INC. - Metal (ryzona dr)	250.06	47768
13 BATTERY SYSTEMS, INC. - Battery #229, #328	456.93	47769
14 CASH - 12/2024 Emp Xmas 2024	3,700.00	47770
15 CENTRAL CALIFORNIA POWER - Repairs #330	5,446.80	47771
16 CENTRAL VALLEY SOFTWARE - Storm app lic. 8 Devices	8,000.00	47772
17 CHRISTENSEN, INC. - Fuel	4,517.86	47773
18 CINTAS - Uniforms, towels, mats	959.27	47774
19 CITY OF BAKERSFIELD - KRGSA cash call 12/2024	50,000.00	47775
20 DANIELS TIRE SERVICE - Sensor #213	209.42	47776
21 ELLISON, SCHNEIDER & HARRIS L.L.P. - Professional services	65,050.79	47777
22 GRAINGER - Hose reel, solenoid #328	610.43	47778
23 GREENFIELD COUNTY WATER DIST. - Office utilities	266.91	47779
24 INDUSTRIAL MEDICAL GROUP - Employee physicals	780.00	47780
25 JIM BURKE FORD - Repairs #326	8,957.24	47781
26 KERN COUNTY WATER AGENCY - 2025 1st qtr. CVC standby	4,332.64	47782
27 LAUREL AG & WATER, LLC - Couplings for bait station	170.36	47784
28 MARCOM GROUP - Website hosting	95.00	47785
29 McMURTREY, HARTSOCK, WORTH, et al. - Professional services	2,000.00	47786
30 MCWANE PLANT AND INDUSTRIAL LLC - Gates	5,625.45	47787
31 O'REILLY AUTO PARTS - Fuse #328	5.73	47788
32 PITNEY BOWES - Postage refill	1,000.00	47789
33 POPS TEST ONLY SMOG - Smog test #213	60.00	47790
34 PRICE DISPOSAL - Waste removal	77.83	47791
35 QUINN - Repairs #403	829.11	47792
36 SCHWEBEL PETROLEUM - Grease	365.65	47793
37 STERICYCLE, INC. - Shred service	253.95	47794
38 SWEEPING CORP OF AMERICA - Parking lot maintenance	460.00	47795
39 TARGET SPECIALTY PRODUCTS - Cascade 4 totes, Teton 4 totes	188,084.38	47796

40 TECHNOFLO SYSTEMS, INC. - 2-12" Meters	3,594.59	47797
41 WESTAIR GASES & EQUIPMENT, INC. - Oxygen	635.52	47798
42 ZENITH INSURANCE COMPANY - Installment 7	7,785.00	47799
43 Payroll #25	81,277.95	EFT
44 EFT-IRS P/R #25	22,492.72	EFT
45 Edd-State P/R #25	5,251.27	EFT
46 CASDU	467.06	EFT
47 Payroll People #25	184.57	EFT
48 Lincoln Life - Retirement Program	12,754.05	EFT
49 Lincoln Life - Deferred Comp.	3,272.00	EFT
50 Empower - Deferred Comp.	1,282.00	EFT
<b>DECEMBER 2024 SUBTOTAL</b>		<b>527,733.41</b>

**KERN DELTA WATER DISTRICT****Anticipated Disbursements - Month End - December 2024**

		<b>December 2024 Estimated</b>
<b>Payee</b>	<b>Reason</b>	
AMAZON CAPITAL SERVICES	office supplies	350.00
AMERICAN HYDROTECH	lawn service	325.00
BATTERY SYSTEMS	vehicle maintenance	150.00
BLUE PRINT SERVICE CO.	blue prints	350.00
BOARD OF DIRECTORS	board members meeting allowance	5,500.00
BUDGET BOLT	maintenance materials	250.00
CAREFREE TECH MANAGEMENT	IT support and security	5,750.00
CARQUEST	brake fluid, lube	125.00
CASH	safety incentive	200.00
CHRISTENSEN/(Amerifuel)	gas/diesel fuel	8,175.00
CINTAS	uniform/laundry service	1,200.00
CITIZENS CARDMEMBER SERV	misc expenses	7,500.00
COX, CASTLE & NICHOLSON LLP	professional services	30,000.00
DANIELS TIRE SERVICE	vehicle tires/repair	1,500.00
ELLISON, SCHNEIDER & HARRIS	professional services	50,000.00
EMPOWER	deferred comp contributions	1,282.00
JIM BURKE	truck maintenance/repair	1,650.00
KERN COUNTY PUBLIC WORKS	waste disposal	1,500.00
LINCOLN FINANCIAL	pension/deferred comp contributions	16,026.00
LOWE'S	maintenance materials	780.00
MARCOM GROUP	district web site support	95.00
MOSSMAN'S	catering	600.00
NORTH KERN WSD	weather modification	12,515.00
O'REILLY AUTO PARTS	vehicle repair parts	85.00
P.G.&E.	district office utilities	1,950.00
PRINCIPAL LIFE INS.	dental/vision/life insurance premium	5,850.00
PROGRESSIVE TECH.	phones	950.00
RELIABLE JANITORIAL	janitor service	1,185.00
SCHWEBEL PETROLEUM	oil/lubricants	250.00
SPECTRUM	internet access	391.51
STERLING ADMINISTRATION	medical insurance - annual fees	125.00
STINSON'S	office supplies	375.00
TARGET	weed control chemicals	25,000.00
UNITED AG	medical insurance premium	38,817.00
VERIZON	cell phones and service	678.00
		<u>221,479.51</u>

Tab III





## **BUSINESS & FINANCE COMMITTEE MEETING**

**501 Taft Highway  
Bakersfield, CA**

**THURSDAY, December 12, 2024  
10:00AM**

### **A G E N D A**

- 1. Call to order**
- 2. Public Comment Period**
- 3. Approve Minutes of November 14, 2024, Business & Finance Committee Meeting**
- 4. Financial Reports and Accounts Payable:**
  - a. Approve November and December District and Banking Project(s) Disbursements
  - b. Approve November 2024 Financial Reports
- 5. District Controller's Report:**
  - a. Investment Portfolio Review
- 6. Committee Comments**
- 7. Adjourn**

A handwritten signature in black ink, appearing to read "Bryan C. Duncan", with a stylized flourish at the end.

**Bryan C. Duncan  
District Controller**

**Posted: Monday December 9, 2024  
Bakersfield, California**

Requests for disability related modifications or accommodations, including auxiliary aids or services may be made by telephoning or contacting Madelyne Rodriguez 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.



MINUTES OF THE BUSINESS & FINANCE COMMITTEE  
Thursday, December 12, 2024

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DIRECTORS PRESENT: Tillema, Garone, and Kaiser

OTHERS PRESENT: From KDWD: Assistant General Manager Bellue, Controller Duncan, and General Counsel Iger

1. **CALL TO ORDER**

Director Tillema called the meeting to order at 10:07 A.M.

2. **PUBLIC COMMENTS**

None.

3. **APPROVAL OF PREVIOUS COMMITTEE MEETING MINUTES**

- a. **M/S/C (Garone/Kaiser) (yes – 3, no – 0):** The Business & Finance Committee approved the minutes of the Business & Finance Committee meeting held on November 14, 2024, as presented.

4. **FINANCIAL REPORTS AND DISBURSEMENTS**

- a.-b. Approval of November 2024 and December 2024 Disbursements and November 2024 Financial Reports. **M/S/C (Kaiser/Garone) (yes – 3, no – 0):** The Business & Finance Committee recommends the Board approve the November 2024 and December 2024 District Disbursements, the December 2024 Water Banking Projects' Disbursements, the anticipated December 2024 end of month Disbursements, and the November 2024 District and Water Banking Projects' Financial Statements, Treasurer's Reports, and Delinquency Report as presented.

5. **DISTRICT CONTROLLER'S REPORT**

- a. Staff presented an update of the District's investment portfolio.

6. **COMMITTEE COMMENTS**

None.

7. **ADJOURN**

Director Tillema adjourned the meeting at 10:34 A.M.

Respectfully submitted,

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Richard Tillema – Acting Chair



**Kern Delta Water District  
Balance Sheet  
As of November 30, 2024**

	<u>11/30/2024</u>	<u>10/31/2024</u>	<u>Month-to-Month Variance</u>
<b>Assets</b>			
Current Assets			
Cash & Cash Equivalents	33,476,576	33,340,362	136,213
Accounts Receivable	124,260	506,361	(382,100)
Inventory & Prepaid Expenses	615,569	329,051	286,518
Total Current Assets	<u>34,216,405</u>	<u>34,175,774</u>	<u>40,631</u>
Net Fixed Assets			
Fixed Assets			
District Structures, Rights of Way	18,077,760	18,077,760	0
CVC Expansion	8,776,667	8,776,668	0
Machinery & Equipment	3,817,155	3,809,708	7,446
Fixed Assets	<u>30,671,582</u>	<u>30,664,136</u>	<u>7,446</u>
Less Accumulated Depreciation	<u>(8,591,867)</u>	<u>(8,539,367)</u>	<u>(52,500)</u>
Net Fixed Assets	<u>22,079,715</u>	<u>22,124,769</u>	<u>(45,054)</u>
Investment in Joint Powers Authority	<u>23,724</u>	<u>23,724</u>	<u>0</u>
Investment in Banking Project	<u>9,527,537</u>	<u>9,527,537</u>	<u>0</u>
Investment in Sunset Banking Program	<u>1,638,344</u>	<u>1,638,344</u>	<u>0</u>
<b>Total Assets</b>	<b><u>67,485,725</u></b>	<b><u>67,490,148</u></b>	<b><u>(4,423)</u></b>
<b>Liabilities &amp; Equity</b>			
Current Liabilities			
Accounts Payable	372,945	210,506	162,439
Other Liabilities	162,756	166,483	(3,728)
Total Current Liabilities	<u>535,701</u>	<u>376,989</u>	<u>158,711</u>
Long Term Liabilities			
Bonds & COP Debt	3,075,000	3,075,000	0
Bonds Premium & Costs	82,500	97,468	(14,967)
Total Long Term Liabilities	<u>3,157,500</u>	<u>3,172,468</u>	<u>(14,967)</u>
Equity From Past Years	63,229,892	63,229,893	0
Accumulated Equity - Current Year	<u>562,632</u>	<u>710,798</u>	<u>(148,167)</u>
<b>Total Liabilities &amp; Equity</b>	<b><u>67,485,725</u></b>	<b><u>67,490,148</u></b>	<b><u>(4,423)</u></b>

**Kern Delta Water District**  
**Cash Variance Analysis**  
**November 30, 2024**

**Cash Received:**

Accounts Receivable Collections	448,663
Property Tax Receipts	293,564
Interest Received	158,956
	<u>901,183</u>

**Cash Disbursed:**

Disbursements for Goods and Services:	
ACWA/JPIA - Annual Auto/Gen Liability Insurance Premium	(206,662)
City of Bakersfield - 3rd Qtr Clearing	(88,403)
Medical/Dental Monthly Insurance Premiums	(44,561)
Target/UPL - Weed Chemicals	(20,383)
Professional Services	(17,895)
Diesel/Gas for Fleet	(17,664)
Progressive Tech/Carefree Tech - Cyber Security, Tech	(14,909)
Zenith Insurance - Workers' Comp	(7,785)
Vehicle/Equipment Maintenance	(4,268)
Canal maintenance	(2,888)
Kern County Public Works	(1,945)
Other Disbursements	(17,267)
	<u>(444,630)</u>
Payrolls Paid	(258,306)
	<u>(702,936)</u>

<b>Positive/(Negative) Cash Variance Before FMV Adjustment</b>	<b>198,247</b>
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<b>FMV Adjustment</b>	<b>(62,034)</b>
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<b>Adjusted Positive/(Negative) Cash Variance</b>	<b>136,213</b>
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**Kern Delta Water District**  
**Accounts Receivable Variance Analysis**  
**November 30, 2024**

**Revenue Added to Accounts:**

Water Sales - Utility Water	54,019
District Wells	255
Other Misc Revenues:	
Relativity Cost Share	6,236
KCWA Credit	1,546
Scrap metal sales	754
Encroachment Permits	510
Penalties/Interest/Adjustments	393
Other	2,850
	<hr/>
	66,563
	<hr/>

**Cash Received:**

Water Payments	(95,555)
Misc Payments	(351,964)
Assessments Payments	(1,144)
	<hr/>
	(448,663)
	<hr/>

<b>Net positive/(negative) variance</b>	<b>(382,100)</b>
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**Kern Delta Water District**  
**Inventory/Prepays Variance Analysis**  
**November 30, 2024**

**Additions to Accounts:**

Weed Control Chemicals Purchased	117,459
Prepaid Additions	214,447
	<hr/>
	331,906

**Usage/Amortization:**

Chemicals Consumed During Month	(13,986)
Amortization of Prepaid Accounts	(31,402)
	<hr/>
	(45,388)

<b>Net positive/(negative) variance</b>	<b>286,518</b>
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**Kern Delta Water District**  
**Statement of Operating Results**  
**Through the Period Ended November 30, 2024**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Annual Budget</u>	<u>YTD as %age of Budget (Target is 92%)</u>	<u>Budget Remaining</u>
<b>REVENUE</b>					
State Water Sales	0	1,193,457	1,102,239	108 %	91,218
Utility Water Sales	54,019	2,730,030	3,214,296	85 %	(484,266)
Seepage Revenue	0	675,943	750,000	90 %	(74,057)
Equalization	0	9,617	9,045	106 %	572
Assessments	0	976,402	980,678	100 %	(4,276)
Property Tax	293,563	3,837,047	6,391,589	60 %	(2,554,542)
Interest Revenue	159,349	1,032,915	720,000	143 %	312,915
Other Revenue	4,369	114,671	250,000	46 %	(135,329)
Water Transfer Charges	0	971,559	950,000	102 %	21,559
Expense Reimb From Banking	0	0	150,000	0 %	(150,000)
Total Revenue	<u>511,300</u>	<u>11,541,641</u>	<u>14,517,847</u>	<u>79 %</u>	<u>(2,976,206)</u>
<b>EXPENDITURES</b>					
Source of Supply					
State Water Costs	0	2,970,947	4,000,000	74 %	(1,029,053)
Exchange Fees	0	53,405	63,750	84 %	(10,345)
Watermaster, City, Isabella	88,403	425,817	550,600	77 %	(124,783)
Grower Recharge Program Costs	0	0	0	0 %	0
Miscellaneous Source Costs	0	82,185	950,000	9 %	(867,815)
Total Source of Supply	<u>88,403</u>	<u>3,532,354</u>	<u>5,564,350</u>	<u>63 %</u>	<u>(2,031,996)</u>
Transmission and Distribution					
Labor	243,383	2,734,537	2,977,807	92 %	(243,271)
Employee Benefits	82,241	912,597	1,067,816	85 %	(155,218)
Maintenance & Repairs	51,861	1,164,138	1,791,380	65 %	(627,242)
Total Transmission and Distribution	<u>377,485</u>	<u>4,811,272</u>	<u>5,837,003</u>	<u>82 %</u>	<u>(1,025,731)</u>
Administrative & Other Costs					
Engineering Consultants	0	0	50,000	0 %	(50,000)
Legal Expense	0	5,246	10,000	52 %	(4,754)
Special Legal/Engineering	(4,235)	761,200	300,000	254 %	461,200
Office Operations	28,439	391,904	425,609	92 %	(33,705)
Insurance	21,354	189,293	230,348	82 %	(41,056)
Special Expenses	(1,546)	364,152	976,000	37 %	(611,848)
Kern River GSA & SGMA	50,000	52,437	300,000	17 %	(247,562)
Construction Expense - Peripheral	0	0	0	0 %	0
Bond Interest Expense	(14,967)	101,417	106,986	95 %	(5,570)
FMV Adjustment	62,034	192,234	0	0 %	192,235
Depreciation	52,500	577,500	0	0 %	577,500
Total Administrative & Other	<u>193,579</u>	<u>2,635,383</u>	<u>2,398,943</u>	<u>110 %</u>	<u>236,440</u>
Total Expenses	<u>659,467</u>	<u>10,979,009</u>	<u>13,800,296</u>	<u>80 %</u>	<u>(2,821,287)</u>
<b>Net Fav/(Unfav) Operating Results</b>	<u><b>(148,167)</b></u>	<u><b>562,632</b></u>	<u><b>717,551</b></u>	<u><b>78 %</b></u>	<u><b>(154,919)</b></u>

**KERN DELTA WATER DISTRICT**  
**Labor and Benefits Tracker**  
**2024**

<b>Actual Cost</b>	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	<b>TOTAL 2024</b>
Wages & Salaries	241,878	225,976	241,420	241,580	261,141	244,055	266,053	263,156	252,334	253,561	243,383		2,734,537
Payroll Taxes - Employer Paid	18,155	17,024	18,122	18,151	19,650	18,382	20,031	18,847	17,305	16,032	13,917		195,616
Medical/Dental/Vision - Cost	41,110	44,497	40,595	40,390	37,904	40,224	38,534	41,768	42,586	39,095	44,016		450,719
Medical/Dental/Vision - Employee Withheld	(4,944)	(4,552)	(4,864)	(4,603)	(4,577)	(4,069)	(4,528)	(4,762)	(4,587)	(4,741)	(4,657)		(50,884)
Vacation Accrual - Incr/(Decr)	(22,065)	(15,543)	4,653	(791)	4,796	226	(5,021)	(10,308)	5,260	660	(3,728)		(41,861)
Workers' Comp Insurance	6,393	6,393	1,871	6,393	6,858	6,858	6,976	6,976	6,976	6,976	6,976		69,646
Life/LTD/AD&D	1,256	1,644	1,683	1,683	1,529	1,621	1,684	1,742	1,698	1,878	1,705		18,123
Retirement Plan	20,443	19,136	21,321	20,878	22,853	21,166	22,714	22,513	21,641	22,257	21,275		236,197
Uniforms and Other Benefits	5,501	2,816	2,614	1,071	4,194	4,473	1,785	3,199	1,839	4,813	2,737		35,042
Total Benefits	65,849	71,414	85,995	83,172	93,207	88,881	82,175	79,975	92,718	86,970	82,241	-	912,597
<b>Total Labor and Benefits</b>	<b>307,727</b>	<b>297,390</b>	<b>327,415</b>	<b>324,752</b>	<b>354,348</b>	<b>332,936</b>	<b>348,228</b>	<b>343,131</b>	<b>345,052</b>	<b>340,531</b>	<b>325,624</b>	<b>-</b>	<b>3,647,134</b>

<b>Budgeted Cost</b>													
Wages & Salaries	247,248	223,524	245,151	237,488	255,952	245,787	256,150	253,980	249,018	255,038	249,018		2,718,354
Payroll Taxes - Employer Paid	18,914	17,099	18,754	18,168	19,580	18,803	19,595	18,879	17,708	16,543	14,611		198,654
Medical/Dental/Vision - Cost	38,278	38,278	38,278	38,278	38,278	38,278	38,278	38,278	38,278	38,278	38,278		421,058
Medical/Dental/Vision - Employee Withheld	(4,795)	(4,795)	(4,795)	(4,795)	(4,795)	(4,795)	(4,795)	(4,795)	(4,795)	(4,795)	(4,795)		(52,745)
Vacation Accrual - Incr/(Decr)	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250		13,750
Workers' Comp Insurance	6,363	6,363	6,363	6,362	7,000	7,000	7,000	7,000	7,000	7,000	7,000		74,451
Life/LTD/AD&D	1,650	1,650	1,650	1,650	1,650	1,650	1,650	1,650	1,650	1,650	1,650		18,150
Retirement Plan	24,035	21,727	24,858	24,078	26,480	25,454	26,498	26,303	25,745	26,398	25,745		277,321
Uniforms and Other Benefits	1,742	1,742	2,742	1,742	1,742	2,742	1,742	1,742	2,742	1,742	1,742		22,162
Total Benefits	87,437	83,314	89,100	86,733	91,185	90,382	91,218	90,307	89,578	88,066	85,481	-	972,801
<b>Total Labor and Benefits</b>	<b>334,685</b>	<b>306,838</b>	<b>334,251</b>	<b>324,221</b>	<b>347,137</b>	<b>336,169</b>	<b>347,368</b>	<b>344,287</b>	<b>338,596</b>	<b>343,104</b>	<b>334,499</b>	<b>-</b>	<b>3,691,155</b>

<b>Budget vs Actual Variance - Fav/(Unfav)</b>													
Wages & Salaries	5,370	(2,452)	3,731	(4,092)	(5,189)	1,732	(9,903)	(9,176)	(3,316)	1,477	5,635	-	(16,183)
Payroll Taxes - Employer Paid	759	76	632	17	(70)	421	(436)	32	403	511	694	-	3,039
Medical/Dental/Vision - Cost	(2,832)	(6,219)	(2,317)	(2,112)	374	(1,946)	(256)	(3,490)	(4,308)	(817)	(5,738)	-	(29,661)
Medical/Dental/Vision - Employee Withheld	149	(243)	69	(192)	(218)	(726)	(267)	(33)	(208)	(54)	(138)	-	(1,861)
Vacation Accrual - Incr/(Decr)	23,315	16,793	(3,403)	2,041	(3,546)	1,024	6,271	11,558	(4,010)	590	4,978	-	55,611
Workers' Comp Insurance	(30)	(30)	4,492	(31)	142	142	24	24	24	24	24	-	4,806
Life/LTD/AD&D	394	7	(33)	(33)	121	29	(34)	(92)	(48)	(228)	(55)	-	28
Retirement Plan	3,592	2,591	3,537	3,200	3,627	4,288	3,784	3,790	4,104	4,141	4,470	-	41,124
Uniforms and Other Benefits	(3,759)	(1,074)	128	671	(2,452)	(1,731)	(43)	(1,457)	903	(3,071)	(995)	-	(12,880)
Total Benefits	21,588	11,900	3,105	3,561	(2,022)	1,501	9,043	10,332	(3,140)	1,096	3,240	-	60,204
<b>Total Labor and Benefits</b>	<b>26,958</b>	<b>9,448</b>	<b>6,836</b>	<b>(531)</b>	<b>(7,211)</b>	<b>3,233</b>	<b>(860)</b>	<b>1,156</b>	<b>(6,456)</b>	<b>2,573</b>	<b>8,875</b>	<b>-</b>	<b>44,021</b>

# KERN DELTA WATER DISTRICT

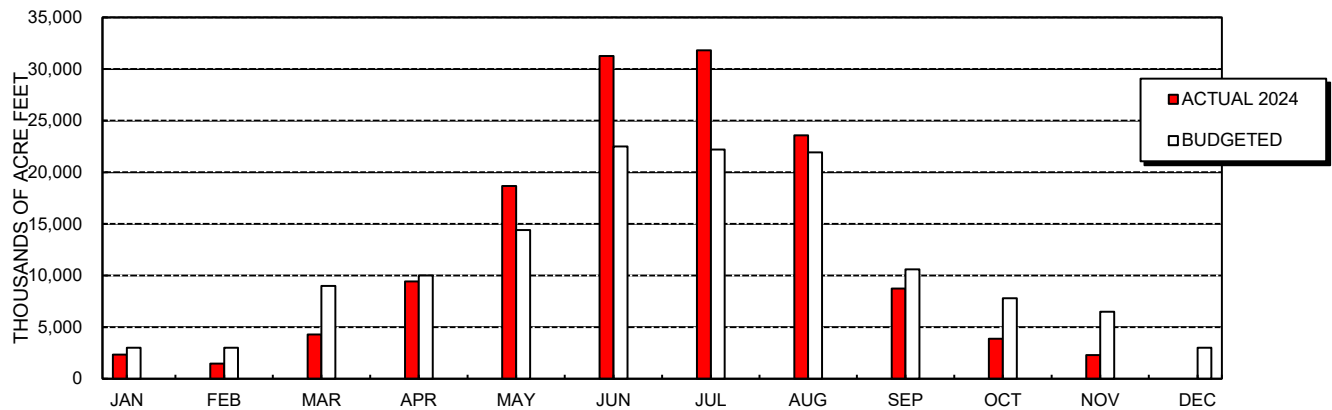
## TREASURER'S REPORT

November 2024

	2024	2023	2022	2021
Cash & Securities on hand - November 1, 2024	\$ 33,340,362	\$ 24,784,217	\$ 22,182,182	\$ 21,991,044
Add: November receipts	3,120,166	1,190,367	134,179	548,827
Less: November disbursements	(2,983,952)	(580,916)	(764,942)	(767,772)
<b>Cash &amp; Securities on hand - November 30, 2024</b>	<b>\$ 33,476,576</b>	<b>\$ 25,393,668</b>	<b>\$ 21,551,419</b>	<b>\$ 21,772,099</b>
<b>Petty Cash</b> \$ <b>500</b>				
<b>Citizens Business Bank</b> <b>775,890</b>				
<b>Kern County Treasury</b> <b>658,866</b>				
<b>JP Morgan Money Market</b> <b>2,693,918</b>				
<b>LPL Financial</b> <b>29,347,401</b>				
<b>\$ 33,476,576</b>				
<b>Restricted Reserves:</b>				
Restricted Reserve Fund - Water Resources Manager	\$ (176,538)	\$ (240,417)	\$ (300,000)	\$ (300,000)
<b>Unrestricted Reserves:</b>				
Pipeline Maintenance	(311,912)	(311,912)	(216,912)	(213,845)
Water Rights Protection & Litigation Reserve	(3,408,358)	(3,168,358)	(3,168,358)	(2,718,358)
2015-A COP Reserve Fund	(3,075,000)	(3,565,000)	(3,565,000)	(4,015,000)
Operating Reserve	(5,000,000)	(5,000,000)	(5,000,000)	(5,000,000)
Capital Reserve	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)
Groundwater Program Reserve	(3,500,000)	(3,500,000)	(3,500,000)	(3,500,000)
Kern River GSA Well Mitigation Reserve	(250,000)	-	-	-
<b>Total Reserves</b>	<b>\$ (17,721,808)</b>	<b>\$ (17,785,687)</b>	<b>\$ (17,750,270)</b>	<b>\$ (17,747,203)</b>
<b>Cash Available - November 30, 2024</b>	<b>\$ 15,754,767</b>	<b>\$ 7,607,981</b>	<b>\$ 3,801,149</b>	<b>\$ 4,024,897</b>

**Kern Delta Water District  
Monthly Water Sales Volume  
in Acre Feet**

	2023	2024										
	Actual (Accum- ulated)	Budgeted		Actual								
		Monthly	(Accum- ulated)	Monthly				Accumulated				% of Budget
				Utility	State	Contracts	Total	Utility	State	Contracts	Total	
JAN	2,560	3,000	3,000	2,229	0	114	2,343	2,229	0	114	2,343	78%
FEB	6,738	3,000	6,000	1,356	0	115	1,471	3,585	0	229	3,814	64%
MAR	8,465	9,000	15,000	3,864	2	420	4,287	7,449	2	649	8,100	54%
APR	22,049	10,000	25,000	8,998	106	330	9,434	16,447	108	979	17,534	70%
MAY	45,308	14,400	39,400	17,817	444	404	18,665	34,264	553	1,383	36,200	92%
JUN	72,318	22,500	61,900	25,883	4,981	394	31,258	60,147	5,534	1,776	67,457	109%
JUL	107,829	22,200	84,100	24,413	6,910	488	31,811	84,560	12,443	2,264	99,268	118%
AUG	130,881	21,929	106,029	15,161	7,961	455	23,577	99,721	20,405	2,719	122,845	116%
SEP	144,263	10,600	116,629	8,119	286	335	8,740	107,840	20,690	3,055	131,585	113%
OCT	152,046	7,800	124,429	3,746	0	134	3,881	111,586	20,690	3,189	135,465	109%
NOV	157,262	6,500	130,929	2,239	0	62	2,301	113,825	20,690	3,251	137,766	105%
DEC	158,607	3,000	133,929									





## KERN DELTA WATER DISTRICT

Aged Accounts Receivable

Past Due Accounts

December 19, 2024

Account	Name	0-30 Days	31-60 Days	61-90 Days	Over 90 Days	Total Past Due
380	Burkehart, John R & Norma L	1.77	117.90	-	-	119.67
592	Costa, Joe & Mary	578.98	-	-	-	578.98
2437	Upple, Shinda	77.01	171.87	4,961.89	-	5,210.77
5868	Duran, Ruben G et al	7.06	6.95	463.63	-	477.64
5977	Mike Vandborg Farms	10.07	544.20	127.53	-	681.80
6074	M&M Ag Enterprises, LLC	1,285.12	-	-	-	1,285.12
	OTHER	255.30	161.05	40.36	140.18	596.89
		2,215.31	1,001.97	5,593.41	140.18	8,950.87

**Kern Delta Water Banking Project  
Balance Sheet  
As of November 30, 2024**

	<u>11/30/2024</u>	<u>10/31/2024</u>	<u>Month-to-Month Variance</u>
<b>Total Assets</b>			
Current Assets			
Cash & Cash Equivalents	6,827,448	6,828,940	(1,492)
Inventory and Prepaids	104,793	105,133	(340)
Total Current Assets	<u>6,932,241</u>	<u>6,934,073</u>	<u>(1,832)</u>
Fixed Assets			
All Structures	64,767,736	64,767,736	0
Machinery and Equipment	598,824	598,824	0
Less Accumulated Depreciation	<u>(13,512,074)</u>	<u>(13,458,074)</u>	<u>(54,000)</u>
Fixed Assets Net of Depreciation	<u>51,854,486</u>	<u>51,908,486</u>	<u>(54,000)</u>
Other Assets			
Investment in Sunset Banking Project	1,638,344	1,638,344	0
Total Other Assets	<u>1,638,344</u>	<u>1,638,344</u>	<u>0</u>
<b>Total Assets</b>	<u><b>60,425,071</b></u>	<u><b>60,480,903</b></u>	<u><b>(55,832)</b></u>
<b>Total Liabilities &amp; Equity</b>			
Current Liabilities			
Accounts Payable	217	277	(60)
Total Current Liabilities	<u>217</u>	<u>277</u>	<u>(60)</u>
Equity			
Capital Contributions From KDWD	9,527,537	9,527,537	0
Equity From Past Years	51,732,390	51,732,390	0
Accumulated Equity - Current Year	<u>(835,073)</u>	<u>(779,301)</u>	<u>(55,772)</u>
Total Equity	<u>60,424,854</u>	<u>60,480,626</u>	<u>(55,772)</u>
<b>Total Liabilities &amp; Equity</b>	<u><b>60,425,071</b></u>	<u><b>60,480,903</b></u>	<u><b>(55,832)</b></u>

**Kern Delta Water Banking Project**  
**Cash Variance Analysis**  
**November 30, 2024**

**Cash Received:**

Interest Received	10,799
KCWA - 2023 TRF Reconciliation Credit	10,403
	<u>21,202</u>

**Cash Disbursed:**

Well Maintenance - Agilitech, Lowe's, Bak Paint	(25,098)
PG&E - Well Power	(940)
Disbursements - Other	(1,091)
	<u>(27,128)</u>

<b>Positive/(Negative) Cash Variance Before FMV Adjustment</b>	<b>(5,927)</b>
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<b>FMV Adjustment</b>	<b>4,434</b>
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<b>Adjusted Positive/(Negative) Cash Variance</b>	<b>(1,492)</b>
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**Kern Delta Water Banking Project  
Inventory/Prepays Variance Analysis  
November 30, 2024**

**Additions to Accounts:**

Chemicals Purchased	-
Prepaid Additions	-
	<hr/>
	-
	<hr/>

**Usage/Amortization:**

Chemicals Consumed During Month	(340)
Amortization of Prepaid Accounts	-
	<hr/>
	(340)
	<hr/>

<b>Net positive/(negative) variance</b>	<div><b>(340)</b></div>
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**Kern Delta Water Banking Project  
Statement of Operating Results  
As of November 30, 2024**

	<u>Current Month</u>	<u>Year to Date</u>
<b>REVENUE:</b>		
Miscellaneous Revenue	9,312	17,437
Interest Revenue	10,799	245,718
Total Revenue	<u>20,111</u>	<u>263,155</u>
 <b>EXPENSES</b>		
Other Costs		
Power Cost - Wells	940	22,802
CVC Operating Costs	0	(87,182)
CVC Power Costs	0	9,212
Spreading OM&R	817	512,574
Wells OM&R and Other	24,561	72,360
FMV Adjustment	(4,434)	(25,538)
Depreciation	54,000	594,000
Total Other Costs	<u>75,884</u>	<u>1,098,228</u>
Total All Expenses	<u>75,884</u>	<u>1,098,228</u>
<b>Favorable/(Unfavorable) Operating Results</b>	<u><b>(55,773)</b></u>	<u><b>(835,073)</b></u>

# KERN DELTA WATER BANKING PROJECT

## TREASURER'S REPORT

November 2024

	2024	2023	2022	2021
Cash & Securities on hand - November 1, 2024	\$ 6,828,940	\$ 6,265,623	\$ 6,505,475	\$ 7,238,571
Add: November receipts	27,650	169,908	582,664	274,231
Less: November disbursements	(29,143)	(519,673)	(525,807)	(194,258)
<b>Cash &amp; Securities on hand - November 30, 2024</b>	<b>\$ 6,827,448</b>	<b>\$ 5,915,858</b>	<b>\$ 6,562,332</b>	<b>\$ 7,318,543</b>
<b>Citizens Business Bank</b> \$        377,095 <b>Kern County Treasury</b> 246,064 <b>JP Morgan Money Market</b> 2,004,217 <b>LPL Financial</b> 4,200,071 <b>\$ 6,827,448</b>				
Restricted Cash included in above: OM&R Spreading	\$ (183,714)	\$ (220,393)	\$ (129,098)	\$ (259,281)
OM&R Extraction	(388,214)	(594,914)	(647,434)	(690,438)
Take/Put Fees	(1,884,119)	(2,014,124)	(3,900,399)	(2,237,601)
Total Restricted	\$ (2,456,047)	\$ (2,829,431)	\$ (4,676,931)	\$ (3,187,320)
<b>Cash Available for Construction - November 30, 2024</b>	<b>\$ 4,371,400</b>	<b>\$ 3,086,427</b>	<b>\$ 1,885,401</b>	<b>\$ 4,131,223</b>

**Sunset Water Banking Project  
Balance Sheet  
As of November 30, 2024**

	<u>11/30/2024</u>	<u>10/31/2024</u>	<u>Month-to-Month Variance</u>
<b>Assets</b>			
Current Assets			
Cash & Cash Equivalents	935,653	939,511	(3,858)
Total Current Assets	<u>935,653</u>	<u>939,511</u>	<u>(3,858)</u>
Fixed Assets			
Construction in Progress	5,692,414	5,692,414	0
Total Fixed Assets at Cost	<u>5,692,414</u>	<u>5,692,414</u>	<u>0</u>
Net Fixed Assets	<u>5,692,414</u>	<u>5,692,414</u>	<u>0</u>
<b>Total Assets</b>	<u><b>6,628,067</b></u>	<u><b>6,631,925</b></u>	<u><b>(3,858)</b></u>
<b>Liabilities &amp; Equity</b>			
Current Liabilities			
Accounts Payable	0	0	0
Total Current Liabilities	<u>0</u>	<u>0</u>	<u>0</u>
Equity			
Contributions to Equity - KDWD	1,627,928	1,627,928	0
Contributions to Equity - KDWBP	1,627,929	1,627,929	0
Contributions to Equity - AEWS	3,255,856	3,255,856	0
Equity From Past Years	41,663	41,663	0
Accumulated Equity - Current Year	74,691	78,549	(3,858)
Total Equity	<u>6,628,067</u>	<u>6,631,925</u>	<u>(3,858)</u>
<b>Total Liabilities &amp; Equity</b>	<u><b>6,628,067</b></u>	<u><b>6,631,925</b></u>	<u><b>(3,858)</b></u>

**Sunset Water Banking Project  
Statement of Operating Results  
As of November 30, 2024**

	<u>Current Month</u>	<u>Year to Date</u>
<b>Revenue</b>		
Fees Revenue-KDWD	0	273
Fees Revenue - AEWS	0	32,004
Interest Revenue	1,715	22,930
Total Revenue	<u>1,715</u>	<u>55,207</u>
<b>Expenses</b>		
Ops, Maintenance, & Repair Costs	1,000	12,237
FMV Adjustment	4,573	(31,721)
Total Expenses	<u>5,573</u>	<u>(19,484)</u>
<b>Fav/(Unfav) Operating Results</b>	<u><b>(3,858)</b></u>	<u><b>74,691</b></u>



**SUNSET BANKING PROJECT**

**TREASURER'S REPORT**

**November 2024**

	<b>2024</b>	<b>2023</b>	<b>2022</b>	<b>2021</b>
Cash & Securities on hand - November 1, 2024	\$ 939,511	\$ 2,522,920	\$ 1,987,359	\$ 1,000,066
Add: November receipts	1,715	27,340	312	997,245
Less: November disbursements	(5,573)	(751,283)	(50,104)	(99,522)
<b>Cash &amp; Securities on hand - November 30, 2024</b>	<b>\$ 935,653</b>	<b>\$ 1,798,977</b>	<b>\$ 1,937,567</b>	<b>\$ 1,897,789</b>
<div> <div>Citizens Business Bank</div> <div>377,007</div> </div> <div> <div>Kern County Treasury</div> <div>558,646</div> </div> <div> <div>\$ 935,653</div> </div>				
<b>Unrestricted Reserves:</b> Cash From Operations (20,040)				
<b>Total Reserves</b>	<b>\$ (20,040)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Cash Available - November 30, 2024</b>	<b>\$ 915,613</b>	<b>\$ 1,798,977</b>	<b>\$ 1,937,567</b>	<b>\$ 1,897,789</b>

Kern Delta Water District Summary of Invested Cash Reserves  
US Treasury Investment Summary  
As of November 30, 2024

Acquisition Date	Maturity Date	Quantity (Q)	Par Value (PV)	Customer Price (P)	Principal (Prin) (Q x P)	Accrued Interest (AI)	Service Charge	Net Money (NM) (Prin + AI)	Coupon Rate (CR)	Coupon Interest (Cou)	Discount Returned (Disc) (PV - Prin)	Estimated Total Yield (Y) (Cou + Disc)	YTM	Value at Maturity (Prin + EYV)
10/28/2022	1/24/2023	999	999,000	991.61	990,615.59	-	5	990,621	0.000%	-	8,384	8,384	3.511%	999,000
10/28/2022	1/26/2023	999	999,000	991.32	990,328.68	-	5	990,334	0.000%	-	8,671	8,671	3.551%	999,000
10/28/2022	7/13/2023	1,000	1,000,000	971.80	971,803.96	-	5	971,809	0.000%	-	28,196	28,196	4.105%	1,000,000
10/28/2022	8/10/2023	1,000	1,000,000	968.43	968,427.19	-	5	968,432	0.000%	-	31,573	31,573	4.161%	1,000,000
10/14/2022	9/30/2023	1,000	1,000,000	987.39	987,390.00	1,105.77	5	988,501	2.875%	27,647	12,610	40,257	4.240%	1,027,647
10/14/2022	9/30/2023	1,000	1,000,000	972.49	972,490.72	528.85	5	973,025	1.375%	13,223	27,509	40,732	4.355%	1,013,223
10/14/2022	9/30/2023	1,000	1,000,000	961.80	961,803.13	96.15	5	961,904	0.250%	2,404	38,197	40,601	4.390%	1,002,404
11/7/2022	2/15/2024	3,000	3,000,000	975.38	2,926,130.00	18,831.52	5	2,944,967	2.750%	105,103	73,870	178,973	4.801%	3,105,103
11/7/2022	4/30/2024	3,000	3,000,000	962.00	2,886,005.00	1,160.22	5	2,887,170	2.000%	88,603	113,995	202,598	4.754%	3,088,603
10/14/2022	10/15/2024	1,000	1,000,000	929.20	929,205.00	3,107.92	5	932,318	0.625%	12,106	70,795	82,901	4.606%	1,012,106
10/14/2022	10/31/2024	1,000	1,000,000	960.50	960,507.24	10,210.60	5	970,723	2.250%	44,568	39,493	84,061	4.418%	1,044,568
10/14/2022	10/31/2024	1,000	1,000,000	945.55	945,553.94	6,807.07	5	952,366	1.500%	29,712	54,446	84,158	4.493%	1,029,712
7/26/2023	1/31/2025	2,000	2,000,000	964.10	1,928,191.18	24,309.39	5	1,952,506	2.500%	76,027	71,809	147,836	4.946%	2,076,027
7/26/2023	4/15/2025	2,000	2,000,000	962.15	1,924,305.00	14,631.15	5	1,938,941	2.625%	90,369	75,695	166,064	4.993%	2,090,369
8/16/2023	7/31/2025	1,000	1,000,000	916.08	916,084.79	108.70	5	916,198	0.250%	4,850	83,915	88,765	5.067%	1,004,850
10/18/2023	10/15/2025	3,000	3,000,000	985.27	2,955,829.07	1,045.08	5	2,956,879	4.250%	253,258	44,171	297,429	5.052%	3,253,258
2/20/2024	1/31/2026	3,000	3,000,000	995.00	2,985,005.00	7,005.50	5	2,992,016	4.250%	253,258	14,995	268,253	4.512%	3,253,258
5/24/2024	5/31/2026	3,505	3,505,000	923.54	3,237,023.67	12,640.98	5	3,249,670	0.750%	52,216	267,976	320,192	4.966%	3,557,216
8/22/2024	8/31/2026	3,000	3,000,000	950.08	2,863,166.03	19,616.17	5	2,882,787	1.375%	83,630	129,380	213,010	3.735%	3,076,176
8/22/2024	11/30/2026	2,000	2,000,000	951.70	1,910,434.38	7,370.22	5	1,917,810	1.625%	64,556	76,071	140,627	3.696%	2,051,061
8/22/2024	1/15/2027	2,000	2,000,000	1,003.60	2,013,055.42	8,260.87	5	2,021,321	4.000%	192,219	(44,614)	147,605	3.681%	2,160,661
11/21/2024	4/30/2027	4,000	4,000,000	4,360.00	3,993,398.50	1,264.64	5	3,994,668	0.500%	48,767	281,835	330,602	4.156%	4,324,001
			27,505,000											
														24,726,493.04

Fixed Income CDs Investment Summary  
As of November 30, 2024

Purchase Date	Maturity Date	Days to Maturity	Quantity/ Price	Service Charge	Net Amount	YTM	Expected Interest
5/18/2023	11/5/2024	537	250,000	5	250,000.04	5.050%	18,574
5/23/2023	11/22/2024	549	250,000	5	250,000.29	4.850%	18,237
5/25/2023	11/25/2024	550	250,000	5	250,001.68	5.100%	19,212
5/25/2023	11/25/2024	550	250,000	5	250,001.68	5.050%	19,024
5/26/2023	11/26/2024	550	250,000	5	250,001.69	5.050%	19,024
5/30/2023	11/29/2024	549	250,000	5	250,000.29	4.950%	18,613
5/19/2023	2/19/2025	642	250,000	5	250,000.64	4.850%	21,327
5/31/2023	4/30/2025	700	250,000	5	250,001.39	4.750%	22,774
5/19/2023	5/19/2025	731	250,000	5	250,001.21	4.850%	24,283
5/24/2023	5/22/2025	729	250,000	5	250,001.34	4.850%	24,217
5/24/2023	5/23/2025	730	250,000	5	250,001.35	4.850%	24,250
5/26/2023	5/26/2025	731	250,000	5	250,001.26	4.650%	23,282
5/24/2023	5/27/2025	734	250,000	5	250,001.27	4.850%	24,383
5/24/2023	5/27/2025	734	250,000	5	250,001.27	4.850%	24,383
5/30/2023	5/30/2025	731	250,000	5	250,001.30	4.950%	24,784
6/2/2023	6/2/2025	731	250,000	5	250,001.31	4.850%	24,283
5/24/2024	6/5/2026	742	250,000	5	250,003.83	5.000%	25,411
5/24/2024	6/1/2026	738	250,000	5	250,003.79	5.000%	25,274
			4,500,000				
							3,000,019.96
							401,336

Total Invested Funds at Cost	27,726,513.00
Cash Balance	1,312,375.30
Cost Basis	29,038,888.30
Unrealized Gain/Loss	308,513.10
Market Value	29,347,401.40

Kern Delta Water Banking Project  
US Treasury Investment Summary  
As of November 30, 2024

Purchase Date	Maturity Date	Quantity (Q)	Par Value (PV)	Customer Price (P)	Principal (Prin) (Q x P)	Accrued Interest (AI)	Service Charge	Net Money (NM) (Prin + AI)	Coupon Rate (CR)	Coupon Interest (Cou)	Discount Returned (Disc)	Estimated Total Yield (Y)	YTM	Value at Maturity
11/4/2022	4/13/2023	999	999,000	981.93	980,949.74	-	5	980,955						
11/4/2022	4/20/2023	999	999,000	980.82	979,840.12	-	5	979,845						
11/4/2022	4/27/2023	999	999,000	979.89	978,907.61	-	5	978,913						
8/22/2024	7/31/2025	2,000	2,000,000	962.30	1,926,725.00	298.91	5	1,927,029	0.250%	9,932	73,275	163,750	4.267%	2,090,475
11/21/2024	4/30/2027	1,000	1,000,000	1,090.00	998,271.32	316.16	5	998,592	0.500%	12,158	70,554	82,712	4.160%	1,080,984
			3,000,000		2,924,996.32									

Fixed Income CDs Investment Summary  
As of November 30, 2024

Purchase Date	Maturity Date	Days to Maturity	Quantity/ Price	Service Charge	Net Amount	YTM	Expected Interest
5/31/2023	12/2/2024	551	250,000	5	250,000.02	5.100%	19,247
5/31/2023	12/2/2024	551	250,000	5	250,000.02	5.100%	19,247
5/31/2023	12/2/2024	551	250,000	5	250,000.02	5.100%	19,247
5/30/2023	5/30/2025	731	250,000	5	250,001.30	4.850%	24,283
5/31/2023	5/30/2025	730	250,000	5	250,001.31	4.950%	24,750
			1,250,000		1,250,002.67		106,775

Total Invested Funds at Cost	4,174,998.99
Cash Balance	3,818.62
Cost Basis	4,178,817.61
Unrealized Gain/Loss	21,253.88
Market Value	4,200,071.49

# Tab IV





**OPERATIONS AND PROJECTS  
COMMITTEE MEETING**

501 Taft Highway  
Bakersfield, CA

TUESDAY December 3, 2024

**CANCELED**

The December 3, 2024 Operations and Projects Committee Meeting has been canceled



To: Kern Delta Water District Board of Directors

From: Daniel Deleon

Date: December 17<sup>th</sup>, 2024

Re: Encroachment Permit Applications & Easement Requests

---

**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: SA Camp**

Location: Buena Vista East Canal, north of Bear Mountain

Purpose: Install overhead powerline for new well

Anticipated Start Date: TBD

## Maintenance Report

November 2024

1. **Structure and Turnout Repairs.** The following jobs were completed during the month.
  - a. Constructed new screens for the 18- and 13-Ditch head gates using 4 inch spacing so it doesn't plug as often.
  - b. Replace meter 3-6-07 on the 13 Ditch.
  - c. Install new 18" gate on turnout 3-5-25 on the Section 5 Ditch ( Branch II).
  - d. Replaced meter 3-6-10 on the 13 Ditch.
  - e. Replaced I-beams on Weir #514 on the Stine Canal at Planz Rd.
2. **Shop.** The following jobs were completed during the month;
  - a. Normal service and repairs on District vehicles and equipment.
  - b. New tires on Truck #222.
  - c. Replaced airline on Trailer T-12.
  - d. Took Truck # 223 to dealer for an electrical issue.
  - e. Replaced hood on Backhoe #404 due to cracking and not latching properly.
  - f. Replaced brakes on Truck #326.
  - g. Replaced steering switch on Genie lift, equipment #405.
3. **District Wells.**
  - a. Monthly service and inspection of all District wells, clean well pads as needed.
4. **Motor Grader # 403** The following canals were sloped, and roads graded;
  - a. Sloped the Stine.
  - b. Sloped the Farmers, Smith & Judd, Randall, and Burness.
  - c. Started sloping the Eastside Canal working north.
5. **Backhoe # 402** The following jobs were completed during the month;
  - a. Knocked down and spread sand piles at the Romero Basins.
  - b. Assist in dredging on the lower Stine.
  - c. Stopped leak on the Romero basin.
6. **Backhoe # 404** The following jobs were completed this month;
  - a. Remove tumbleweeds on Kern Island from Hwy 99 south to Bear Mtn.
  - b. Spread dirt from dredging on Rim.
  - c. Clean Central Canal from Pacheco to Hosking.
  - d. Removed sediment from Smith and Judd.
7. **Backhoe # 408** The following jobs were completed this month;
  - a. Spread dirt and locate covered valves on Rim.
  - b. Remove sand build up on the Branch II and Section 5 south of Taft Hwy.
  - c. Remove sediment on Stine Canal in various sections from end to Gosford Rd.
  - d. Dug up 2 gopher holes leaking on the 18 South pond.
8. **Weed Spraying.** The following canals were sprayed during the month;
  - a. Sprayed the bottom of the Stine Canal.

- b. Spot sprayed the Eastside Canal.
- 9. **Aquatic Treatments.** Treatments including surface spraying for algae mats and injection treatments for control of algae or vascular aquatic weeds;
  - a. No aquatic treatments were needed this month.
- 10. **Rodent Control**
  - a. Filled bait stations throughout District and moved some around to more active areas.
  - b. Made more bait stations and installed them in active areas.
- 11. **Trash Removal.**
  - a. Clean trash racks throughout District.
  - b. Removed trash left behind from homeless encampments.
- 12. **Fence Repairs.** Fences and Gates were repaired at the following locations;
  - a. Stine Canal- Chester Ln.
  - b. Farmers- Modified gate on west bank north of Ryzona.
  - c. Kern Island-
  - d. Central-
- 13. **Safety Meetings.** Weekly tailgate safety topics were;
  - a. The Common Cold- Prevention and effects of a Cold.
  - b. Daylight Savings Time Switch- The significant risk for workers and the commute to and from work in the darkness.
  - c. Verifying Safeguards- Safeguards (measures, procedures, protocols) verifying prior to beginning work and the importance of doing so.
  - d. Stopping Work- Each employee can stop work when hazards are present.
- 14. **Water Banking Activities.** The following jobs were completed during the month;
  - a. Sprayed trees at BV basins.
- 15. **Future Projects**
  - a. Shop Repairs; Replace roof, install catwalks to service swamp coolers, and enclose bay to repurpose as a fab shop, extend electrical, security camera, and alarm services to new bay.
  - b. Annual District dredging.
  - c. Consider installation of a new turnout for Koostra on the Central Canal upstream of Costerisan Lake.
  - d. Review contractor proposals for shut down projects
    - a. Continue sand dredging on the Stine Canal where we left off in Spring.
    - b. Replace backup crossing on the BV Canal (#527) west of I-5 (custom concrete structure).
    - c. Replace BV East Crossing of the Maple Canal (gas main and trench-section structural concerns).
    - d. Construct new footing and reposition trash screen at the head of the Stine Canal to create a catwalk for safer cleaning.





Project No.	Tract	Developer/Owner	Facility	Location	Engineer/Contractor	Status	Project Description
1	N/A	AEWSD	FFP/Eastside Canal	Eastside Canal	Provost & Pritchard	A	Overhead power and modifications to intertie.
2	7405	Balfanz	Central Branch	North of Planz	Porter & Associates, Inc.	A	Panama Lane northern extension.
3	N/A	KDWD	Farmers Canal	North of McCutchen	Cross Land Leveling	A	Dredging Canal
4	N/A	KDWD	KI Basins	Header Canal	Cross Land Leveling	A	Dredging Canal
5	N/A	KDWD/AEWSD	Sunset Basins	Sunset Basins	Amarok	A	Electric fence installation
6	N/A	PG&E	Branch II Canal	McCutchen Road	PG&E	A	Permitting process complete.
7	6880	Lennar	Branch II Canal	West of Gosford Road	McIntosh & Associates	A	Swale and storm drain inlet boxes remain.
8	N/A	KDWD	Sunset Basins	Sunset Basins	Zeiders Consulting	A	Pump installation, electrical wiring.
9	7136	Deertrail/D.R. Horton	Stine Canal	North of McCutchen	McIntosh & Associates	A	Canal realignment.
10	N/A	Panama BVUSD	Randall Ditch	West of Stine Road	Cornerstone Engineering	A	Canal realignment and pipeline.
11	N/A	BCSD	Eastside Canal	34th Street	Porter & Associates, Inc.	P	Fencing/block wall along western right-of-way on Eastside Canal.
12	N/A	Bidart Dairy	14 Ditch	Head of 14 Ditch	SA Camp	P	Overhead power installation.
13	N/A	Samco	Branch One Canal	Wible and Harris	Landmark	P	Proposed sump over District's pipeline.
14	N/A	Unknown	Kern Island Canal	22nd Street	QK	P	Storm drain discharge. Waiting on plans.
15	6410	S&S Homes	Burnes Ditch	North of Taft Hwy	McIntosh & Associates	P	Taft Highway culvert extension and new culvert at future City street.
16	N/A	Pilot Truck Stop	Branch One Canal	Taft Highway	LAV//Pinnacle	P	Canal realignment and pipeline.
17	N/A	PG&E	Central Branch	Ming Avenue	PG&E	P	Waiting on plans.
18	N/A	PG&E	Farmers Canal	Old River Road	PG&E	P	Plans reviewed. Waiting on insurance and permit fee.
19	N/A	PG&E	Randall Ditch	Stine Road	PG&E	P	In review.
20	N/A	Panama BVUSD	Randall Ditch	East of Stine Road	Michael Dhaneens Arch.	P	Proposed development within canal right-of-way
21	N/A	Panama BVUSD	Randall Ditch	Stine Road	PG&E	P	In review.
22	N/A	Newhouse Dairy	BV East Canal	North of Bear Mt. Blvd	SA Camp	P	Install irrigation line underneath canal.
23	N/A	MPS Construction Mgm	Kern Island Canal	South of Hosking Ave	Dewalt	P	Southerly box culvert extension.
24	N/A	Five Rivers Investment	Stine Canal	SE Corner of Panma Ln and Gosford		P	Comercial project
25	N/A	KDWD	Old River Basins	Old River Basins	Zeiders Consulting	P	New recovery well.
26	N/A	HP LLC	Multiple	Multiple	HP LLC	P	Fiber line crossing, two locations.
27	N/A	FTB Trucking	15 Ditch	North of Pacheco	-	P	Extend/modify existing culvert at railroad.
28	N/A	Caltrans	Multiple	Multiple	Caltrans	P	Culvert extensions of multiple District canals along Taft Highway.
29	N/A	Caballero	Eastside Canal	South of Panama Ln	-	P	Install bridge crossing on Eastside Canal
30	N/A	KDWD	KI & Stonefield	KI and Stonefield Basins	Cross Land Leveling	C	Repair erosion damage to levees at recharge facilities.
31	N/A	CRC	BV East Canal	South of Maples Canal	N/A	C	Gas pipeline inspection
32	N/A	Cal Water	Kern Island Canal	Multiple	Pacific Irrigation	C	Well discharges into District canals.
33	N/A	Cal Water	East Branch Canal	Terrace Way	Pacific Irrigation	C	Well discharges into District canal.
34	N/A	Dosanjh Bros.	Eastside Canal	South of Mt. View Road	Pacific Irrigation	C	Install new turnout.
35	N/A	Charter	Eastside Canal	30th Street		C	Install fiber crossing.
36	N/A	KDWD	Multiple	Multiple	Ruben's Pipeline	C	Branch One and Kern Island Canal dredging.
37	N/A	Love's Truck Stop	Kern Island Canal	Taft Highway	Lane Engineers	C	Storm drain bore.
38	N/A	KDWD	Stine Canal	South of Stine Road	Mr. Backhoe	C	Stine Canal dredging.
39	N/A	County of Kern	Eastside Canal	Buena Vista Blvd	Nicholas Construction	C	Repair Eastside Canal road crossing.
40	N/A	AEWSD	Sunset Basins	Sunset Basins	Provost & Pritchard	C	Overhead powerline construction.

A-Active, in Construction  
P - Pending  
C - Complete



Lonnie A. Cross  
LandLeveling Inc.

Mailing Address: P.O. Box 10149

Bakersfield, CA 93389

Admin Phone: 661-808-0760

Kreg Cross (661) 809-2013

[Admin@crosslandleveling.com](mailto:Admin@crosslandleveling.com)

Contractor's License #547565

---

**Task Order #3 Rev.1**  
**Proposal 11.29.24**

Kern Delta Water District

Chris Bellue

Operator rates for customer supplied Excavators

**Scope:**

Starting on December 9, 2024, through December 27, supply 2 operators to run long reach excavators. This is a prevailing wage rate.

**Operator:**

1. \$ 165 per/hr. x 8 hrs. x 13 days = \$ 17,160.00
2. \$ 165 per/hr. x 8 hrs. x 13 days = \$ 17,160.00

Total	\$ 34,320.00
-------	--------------

Notes:

Customer to supply excavators, fuel, maintenance, logistics, and identify limits of dredging.

# Tab V



## **KERN DELTA WATER DISTRICT**

December 11, 2024

	12/11/2024	Last Year
KERN RIVER 3 DAY MEAN INFLOW	410 CFS	599 CFS
KERN RIVER MEAN OUTFLOW	413 CFS	743 CFS
ISABELLA RESERVOIR STORAGE	154,616 ACFT	196,496 ACFT
REQUESTED OUTFLOW	412 CFS	750 CFS

Estimated: (CFS)

KDWD DAILY DIVERTED: (DECEMBER 11, 2024)	@HEAD	STATE	XCHNG	BANKING
KERN ISLAND	0	0	0	0
EASTSIDE	0	0	0	0
BUENA VISTA -LEVEE	0	0	0	0
STINE	0	0	0	0
OTHER - River Channel	0	0	0	0
K.I. / A.E. Exchange Gate	0	0	0	0
STINE / A.E. Exchange Gate	0	0	0	0
EASTSIDE / A.E. Intertie	0	0	0	0
Total CFS	0	0	0	0

Estimated: (Acre Feet)

DIVERTED (NOVEMBER 2024)	UTILITY	STATE	PURCHASE	BANKING
KERN ISLAND	4,455	0	0	0
EASTSIDE	0	0	0	0
C.O.B. Misc.	0	0	0	0
BUENA VISTA	188	0	0	0
STINE	0	0	0	0
FARMERS	662	0	0	0
SOUTH FORK	0	0	0	0
West Side State Sale	0	0	0	0
MONTHLY TOTAL	5,305	0	0	0
YEAR TO NOVEMBER 30, 2024	205,956 ACFT	10,696	0	2,202

Year to November 30, 2024 Utility - State - Banking 218,854 ACFT

ACFT. STORAGE BALANCE AS OF:	11/30/2024	Estimate 12/11/2024	Max Storage
KERN ISLAND	2,193	2,193	2,500
BUENA VISTA	8,969	1,137	1,500
STINE	1,463	1,475	1,500
FARMERS	1,477	1,475	1,500
STATE (23) Carryover	0	0	N/A
STATE (24) Contract	5,504	5,504	N/A
RRBWSO STORAGE	18,805	18,805	N/A
PIONEER PROJECT STORAGE (ODC)	24,972 (100,523)	24,972 (100,523)	N/A
TOTAL ACFT.	63,383	55,561	

K.D.W.D. CLIMATOLOGICAL OBSERVATION:

<u>40</u>	MINIMUM TEMPERATURE	<u>37</u>
<u>66</u>	MAXIMUM TEMPERATURE	<u>61</u>
<u>48</u>	PRESENT TEMPERATURE	<u>47</u>
<u>0.00</u>	PRECIPITATION - 24 HR. DAY	<u>0.00</u>
<u>0.00</u>	PRECIPITATION - MONTH	<u>0.00</u>
Seasonal <u>0.84</u>	YEAR TO DATE PRECIP.	<u>1.74</u> Seasonal

ISABELLA CLIMATOLOGICAL OBSERVATION:ISABELLA RESEVOIR:

LAKE ELEVATION (FT.)	2,557.77	NOVEMBER AC. FT. INFLOW	24,194
STORAGE ACFT.	154,616	NOVEMBER AC. FT. OUTFLOW	18,706
GROSS STORAGE CAPACITY	568,075	ACCUMULATIVE ACFT. INFLOW (24-25)	37,636
% OF CAPACITY	27%	ACCUMULATIVE ACFT. OUTFLOW	31,266
SEASONAL STORAGE CAPACITY	170,000	% OF SEASONAL CAPACITY	91%

Summary of Utility Water Diverted Year to Date: 11/30/2024

	Utility	North Kern	Other Exchanges
<b>January</b>	9,884	0	0
<b>February</b>	10,554	0	0
<b>March</b>	7,577	0	0
<b>April</b>	18,680	7,500	0
<b>May</b>	23,441	0	0
<b>June</b>	38,616	0	0
<b>July</b>	41,488	0	0
<b>August</b>	28,738	0	0
<b>September</b>	13,942	0	0
<b>October</b>	7,730	0	0
<b>November</b>	5,306	0	0
<b>December</b>			
<b>Total</b>	205,956	7,500	0

Summary of Other Water Diverted Year to Date: 11/30/2024

	State	Purchase	3rd Party Banking
<b>January</b>	0	0	0
<b>February</b>	0	0	0
<b>March</b>	103	0	0
<b>April</b>	117	0	0
<b>May</b>	531	0	1,827
<b>June</b>	1,192	0	325
<b>July</b>	2,480	0	0
<b>August</b>	6,223	0	0
<b>September</b>	50	0	50
<b>October</b>	0	0	0
<b>November</b>	0	0	0
<b>December</b>			
<b>Total</b>	10,696	0	2,202

Water owed to K.D.W.D as of: 11/30/2024

<b>B.V.W.S.D. 2023 State Carryover*:</b>	<b>6,000</b>
<b>2024 State Contract: Table A</b>	<b>10,200</b>

Summary of Total State Water Used Year to Date: 11/30/2024

	(OWED)	(USED)
<b>2023 Contract</b>	<b>0</b>	<b>6,000</b>
<b>2024 Contract</b>	<b>5,504</b>	<b>4,696</b>
<b>Total</b>	<b>5,504</b>	<b>10,696</b>

**Quantities in acft. TOTAL 16,200**

**Net Owed to KDWD TOTAL 16,200**

Maximum Annual State Carryover Balance: 6,000 acre feet

## **DISTRICT BANKING OPERATIONS**

Wednesday, December 11, 2024

### **KERN ISLAND PROJECTS**

Branch 1:	-	CFS
Kern Island Met:	-	CFS
Other:	-	CFS
<b>Total:</b>	-	CFS

### **BUENA VISTA PROJECTS**

BV North Basins:	-	CFS
Buena Vista I5:	-	CFS
Other:	-	CFS
<b>Total:</b>	-	CFS

### **FARMERS PROJECTS**

Romero:	-	CFS
Stonefield:	-	CFS
Church:	-	CFS
Other:	-	CFS
<b>Total:</b>	-	CFS

### **EASTSIDE PROJECTS**

Digiorgio:	-	CFS
Sunset:	-	CFS*
Other:	-	CFS
<b>Total:</b>	-	CFS

### **STINE PROJECTS**

Old River:	-	CFS
Bladder & Triangles:	-	CFS
Other:	-	CFS
<b>Total:</b>	-	CFS

### **BANKING SUPPLIES**

KDWD Utility:	-	CFS
AEWSD Project:	-	CFS*
Other:	-	CFS
<b>Total In District:</b>	-	CFS

Estimated: (Acre Feet)

<b><u>DIVERTED FOR BANKING (NOVEMBER 2024)</u></b>	<b><u>UTILITY</u></b>	<b><u>STATE</u></b>	<b><u>PURCHASE</u></b>	<b><u>3RD PARTY</u></b>	<b><u>OPERATIONAL</u></b>
				<b><u>BANKING</u></b>	<b><u>RECHARGE</u></b>
KERN ISLAND	225	0	0	0	2,241
EASTSIDE	0	0	0	0	0
BUENA VISTA	0	0	0	0	95
STINE	0	0	0	0	0
FARMERS	167	0	0	0	252
<b>MONTHLY TOTAL</b>	<b>392</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,588</b>
<b>YEAR TO NOVEMBER 30, 2024</b>	<b>10,767 ACFT</b>	<b>0</b>	<b>0</b>	<b>2,252</b>	<b>69,253</b>
<b>Year to November 30, 2024 All Supplies</b>					
	82,272 ACFT				

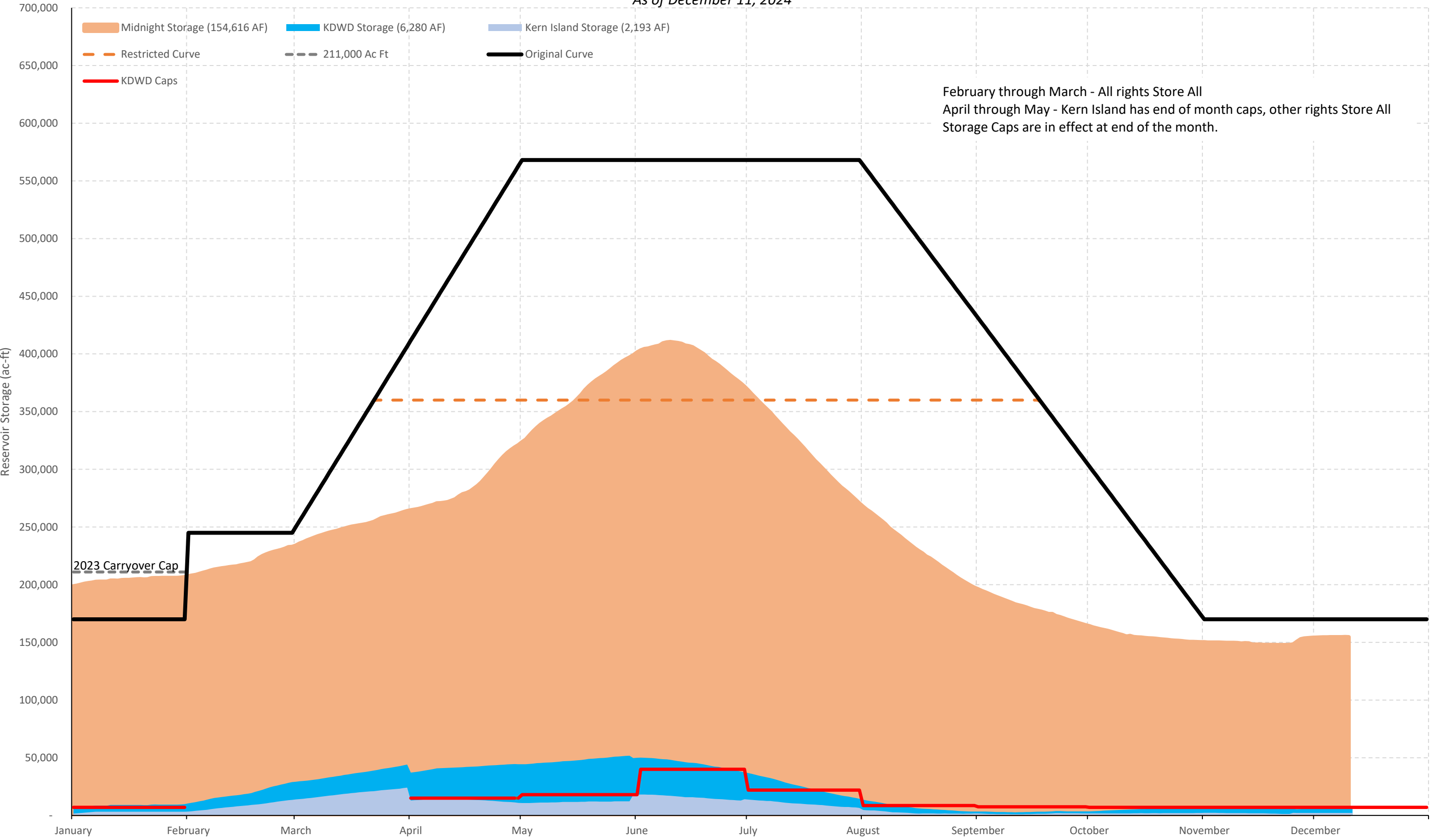
### **Summary of Spreading Year to Date: 11/30/2024**

	<i>Utility</i>	<i>State</i>	<i>Purchase</i>	<i>3 Pty Bk</i>	<i>Op. Re.</i>
<b>January</b>	3,024	0	0	0	4,913
<b>February</b>	5,374	0	0	0	4,051
<b>March</b>	167	0	0	0	3,200
<b>April</b>	1,810	0	0	0	6,781
<b>May</b>	0	0	0	1,827	5,847
<b>June</b>	0	0	0	325	9,484
<b>July</b>	0	0	0	0	11,939
<b>August</b>	0	0	0	0	11,322
<b>September</b>	0	0	0	100	5,266
<b>October</b>	0	0	0	0	3,862
<b>November</b>	392	0	0	0	2,588
<b>December</b>					
<b>Total</b>	<b>10,767</b>	<b>0</b>	<b>0</b>	<b>2,252</b>	<b>69,253</b>

### **Facility Flow Rate Quick Reference**

<b><u>PROJECT</u></b>	<b><u>Fill (CFS)</u></b>	<b><u>Operational (CFS)</u></b>		<b><u>Acreage</u></b>
		<b><u>Summer</u></b>	<b><u>Winter</u></b>	
Kern Island Met:	60	25	20	175
Branch 1:	18	18	5	75
Digiorgio:	30	15	10	70
Sunset:	TBD	TBD	TBD	140
BV North:	65	55	20	240
Buena Vista I5:	40	25	15	65
Old River:	40	30	TBD	145
Bladder & Triangles:	30	20	10	40
Romero:	45	40	15	170
Stonefield:	25	15	10	80
Church:	4	1	1	5
<b>Total</b>	<b>357</b>	<b>244</b>	<b>106</b>	<b>1205</b>

Midnight Lake Isabella Storage and Pool Restrictions  
As of December 11, 2024

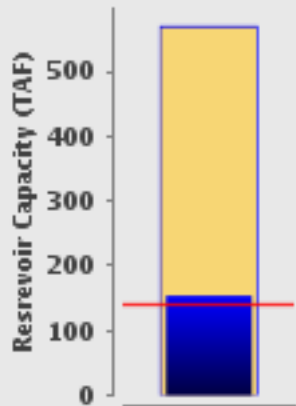


# CURRENT RESERVOIR CONDITIONS



## Isabella Lake Conditions

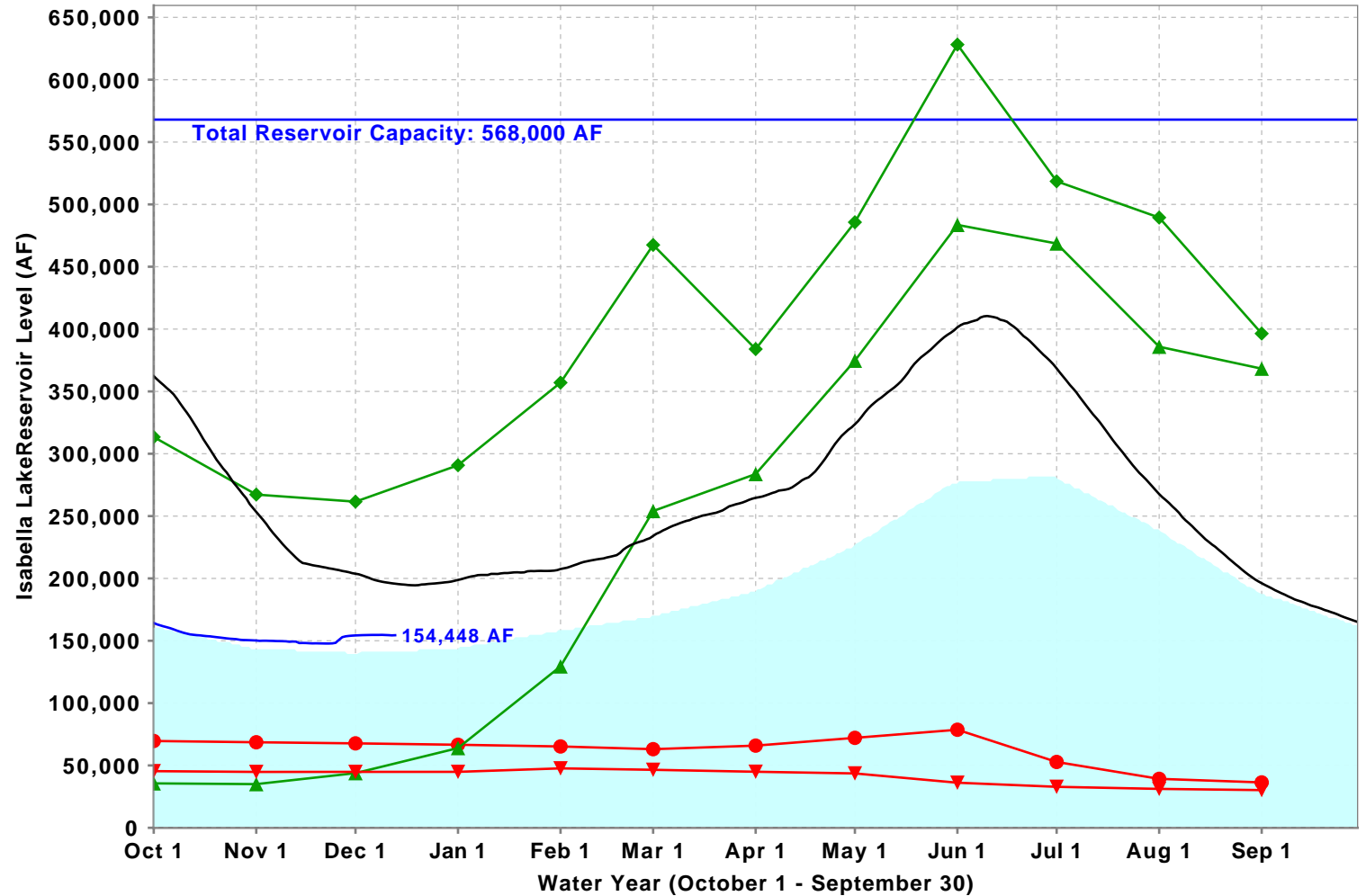
(as of Midnight - December 13, 2024)



Current Level: 154,448 AF

27% (Total Capacity) | 110% (Historical Avg.)

Isabella Lake Levels: Various Past Water Years and Current Water Year, Ending At Midnight December 13, 2024



Historical Average Total Reservoir Capacity 1976-1977 1977-1978 1982-1983 (Wettest) 2023-2024 2014-2015 (Driest) Current: 2024-2025



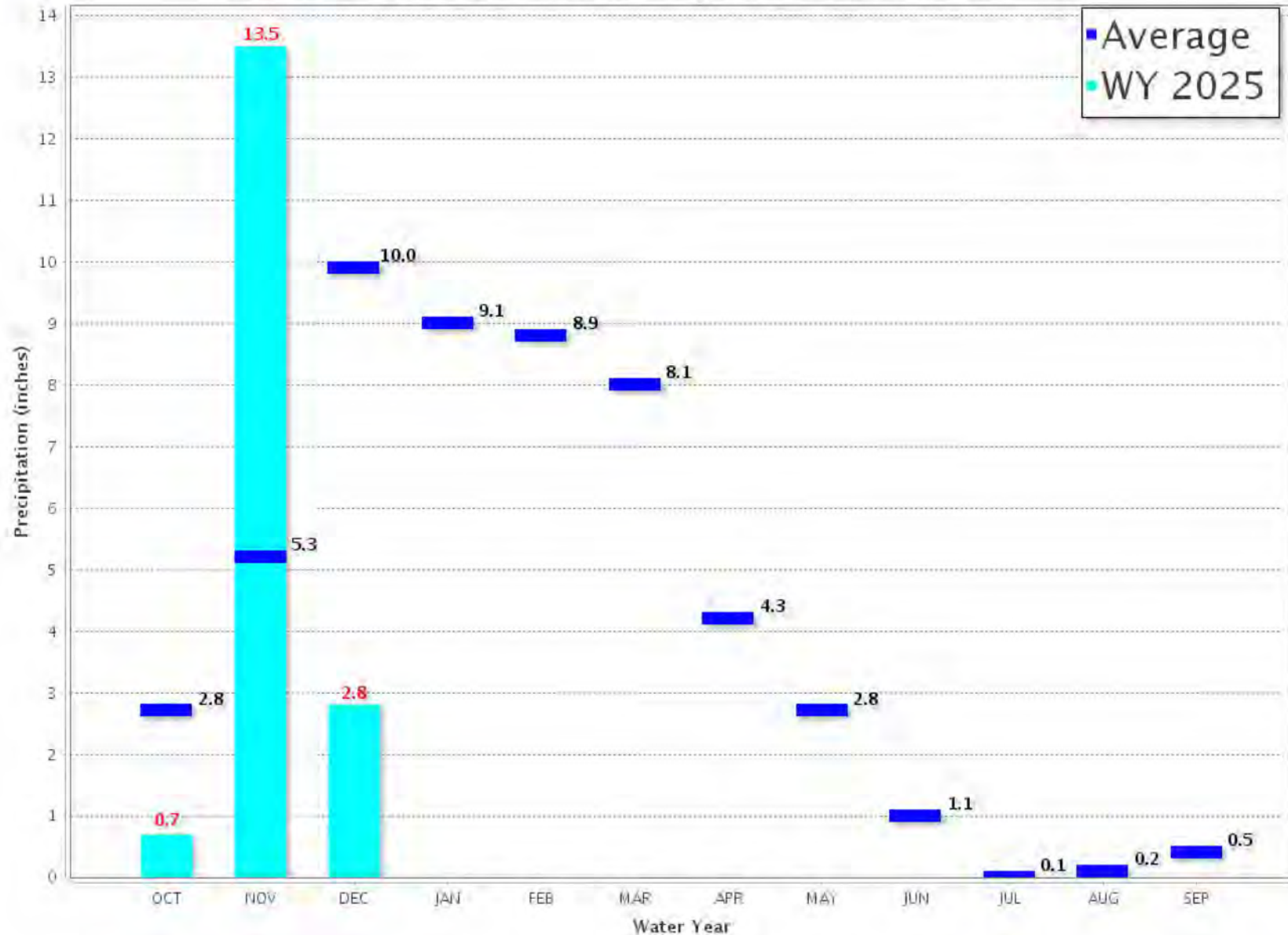


## Northern Sierra 8-Station

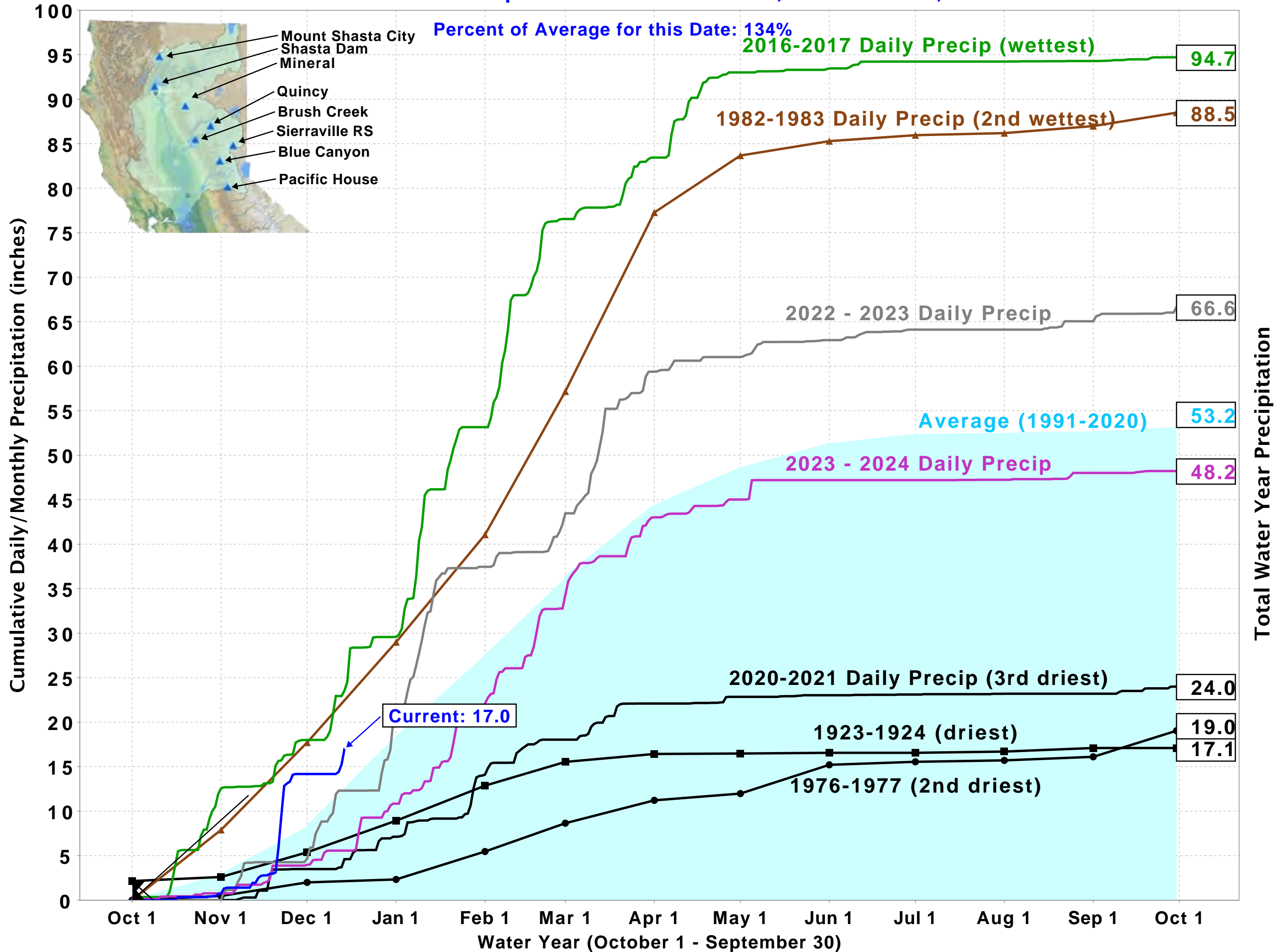
Precipitation Index for Water Year 2025 – Updated on December 14, 2024 04:48 PM

Note: Monthly totals may not add up to seasonal total because of rounding

Water Year Monthly totals are calculated based on Daily precipitation data from 12am to 12am PST



# Northern Sierra Precipitation: 8-Station Index, December 14, 2024



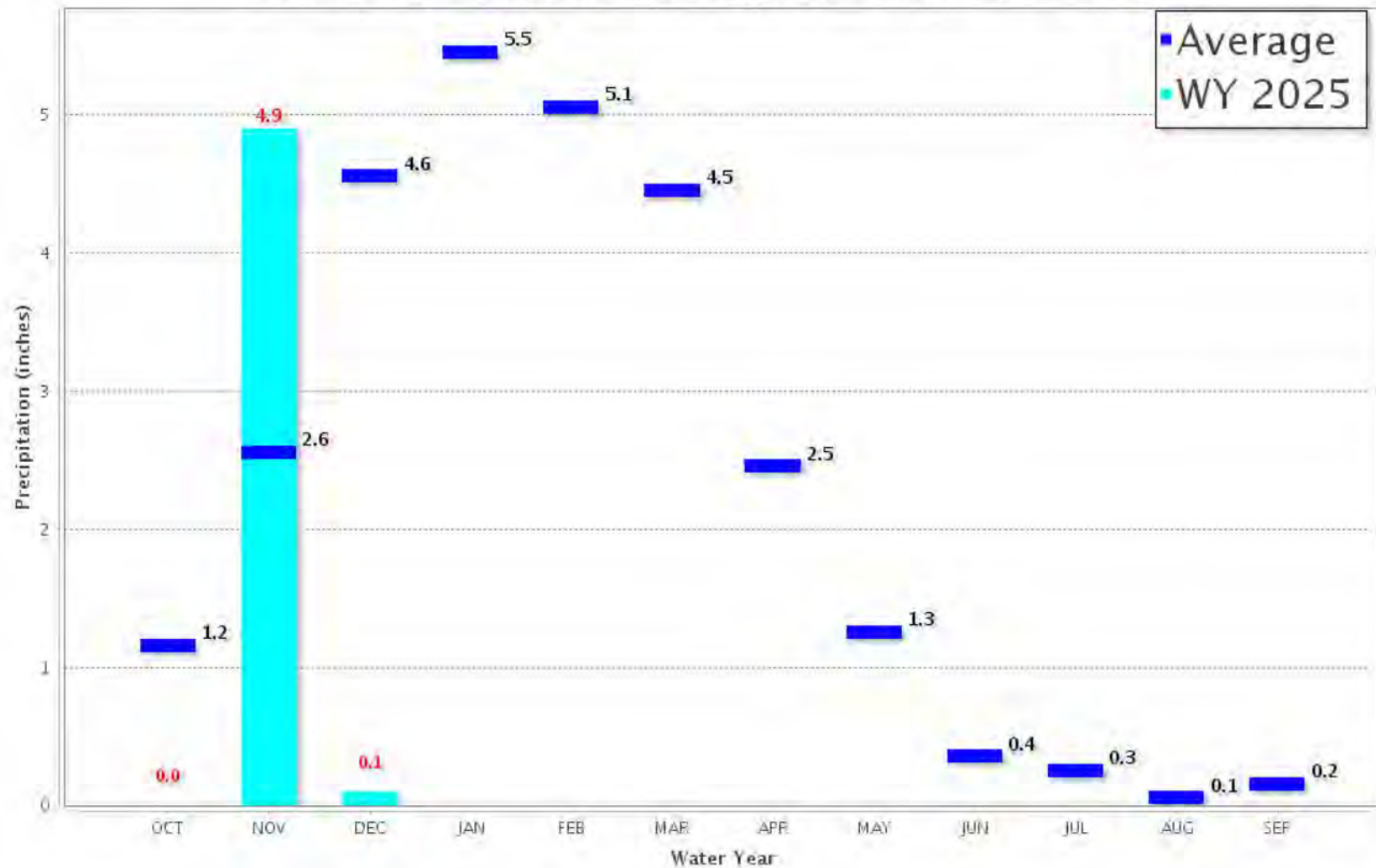


## Tulare Basin 6-Station

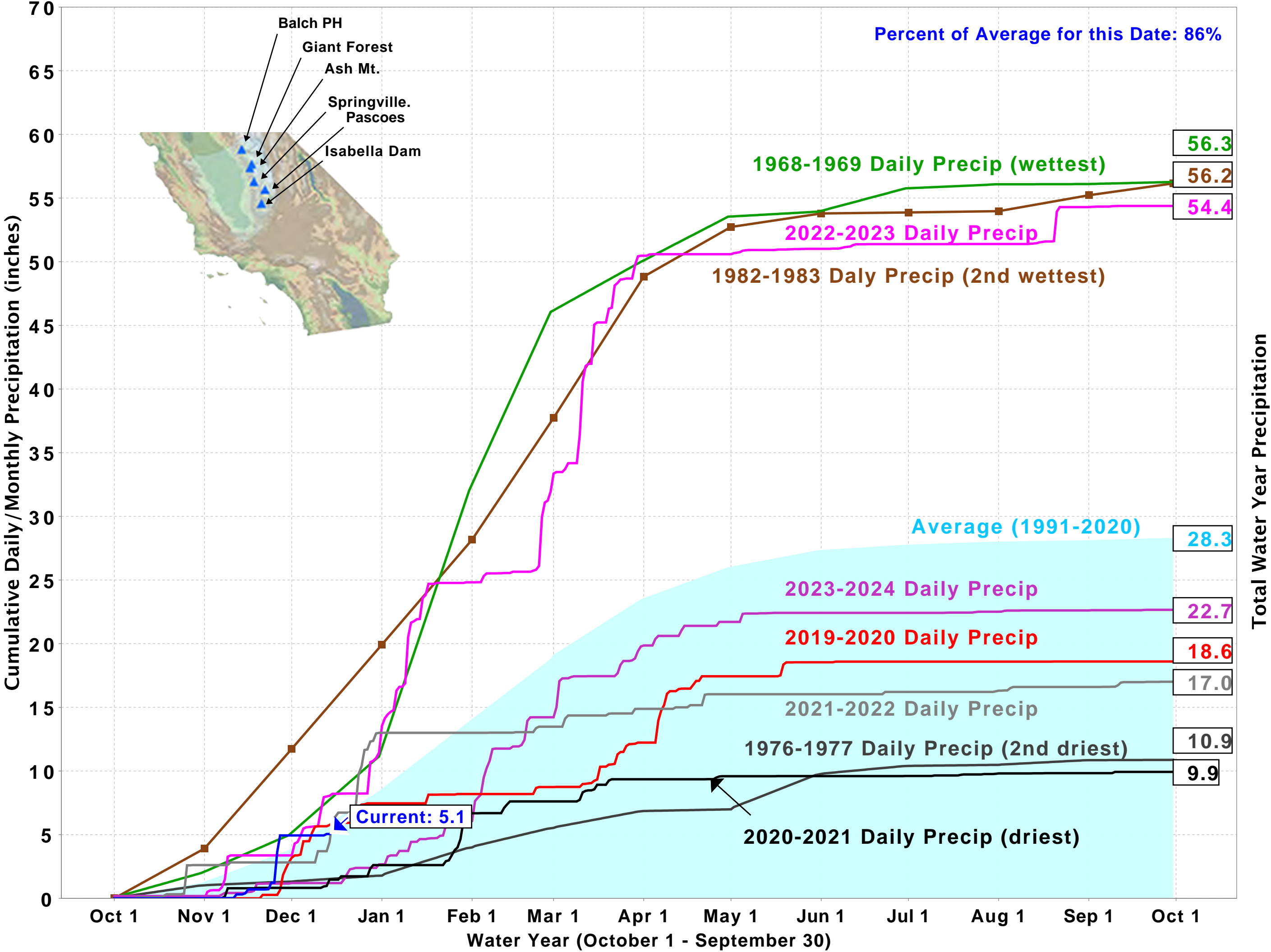
Precipitation Index for Water Year 2025 – Updated on December 14, 2024 04:48 PM

Note: Monthly totals may not add up to seasonal total because of rounding

Water Year Monthly totals are calculated based on Daily precipitation data from 12am to 12am PST



Tulare Basin Precipitation: 6-Station Index, December 14, 2024



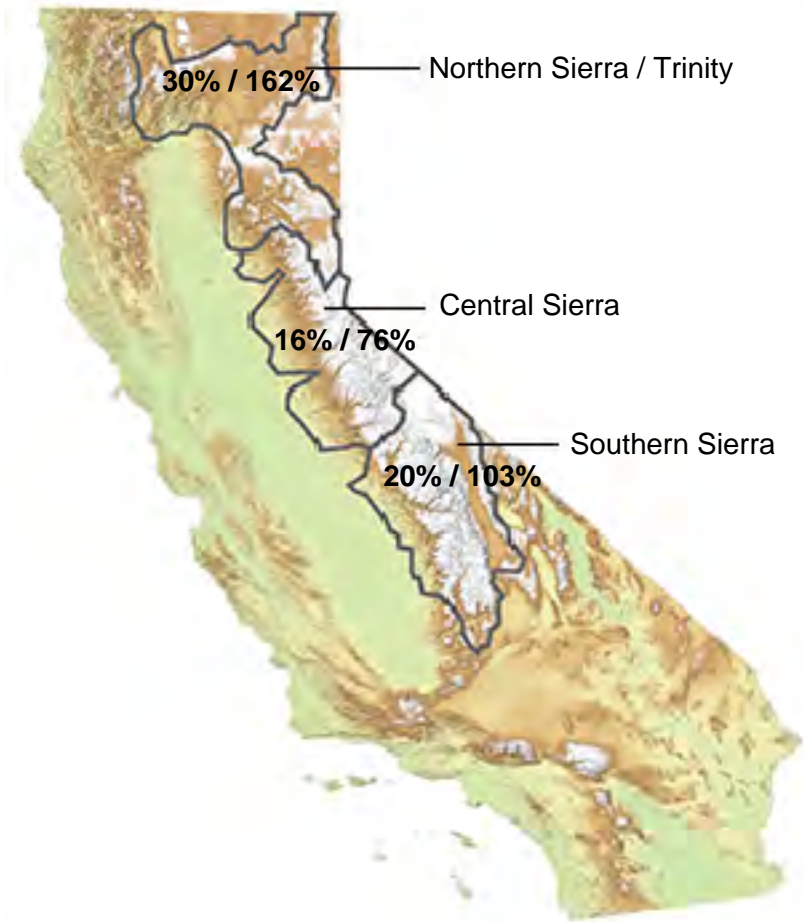




# STATEWIDE SNOW WATER CONTENT

## CURRENT REGIONAL SNOWPACK FROM AUTOMATED SNOW SENSORS

% of April 1 Average / % of Normal for This Date



NORTH	
Data as of December 13, 2024	
Number of Stations Reporting	33
Average snow water equivalent (Inches)	8.3
Percent of April 1 Average (%)	30
Percent of normal for this date (%)	162

CENTRAL	
Data as of December 13, 2024	
Number of Stations Reporting	53
Average snow water equivalent (Inches)	4.5
Percent of April 1 Average (%)	16
Percent of normal for this date (%)	76

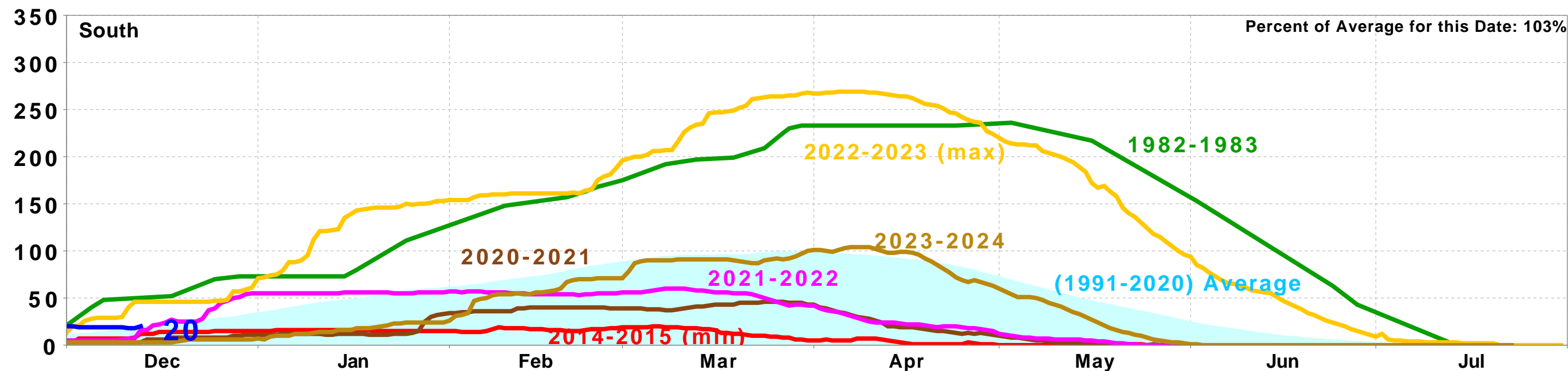
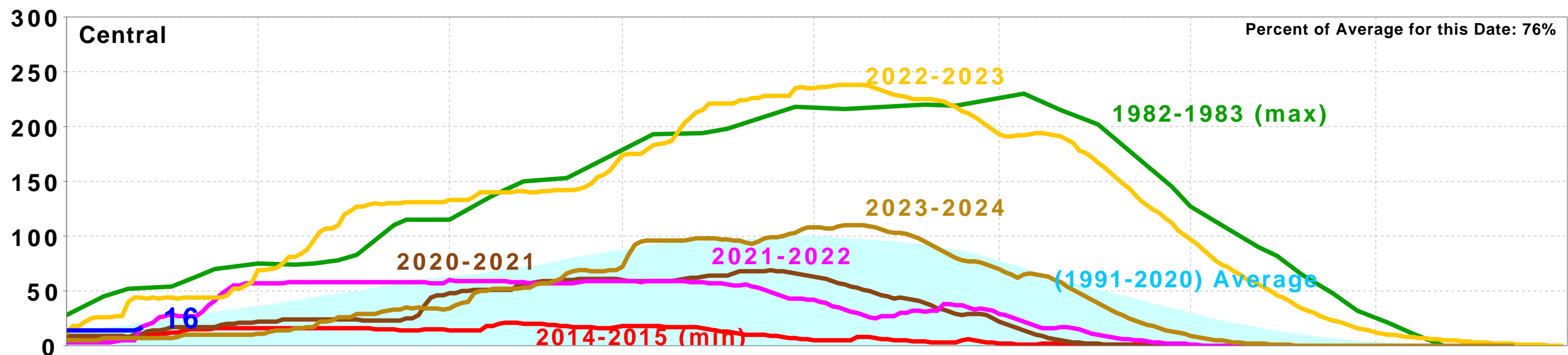
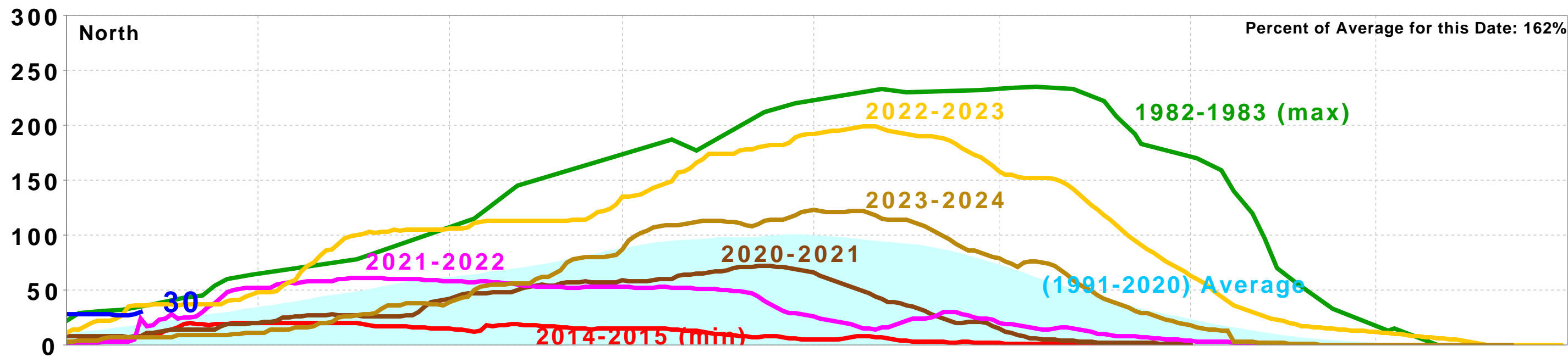
SOUTH	
Data as of December 13, 2024	
Number of Stations Reporting	26
Average snow water equivalent (Inches)	4.5
Percent of April 1 Average (%)	20
Percent of normal for this date (%)	103

STATE	
Data as of December 13, 2024	
Number of Stations Reporting	112
Average snow water equivalent (Inches)	5.6
Percent of April 1 Average (%)	21
Percent of normal for this date (%)	107

Statewide Average: 21% / 107%

Data as of December 13, 2024

# California Snow Water Content, December 13, 2024, Percent of April 1 Average



Statewide Percent of April 1: 21%

Statewide Percent of Average for Date: 107%

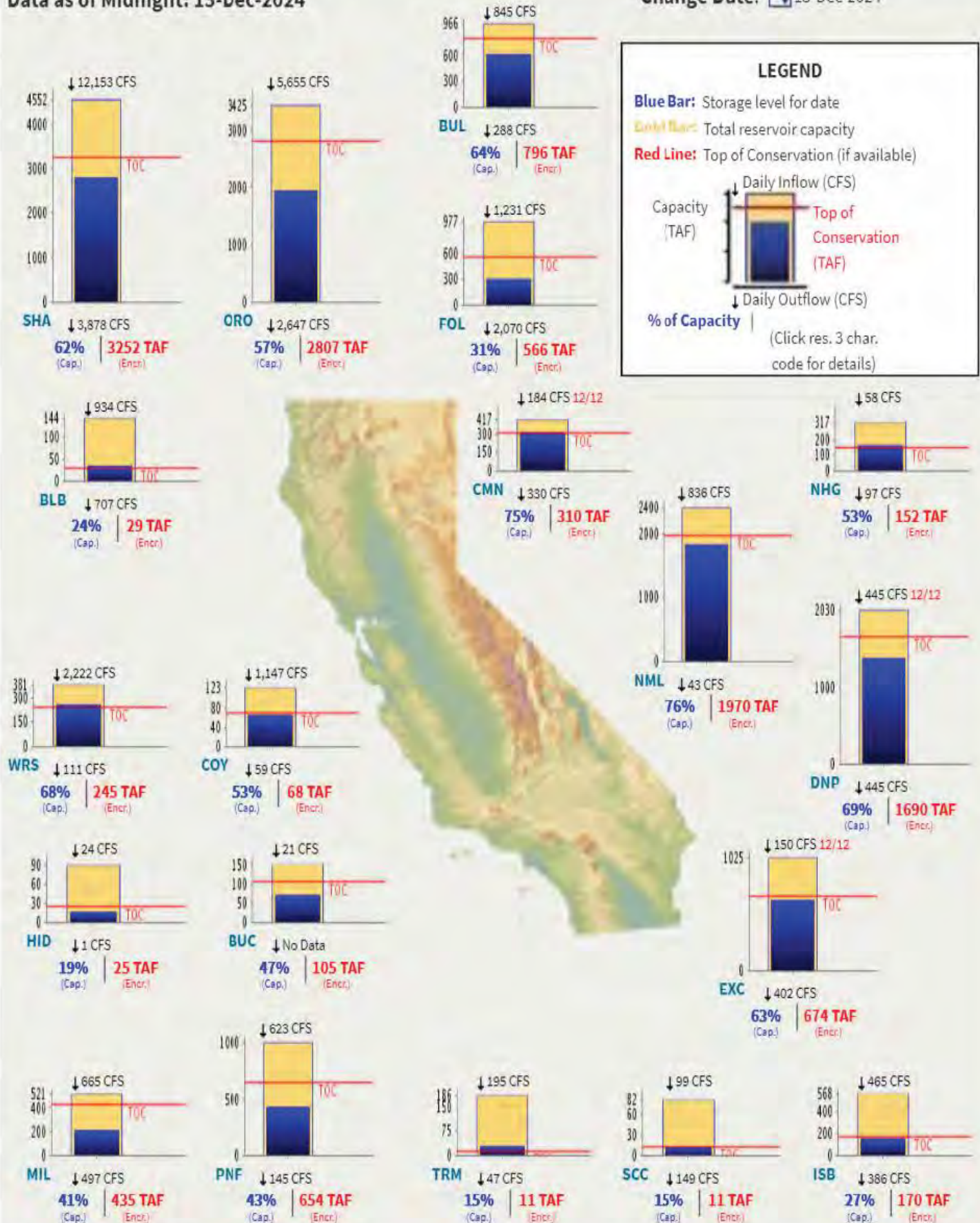


# TOP OF CONSERVATION CONDITIONS:

## CENTRAL VALLEY AND RUSSIAN RIVER FLOOD CONTROL RESERVOIRS: 13-DEC-2024

Data as of Midnight: 13-Dec-2024

Change Date: 13-Dec-2024



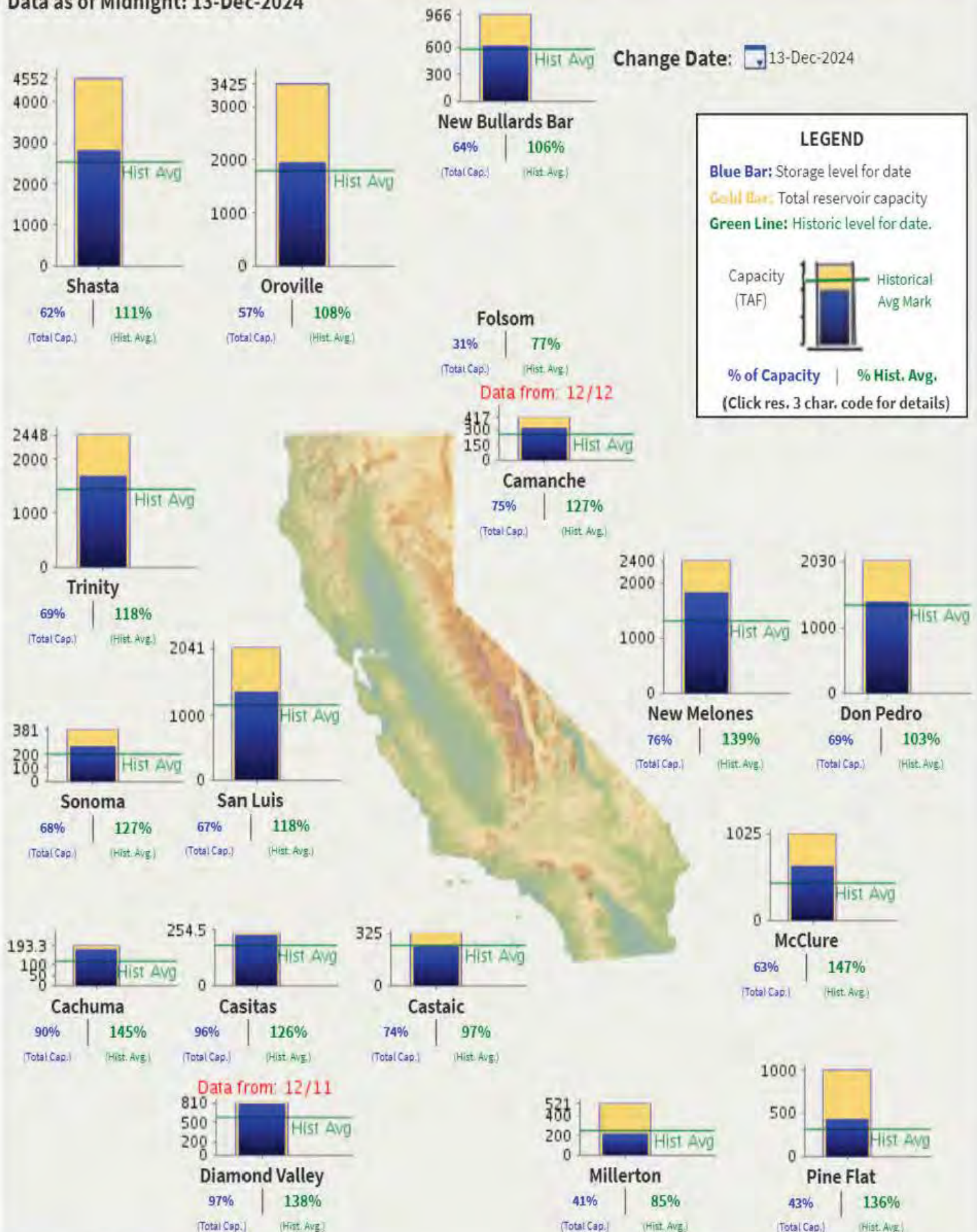
Click for printable version of current data.

Report Generated: 14-Dec-2024 6:31 PM



# CURRENT CONDITIONS: MAJOR WATER SUPPLY RESERVOIRS:13-DEC-2024

Data as of Midnight: 13-Dec-2024



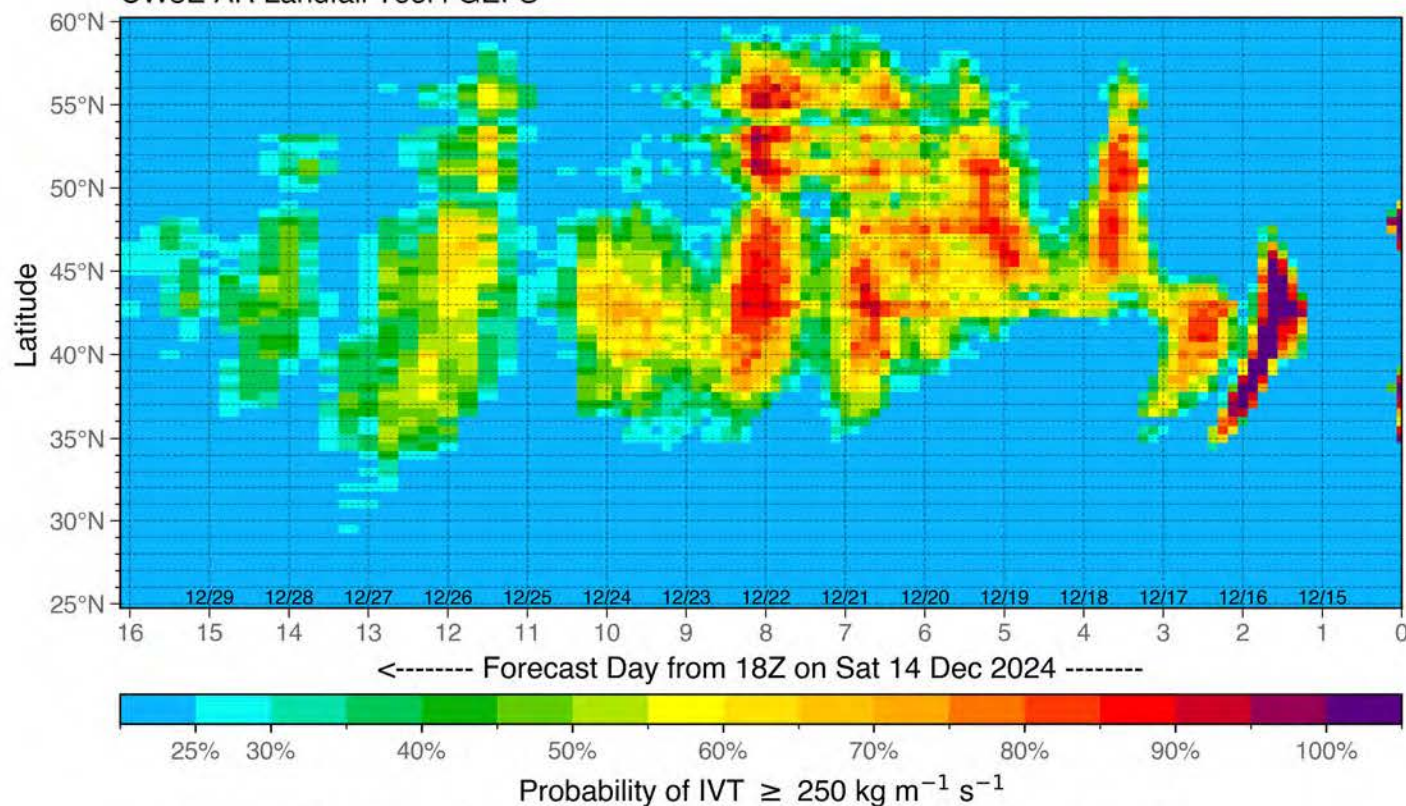
[Click for printable version of current data.](#)

Report Generated: 14-Dec-2024 6:33 PM

The CSI link has been disabled to zoom in, for the lack of historical data.

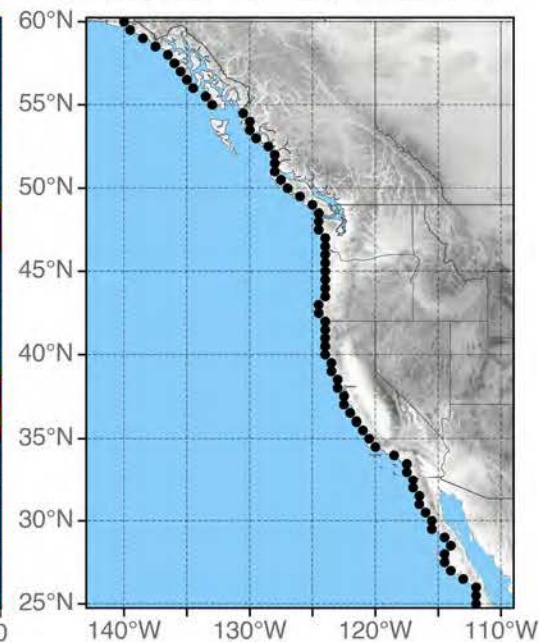


# CW3E AR Landfall Tool | GEFS

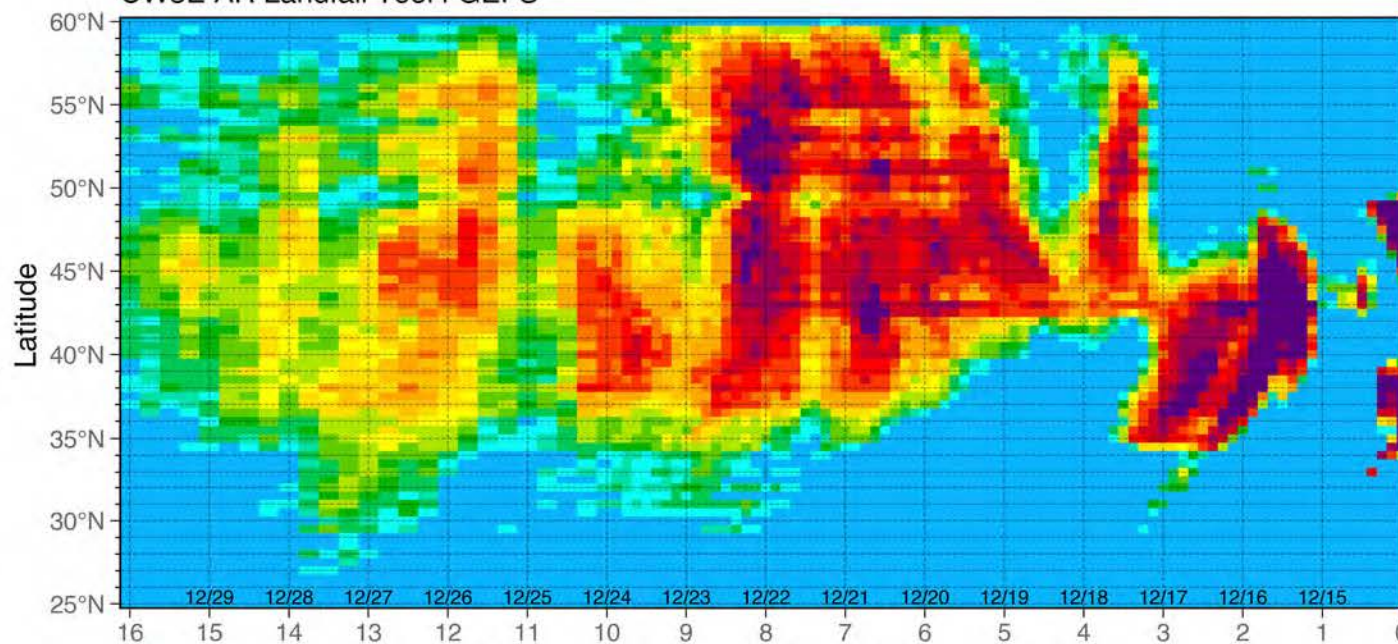


Forecasts support FIRO/CA-AR Program and NSF #2052972 | Intended for research purposes only

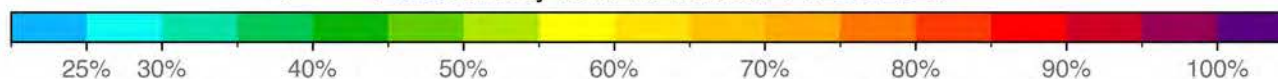
## Model Run: 18Z Sat 14 Dec 2024



# CW3E AR Landfall Tool | GEFS



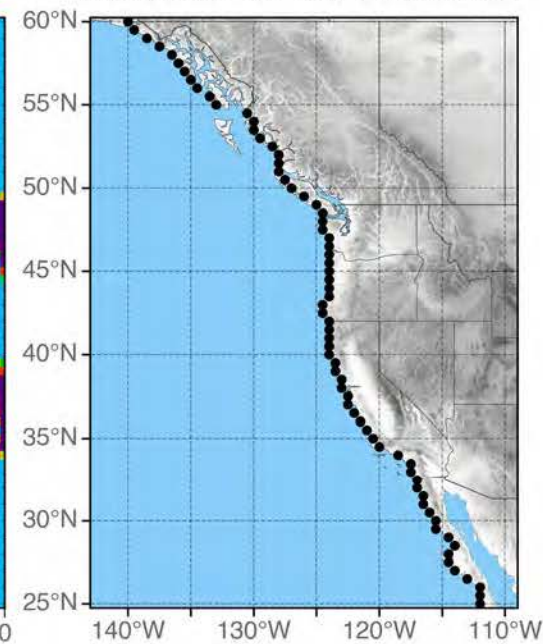
<----- Forecast Day from 18Z on Sat 14 Dec 2024 ----->



Probability of IVT  $\geq 150 \text{ kg m}^{-1} \text{ s}^{-1}$


Forecasts support FIRO/CA-AR Program and NSF #2052972 | Intended for research purposes only

Model Run: 18Z Sat 14 Dec 2024



Center for Western Weather  
and Water Extremes

**NOTICE TO STATE WATER PROJECT CONTRACTORS****Date: December 2, 2024****Number: 24-06****Subject: State Water Project Initial 2025 Allocation of five (5) Percent**

**From:**   
**John Yarbrough**  
**Deputy Director, State Water Project**  
**Department of Water Resources**

Water year 2024 closed with above average water supplies in California. Although California reservoirs entered the new water year with average storage amounts, October and early November were largely dry. To make the initial 2025 allocation, the Department of Water Resources (DWR) used the November 1 forecast data, which did not include the wetter conditions that began on November 20, and which forecasted water supplies available if the dry pattern continued through the remainder of the water year. As a result, DWR is initially allocating five (5) percent of most State Water Project (SWP) contractors' requested Maximum Annual Table A Amounts for 2025, as shown in Attachment A – 2025 SWP Allocation. DWR may revise the SWP allocation if water supply conditions change.

To determine the available SWP water supplies, DWR considers factors including SWP contractors' anticipated carryover supplies into 2025, projected 2025 demands, existing storage in SWP conservation facilities, estimates of future runoff, SWP operational and regulatory requirements from the Federal Endangered Species Act and California Endangered Species Act, and water rights obligations under the State Water Resources Control Board's authority.

To schedule SWP water deliveries under this allocation, DWR will develop the five-percent water delivery schedules by prorating the 10-percent schedules submitted by the contractors in October 2024 (as part of initial requests) or as revised with any subsequent updates. If a contractor foresees any changes to their water delivery schedule, please communicate such changes to DWR in a timely manner.



State of California

DEPARTMENT OF WATER RESOURCES  
CALIFORNIA STATE WATER PROJECT

California Natural Resources Agency

If you have any questions or need additional information, please contact Molly White, Assistant Division Manager, Water Management, SWP Division of Operations and Maintenance, at [Molly.White@water.ca.gov](mailto:Molly.White@water.ca.gov).

Attachment A: 2025 State Water Project Allocation - Initial

**Attachment A**  
**2025 STATE WATER PROJECT ALLOCATION**

Initial  
December 2, 2024

<b>SWP Contractors</b>	<b>Maximum Annual Table A Amount (Acre-Feet)</b>	<b>Approved Table A Allocation (Acre-Feet)</b>	<b>Approved Allocation as a Percentage of Maximum Annual Table A Amount (3) = (2)/(1)</b>
<b>(1)</b>	<b>(2)</b>	<b>(3) = (2)/(1)</b>	
<b><u>FEATHER RIVER</u></b>			
County of Butte	27,500	3,000	~11%
Plumas County FC&WCD	2,700	135	5%
City of Yuba City	9,600	960	10%
<b>Subtotal</b>	<b>39,800</b>	<b>4,095</b>	
<b><u>NORTH BAY</u></b>			
Napa County FC&WCD	29,025	2,903	10%
Solano County WA	47,756	4,776	10%
<b>Subtotal</b>	<b>76,781</b>	<b>7,679</b>	
<b><u>SOUTH BAY</u></b>			
Alameda County FC&WCD, Zone 7	80,619	4,031	5%
Alameda County WD	42,000	2,100	5%
Santa Clara Valley WD	100,000	5,000	5%
<b>Subtotal</b>	<b>222,619</b>	<b>11,131</b>	
<b><u>SAN JOAQUIN VALLEY</u></b>			
Oak Flat WD	5,700	285	5%
County of Kings	9,305	466	5%
Dudley Ridge WD	41,350	2,068	5%
Empire West Side ID	3,617	181	5%
Kern County WA	982,730	49,137	5%
Tulare Lake Basin WSD	86,854	4,343	5%
<b>Subtotal</b>	<b>1,129,556</b>	<b>56,480</b>	
<b><u>CENTRAL COASTAL</u></b>			
San Luis Obispo County FC&WCD	25,000	1,250	5%
Santa Barbara County FC&WCD	45,486	2,275	5%
<b>Subtotal</b>	<b>70,486</b>	<b>3,525</b>	
<b><u>SOUTHERN CALIFORNIA</u></b>			
Antelope Valley-East Kern WA	144,844	7,243	5%
Santa Clarita Valley WA	95,200	4,760	5%
Coachella Valley WD	138,350	6,918	5%
Crestline-Lake Arrowhead WA	5,800	290	5%
Desert WA	55,750	2,788	5%
Little Rock Creek ID	2,300	115	5%
Metropolitan WDSC	1,911,500	95,575	5%
Mojave WA	89,800	4,490	5%
Palmdale WD	21,300	1,065	5%
San Bernardino Valley MWD	102,600	5,130	5%
San Gabriel Valley MWD	28,800	1,440	5%
San Geronio Pass WA	17,300	865	5%
Ventura County WPD	20,000	1,000	5%
<b>Subtotal</b>	<b>2,633,544</b>	<b>131,679</b>	
<b>TOTAL</b>	<b>4,172,786</b>	<b>214,589</b>	<b>~5%</b>

# KERN RIVER WATERMASTER

[achianello@krwatermaster.org](mailto:achianello@krwatermaster.org)

661-549-6313

To: Kern River Interests

December 8, 2024

From: Art Chianello  
Kern River Watermaster

RE: Report of Recent Activities

**Kern River No. 1 Hydroelectric Project (Kern 1 Project) (FERC No. 1930)** - SCE is seeking a new license to operate the Kern River No. 1 hydroelectric project from FERC. The current license was issued on June 16, 1988, and will expire on May 31, 2028. FERC may issue a new license ranging from 30-50 years. SCE's proposal is to continue to operate and maintain the project as required by the existing license. No new or upgraded facilities, structural changes, or operational changes to the project are proposed by SCE at this time. Technical studies are currently being conducted, with the final license application due May 5, 2026.

**Isabella Dam Safety Modification Project** - As previously reported, substantial completion for construction of the dams and spillway modifications (Phase II) was substantially completed in December 2022. The entire Project is not complete as Phase III, consisting of the Isabella Lake Visitor Center operated by the U.S. Forest Service, has not been completed, while the dam operations support facilities are near complete.

**Cloud Seeding** - November 1st was the first day for the WY 2025 cloud seeding season. Seeding activities are shown in the table below.

Nov 11		Ground generator burned for 4.5 hrs
Nov 14		Ground generator burned for 10.1 hrs
Nov 25	Seeding flight 2.3 hrs	No ground generators due to freezing temps only at higher elevations
Nov 26	Seeding Flight 1.4 hrs	Ground generators burned for 10.2 unit hrs

## **Basin Runoff and Reservoir Operations**

November:

Total inflow to Isabella Lake was 24.2 TAF

Total outflow was 18.7 TAF

End of month storage was 154,111 AF

December 8th current conditions:

Inflow 433 cfs

Outflow 411 cfs

Storage 154,672 AF (average storage for Dec. 8 is 140,002 AF)

**Runoff Forecast** - The CNRFC 12/08 April - July forecast is 71% of average, assuming normal conditions going forward. The 12/08 Tulare Basin Precipitation: 6-Station Index is 99% of average for this date.

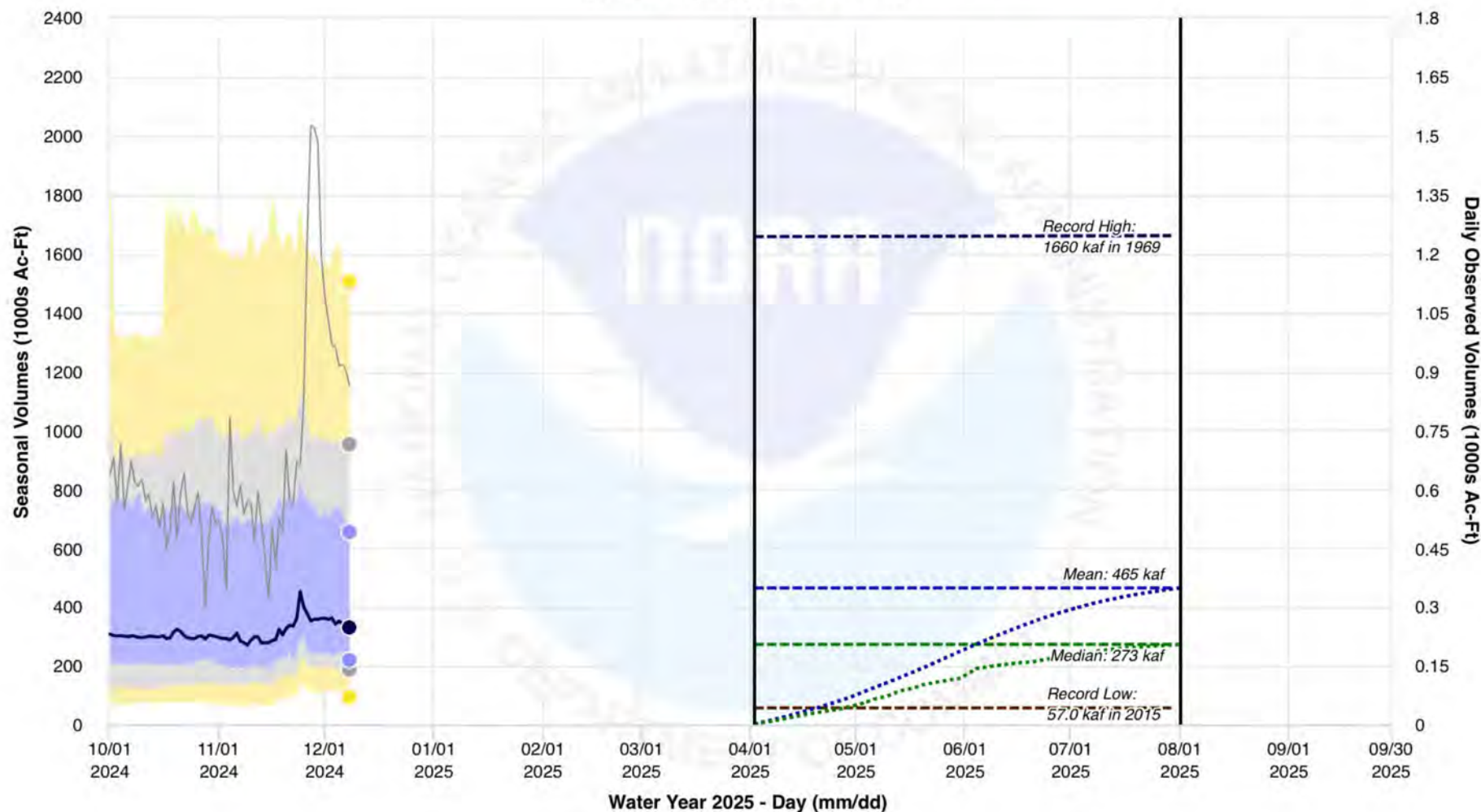
**Weather Forecast** - The 8-14 Day temperature and precipitation probability outlook (December 16 - 22) is likely above normal for temperature and leaning below normal percent chance for precipitation.

[Switch to Seasonal View](#)

# KERN - ISABELLA DAM, BLO (ISAC1) 12/08/2024

Median Forecast: **331 kaf** | **71% of Mean** | **121% of Median**

Created: 12/08/2024 at 07:47 AM PST



Observed Season to Date Percent of Mean: N/A% (M kaf)      Season to Date Mean: kaf  
Historical Apr-Jul Vol Max: 1660 kaf in 1969      Historical Apr-Jul Vol Min: 57.0 kaf in 2015

This product only considers meteorological uncertainty and does not account for hydrologic uncertainty.

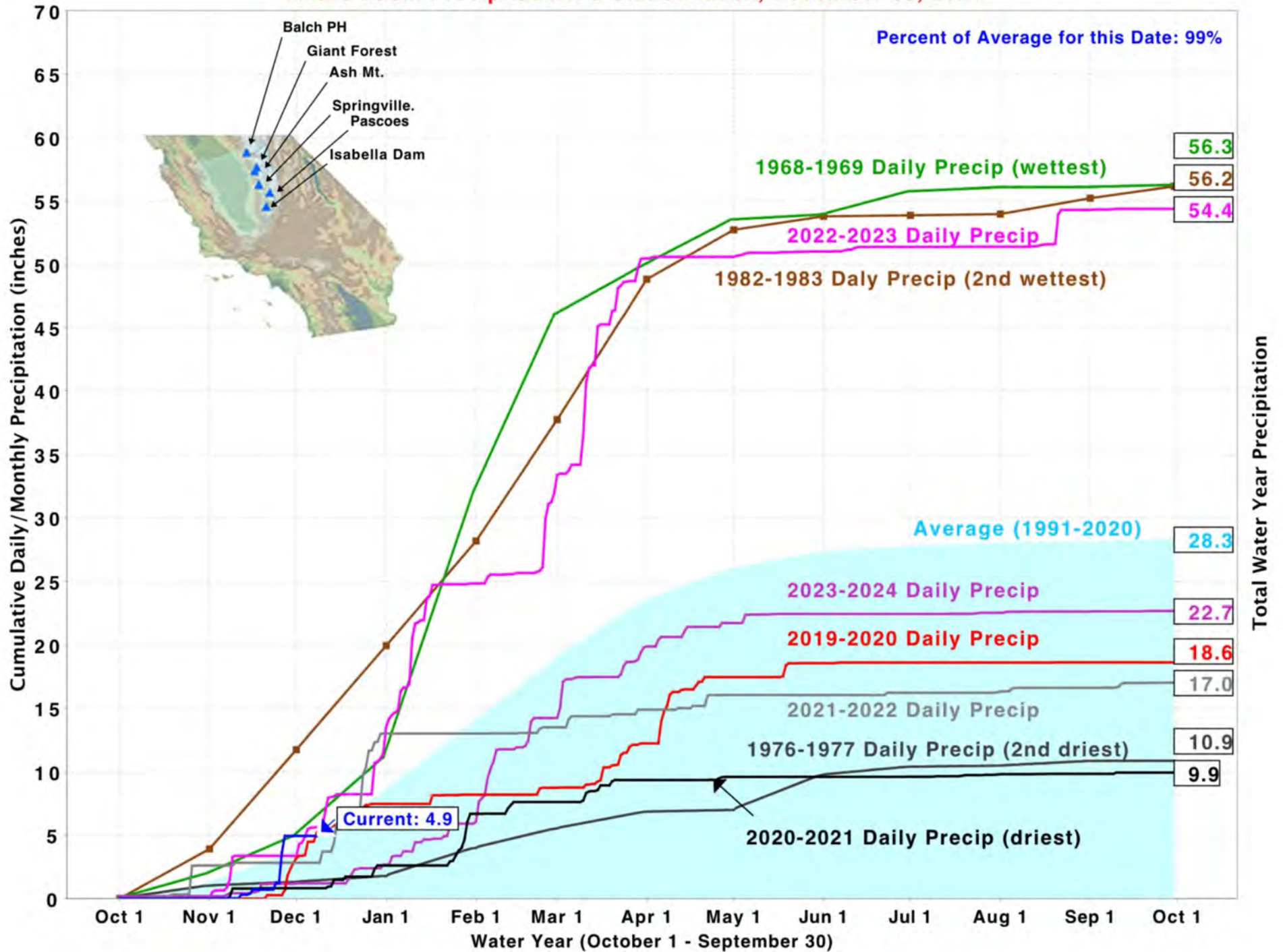
Means/medians are based on the period of Water Years 1980 through 2023.

Legend entries below can be toggled on/off.

--- Apr-Jul Vol Mean      --- Apr-Jul Vol Median      ● Season to Date Mean      ◆ Season to Date Median      ■ Season to Date Obs      — Daily Obs  
● Apr-Jul Fcst 50%      ■ Apr-Jul Fcst 25/75%      ■ Apr-Jul Fcst 10/90%      ■ Apr-Jul Fcst Max/Min      --- Record Low      --- Record High  
▼ Snow Model Updates



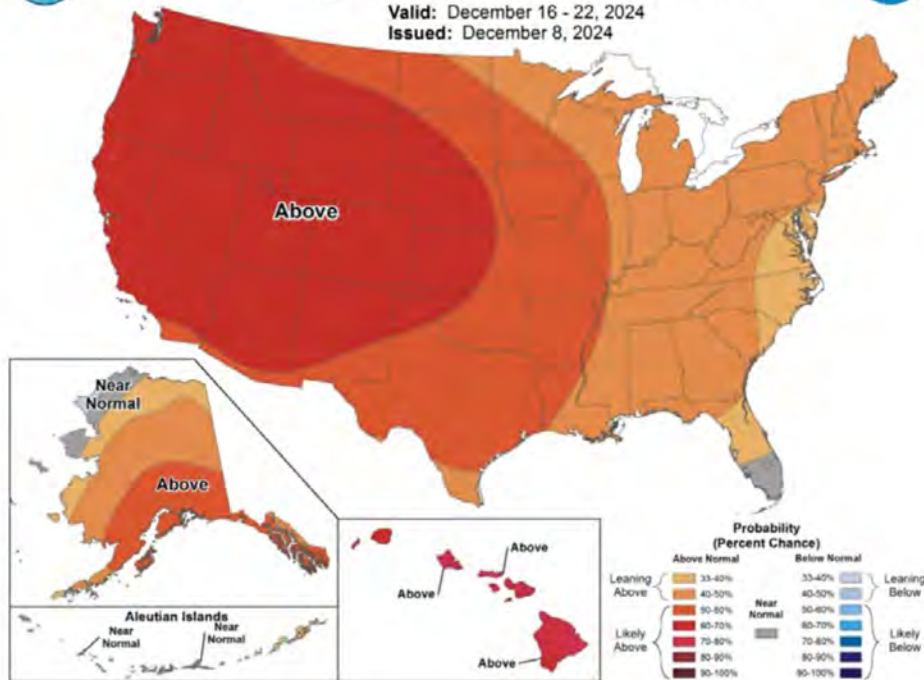
## Tulare Basin Precipitation: 6-Station Index, December 08, 2024





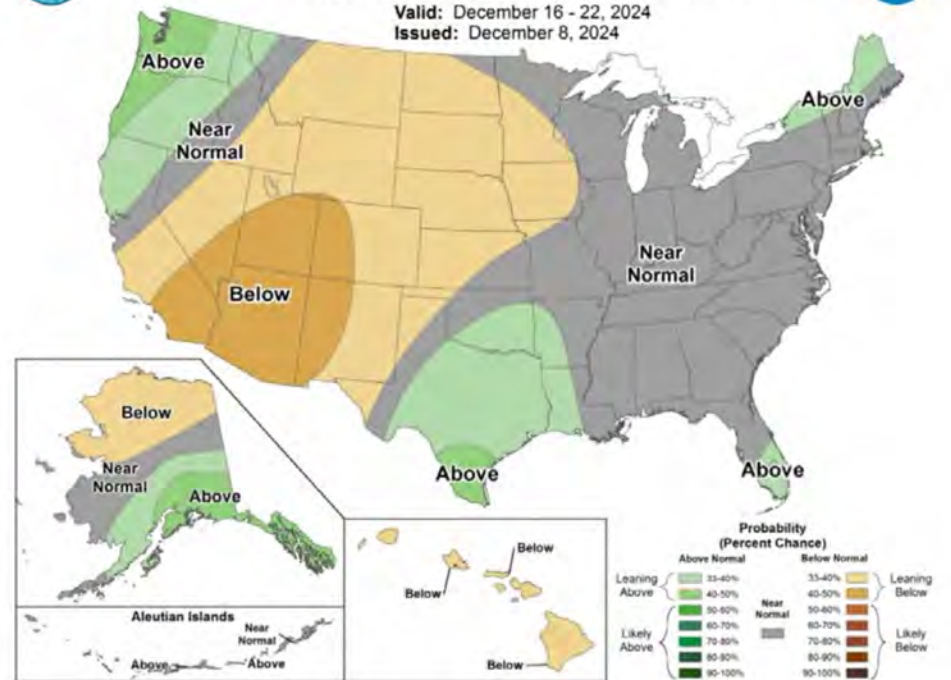
## 8-14 Day Temperature Outlook

Valid: December 16 - 22, 2024  
Issued: December 8, 2024



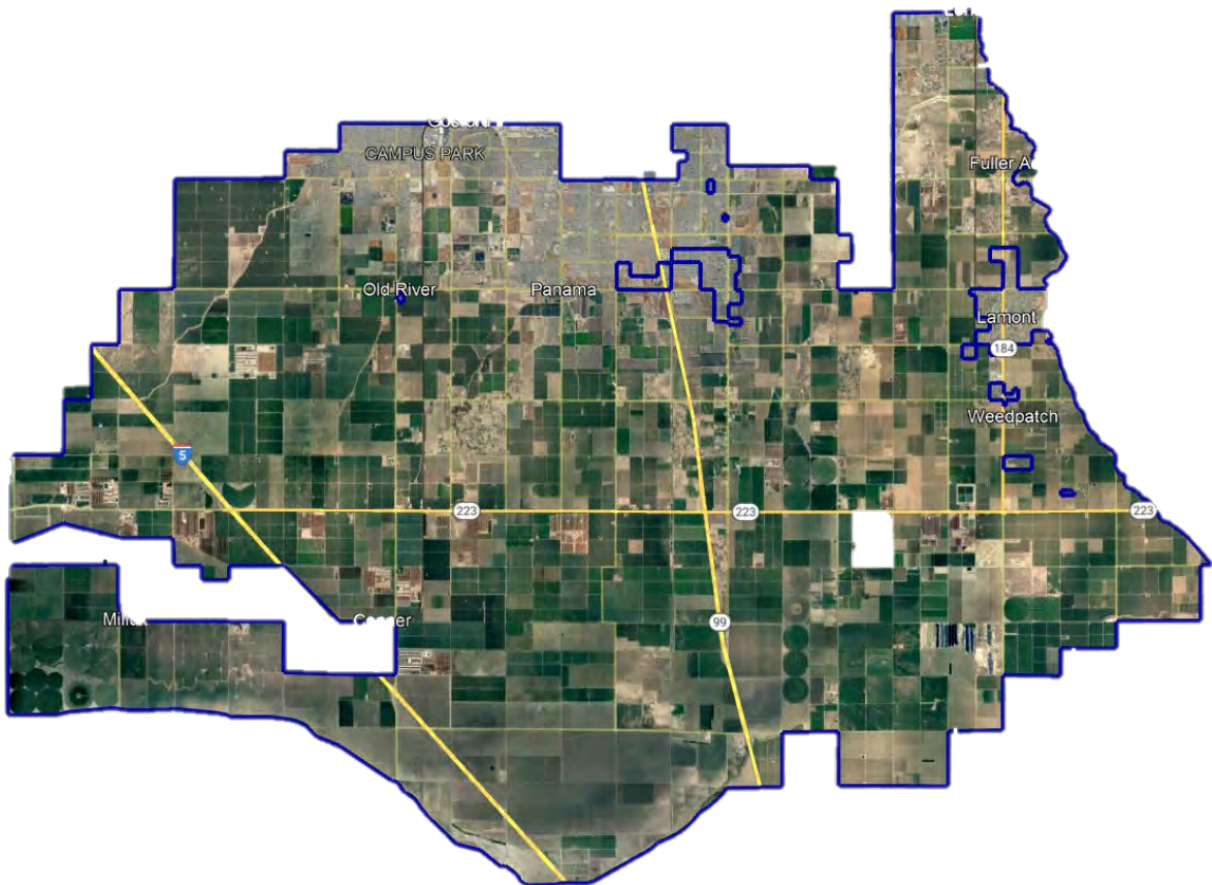
## 8-14 Day Precipitation Outlook

Valid: December 16 - 22, 2024  
Issued: December 8, 2024



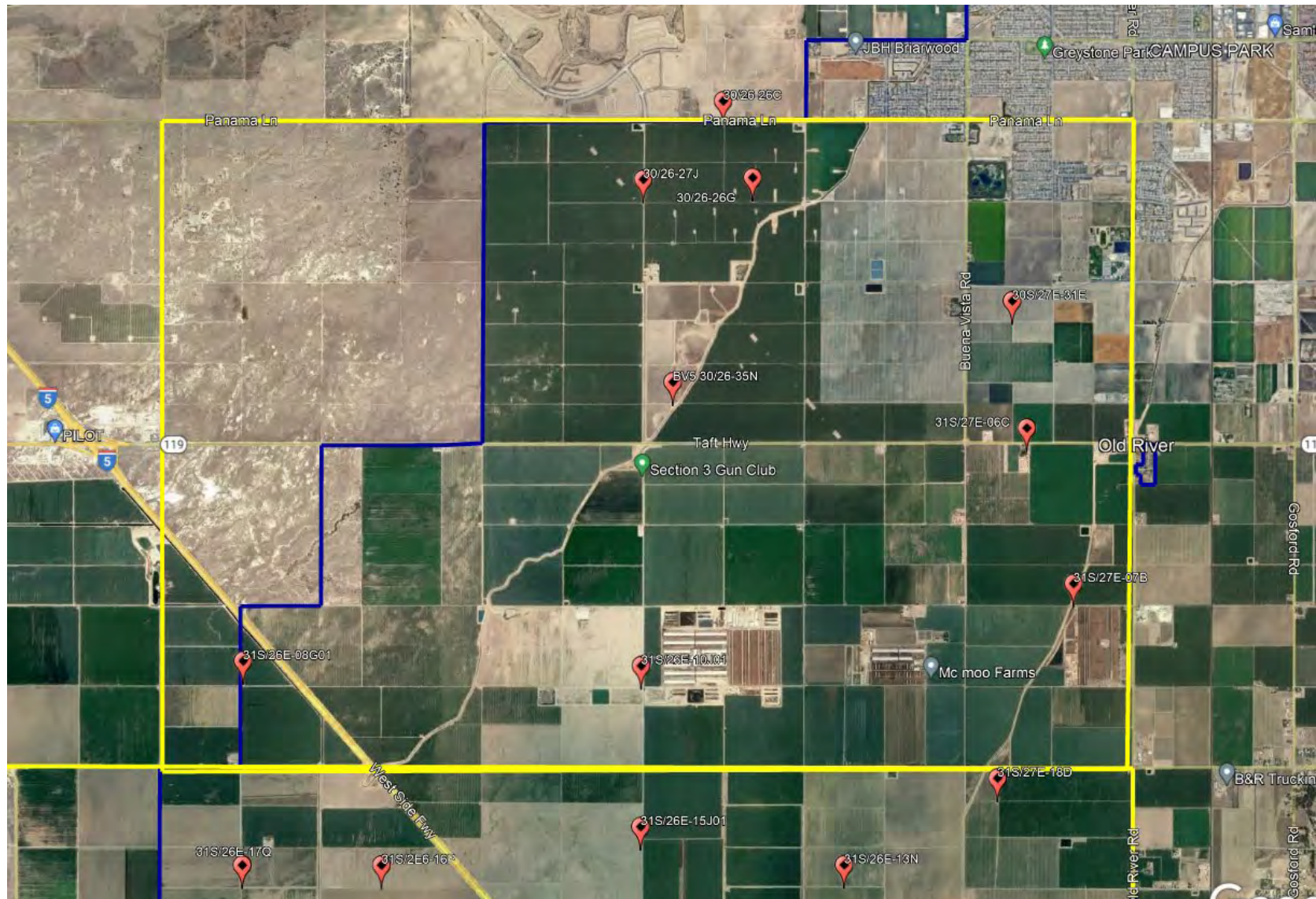


## Monthly Groundwater Report



**December 2024**





Northwest Quadrant		JAN 2020	JAN 2021	JAN 2022	JAN 2023	JAN 2024	FEB 2024	MAR 2024	APR 2024	MAY 2024	JUN 2024	JUL 2024	AUG 2024	SEP 2024	OCT 2024	NOV 2024	DEC 2024	HIGH (by well)	LOW (by well)	AVERAGE (by well)
	30/26-26C	204	G	G	207	194	189	185	200	180	182	R	R	R	200	R	214	207	180	193
	30/26-26G	199	G	G	G	201	196	195	208	191	167	R	R	R	193	R	184	208	167	194
	30/26-27J	210	G	G	218	196	189	202	R	R	177	R	203	R	201	R	214	218	177	200
	30/26-35N	171	169	185	217	184	179	177	180	181	180	188	187	190	187	182	177	217	169	184
	30/27-31E	219	201	224	228	209	205	219	207	208	216	236	235	226	217	221	205	236	201	218
	31/26-08G	204	205	200	NR	168	170	200	200	NR	180	202	208	227	245	208	R	245	168	201
	31/26-10J	NR	203	205	216	201	180	202	200	179	210	R	R	220	216	219	200	220	179	204
	31/27-06C	215	203	215	228	210	209	212	209	R	216	222	231	224	220	214	209	231	203	216
	31/27-07B	200	NR	235	207	197	192	182	202	188	188	215	218	210	210	202	191	235	182	203
	MONTHLY AVG	203	196	211	217	196	190	197	201	188	191	213	214	216	210	208	199			
	MAXIMUM DEPTH TO WATER NW (running average for all data last 5 years)																	245		
	MINIMUM DEPTH TO WATER NW (running average for all data last 5 years)																	167		
	AVERAGE DEPTH TO WATER NW (running average for all data last 5 years)																	202		

G = gated well, unable to access

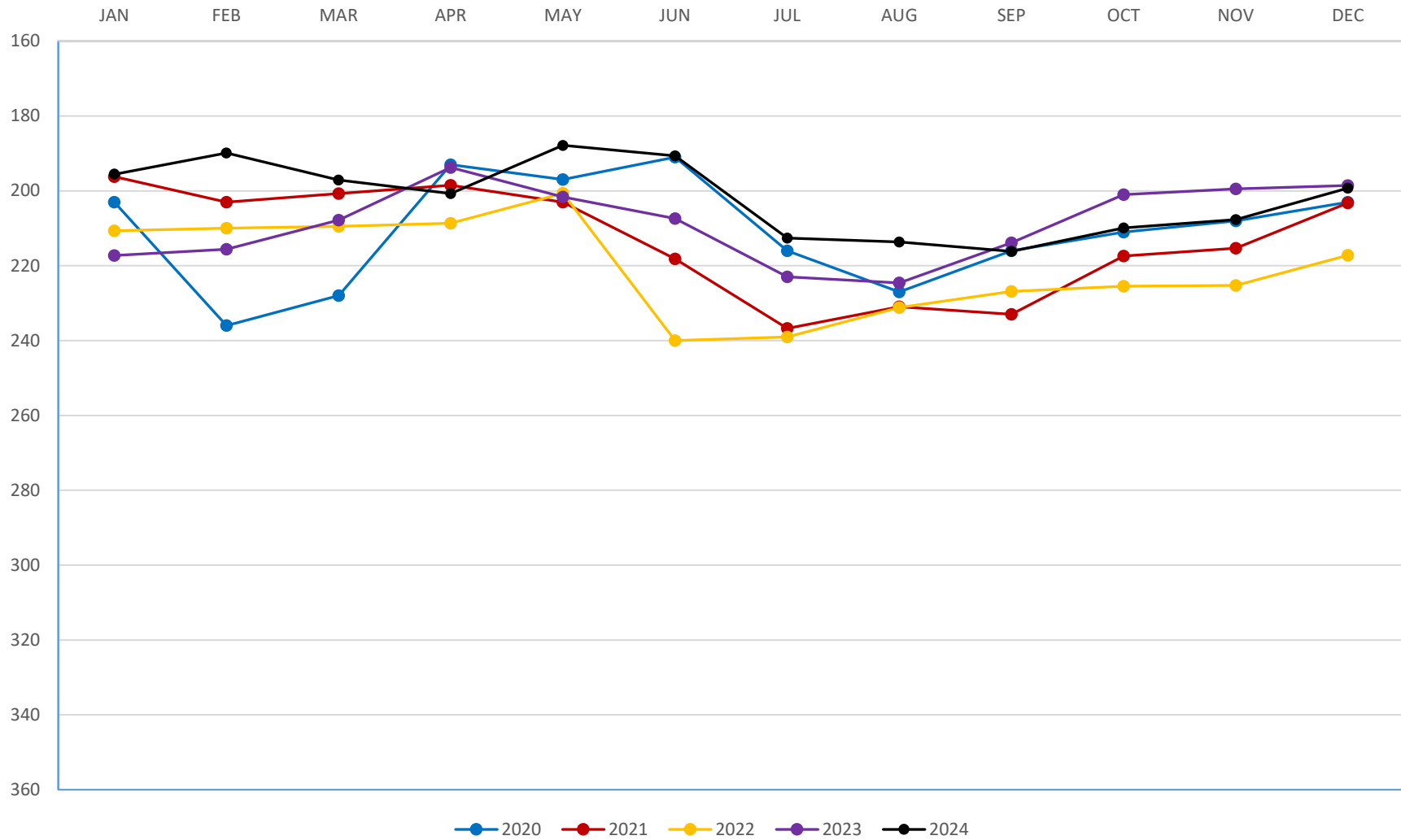
R = running well, no measurement taken

NR = temporary 'no reading', no measurement taken

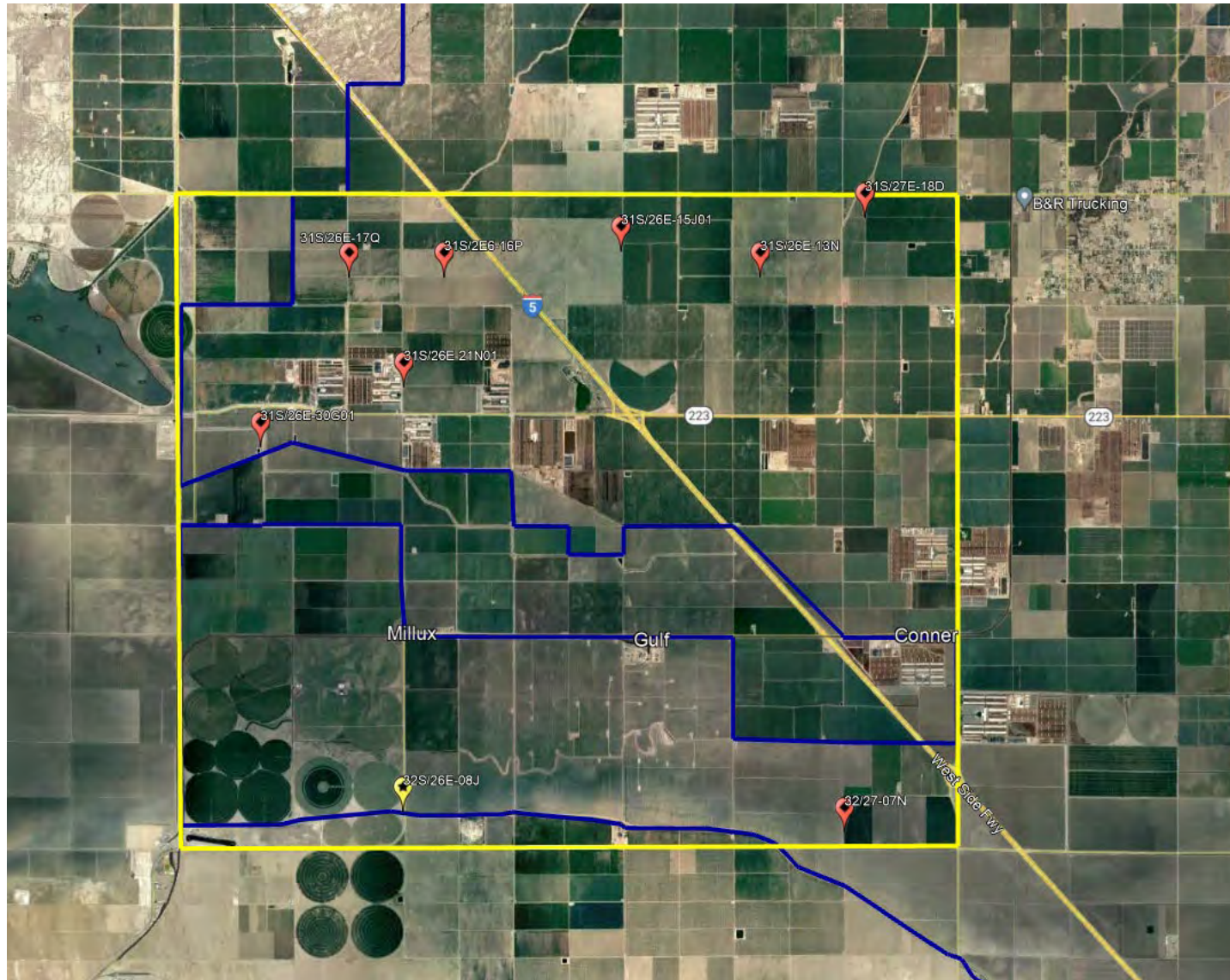
yellow shading = inactive well

2024

NORTHWEST







# 2024

		JAN 2020	JAN 2021	JAN 2022	JAN 2023	JAN 2024	FEB 2024	MAR 2024	APR 2024	MAY 2024	JUN 2024	JUL 2024	AUG 2024	SEP 2024	OCT 2024	NOV 2024	DEC 2024	HIGH (by well)	LOW (by well)	AVERAGE (by well)
Southwest Quadrant	31/26-13N	NR	NR	206	215	191	189	202	200	189	R	234	229	229	223	209	200	234	189	209
	31/26-15J	NR	201	205	211	186	178	181	176	176	R	R	R	R	221	208	201	221	176	195
	31/26-16P	204	202	200	207	181	165	201	176	174	206	202	R	R	212	201	203	212	165	195
	31/26-17Q	203	219	202	NR	188	176	R	R	159	177	R	R	205	218	202	R	219	159	195
	31/26-21N	204	204	228	215	180	171	R	200	R	R	247	254	246	227	208	NR	254	171	215
	31/26-30G	268	203	234	200	152	146	206	R	R	R	R	242	237	219	201	200	268	146	209
	31/27-18D01	201	203	222	222	190	184	R	R	195	218	232	239	R	R	R	207	239	184	210
	32/26-08J	209	212	200	213	NR	NR	202	201	NR	217	208	216	215	216	222	219	222	200	212
	32/27-07N	288	200	201	NR	160	151	144	149	148	166	NR	217	211	211	202	201	288	144	189
	MONTHLY AVG	225	206	211	212	179	170	189	184	174	197	225	233	224	218	207	204			
MAXIMUM DEPTH TO WATER SW (running average for all data last 5 years)																		288		
MINIMUM DEPTH TO WATER SW (running average for all data last 5 years)																		144		
AVERAGE DEPTH TO WATER SW (running average for all data last 5 years)																		203		

G = gated well, unable to access

R = running well, no measurement taken

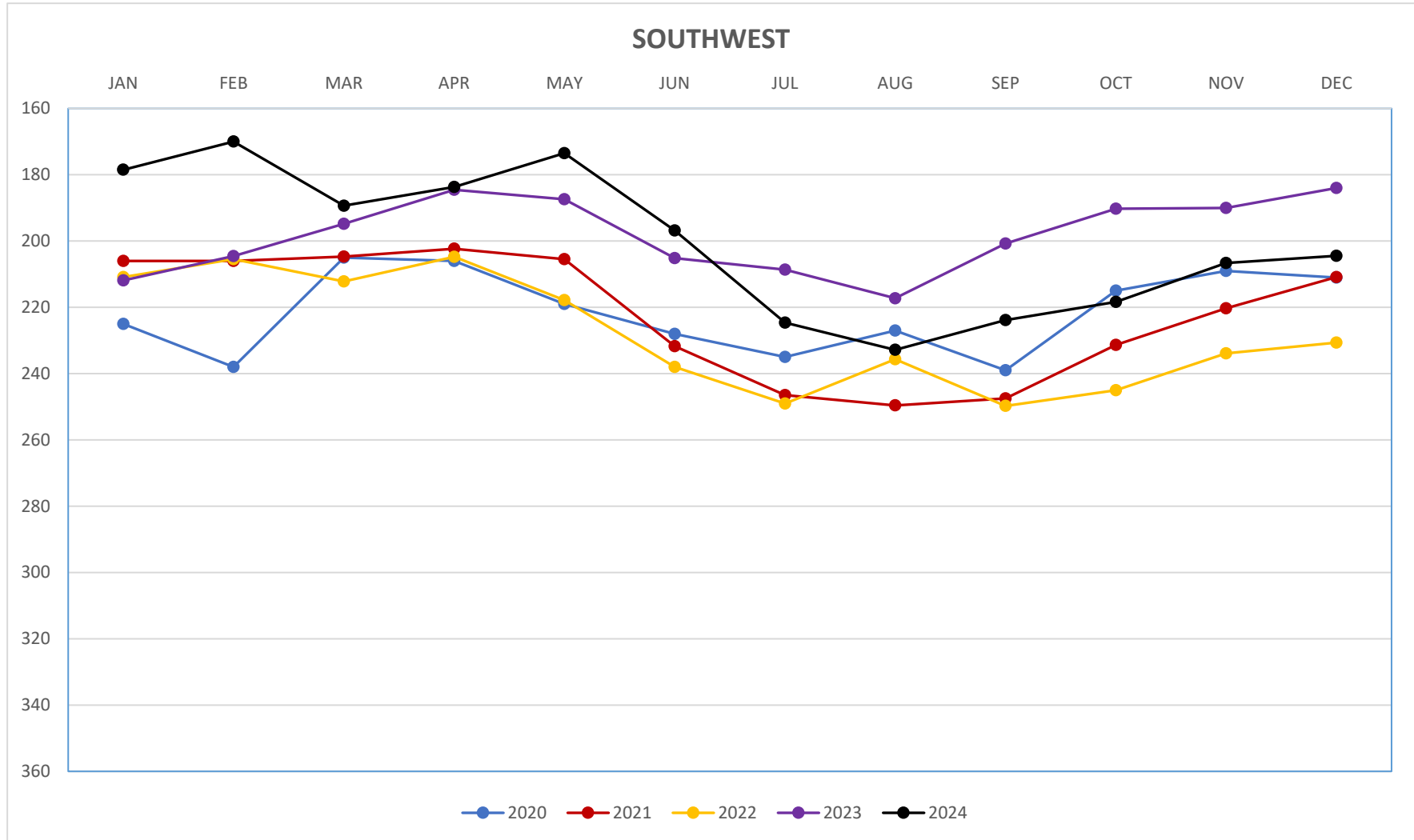
NR = temporary 'no reading', no measurement taken

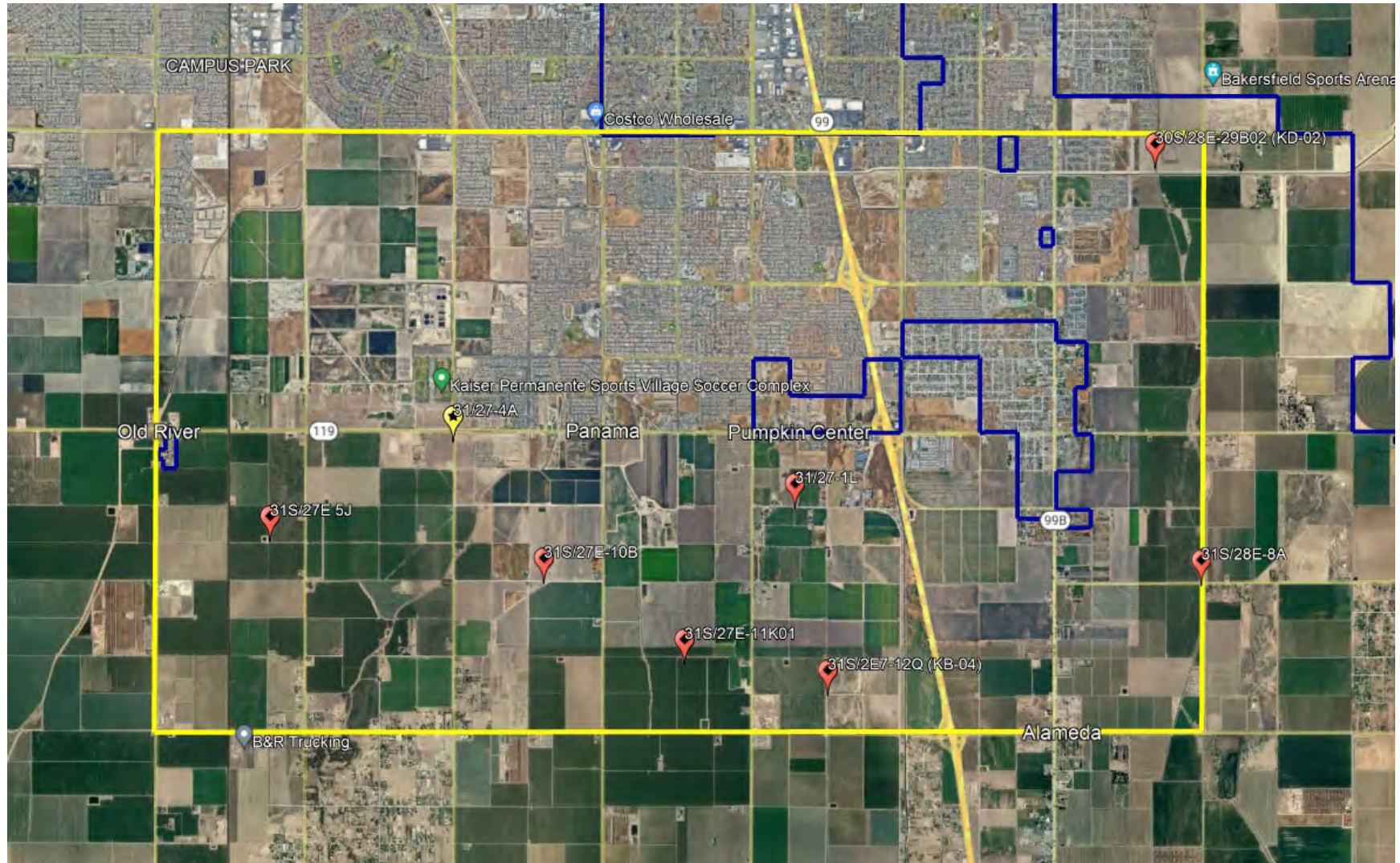
yellow shading = inactive well

12/11/2024



2024





# 2024

North-Central Quadrant		JAN 2020	JAN 2021	JAN 2022	JAN 2023	JAN 2024	FEB 2024	MAR 2024	APR 2024	MAY 2024	JUN 2024	JUL 2024	AUG 2024	SEP 2024	OCT 2024	NOV 2024	DEC 2024	HIGH (by well)	LOW (by well)	AVERAGE (by well)
	30/28-29B	229	225	231	240	NR	NR	232	NR	NR	248	245	248	230	234	230	234	248	225	236
	31/27-01L	232	219	170	219	212	205	207	207	204	212	240	243	221	219	214	209	243	170	215
	31/27-04A	184	179	182	186	174	171	169	172	166	170	200	172	174	172	172	170	200	166	176
	31/27-05J	228	207	230	214	209	209	210	204	212	218	235	232	R	233	214	212	235	204	218
	31/27-10B	208	208	210	210	208	200	199	R	202	214	225	204	R	R	R	204	225	199	208
	31/27-12Q	139	141	174	172	149	145	162	160	141	140	143	148	146	141	144	142	174	139	150
	31/28-08A	244	249	264	256	232	253	249	249	218	194	264	263	268	259	256	255	268	194	248
	MONTHLY AVG	209	204	209	214	197	197	204	198	191	199	222	216	208	210	205	204			
MAXIMUM DEPTH TO WATER N-C (running average for all data last 5 years)																		268		
MINIMUM DEPTH TO WATER N-C (running average for all data last 5 years)																		139		
AVERAGE DEPTH TO WATER N-C (running average for all data last 5 years)																		206		

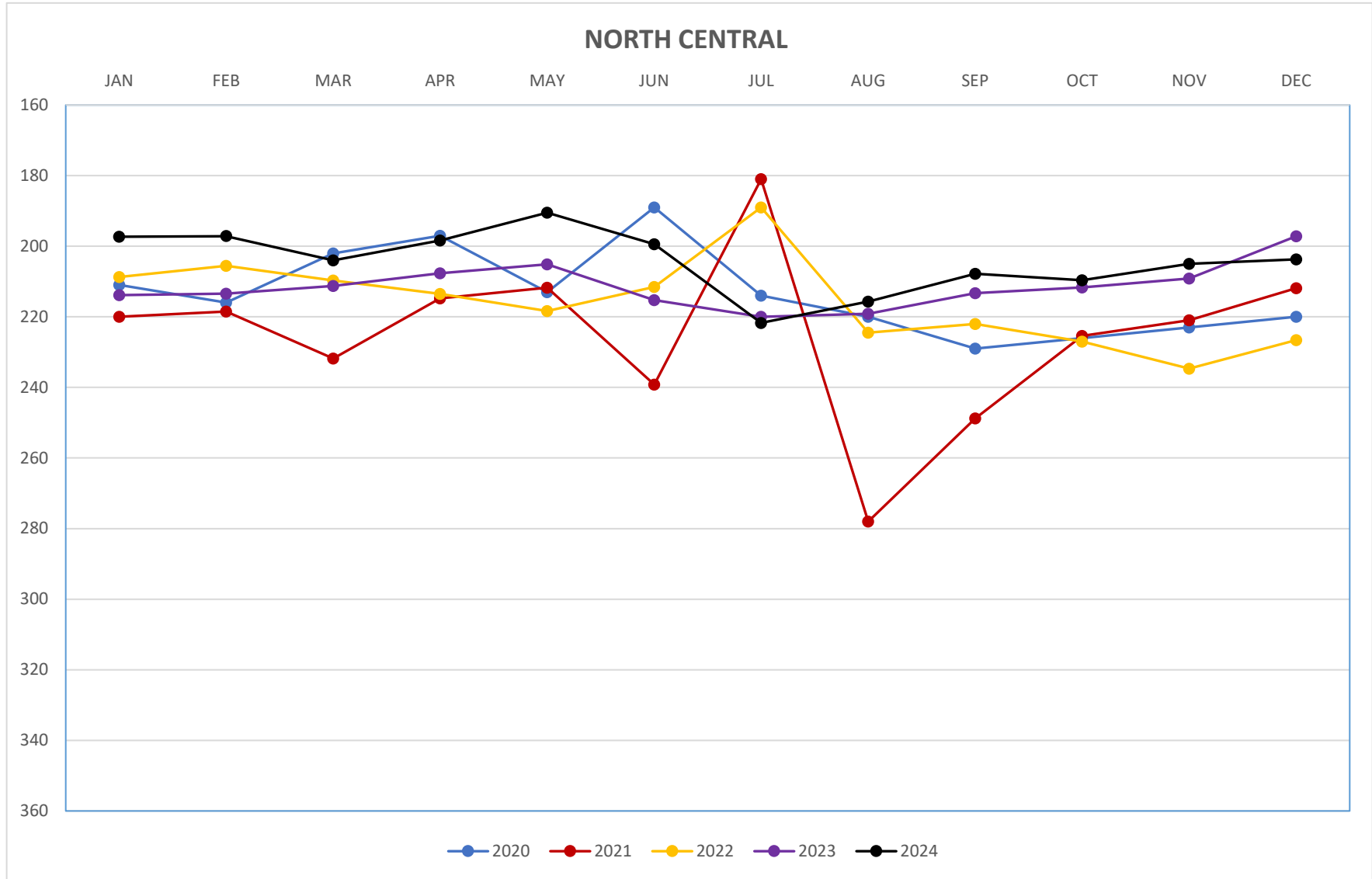
G = gated well, unable to access

R = running well, no measurement taken

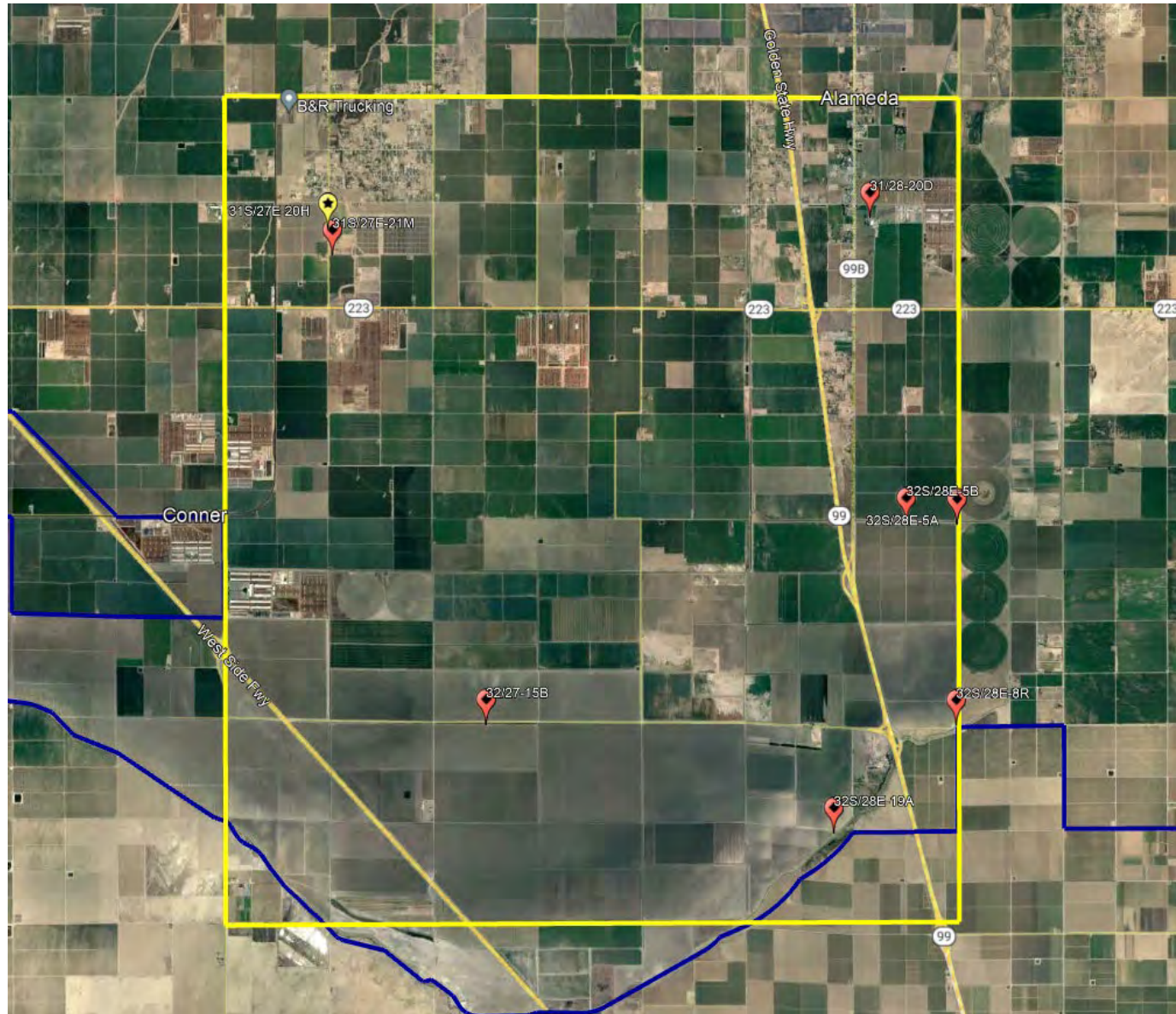
NR = temporary 'no reading', no measurement taken

yellow shading = inactive well

2024







# 2024

		JAN 2020	JAN 2021	JAN 2022	JAN 2023	JAN 2024	FEB 2024	MAR 2024	APR 2024	MAY 2024	JUN 2024	JUL 2024	AUG 2024	SEP 2024	OCT 2024	NOV 2024	DEC 2024	HIGH (by well)	LOW (by well)	AVERAGE (by well)
South-Central Quadrant	31/27-20H	211	NR	213	203	162	159	161	165	195	NR	208	228	241	236	NR	206	241	159	199
	31/27-21M	L	NR	220	NR	189	183	186	R	198	220	234	234	R	R	215	201	234	183	209
	31/28-20D	201	R	202	203	NR	154	R	R	NR	R	200	R	NR	207	192	200	207	154	194
	32/27-15B	202	200	201	338	NR	180	214	NR	183	194	231	242	235	222	215	203	338	180	220
	32/28-19A	222	222	255	NR	242	241	204	NR	248	258	266	288	270	262	249	241	288	204	248
	32/28-05A	239	220	214	243	217	216	200	215	207	219	222	255	266	255	241	226	266	200	229
	32/28-05B	201	205	221	215	210	205	192	NR	200	227	243	254	250	242	232	210	254	192	221
	32/28-08R	253	222	255	NR	235	228	202	215	217	217	246	283	275	237	201	233	283	201	235
	MONTHLY AVG	218	214	223	240	209	196	194	198	207	223	231	255	256	237	221	215			
	MAXIMUM DEPTH TO WATER S-C (running average for all data last 5 years)																	338		
	MINIMUM DEPTH TO WATER S-C (running average for all data last 5 years)																	154		
	AVERAGE DEPTH TO WATER S-C (running average for all data last 5 years)																	222		

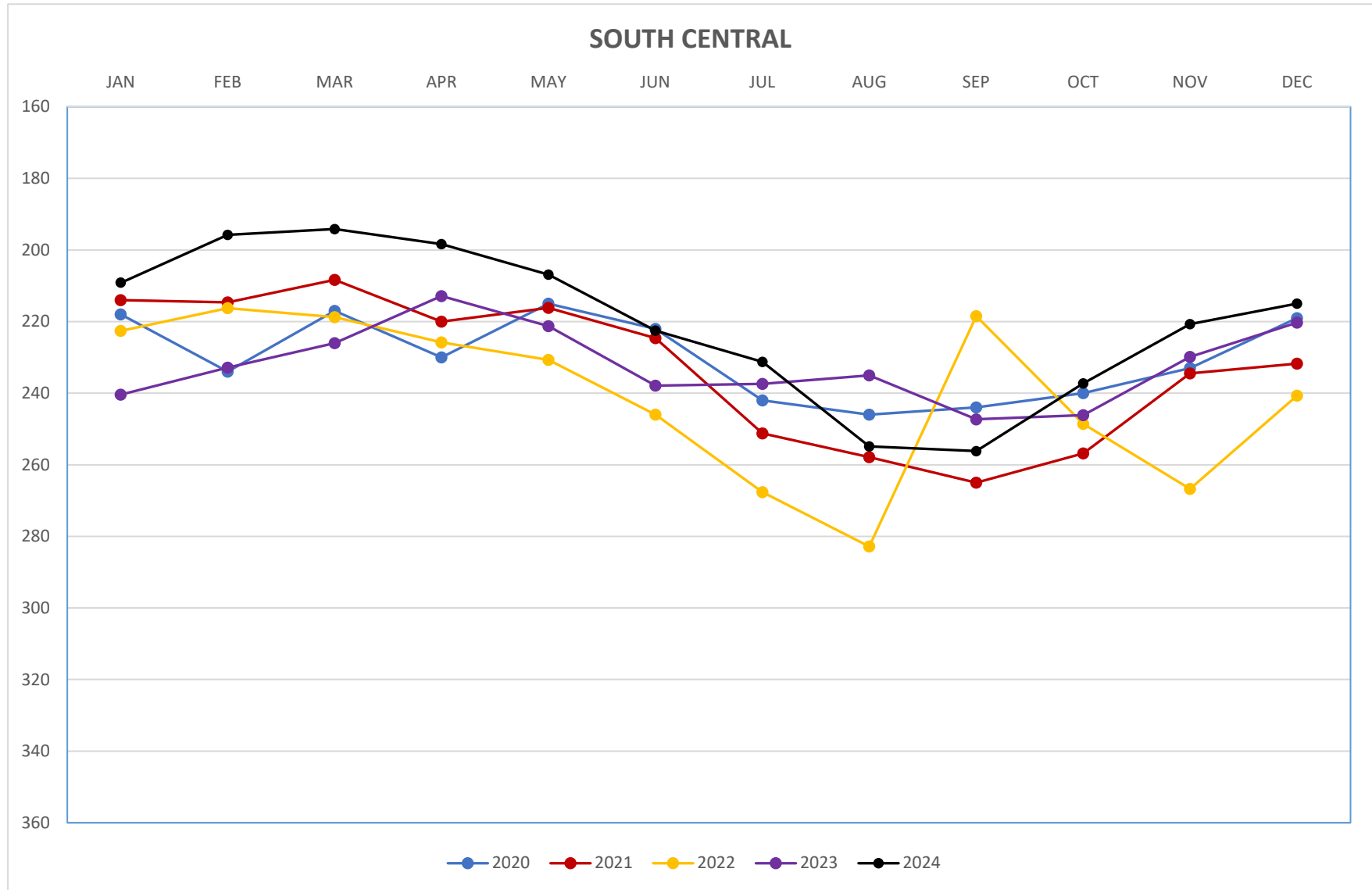
G = gated well, unable to access

R = running well, no measurement taken

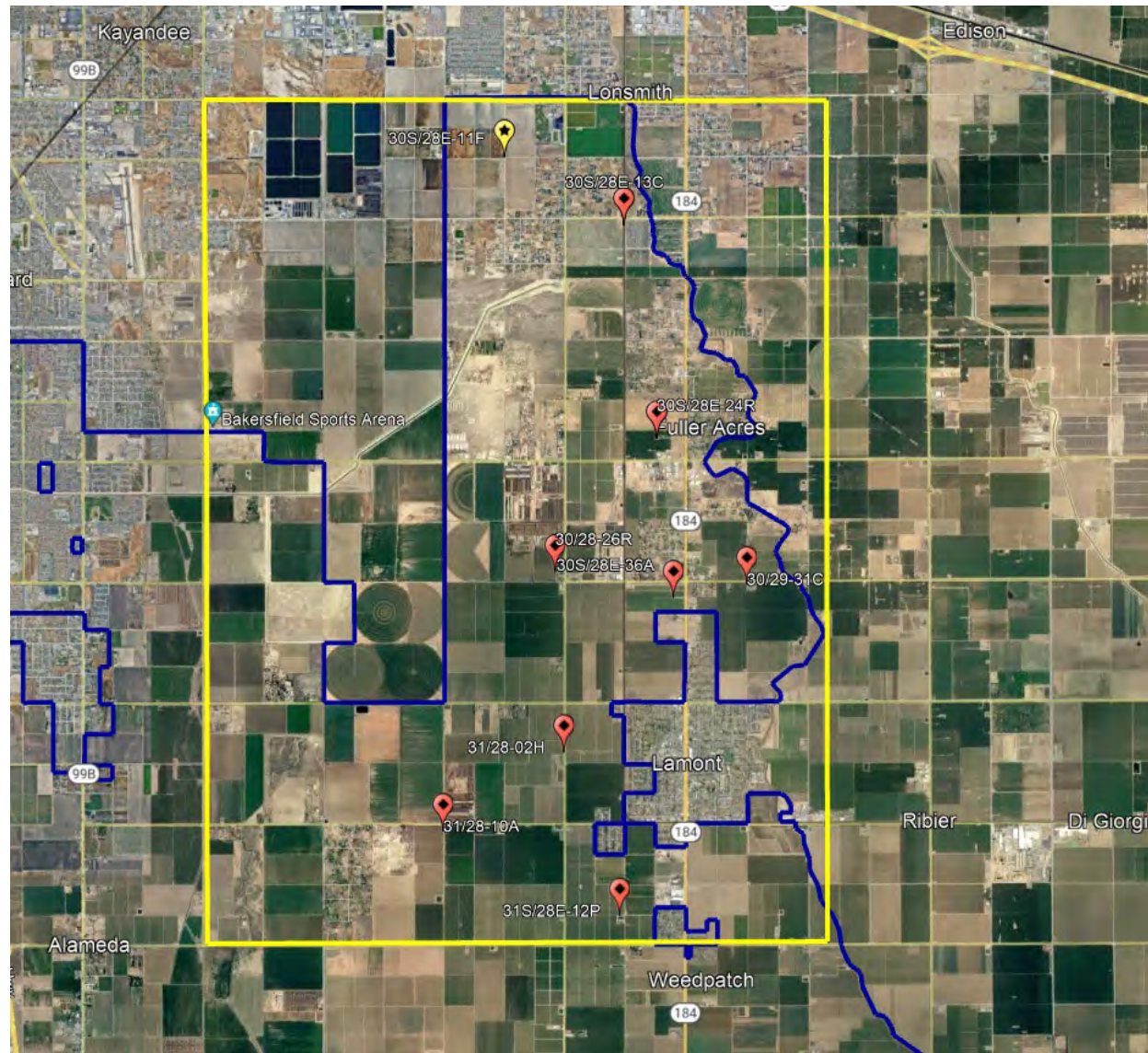
NR = temporary 'no reading', no measurement taken

yellow shading = inactive well

# 2024









# 2024

		JAN 2020	JAN 2021	JAN 2022	JAN 2023	JAN 2024	FEB 2024	MAR 2024	APR 2024	MAY 2024	JUN 2024	JUL 2024	AUG 2024	SEP 2024	OCT 2024	NOV 2024	DEC 2024	HIGH (by well)	LOW (by well)	AVERAGE (by well)
Northeast Quadrant	30/28-11F	263	264	272	NR	280	278	278	NR	NR	284	285	282	287	281	279	275	287	263	278
	30/28-13C	300	331	320	313	317	322	320	NR	R	R	317	319	324	R	333	312	333	300	320
	30/28-26R	NR	NR	NR	NR	306	298	296	294	291	R	NR	NR	308	305	303	NR	308	291	300
	30/28-36A	212	NR	NR	334	336	344	327	327	325	338	332	332	350	NR	337	328	350	212	325
	30/29-31C	338	330	344	347	344	342	340	NR	339	338	346	342	340	R	R	347	347	330	341
	31/28-02H	290	295	326	310	NR	277	293	NR	290	R	R	R	313	311	306	293	326	277	301
	31/28-10A	253	258	265	269	265	262	264	266	267	R	282	279	277	274	269	263	282	253	268
	31/28-12P	284	NR	NR	302	NR	295	295	292	290	300	307	306	306	R	309	294	309	284	299
	MONTHLY AVG	277	296	305	313	308	302	302	295	300	315	312	310	313	293	305	302			
	MAXIMUM DEPTH TO WATER NE (running average for all data last 5 years)																	350		
	MINIMUM DEPTH TO WATER NE (running average for all data last 5 years)																	212		
	AVERAGE DEPTH TO WATER NE (running average for all data last 5 years)																	303		

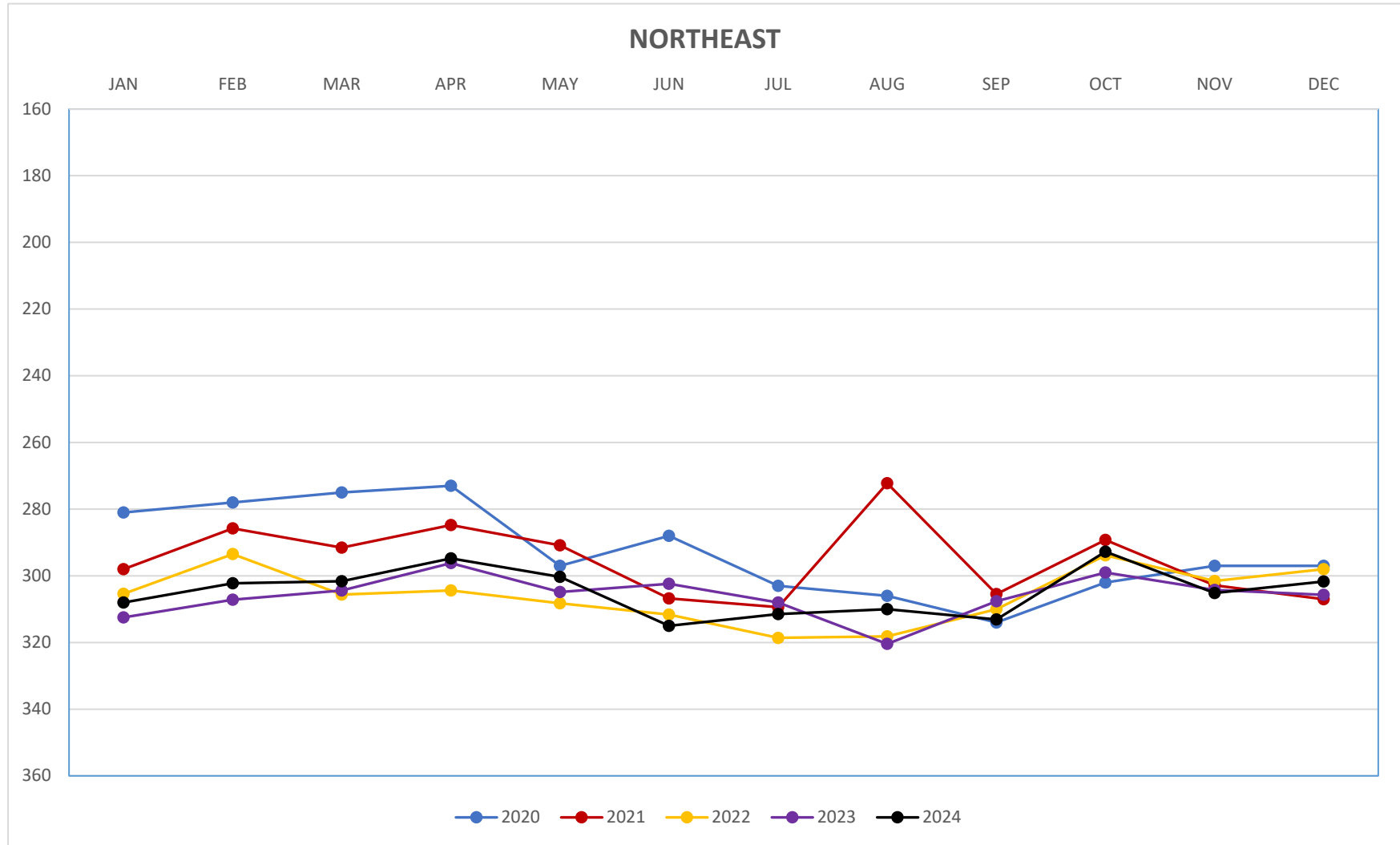
G = gated well, unable to access

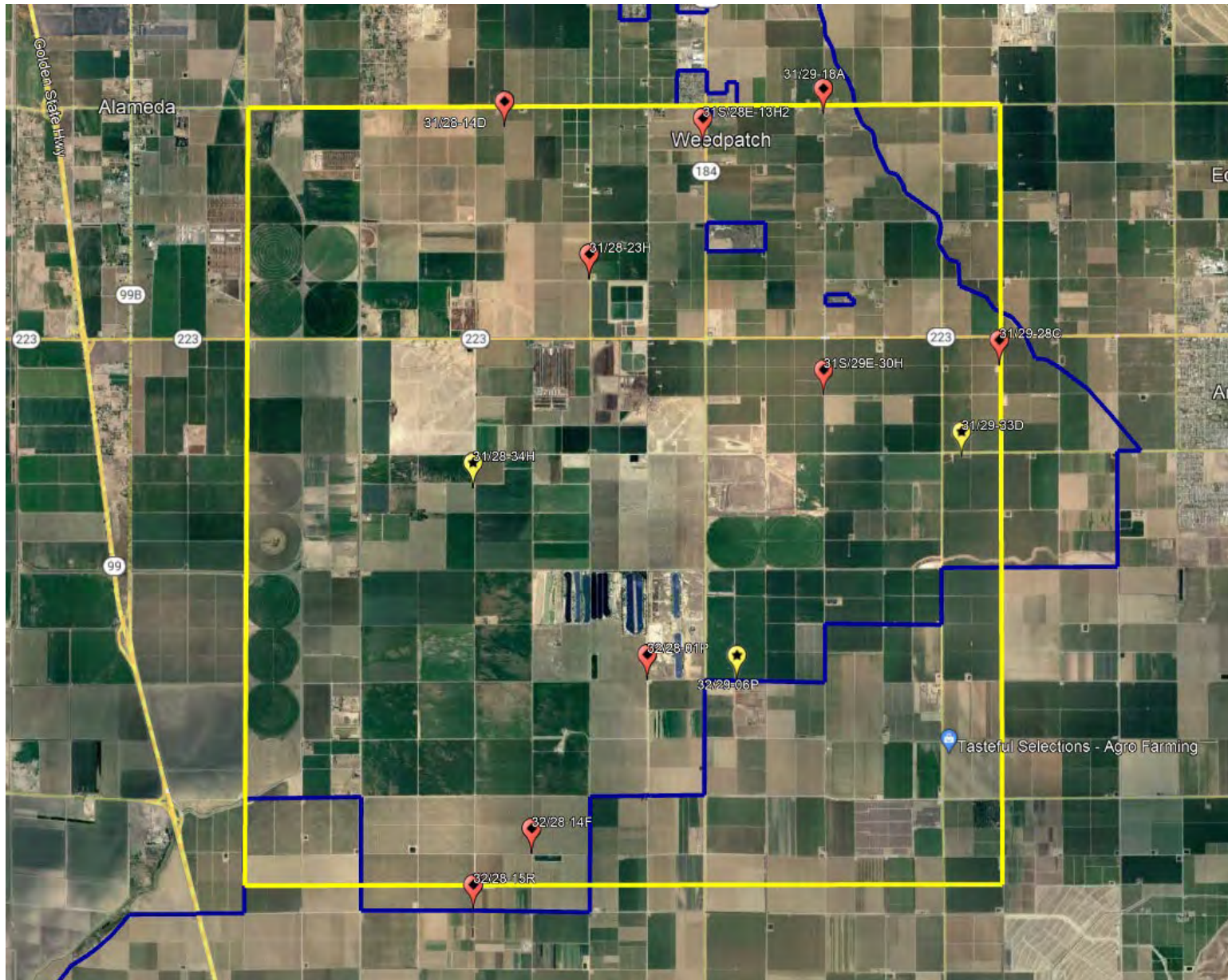
R = running well, no measurement taken

NR = temporary 'no reading', no measurement taken

yellow shading = inactive well

2024





		JAN 2020	JAN 2021	JAN 2022	JAN 2023	JAN 2024	FEB 2024	MAR 2024	APR 2024	MAY 2024	JUN 2024	JUL 2024	AUG 2024	SEP 2024	OCT 2024	NOV 2024	DEC 2024	HIGH (by well)	LOW (by well)	AVERAGE (by well)
Southeast Quadrant	31/28-13H2	NR	NR	290	299	296	285	290	NR	288	287	R	R	R	289	R	289	299	285	291
	31/28-14D	230	235	247	245	243	240	238	241	230	R	248	R	R	246	244	240	248	230	241
	31/28-23H	286	275	276	313	300	296	295	292	R	R	R	332	R	311	NR	NR	332	275	298
	31/28-34H	206	204	203	213	224	NR	219	215	NR	NR	NR	200	209	224	321	231	321	200	222
	31/29-28C	344	NR	NR	201	NR	NR	210	NR	NR	207	NR	NR	NR	NR	R	NR	344	201	241
	31/29-30H	NR	331	353	333	324	317	323	NR	R	R	353	R	354	R	301	310	354	301	332
	31/29-33D	250	338	239	347	341	337	336	345	NR	338	NR	352	348	333	340	338	352	239	326
	32/28-14F	222	241	NR	NR	243	230	238	245	NR	205	301	304	297	NR	NR	NR	304	205	253
	32/28-15R	272	291	314	298	R	272	281	280	NR	R	R	365	257	323	302	286	365	257	296
	32/28-01P	NR	NR	207	NR	196	183	200	NR	189	202	R	R	R	R	200	200	207	183	197
	32/29-06P	177	208	NR	198	190	185	185	184	R	202	245	217	212	207	197	194	245	177	201
	MONTHLY AVG	248	265	266	272	262	261	256	257	236	240	287	295	280	276	272	261			
	MAXIMUM DEPTH TO WATER SE (running average for all data last 5 years)																	365		
	MINIMUM DEPTH TO WATER SE (running average for all data last 5 years)																	177		
	AVERAGE DEPTH TO WATER SE (running average for all data last 5 years)																	265		

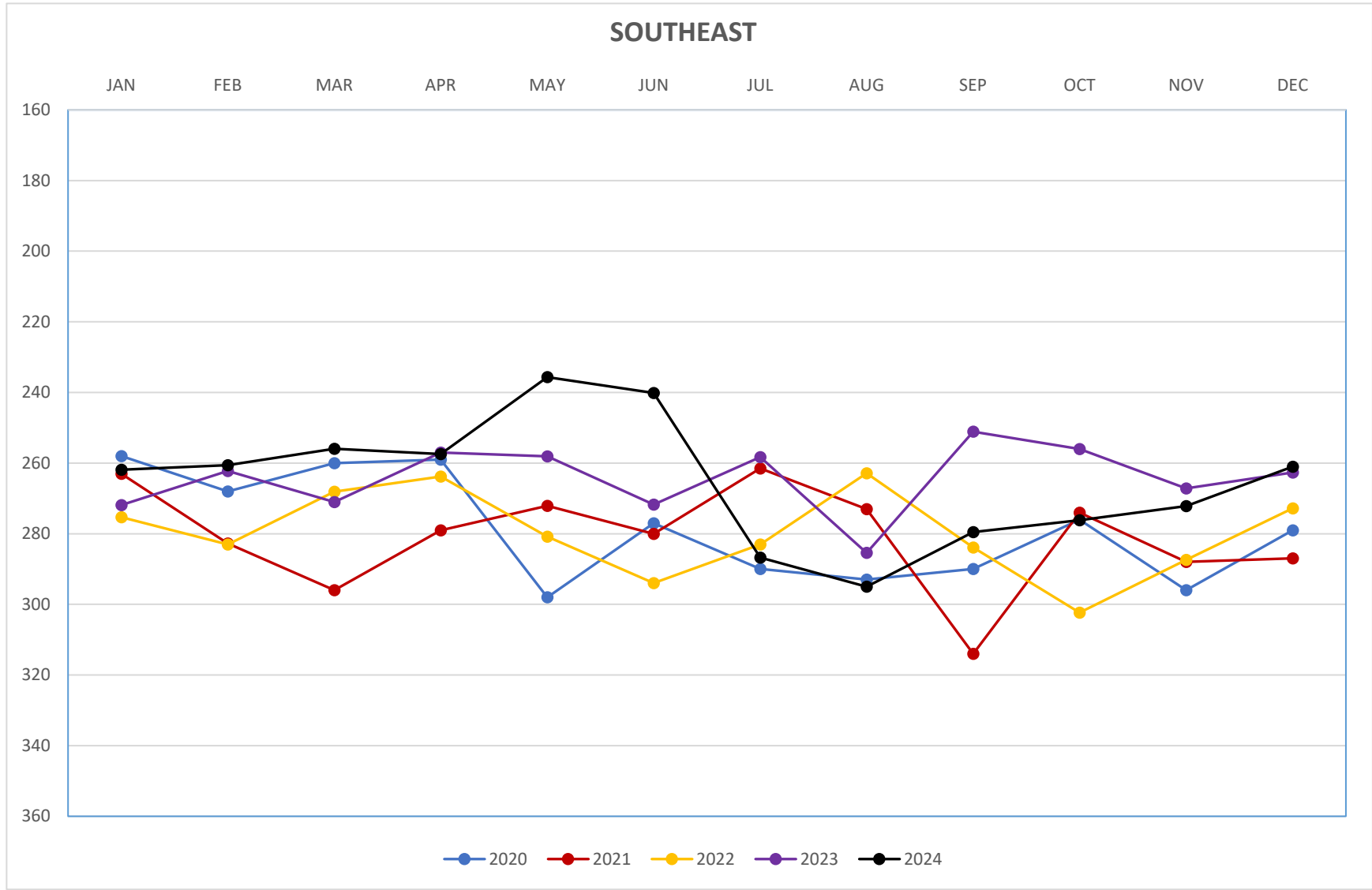
G = gated well, unable to access

yellow shading = inactive well

R = running well, no measurement taken

NR = temporary 'no reading', no measurement taken

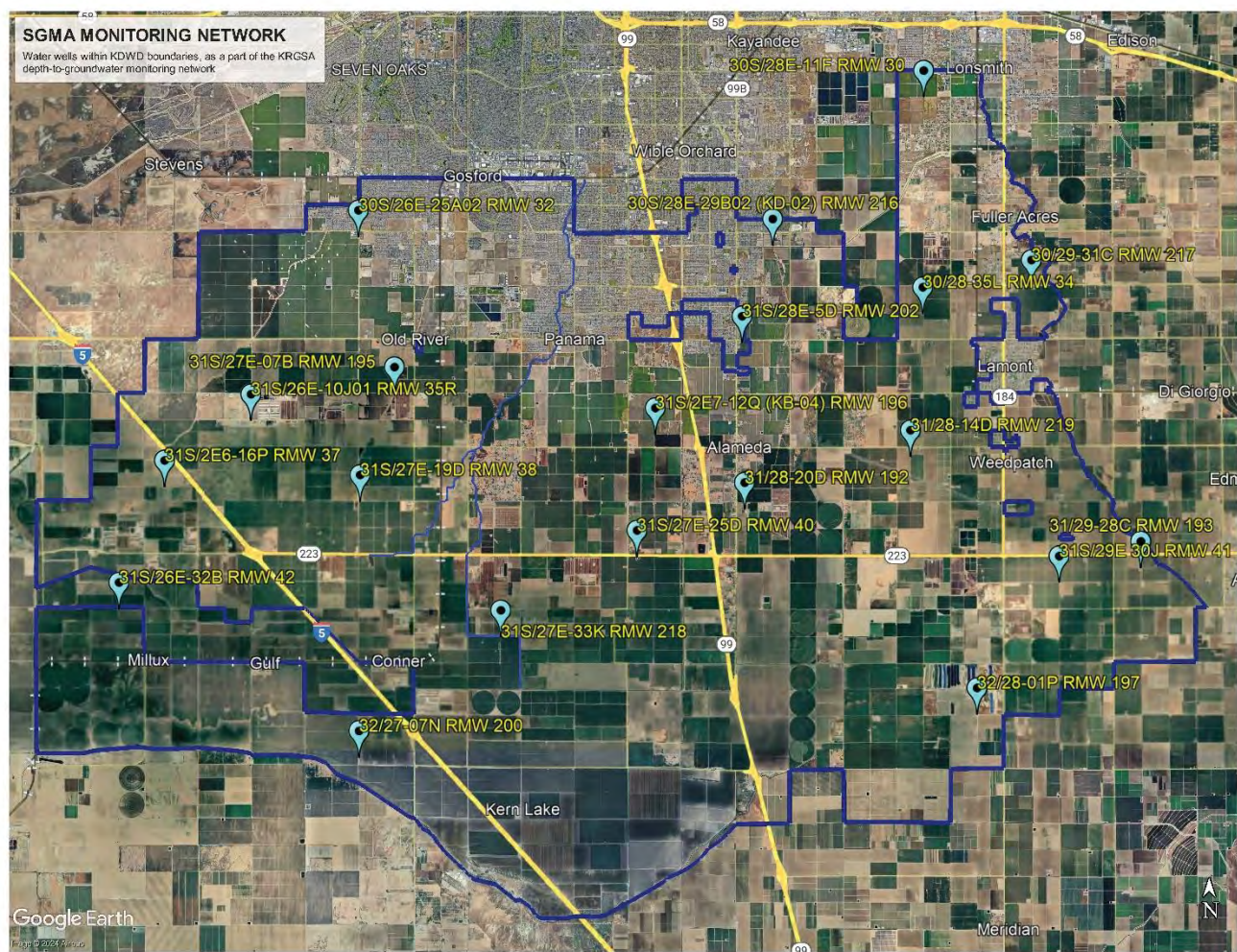
2024







# Monthly SGMA Wells Monitoring Report

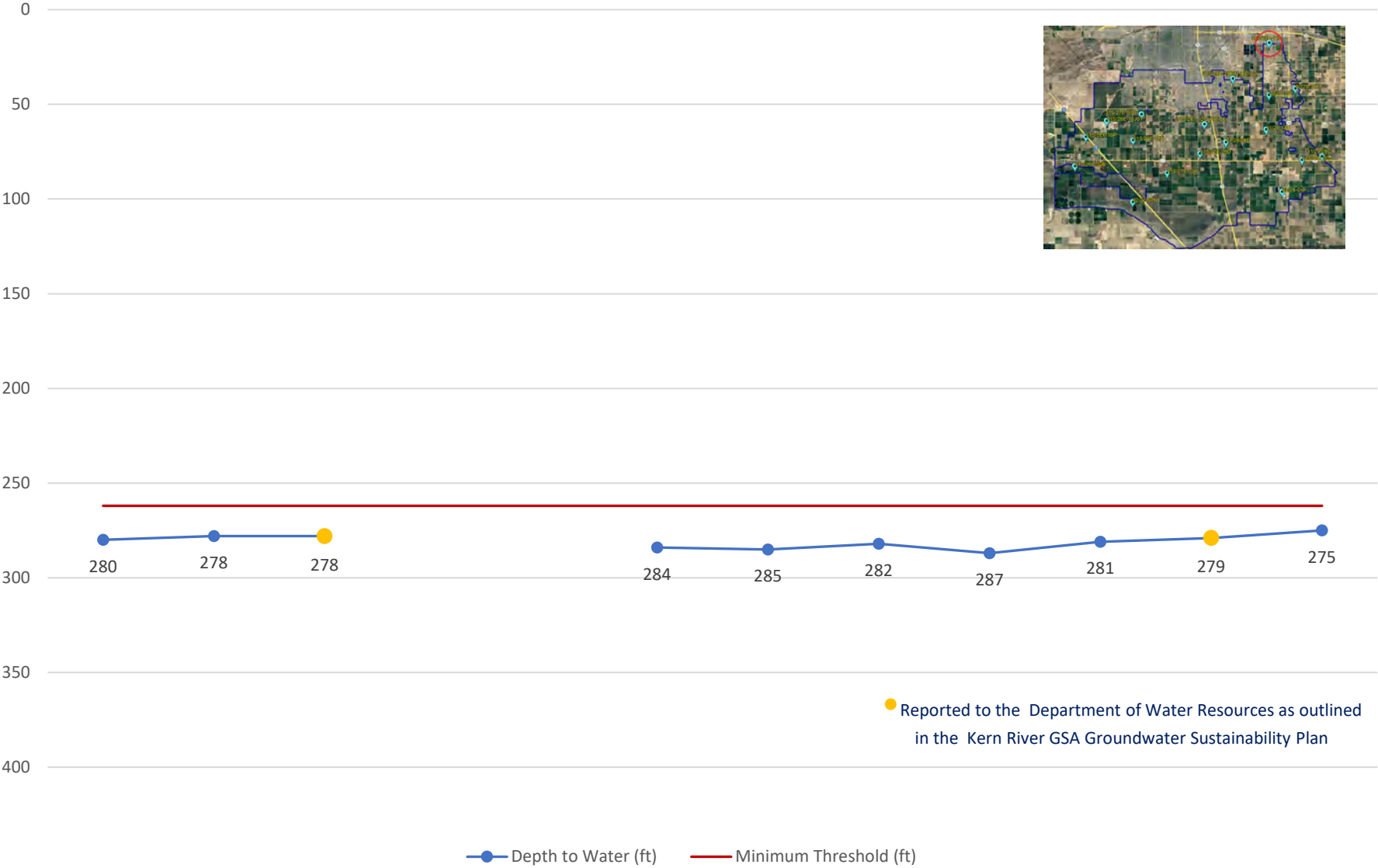


December 2024

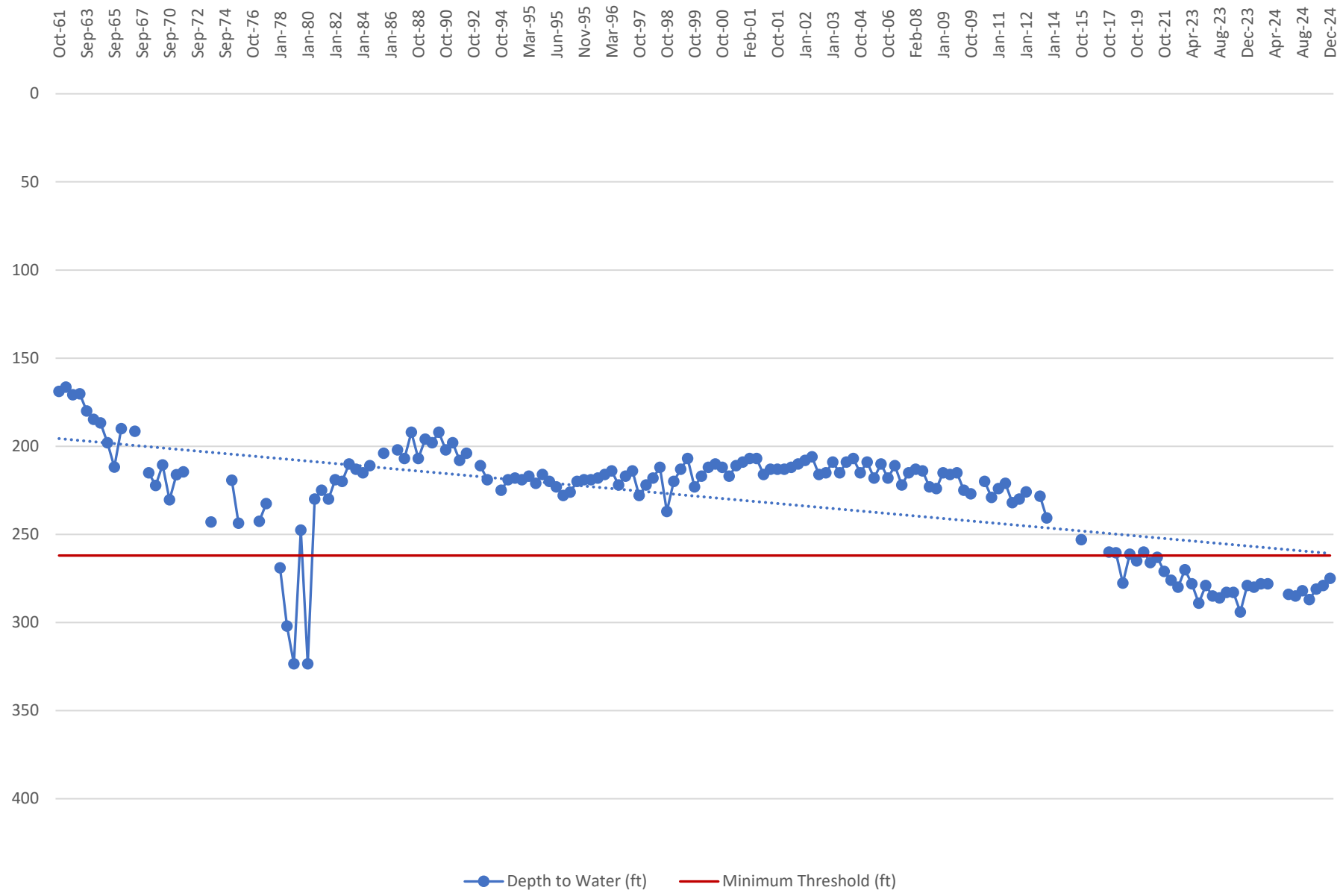
# RMW-030 30S/28E-11F

not to exceed 262' (depth to water)

Jan-2024 Feb-2024 Mar-2024 Apr-2024 May-2024 Jun-2024 Jul-2024 Aug-2024 Sep-2024 Oct-2024 Nov-2024 Dec-2024



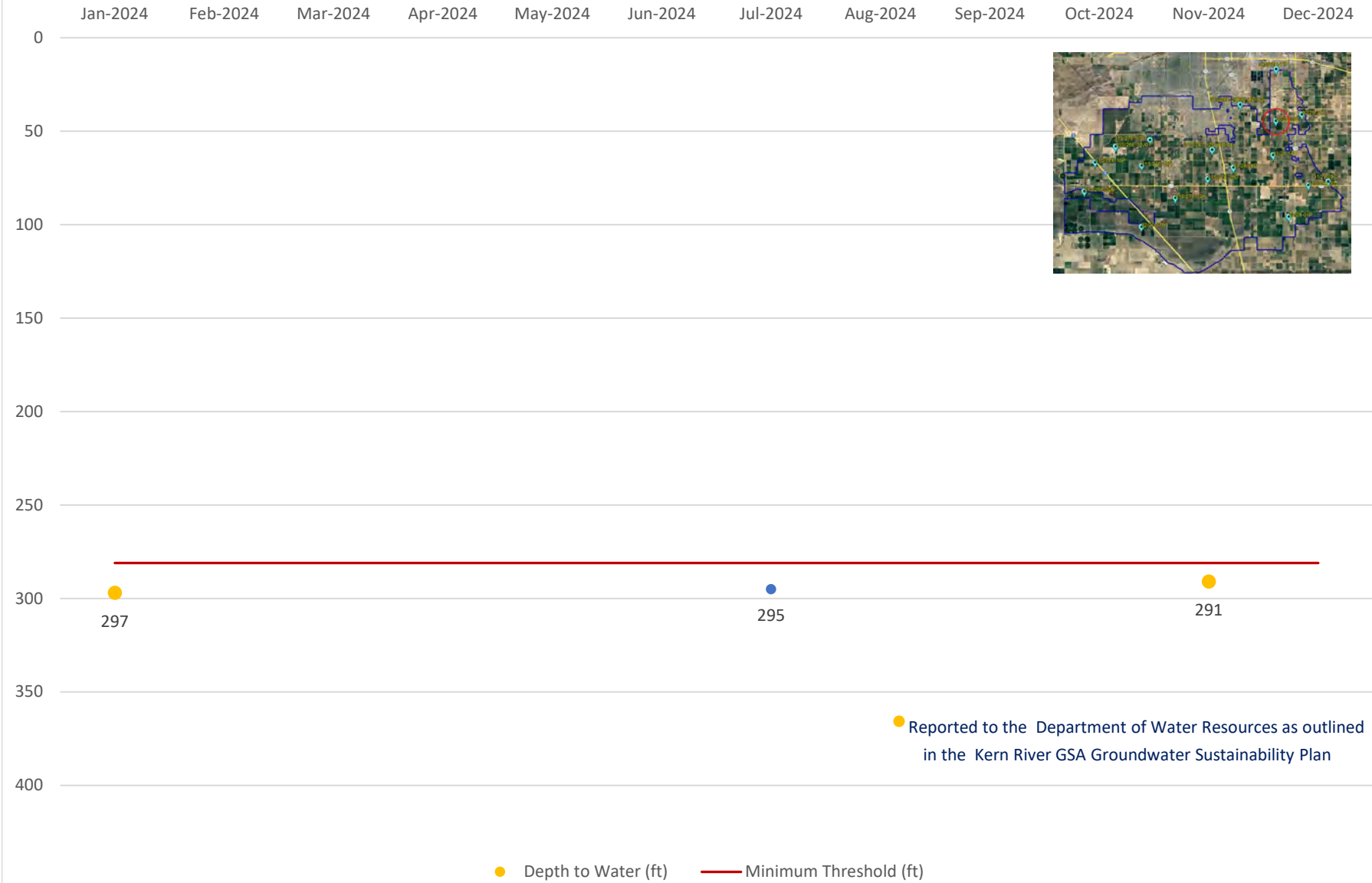
# RMW-030 Long-term



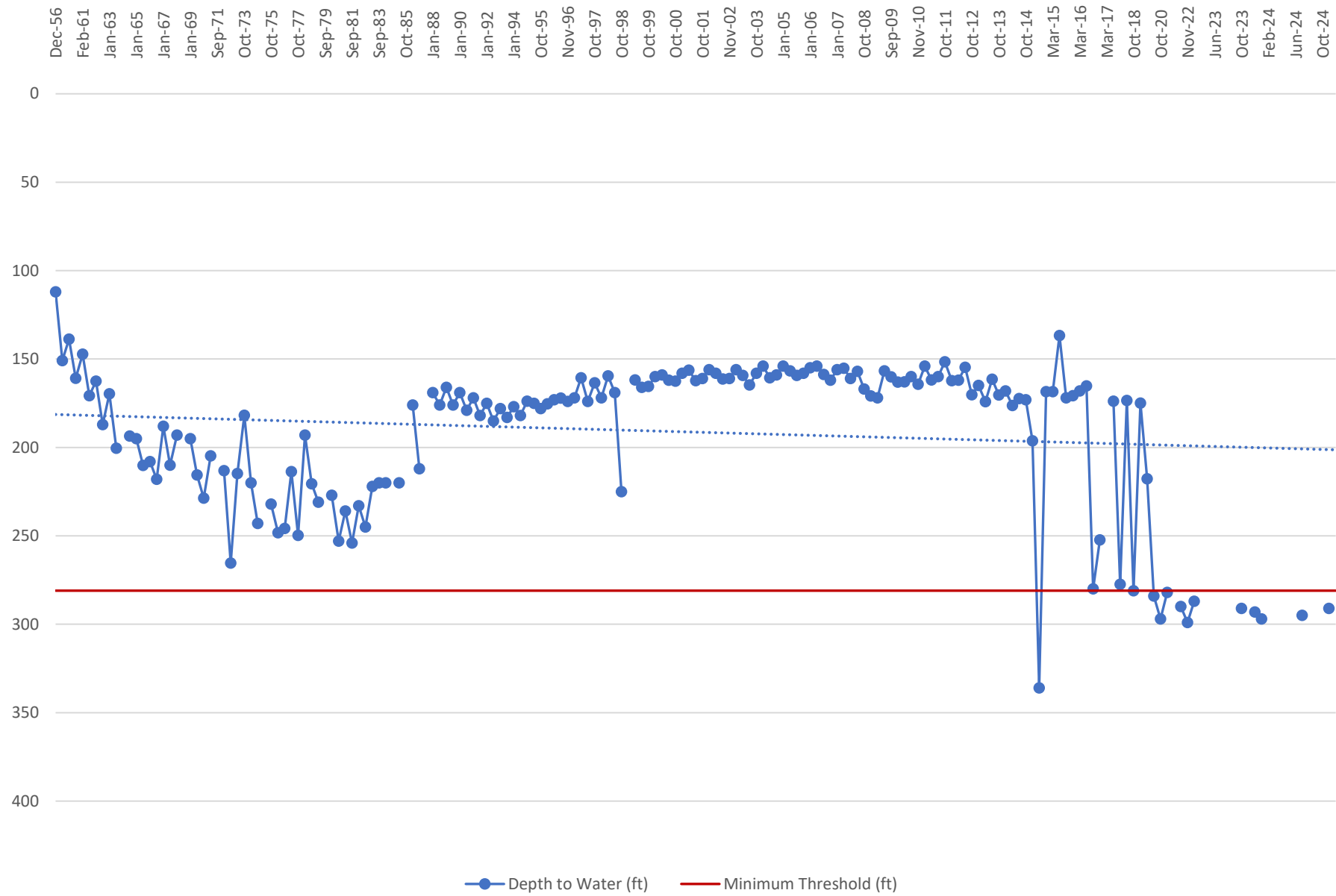


# RMW-034 30S/28E-35L

not to exceed 281' (depth to water)



# RMW-034 Long-term

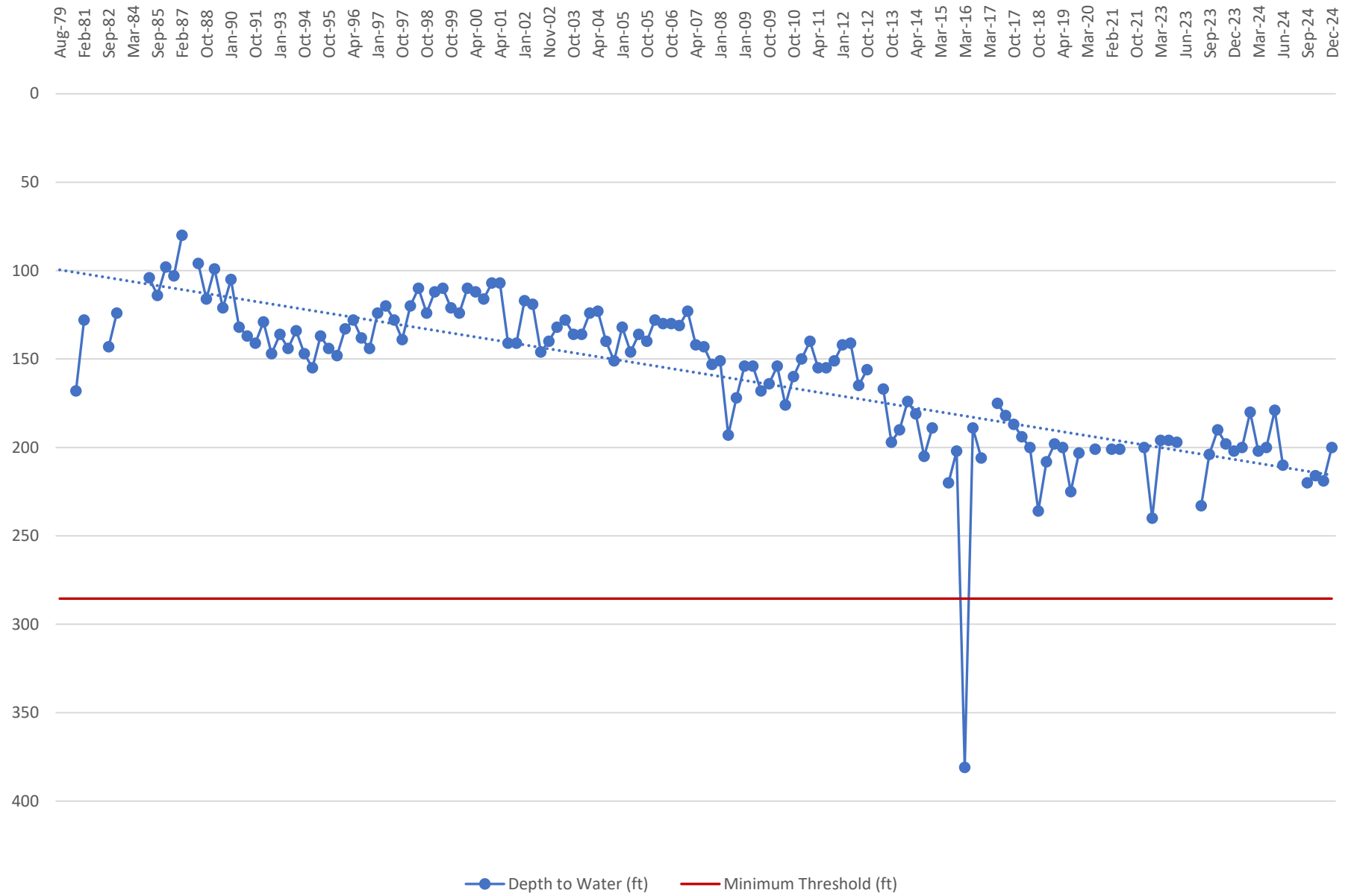


# RMW-035R 31S/26E-10J

not to exceed 285.5' (depth to water)

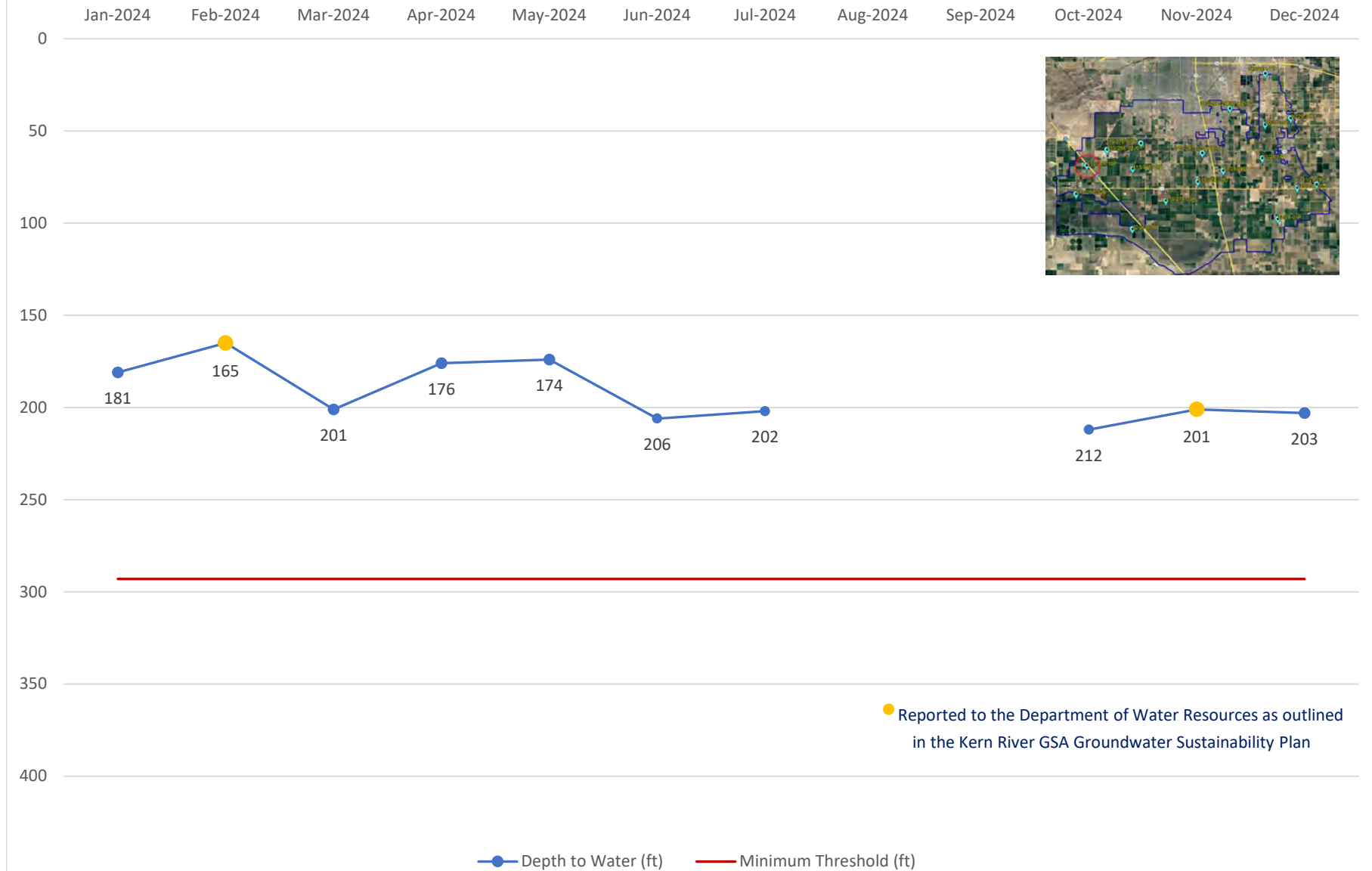


# RMW-035R Long-term

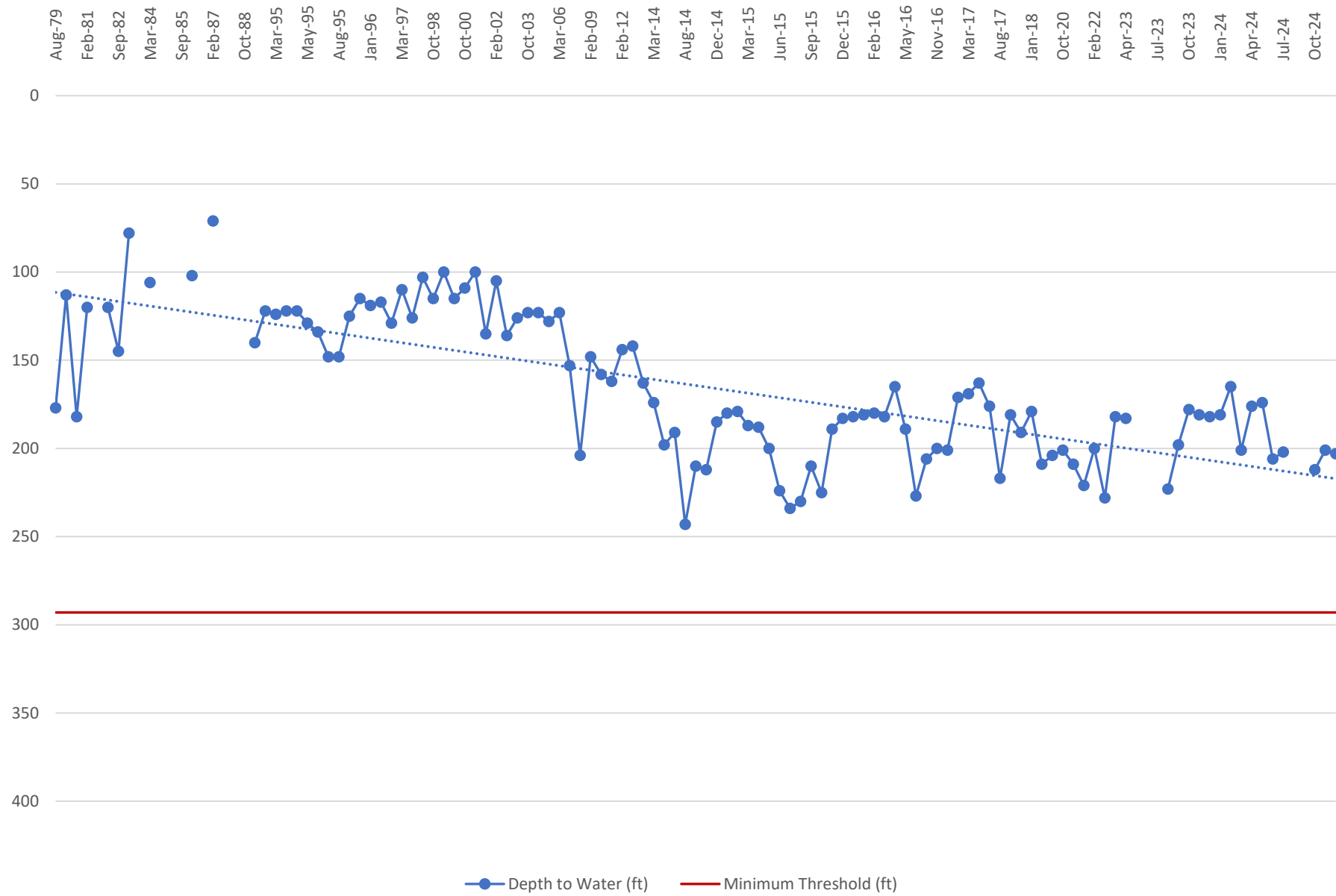


# RMW-037 31S/26E-16P

not to exceed 293' (depth to water)

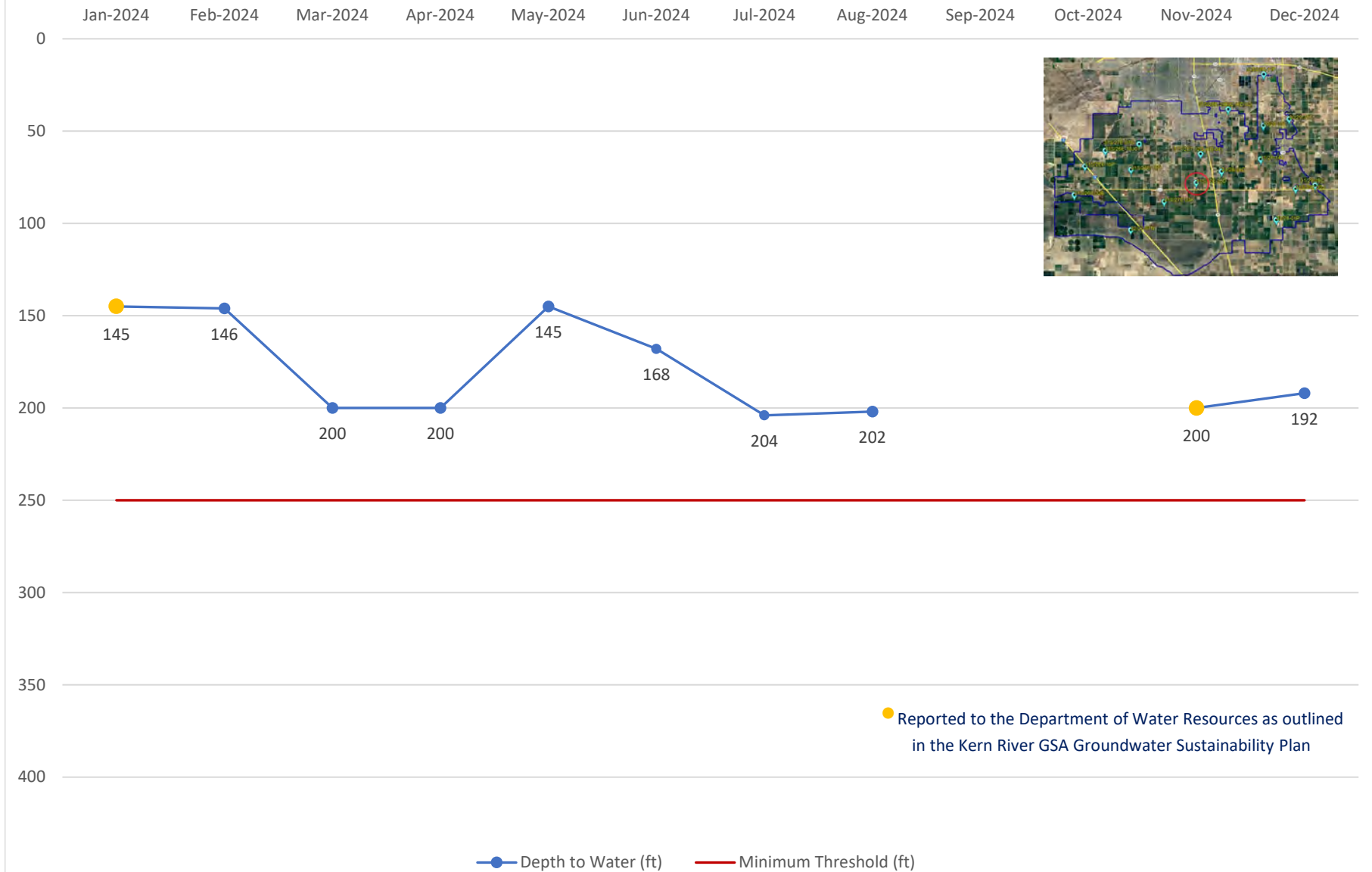


# RMW-037 Long-term

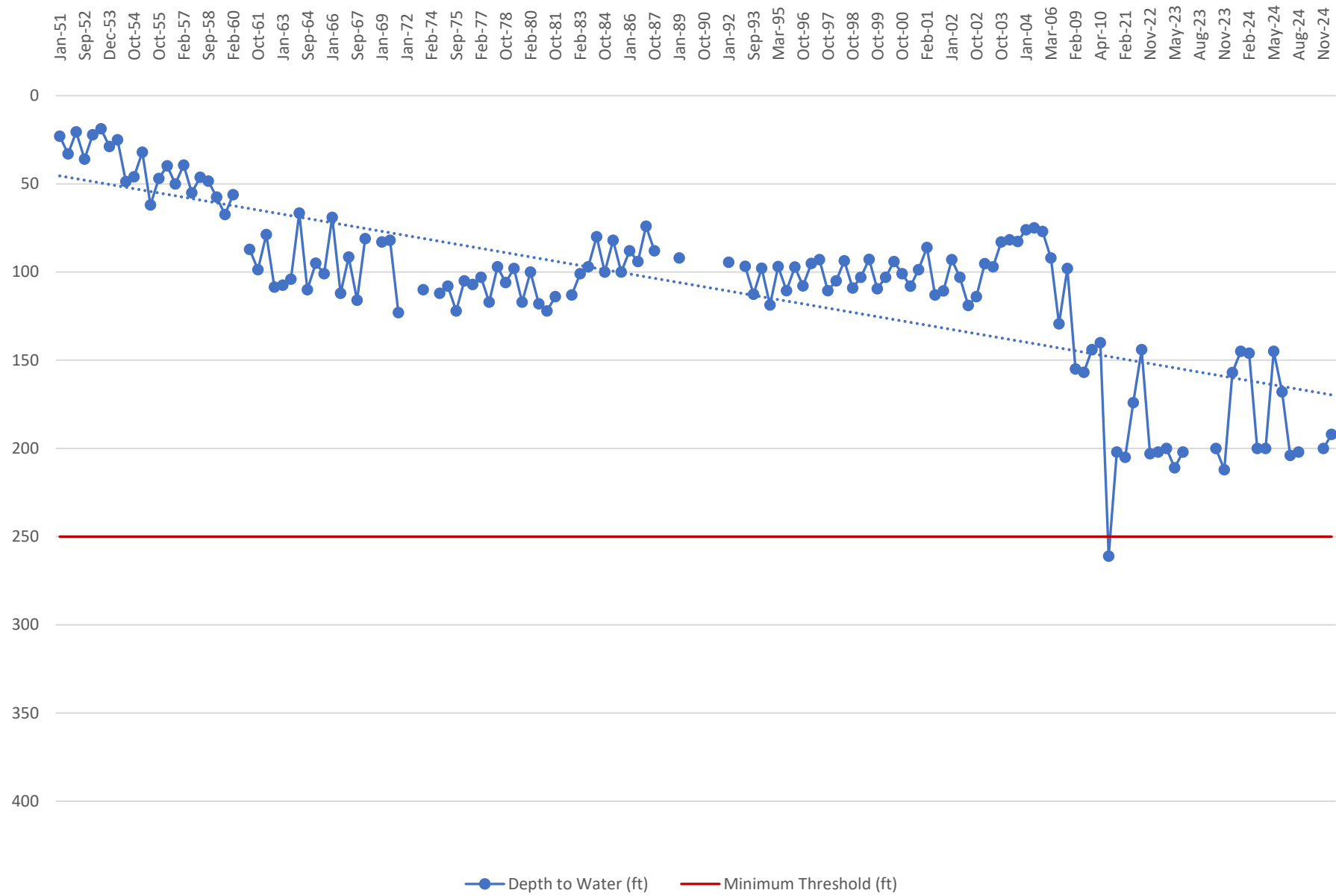


# RMW-040 31S/27E-25D

not to exceed 250' (depth to water)



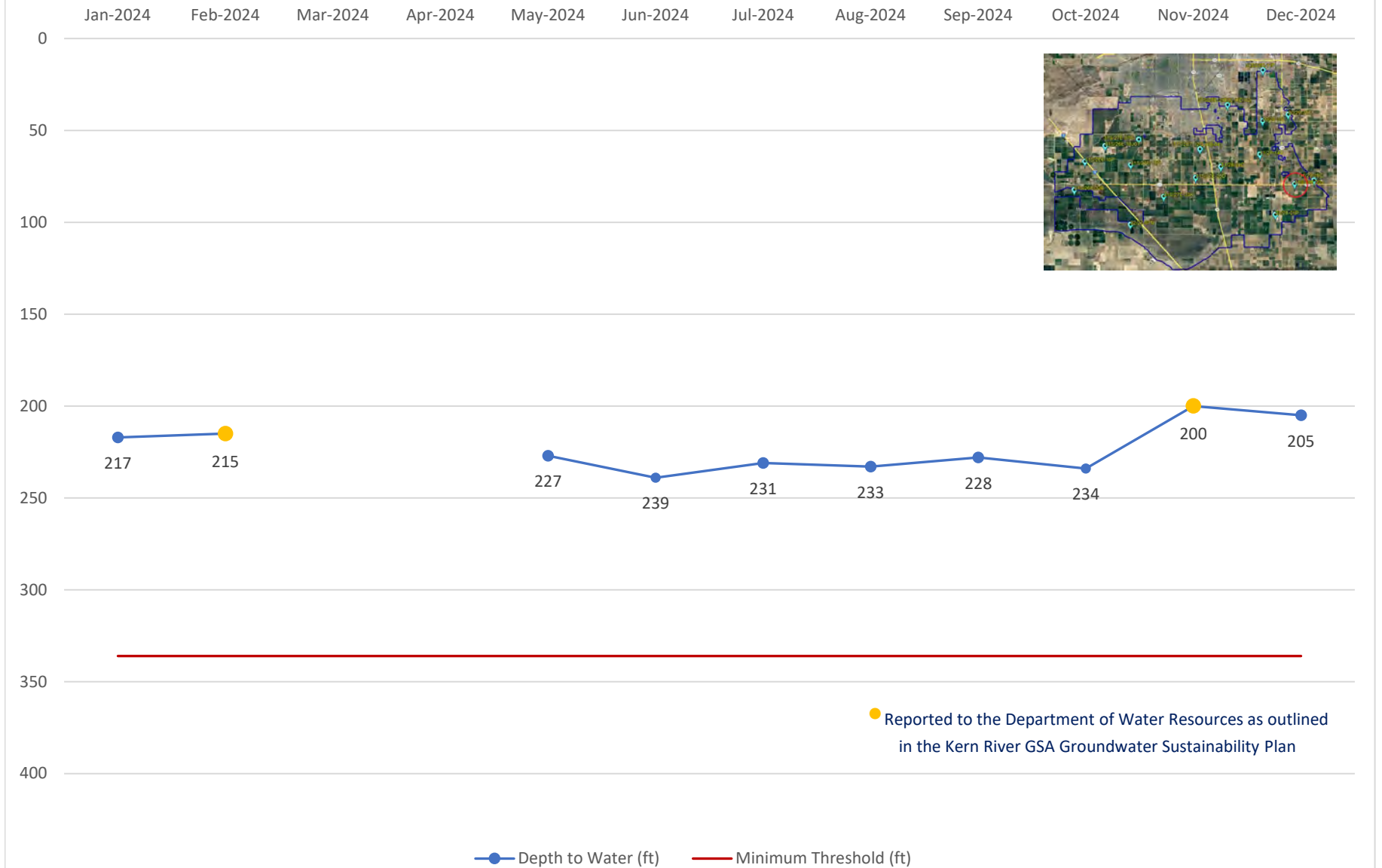
# RMW-040 Long-term



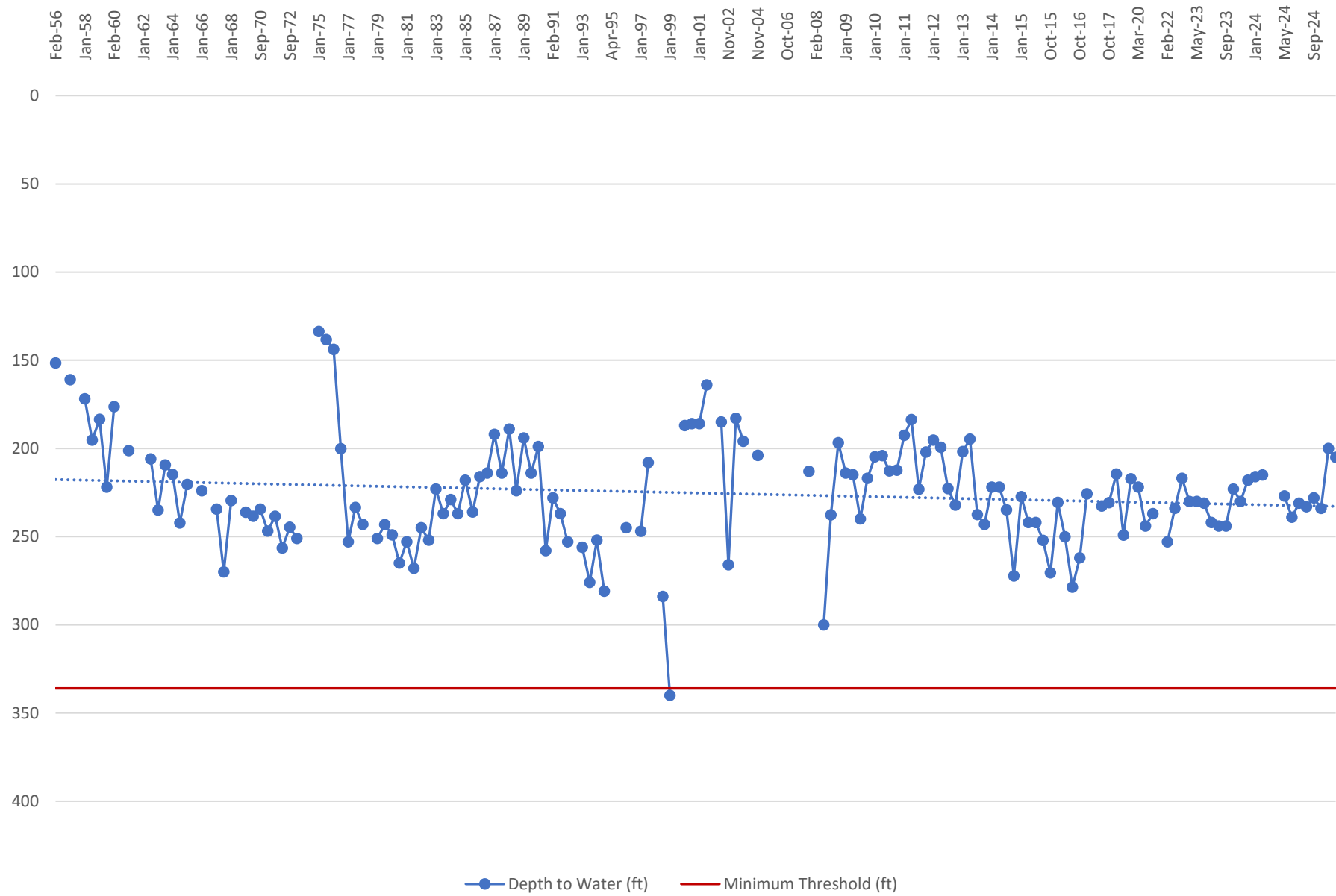


# RMW-041 31S/29E-30J

not to exceed 336' (depth to water)

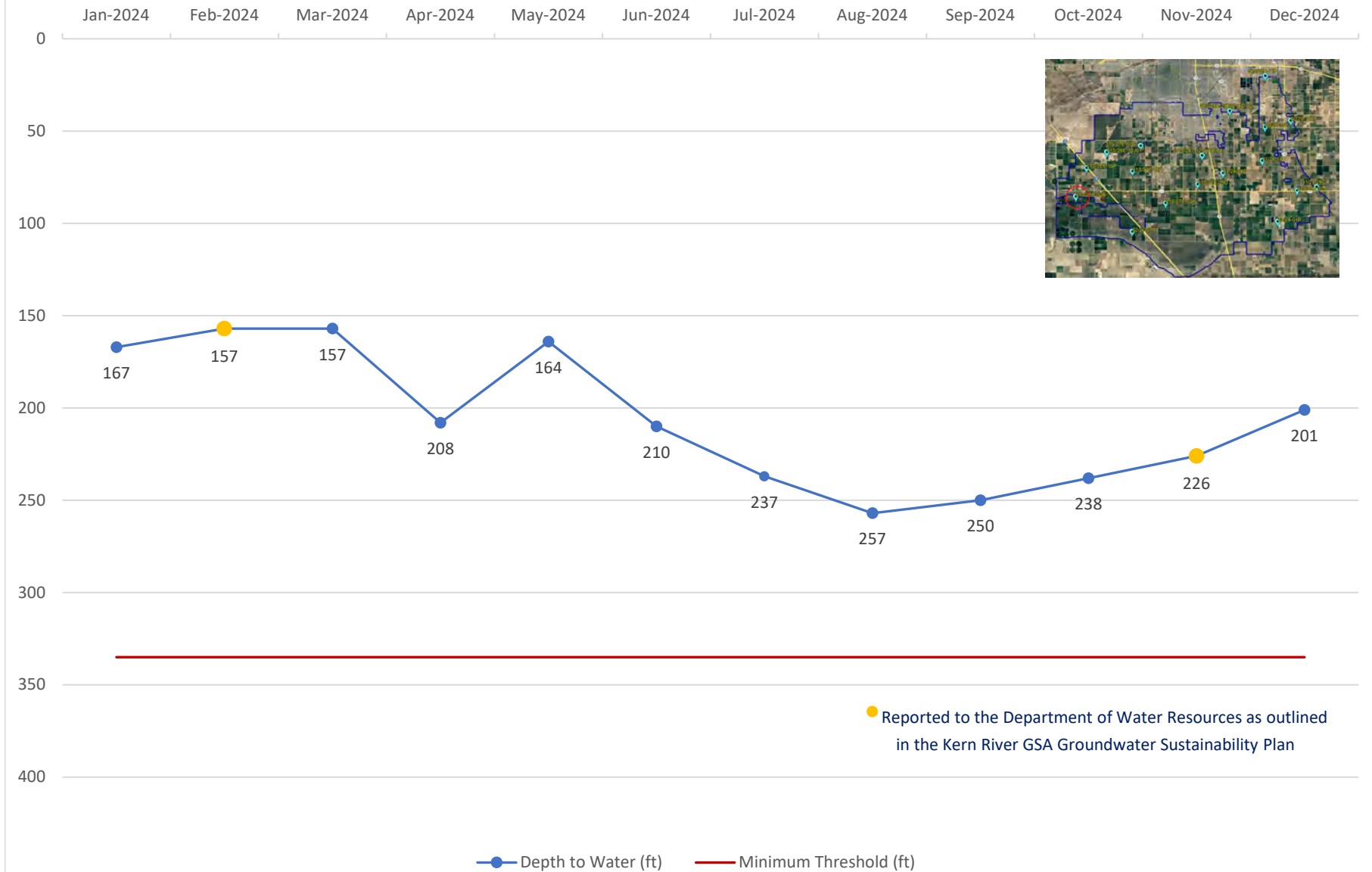


# RMW-041 Long-term

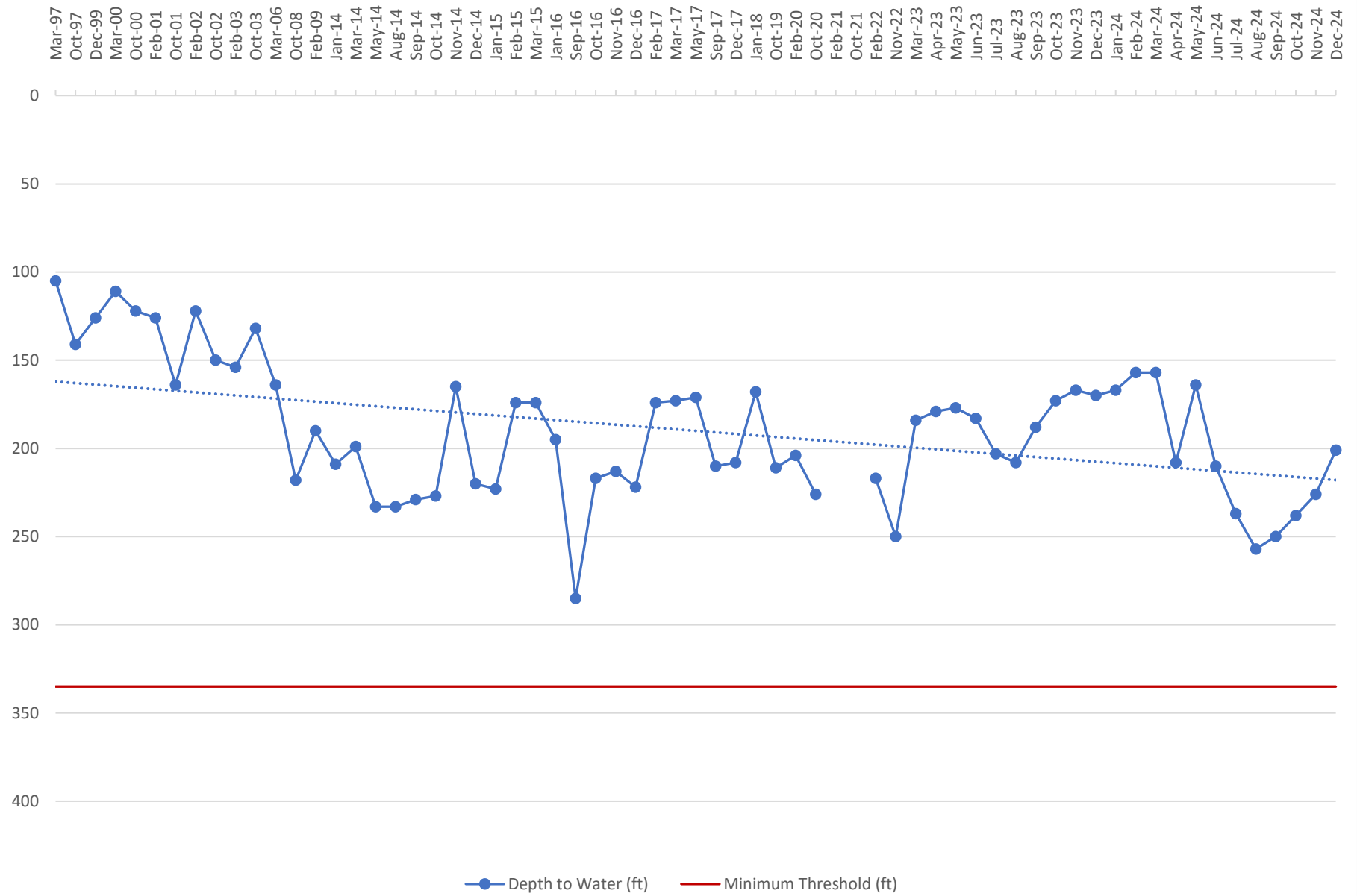


# RMW-042 31S/26E-32B

not to exceed 335' (depth to water)

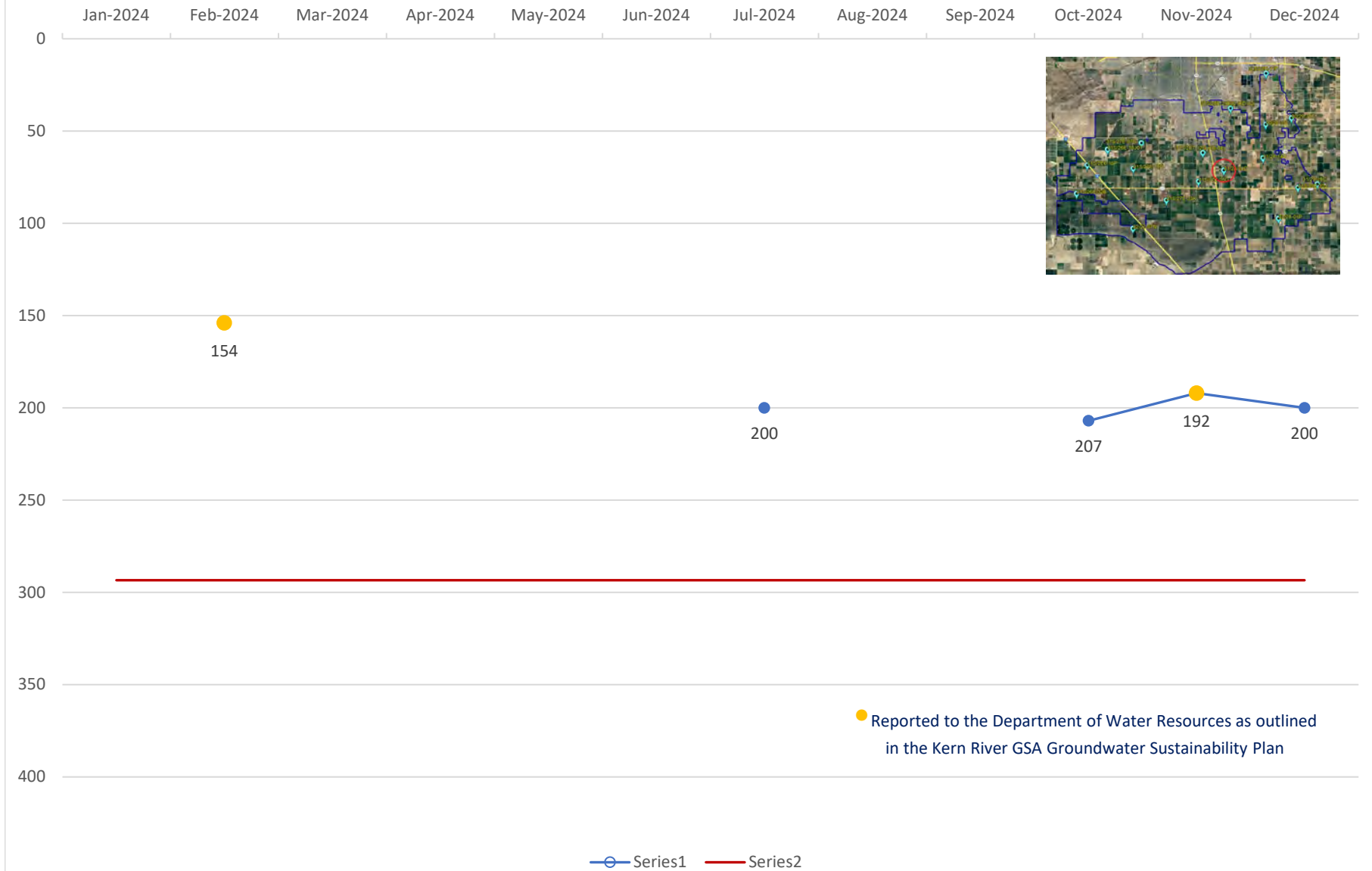


# RMW-042 Long-term

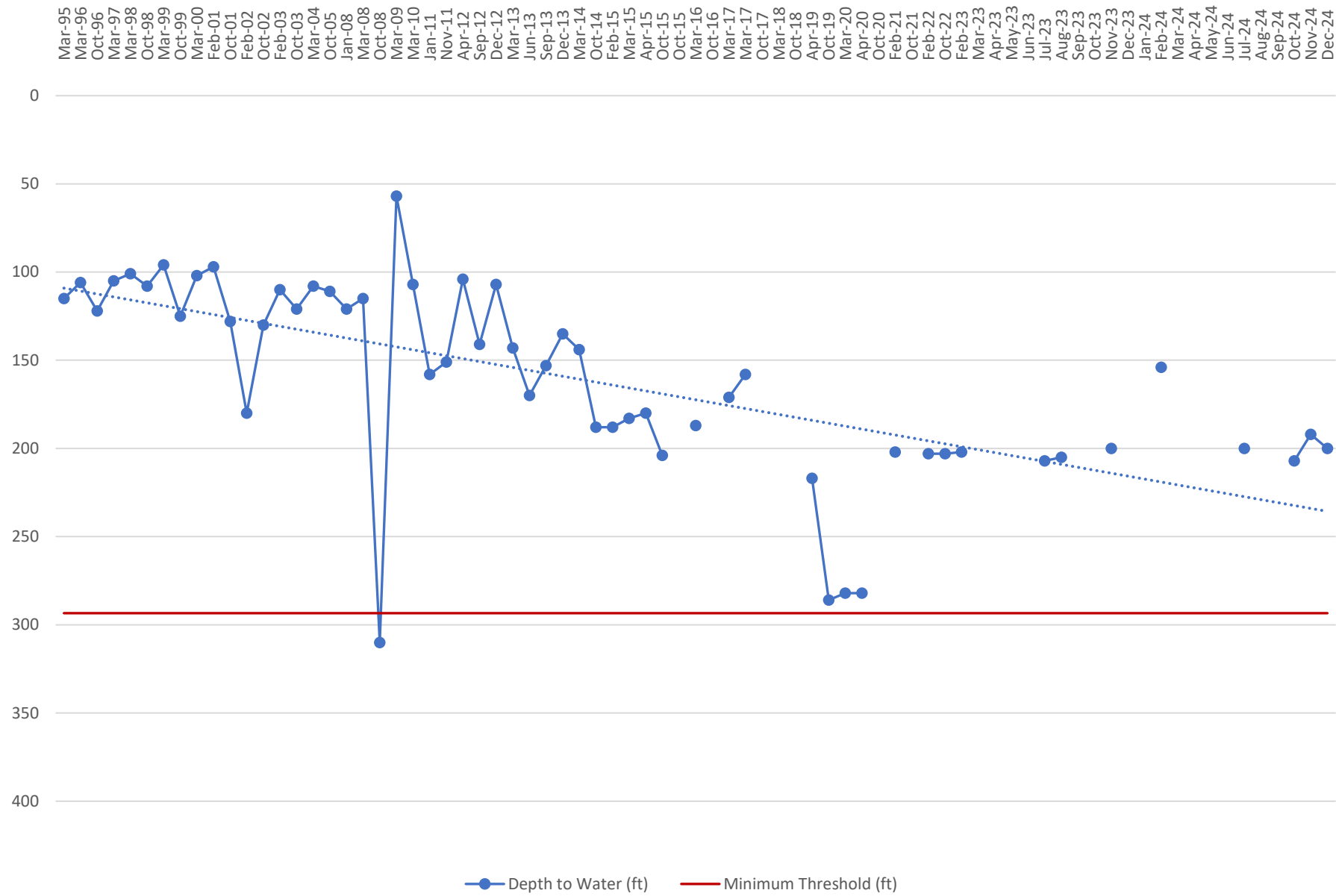


# RMW-192 31S/28E-20D

not to exceed 293.4' (depth to water)

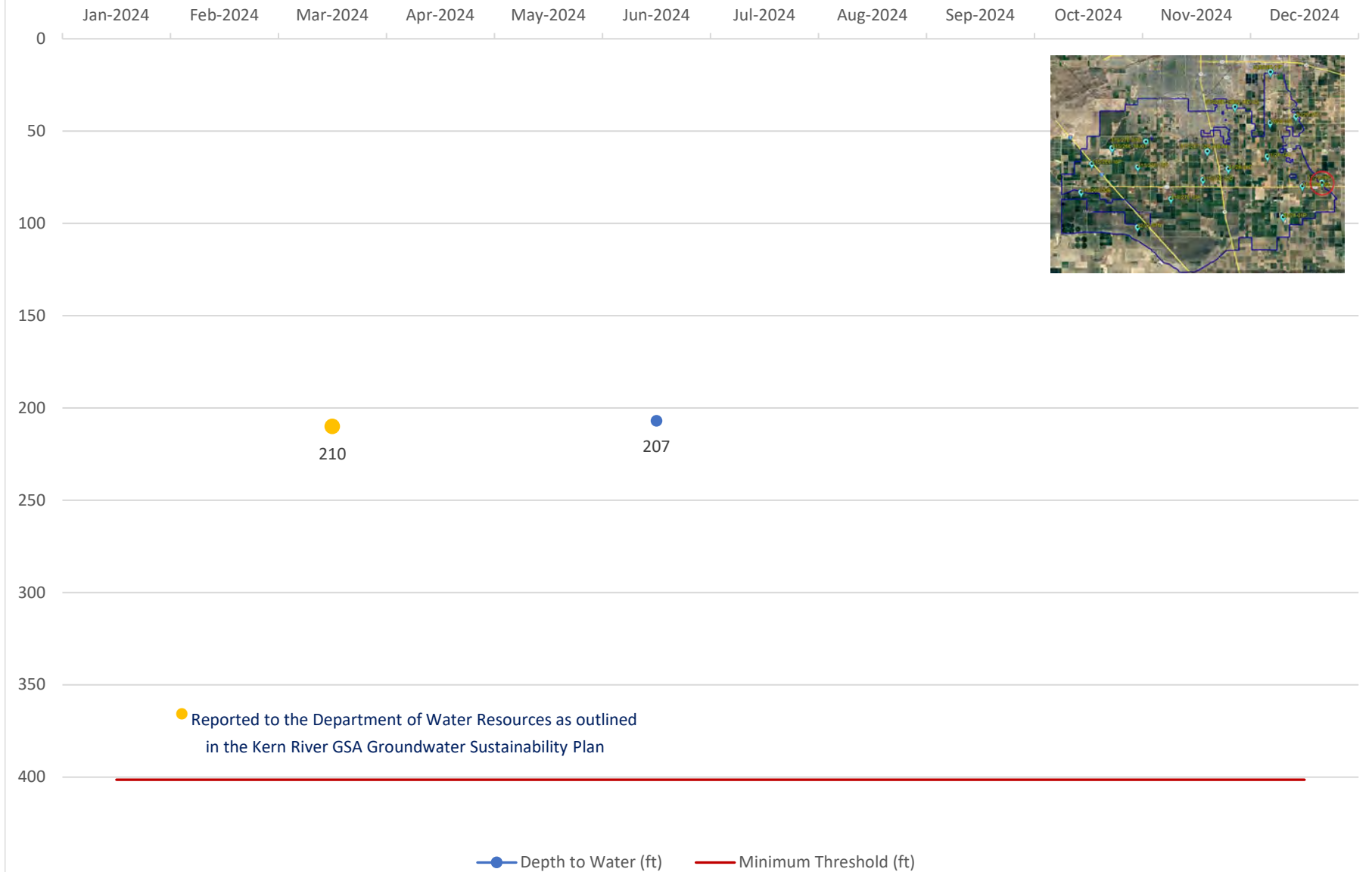


# RMW-192 Long-term

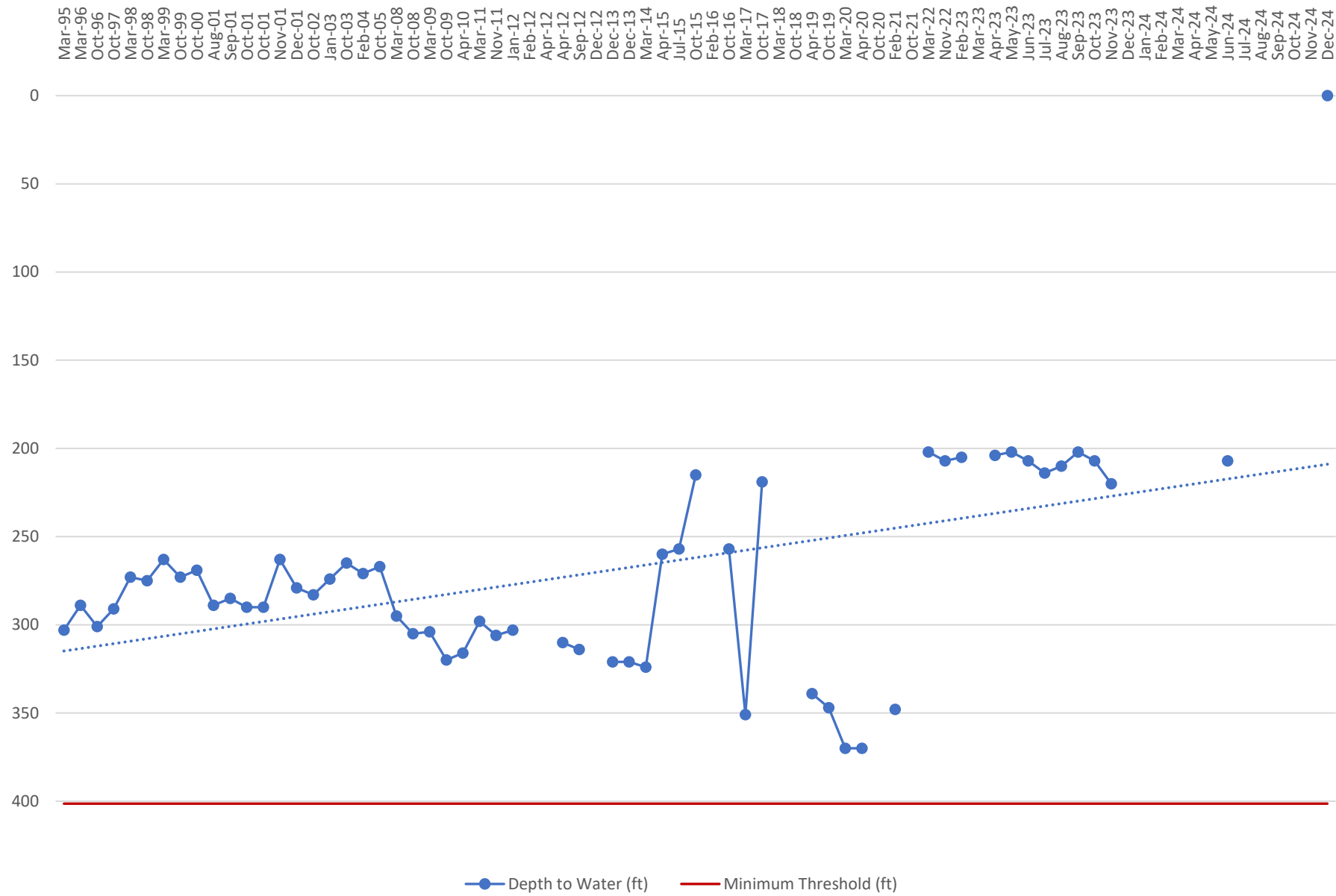


# RMW-193 31S/29E-28C

not to exceed 401.4' (depth to water)



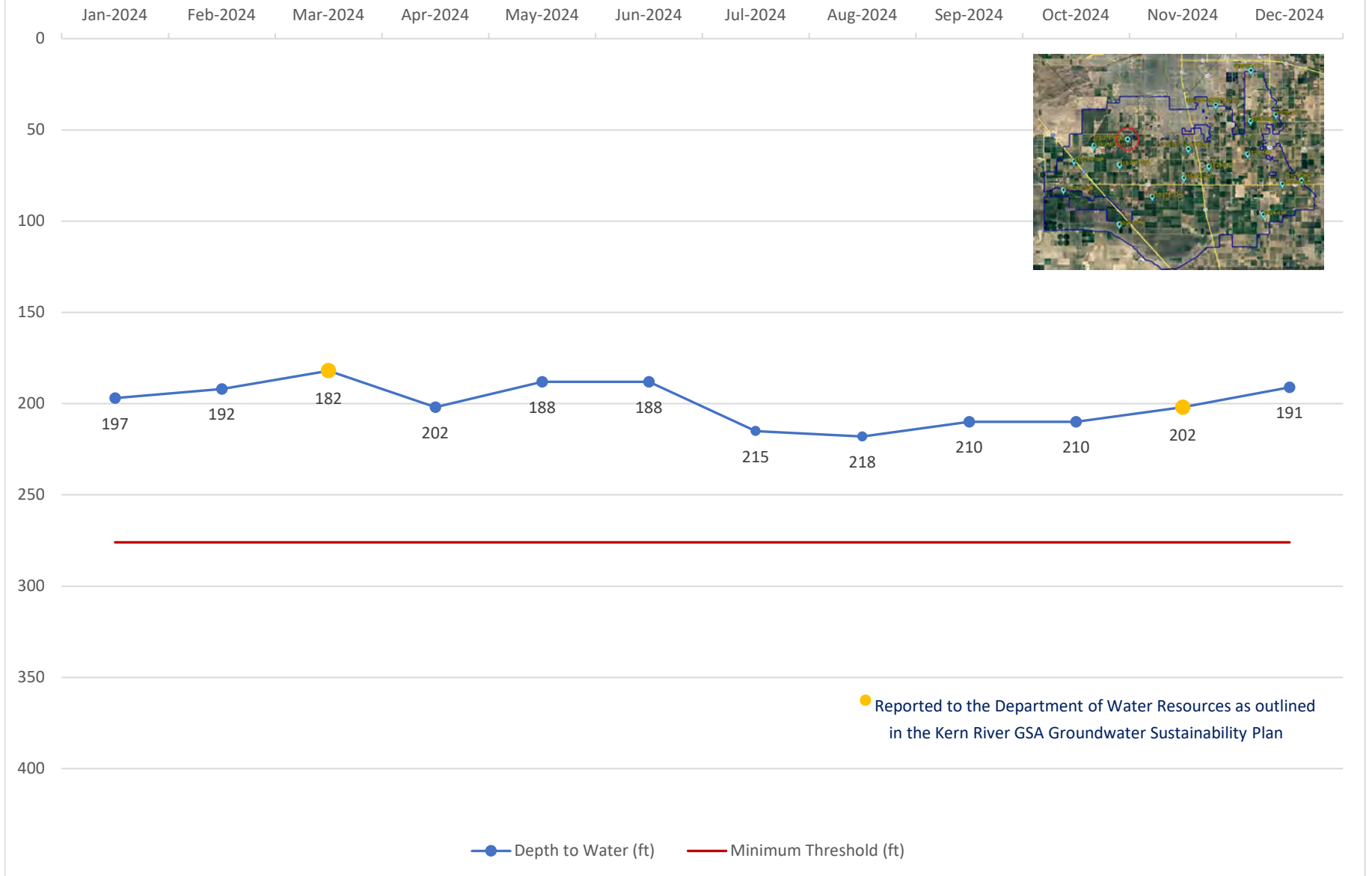
# RMW-193 Long-term



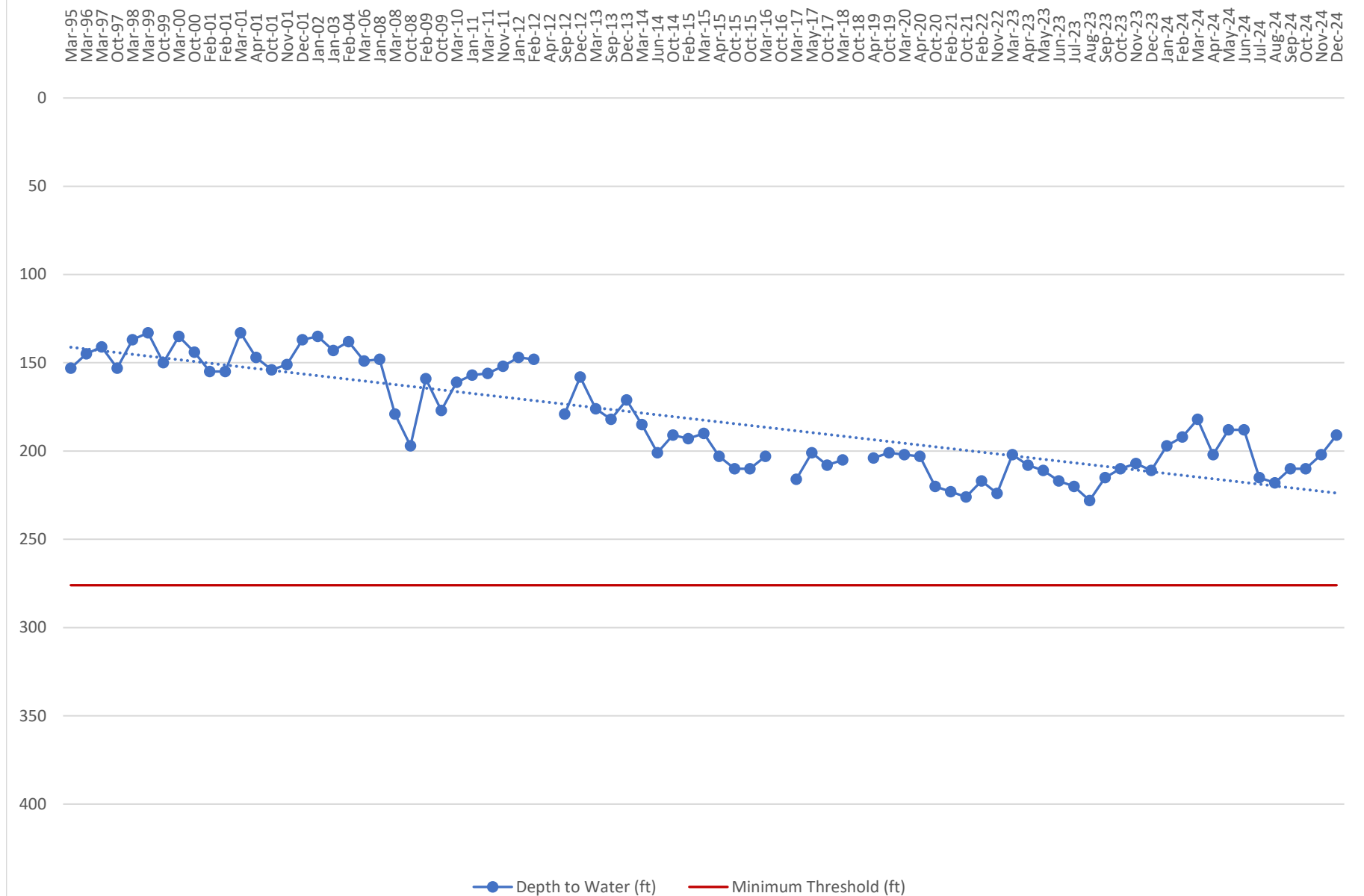


# RMW-195 31S/27E-07B

not to exceed 276' (depth to water)

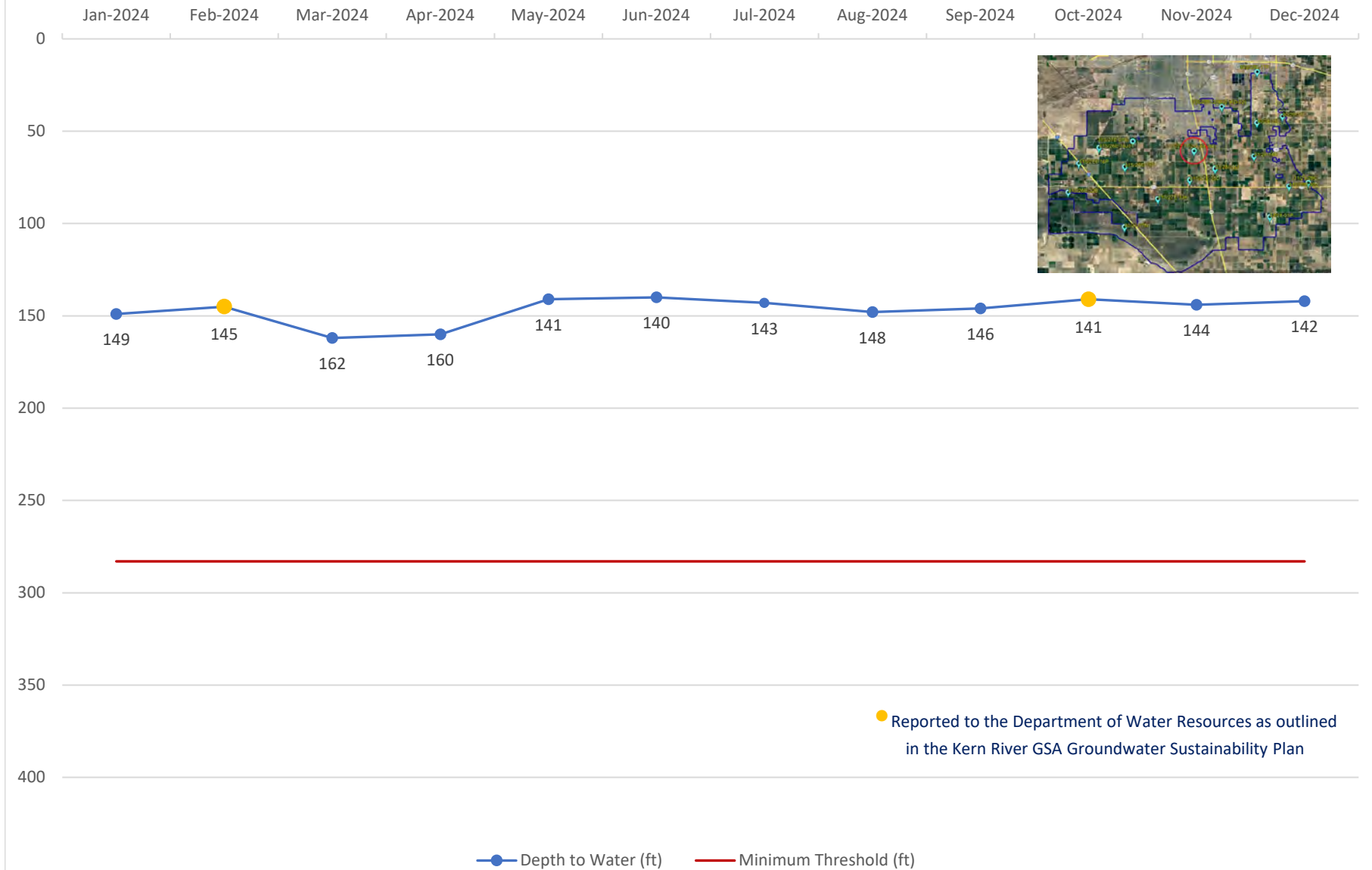


## RMW-195 Long-term

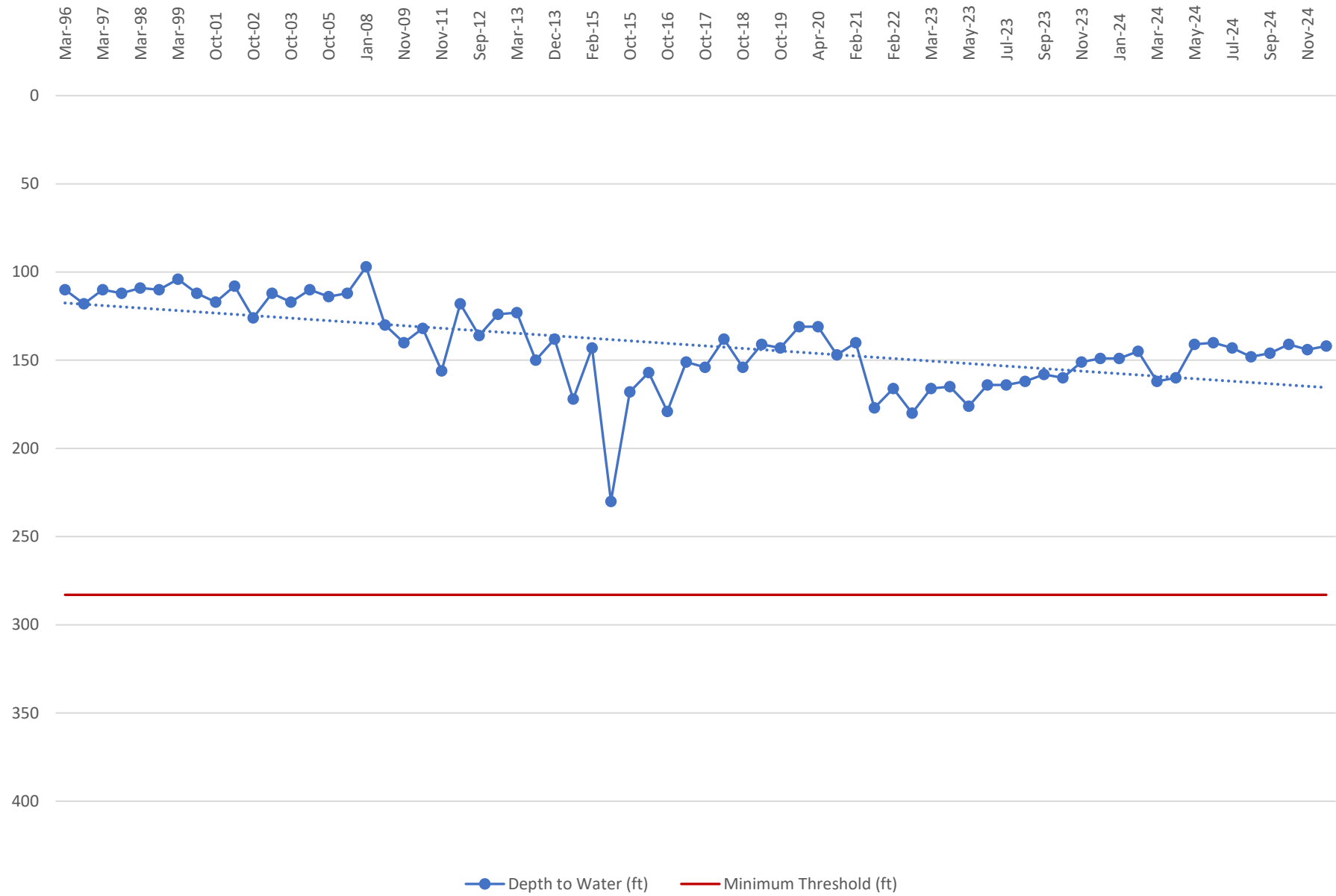


# RMW-196 31S/27E-12Q

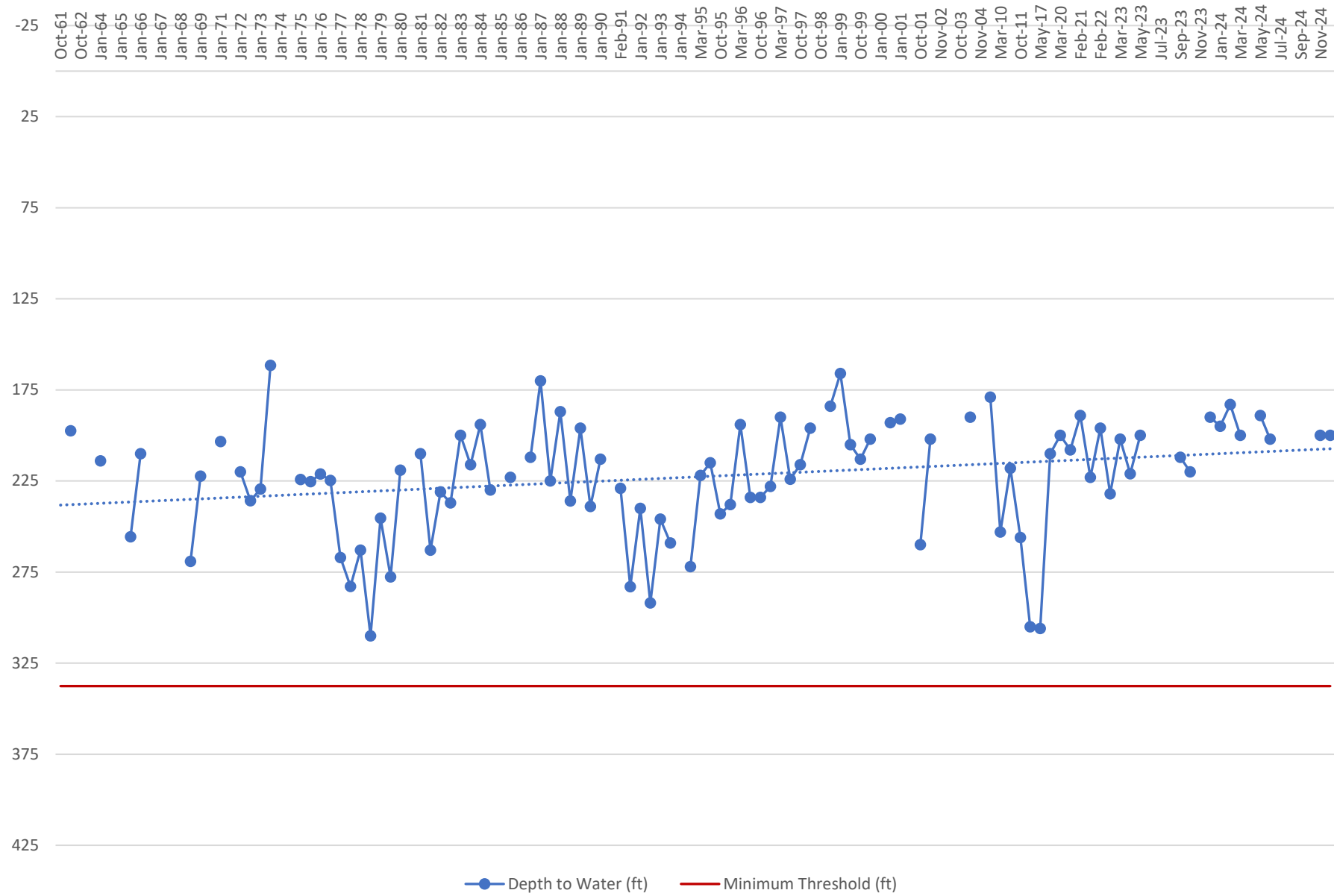
not to exceed 283' (depth to water)



# RMW-196 Long-term

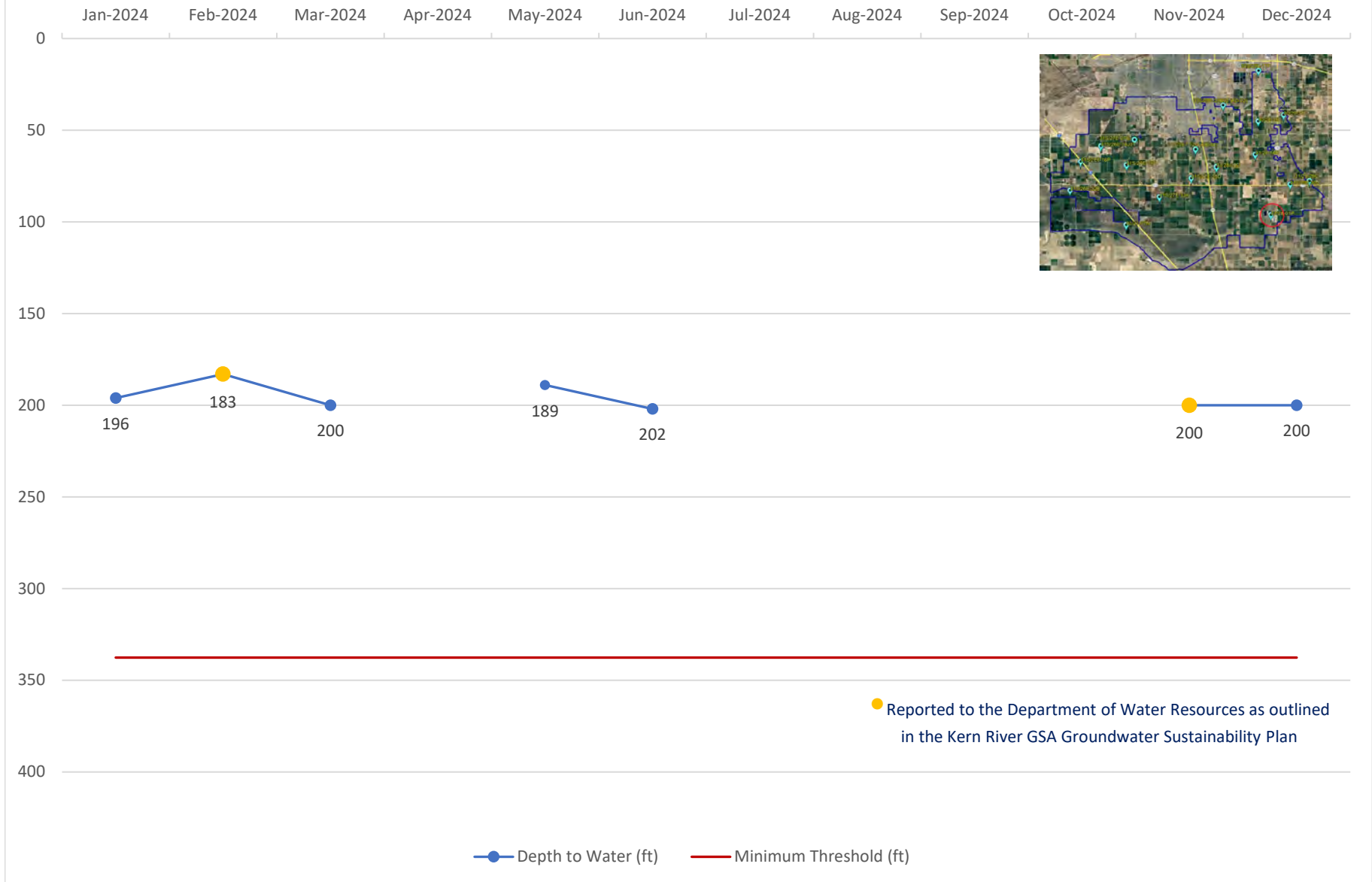


# RMW-197 Long-term



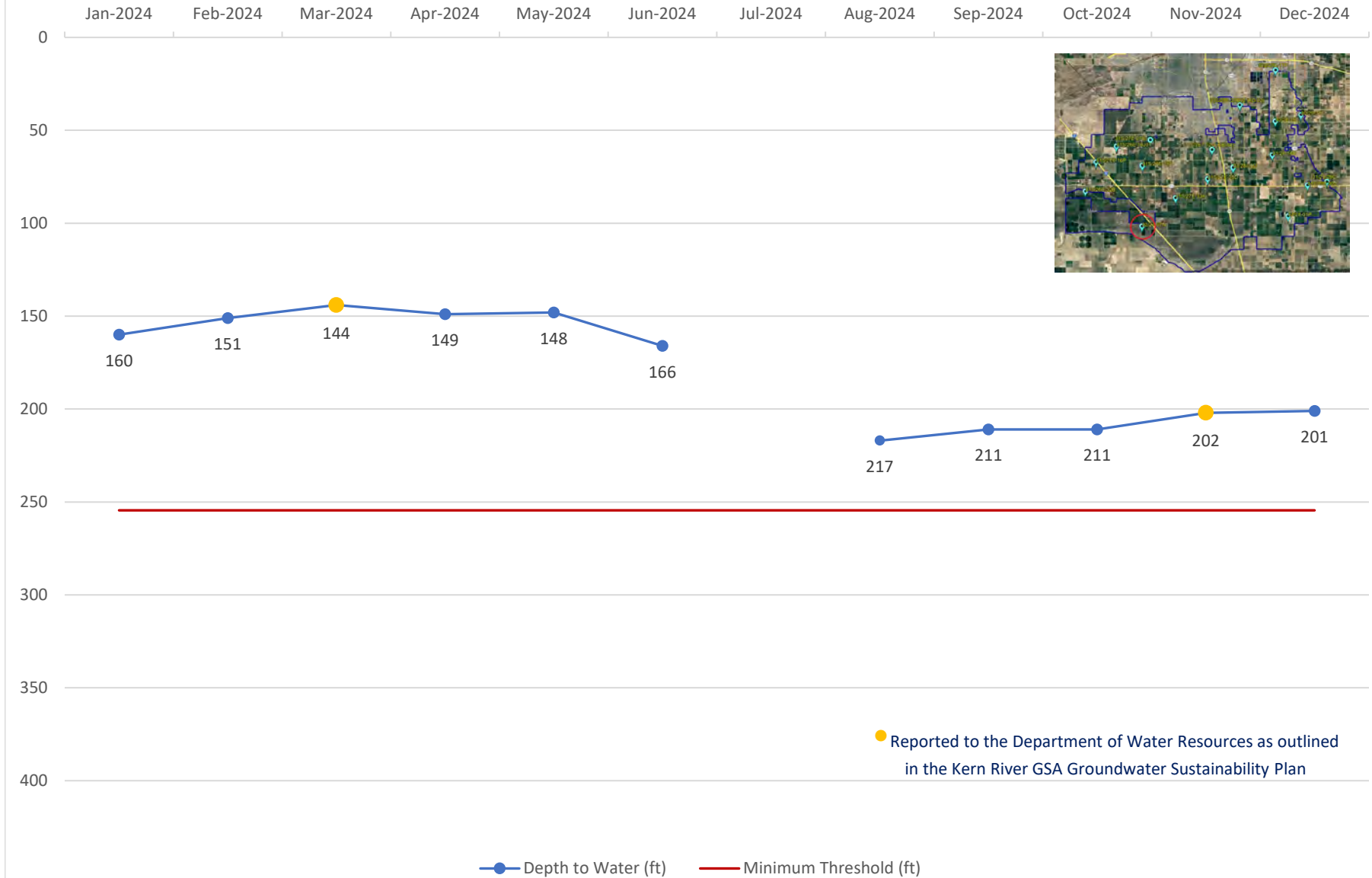
# RMW-197 32S/28E-01P

not to exceed 337.6' (depth to water)



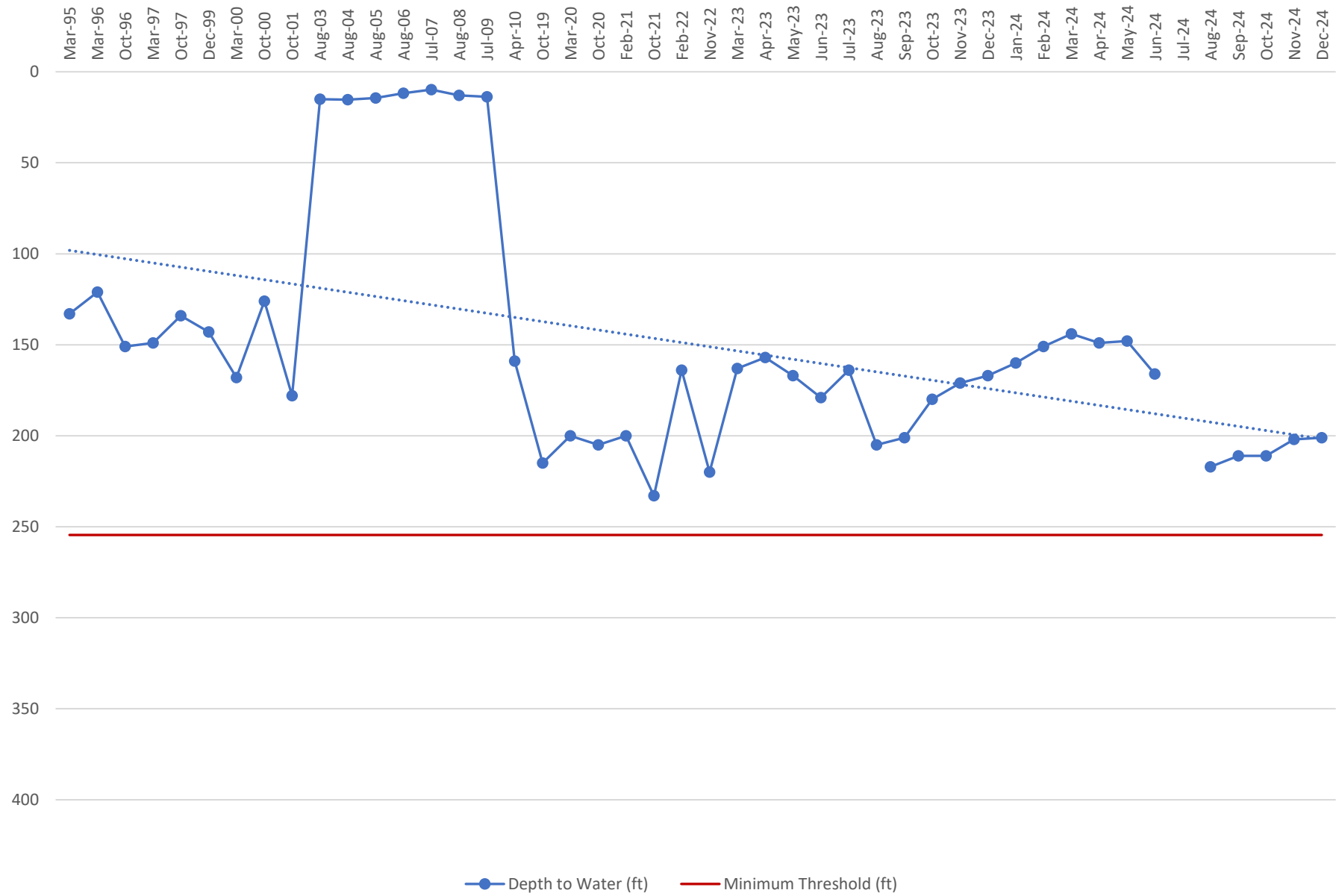
# RMW-200 32S/27E-07N

not to exceed 254.5' (depth to water)



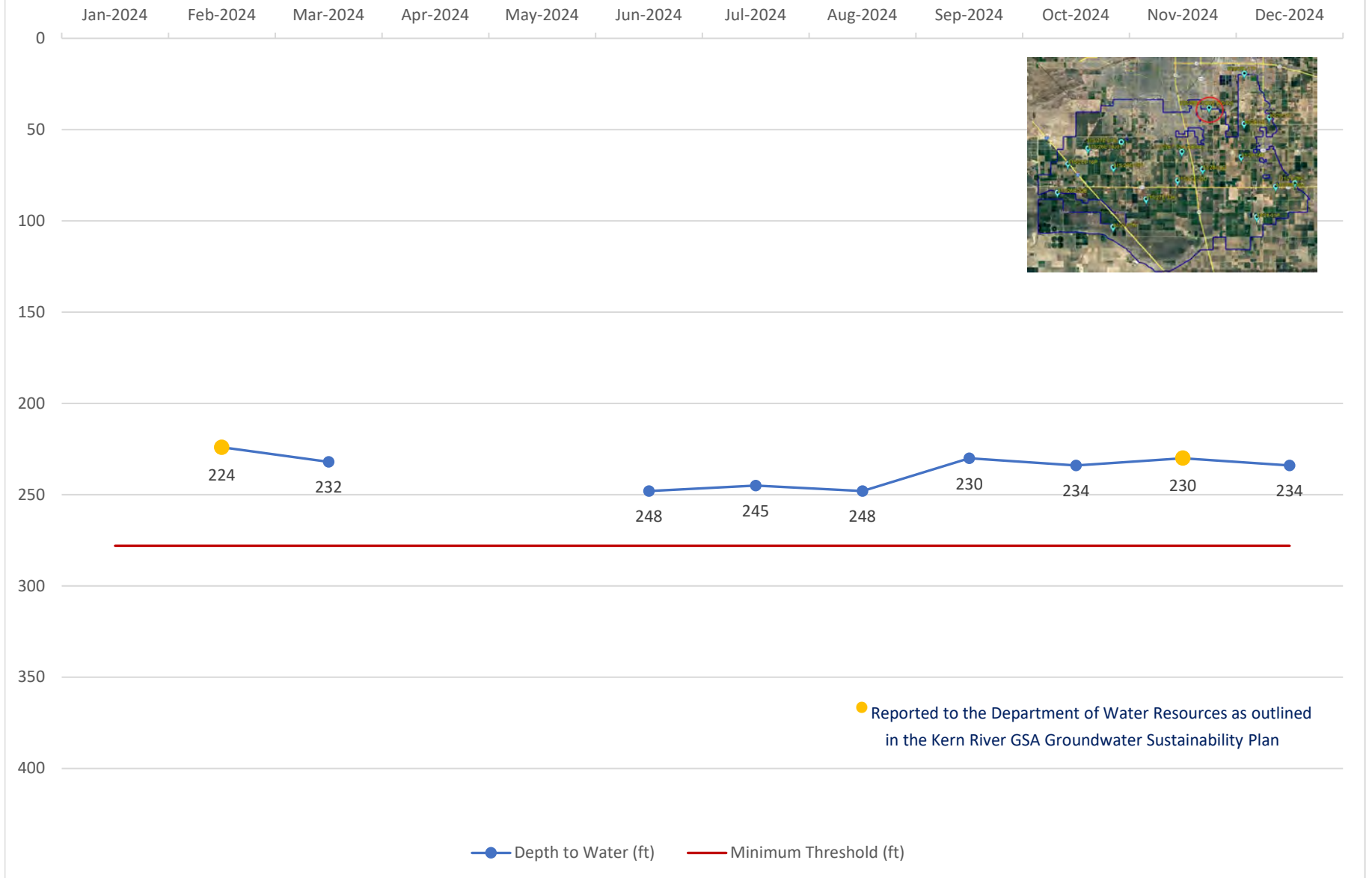


# RMW-200 Long-term

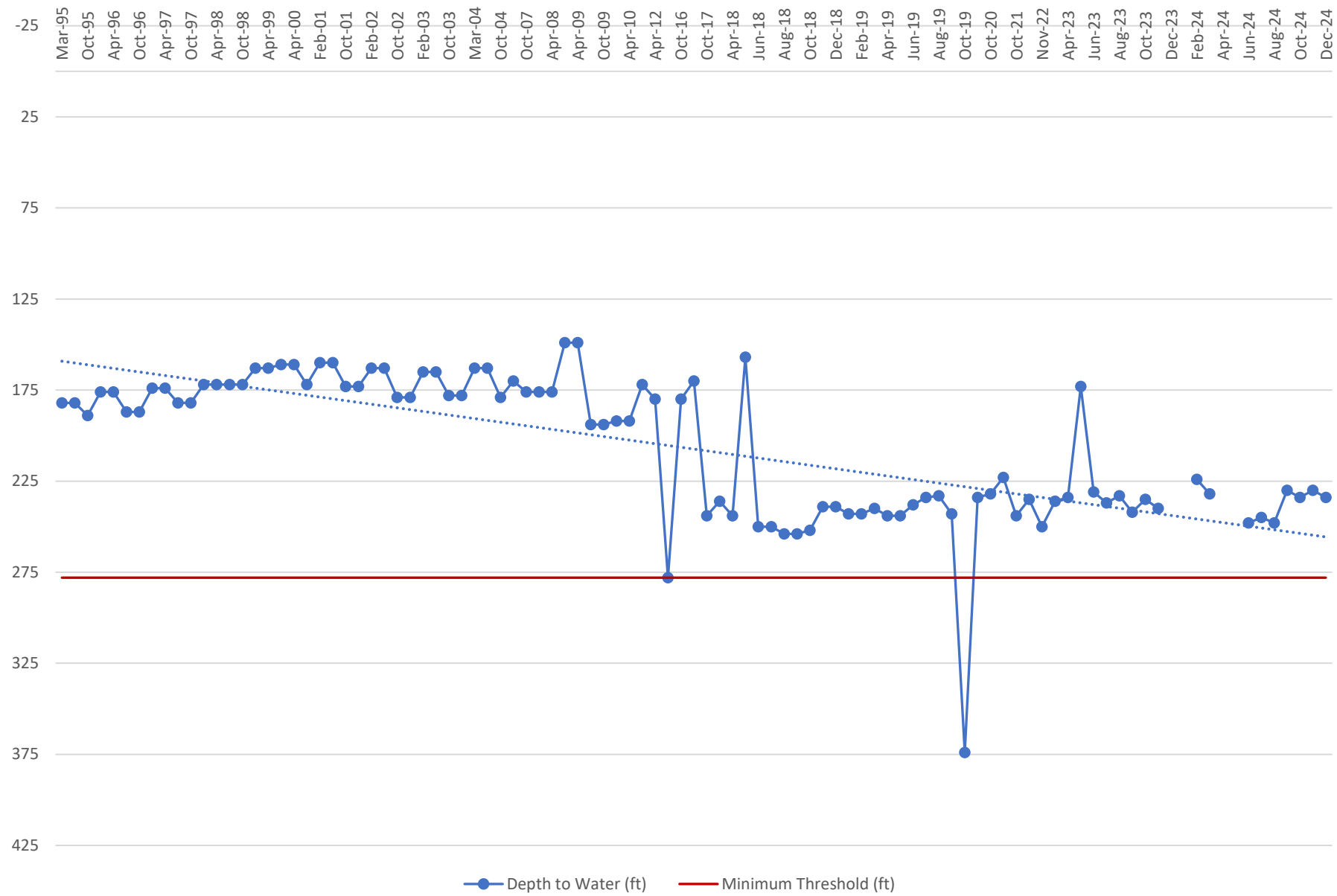


# RMW-216 30S/28E-29B

not to exceed 278' (depth to water)

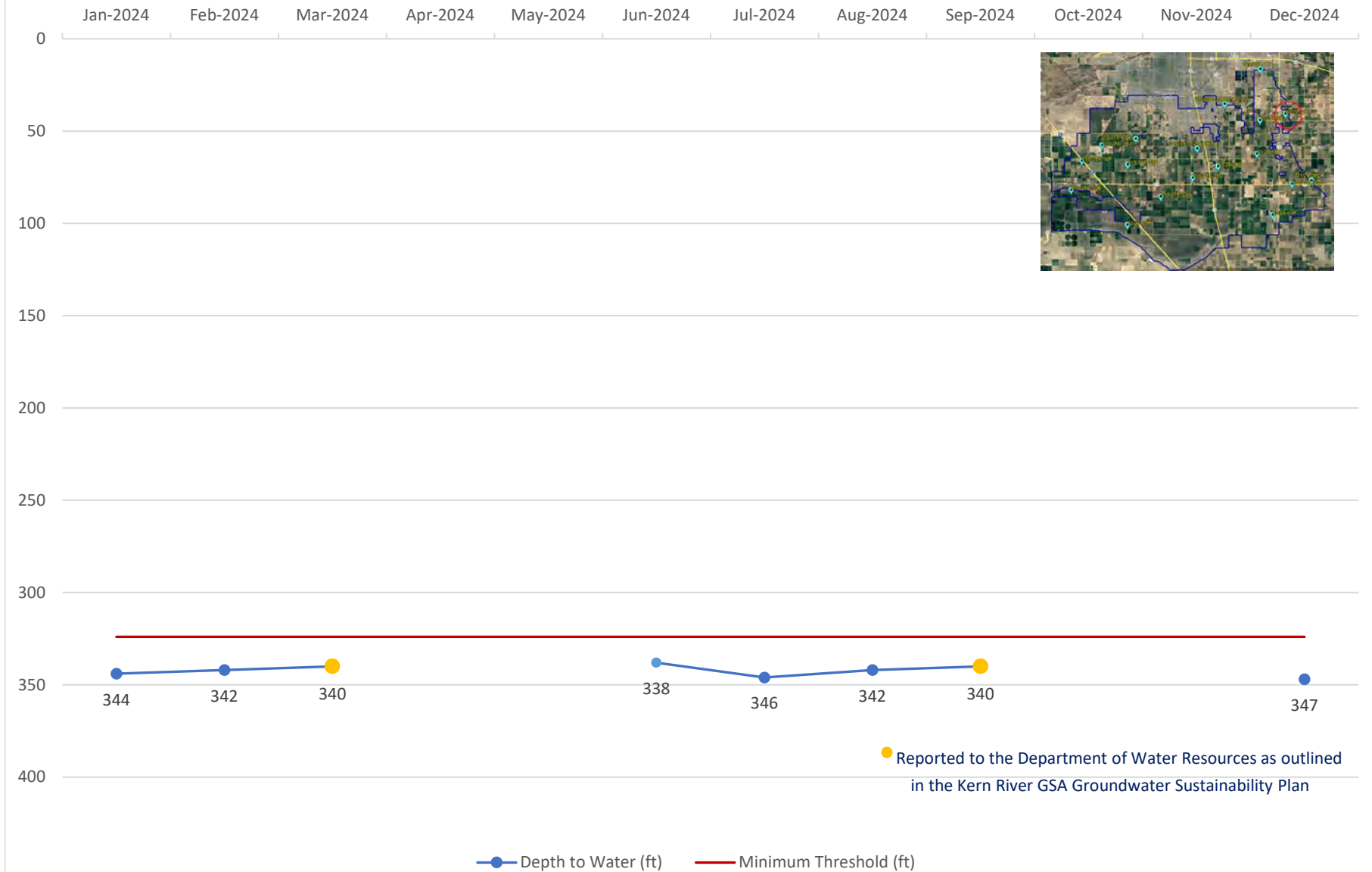


# RMW-216 Long-term

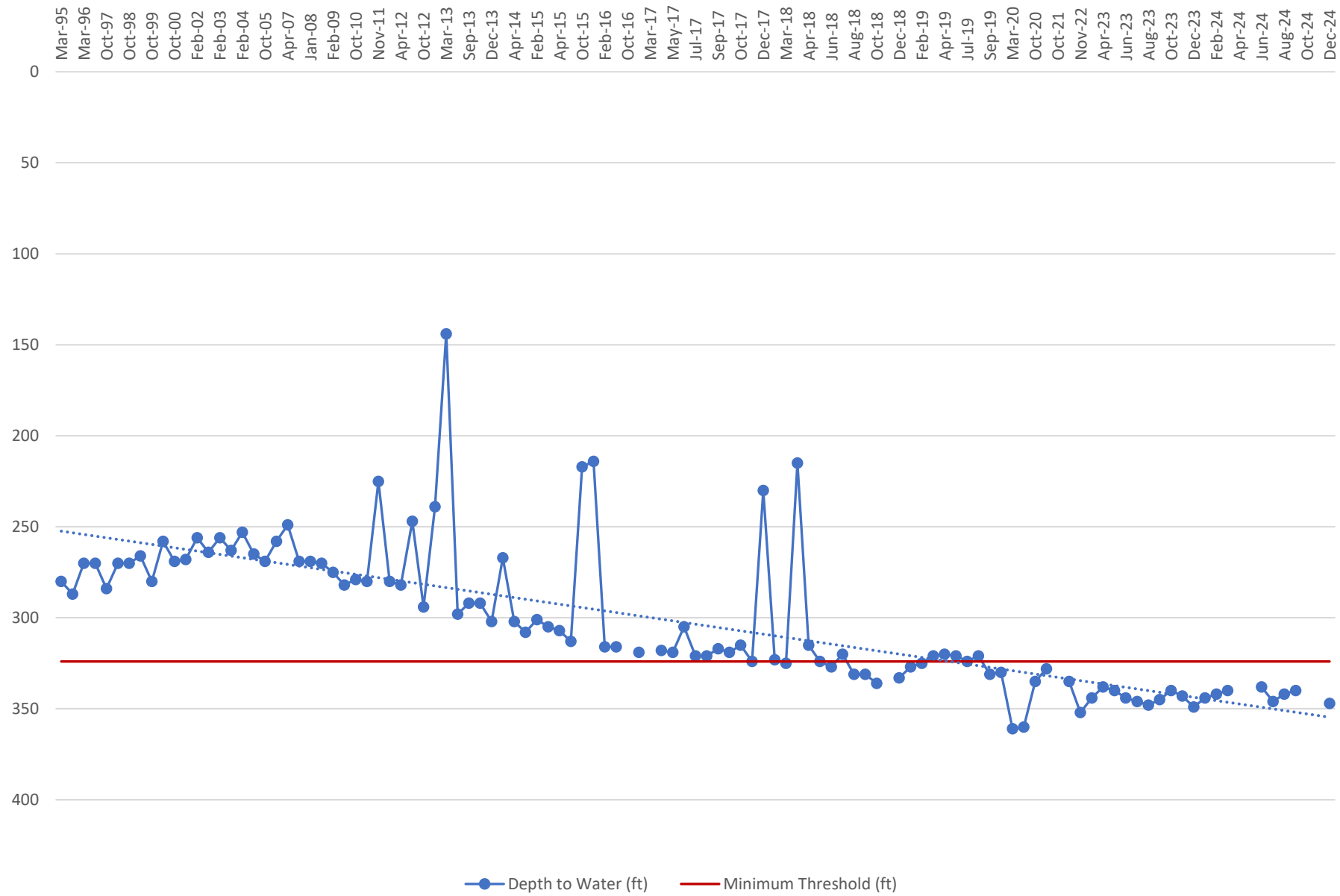


# RMW-217 30S/29E-31C

not to exceed 324' (depth to water)

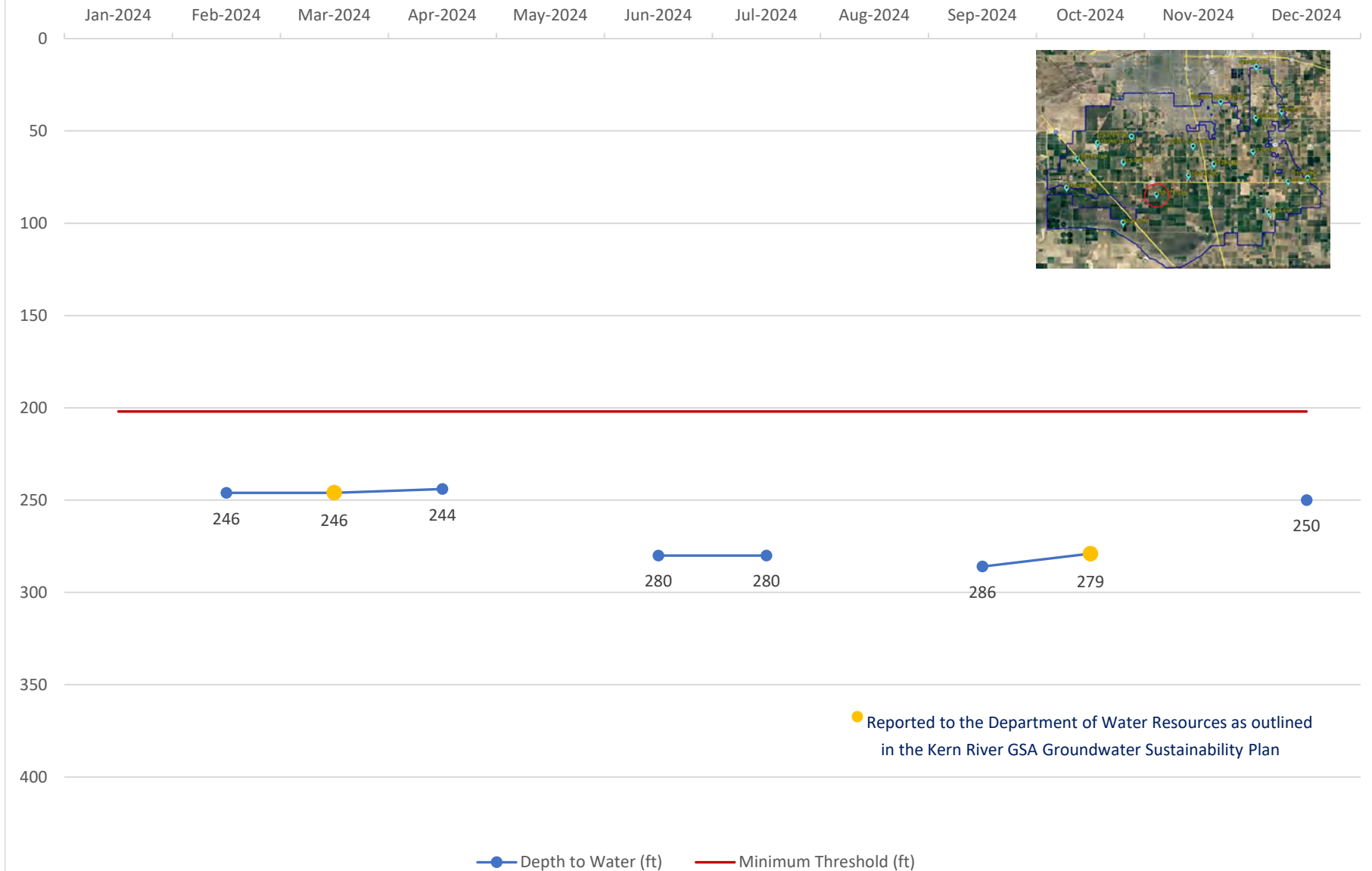


# RMW-217 Long-term

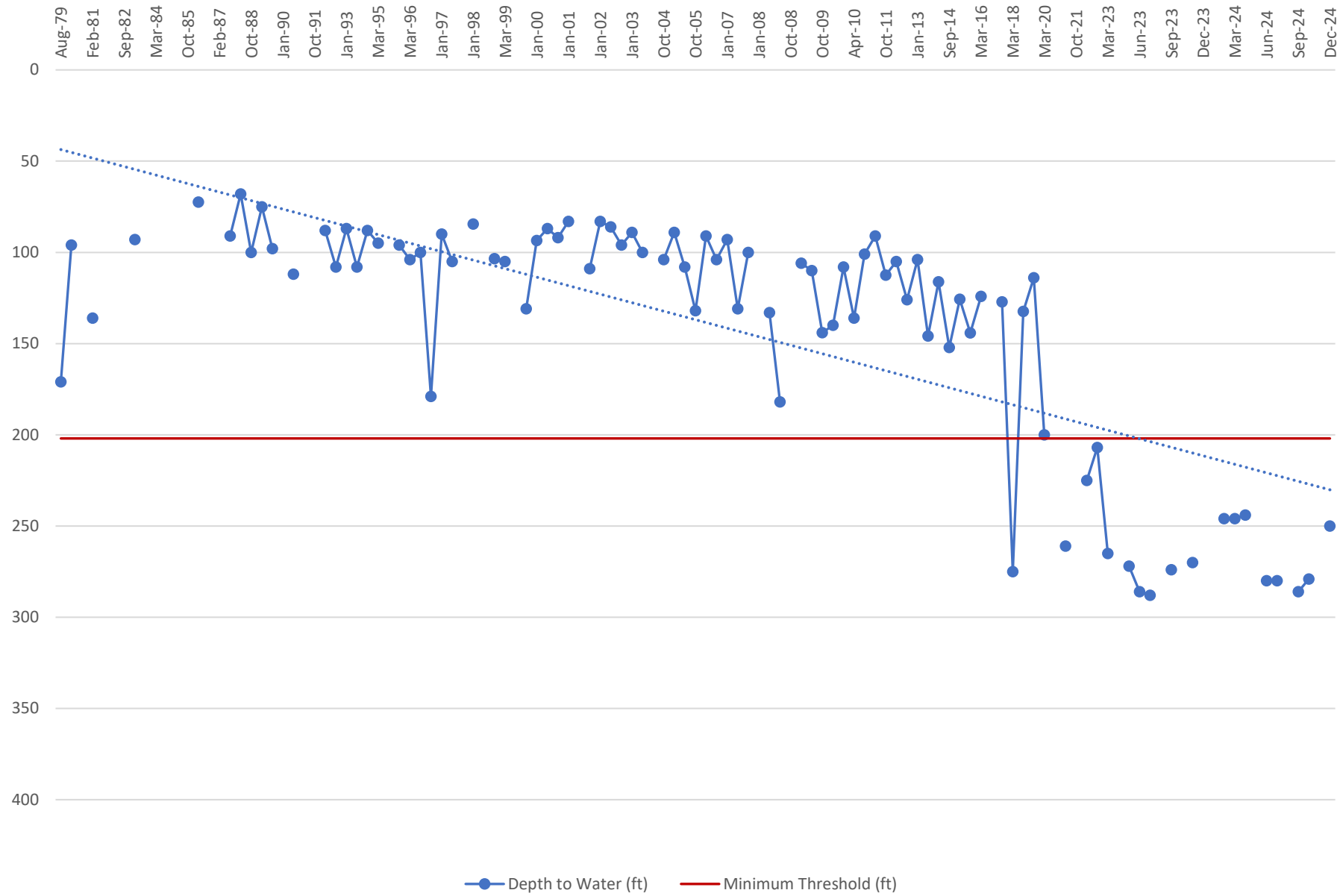


# RMW-218 31S/27E-33K

not to exceed 202' (depth to water)

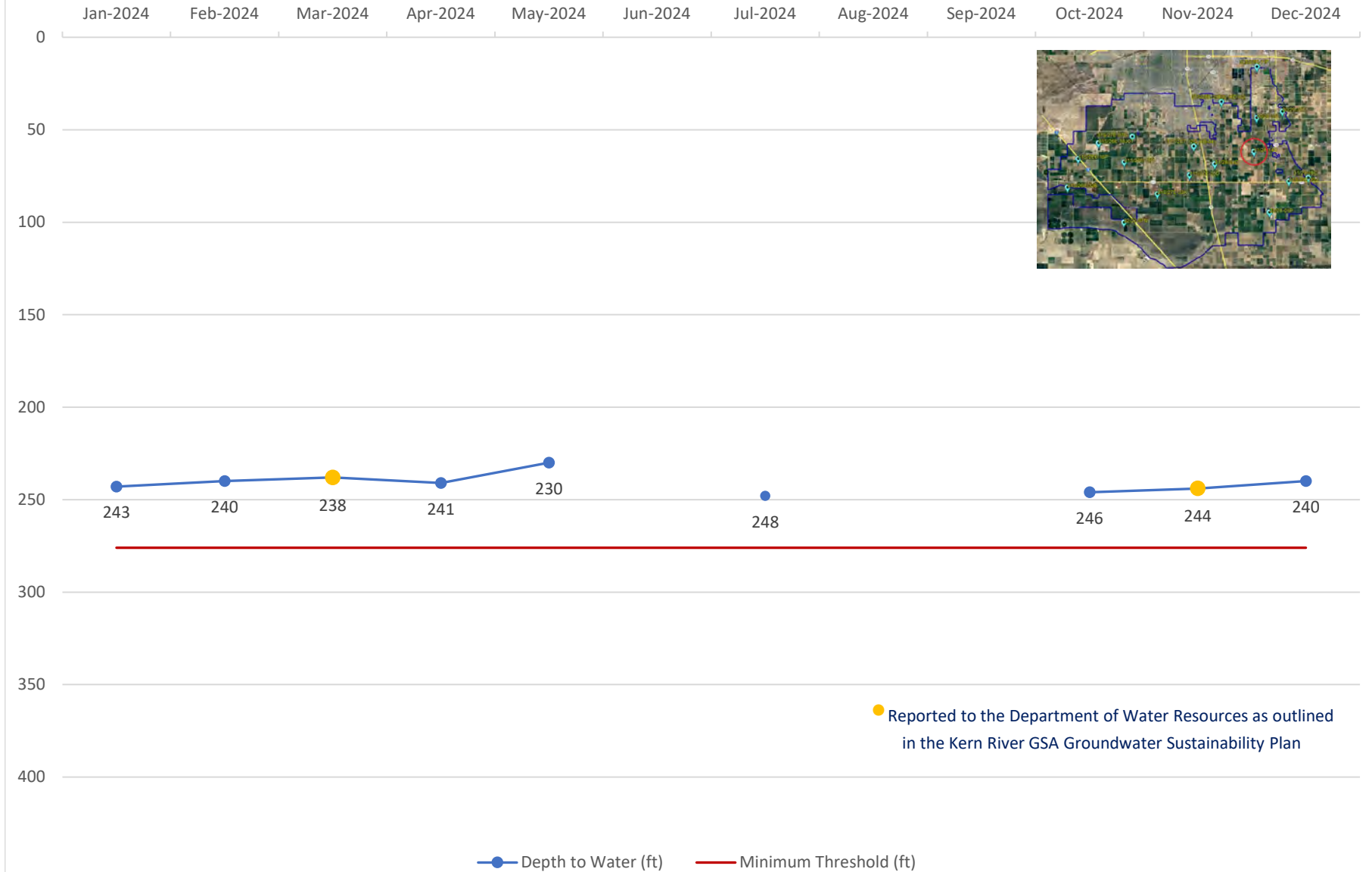


# RMW-218 Long-term



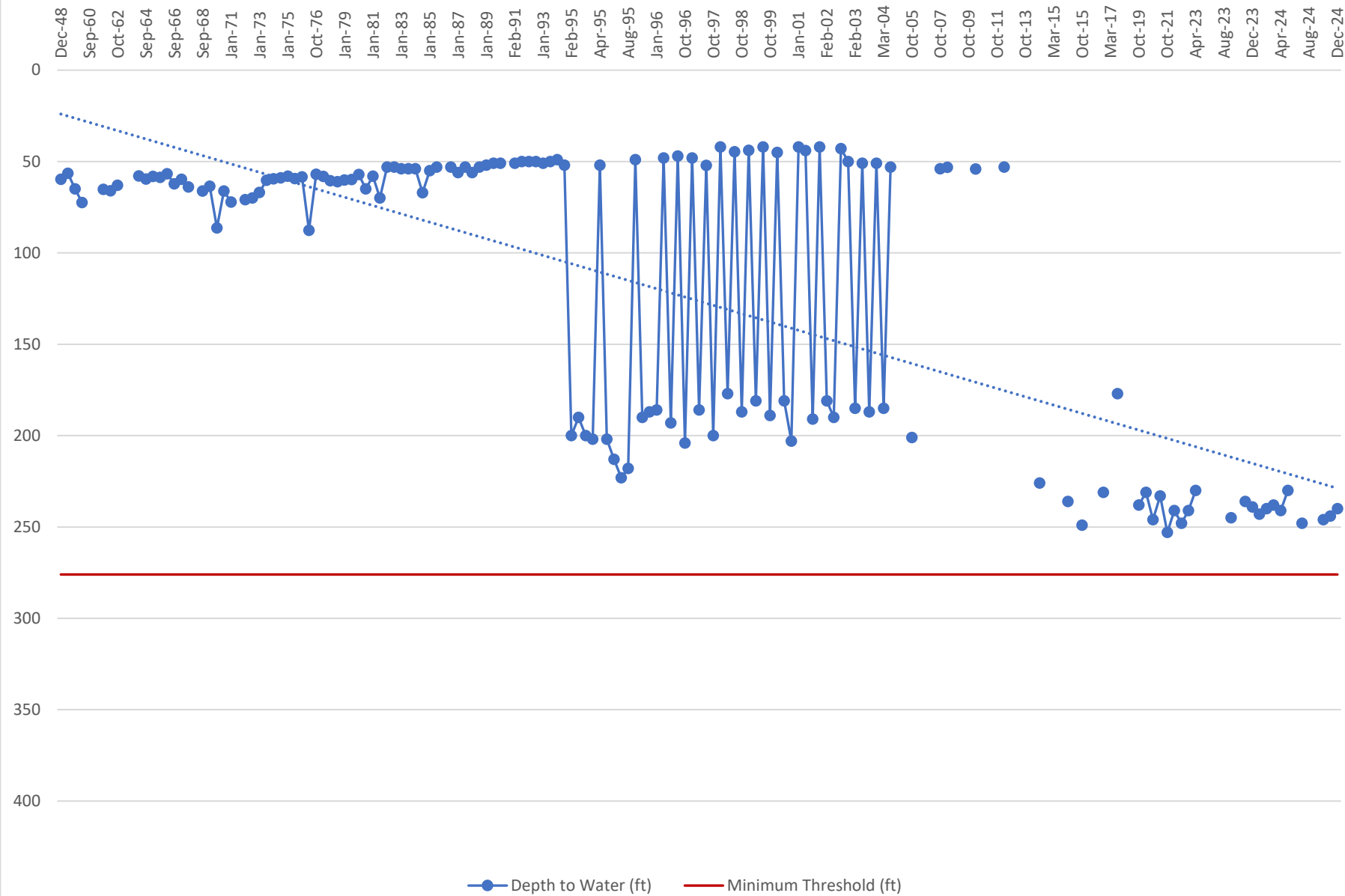
# RMW-219 31S/28E-14D

not to exceed 276' (depth to water)





# RMW-219 Long-term

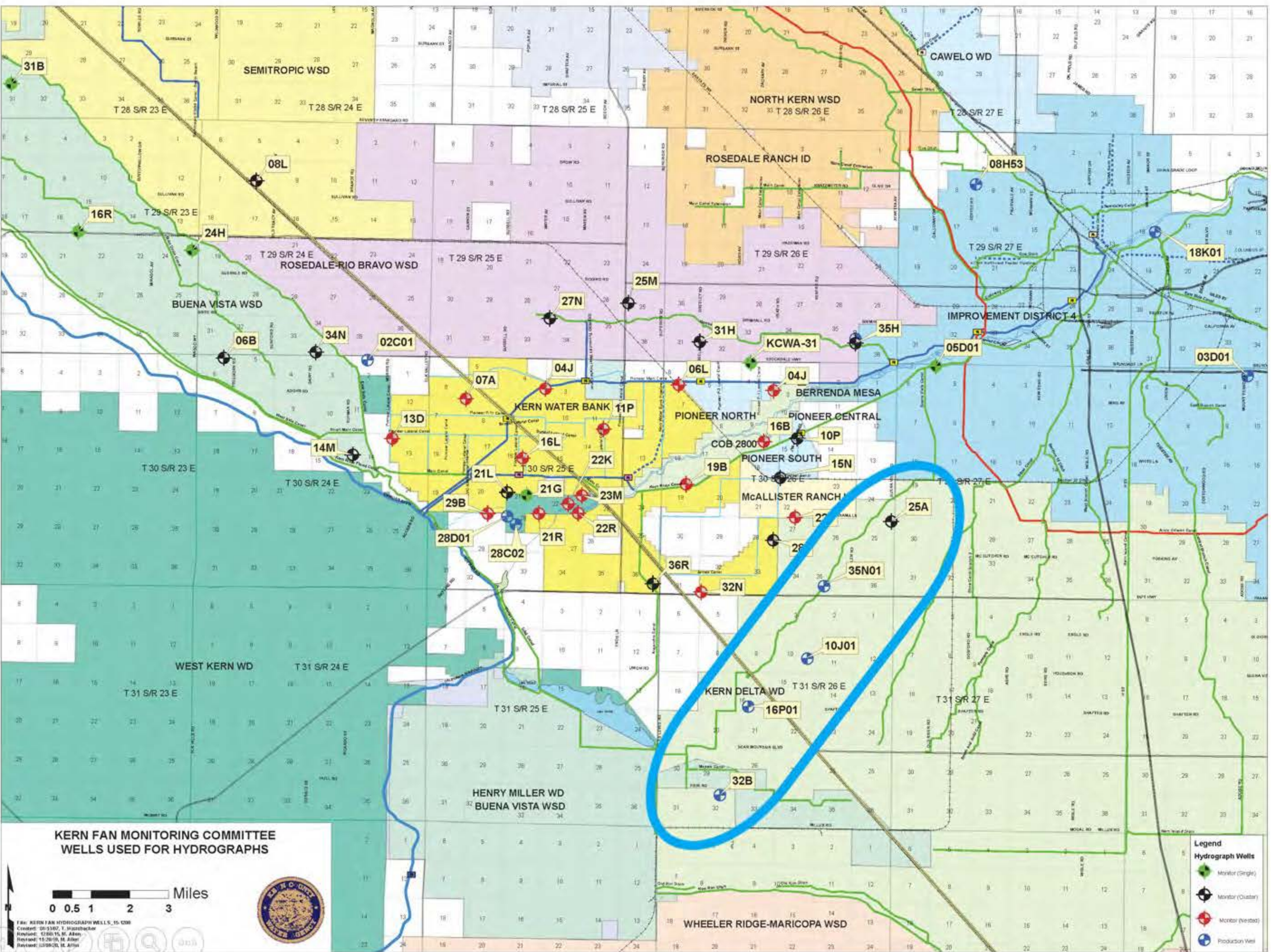




KFMC  
HYDROGRAPHS

**December 2024**





**KERN FAN MONITORING COMMITTEE  
WELLS USED FOR HYDROGRAPHS**

0 0.5 1 2 3 Miles



FILE: KERN FAN HYDROGRAPH WELLS, 15, 0308  
Created: 01/13/07, T. W. Hatcher  
Revised: 11/26/10, M. Allen  
Revised: 03/08/20, M. Allen

- Legend**
- Hydrograph Wells
  - Monitor (Single)
  - Monitor (Cluster)
  - Monitor (Nested)
  - Production Well



30S/26E-25A



KCWA  
GROUNDWATER  
DATABASE

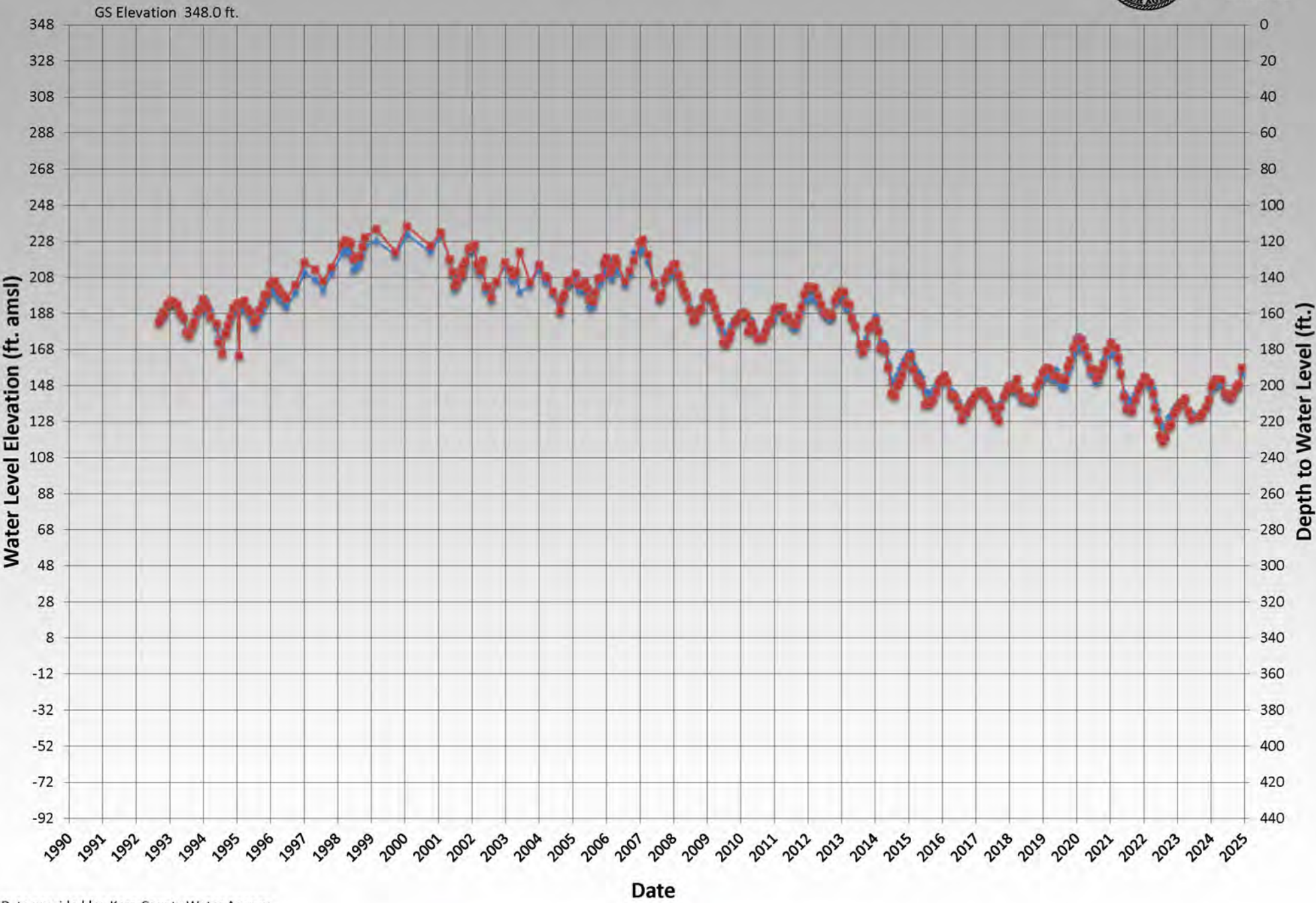


Data provided by: Kern County Water Agency

30S/26E-25A



KCWA  
GROUNDWATER  
DATABASE



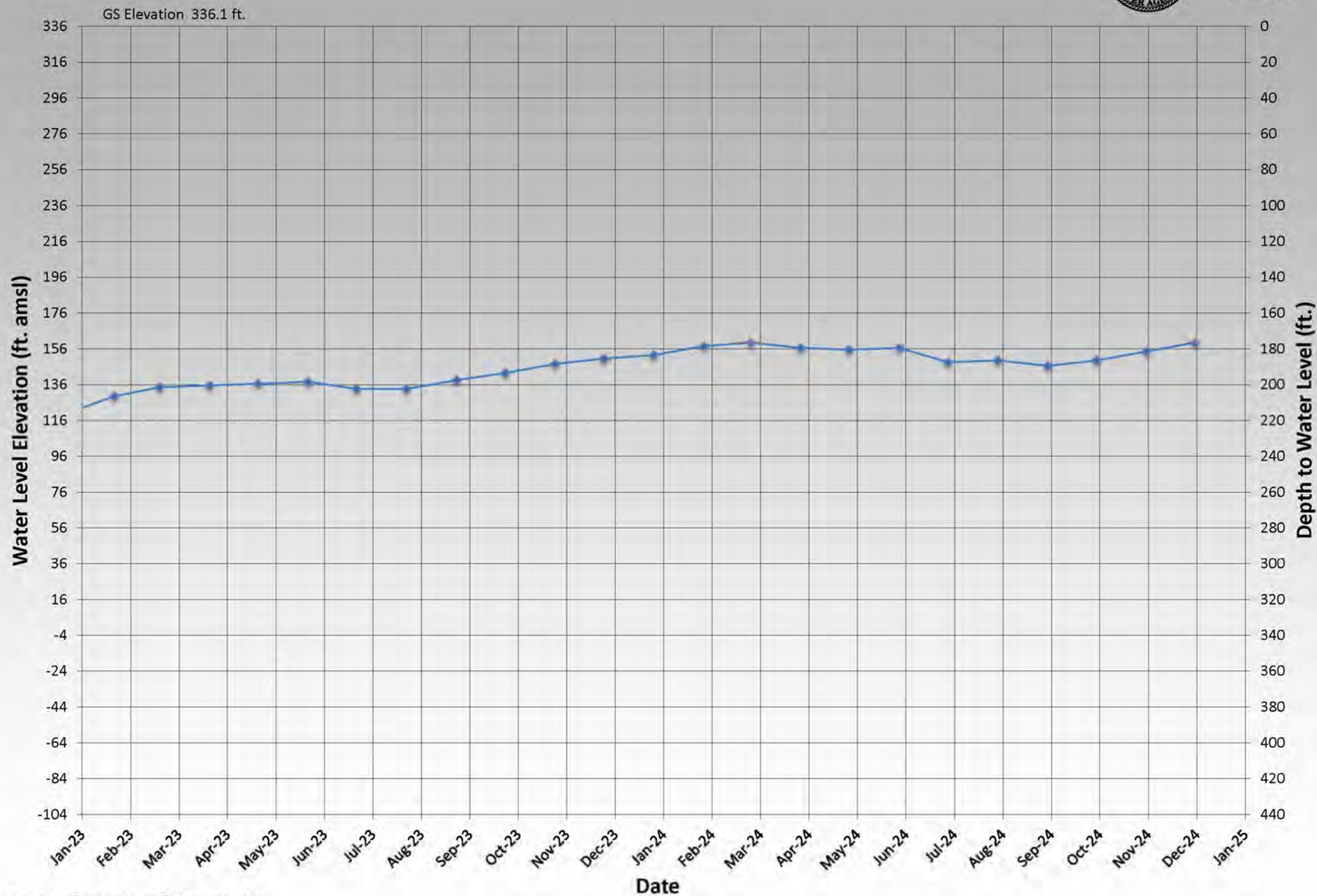
Data provided by: Kern County Water Agency

25A03 PERF INT 290'-390'      25A02 PERF INT 590'-690'

# 30S/26E-35N01



KCWA  
GROUNDWATER  
DATABASE



Data provided by: Kern Delta Water District

35N01 PERF INT 200'-470', 530'-650', 750'-850'



30S/26E-35N01



KCWA  
GROUNDWATER  
DATABASE



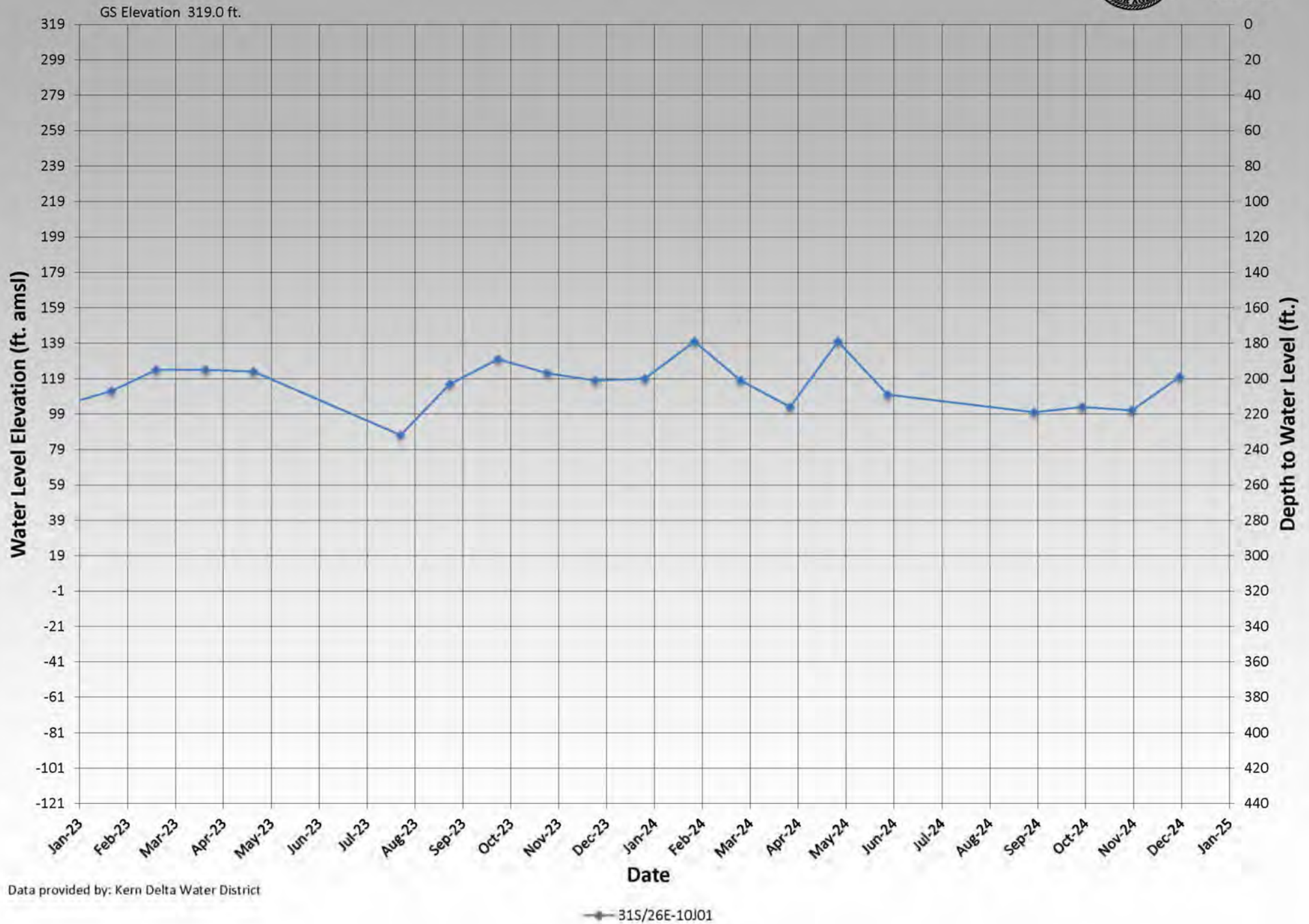
Data provided by: Kern Delta Water District

35N01 PERF INT 200'-470', 530'-650', 750'-850'

# 31S/26E-10J01



KCWA  
GROUNDWATER  
DATABASE



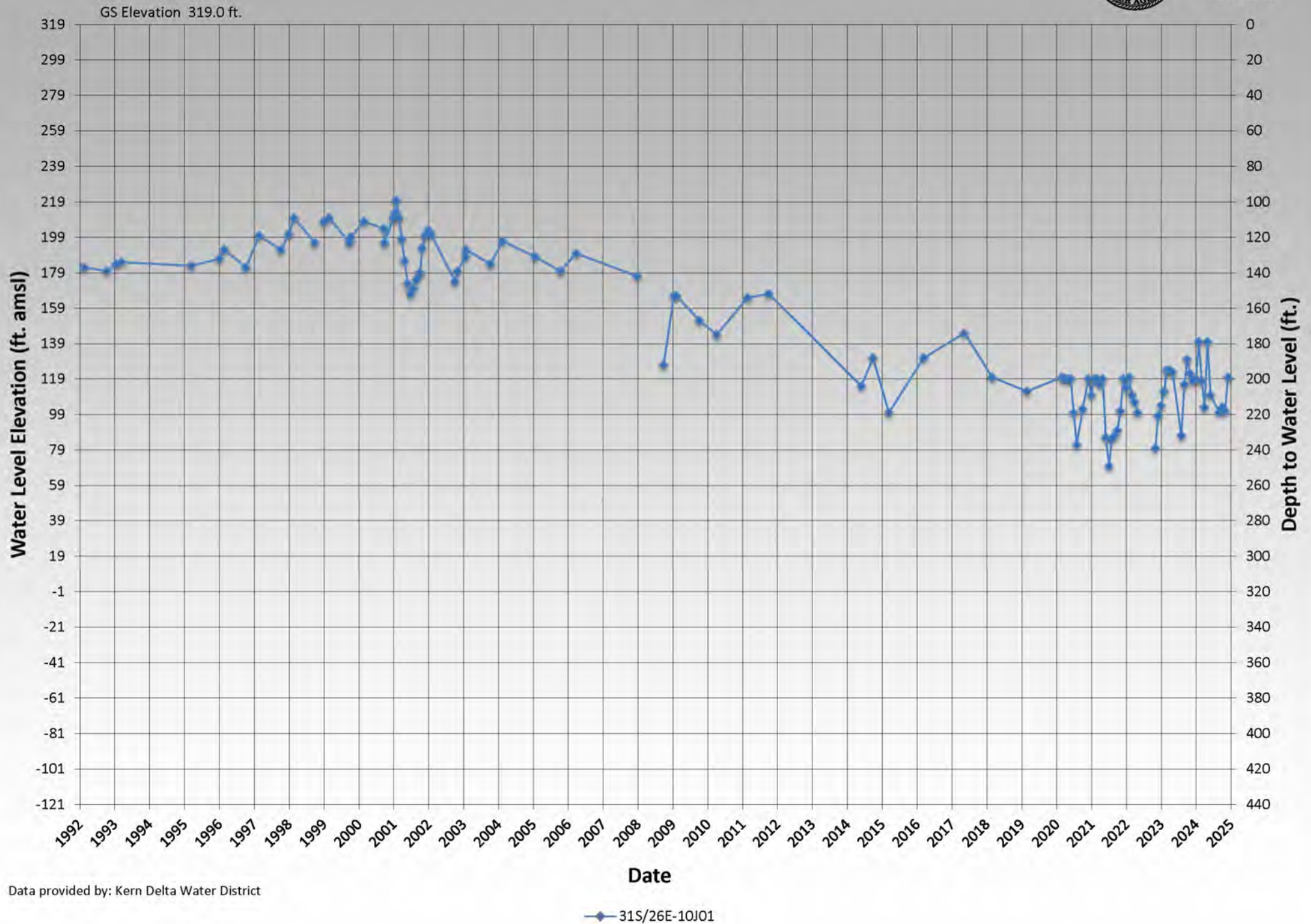
Data provided by: Kern Delta Water District



# 31S/26E-10J01



KCWA  
GROUNDWATER  
DATABASE

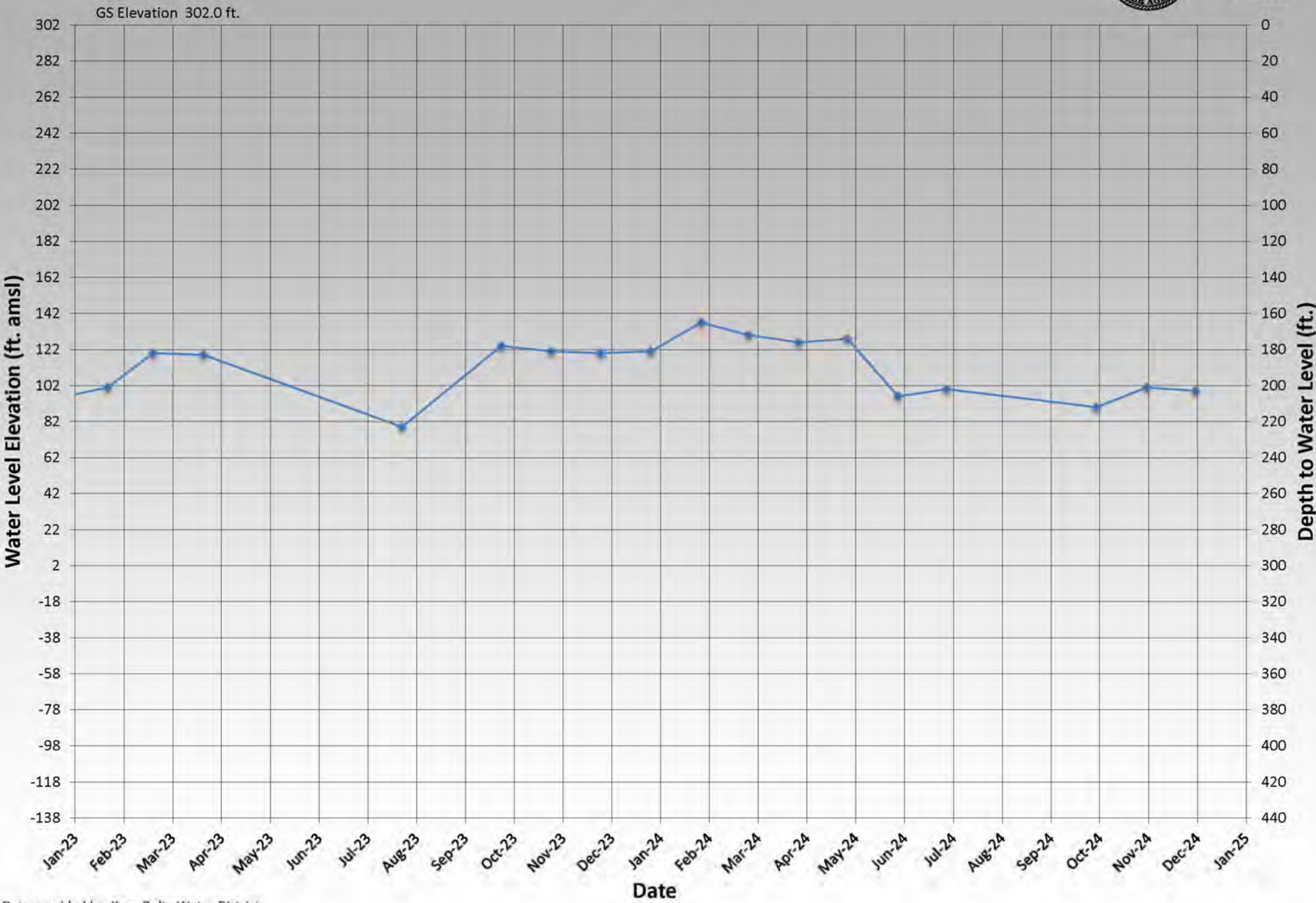


Data provided by: Kern Delta Water District

31S/26E-16P01



KCWA  
GROUNDWATER  
DATABASE



Data provided by: Kern Delta Water District

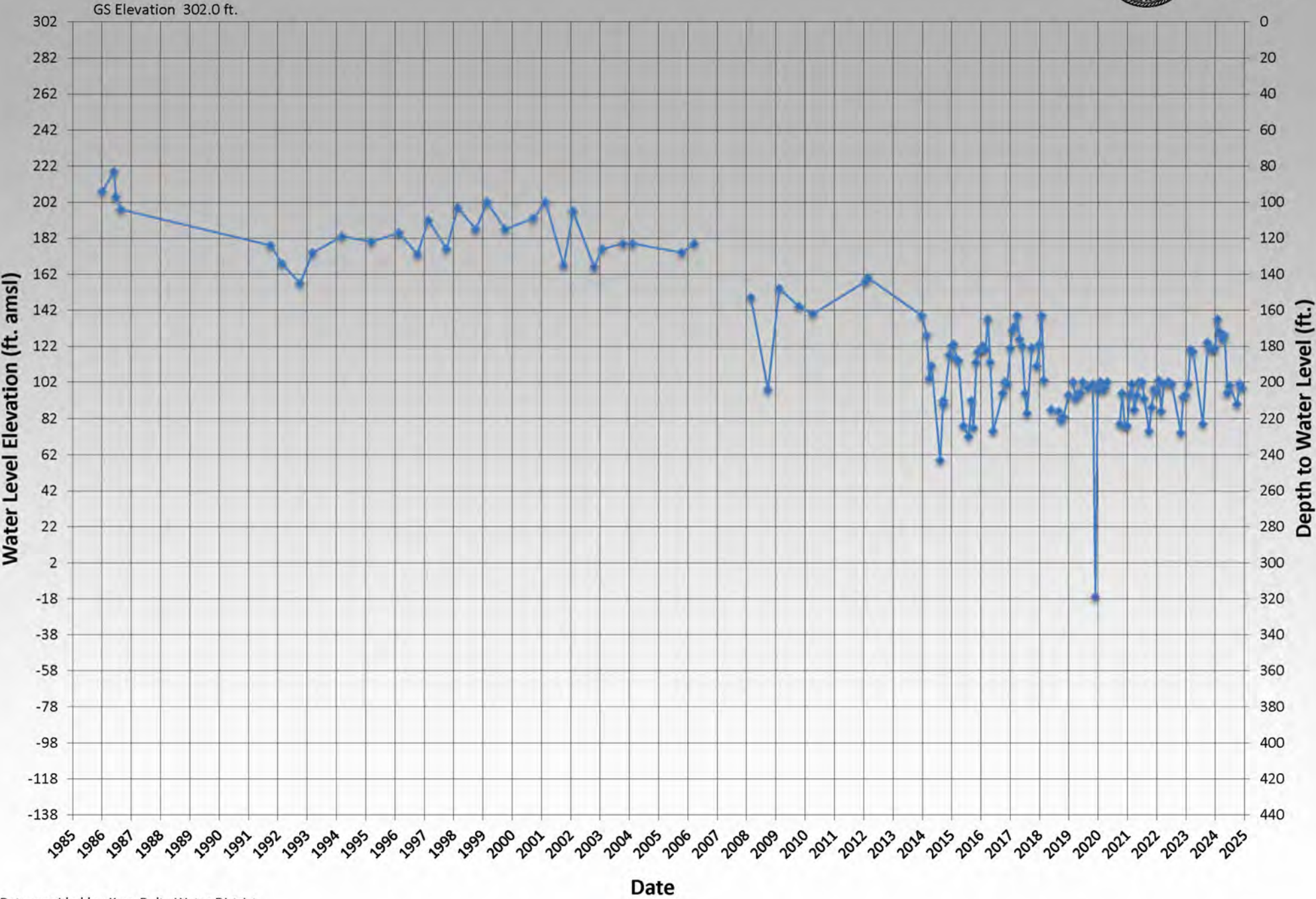
31S/26E-16P01



31S/26E-16P01



KCWA  
GROUNDWATER  
DATABASE



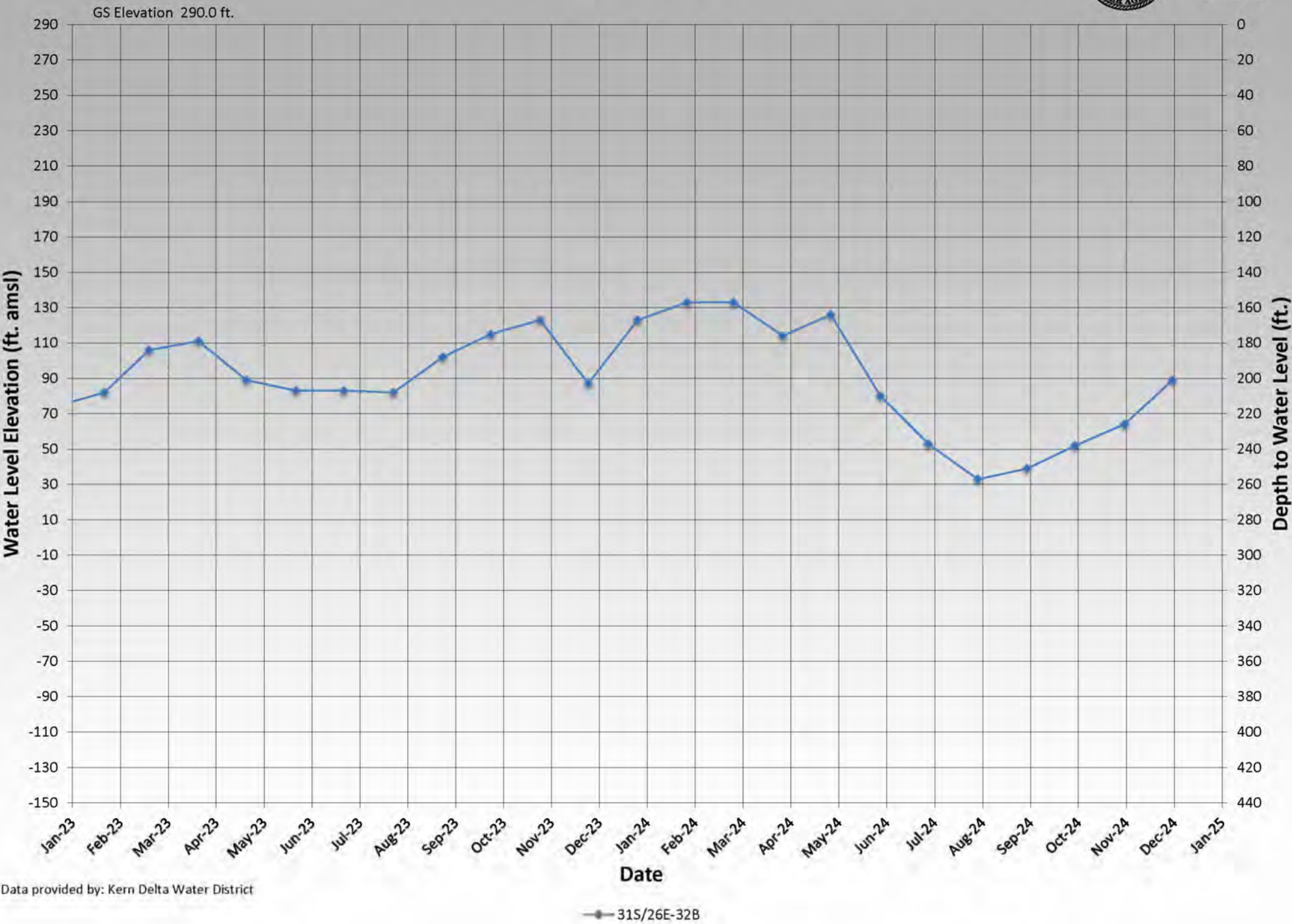
Data provided by: Kern Delta Water District

31S/26E-16P01

31S/26E-32B



KCWA  
GROUNDWATER  
DATABASE



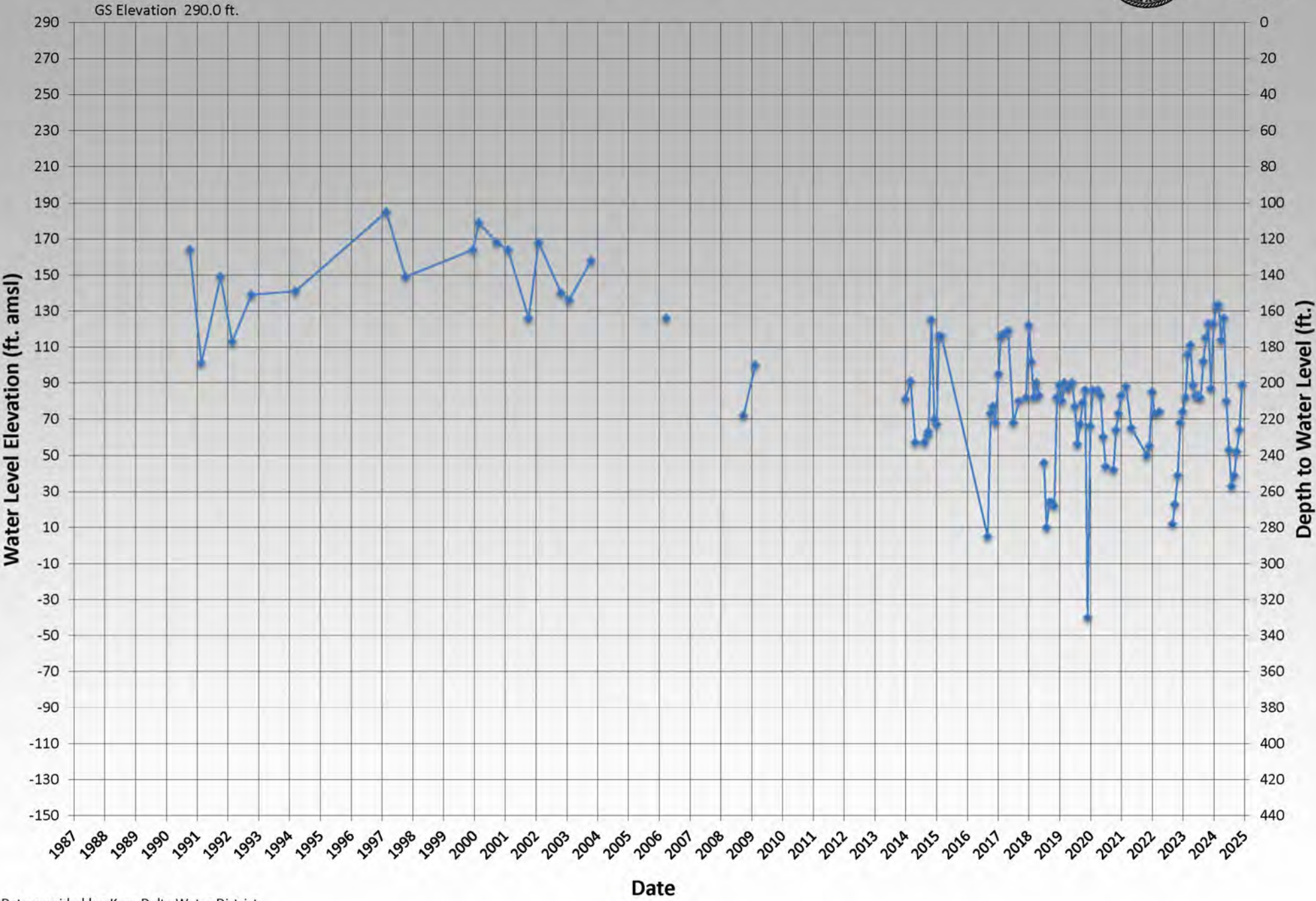
Data provided by: Kern Delta Water District



31S/26E-32B



KCWA  
GROUNDWATER  
DATABASE



Data provided by: Kern Delta Water District

31S/26E-32B

# Tab VI





# FINAL 2024 KERN COUNTY SUBBASIN GROUNDWATER SUSTAINABILITY PLAN

DECEMBER 2024



# OVERVIEW

## Final 2024 Plan Development (May – Dec 2024)

- SWRCB Process
- Subbasin Public Engagement

## Final 2024 Plan

- Addressing DWR and SWRCB Deficiencies
- SWRCB Comments on Draft 2024 Plan
- Plan Format & Major Revisions

## Next Steps

### Kern Subbasin Groundwater Sustainability Plan (GSP)

<https://kerngsp.com/gsp-documents/>



# SWRCB PROCESS (MAY-DEC 2024)

- **May 28:** Draft 2024 Plan submitted to SWRCB
- **Jul 28:** SWRCB released Draft Staff Report recommending the Subbasin for probation
- **Aug 26 & 29:** SWRCB workshops hosted
- **Aug – Oct:** Subbasin hosted all SWRCB members and key staff on three Subbasin tours
- **Sep – Dec:** Subbasin representatives held near-weekly policy and technical meetings with SWRCB staff

# SUBBASIN PUBLIC ENGAGEMENT (MAY-DEC 2024)

## **Jun 1 – Nov 4: Draft GSP Public Review Period**

- Advertised for public comment through press release, Water Association of Kern County, Kern County Farm Bureau, and SJV Water News

## **Oct 14 – Nov 4: Draft Stakeholder Communication and Engagement Plan (SCEP) Public Review Period**

- Verbal and written comments received and responded

## **Oct 3: Three GSA Stakeholder Workshops Held**

- Provided an overview of the GSP with Spanish translation
- In-person and virtual options
- Held at different locations within the Subbasin



# SUBBASIN PUBLIC ENGAGEMENT (MAY-DEC 2024)

- Kern Subbasin SGMA website created (<https://kerngsp.com/>)
- Active engagement and targeted workshops with key stakeholder groups to develop Well Mitigation Program
- Developed and distributed promotional materials: GSA representatives handed out at public events, including Water Day at Kern County Fair
- Water districts, CSDs, and other GSA stakeholders involved with GSP development and Subbasin tours





# 2024 PLAN: ADDRESSING DWR AND SWRCB DEFICIENCIES

**Executive Summary:** Incorporates DWR and SWRCB staff feedback, new information and data, and the best available science, and where the information can be found in the plan:

- Summarizes feedback received during **SWRCB Technical Meetings, Public Workshops, and Draft Staff Report**, and summary of 2024 Plan revisions.
- Summarizes **Major Plan Updates** and identifies the DWR deficiencies, corrective actions, and summary of Plan revisions.



**Deficiency #1:** The GSPs do not establish Undesirable Results (URs) that are consistent for the entire Subbasin.



**Deficiency #2:** The Subbasin's Chronic Lowering of Groundwater Levels Sustainable Management Criteria (SMCs) do not satisfy the requirements of SGMA and the GSP Regulations.



**Deficiency #3:** The Subbasin's Land Subsidence SMCs do not satisfy the requirements of SGMA and the GSP Regulations.



**Additional Revision:** Revision to incorporate new data or information or respond to DWR and SWRCB comments that were not identified as Corrective Actions.



# RESPONSE TO DWR DEFICIENCY #1

*“The GSPs do not establish undesirable results that are consistent for the entire Subbasin.”*

*“While the Coordination Agreement presents Subbasin-wide undesirable results, the Subbasin’s fragmented approach towards establishing management criteria that define undesirable conditions in various parts of the Subbasin does not satisfy SGMA’s requirement to use same data and methodologies.”*

Corrective Actions	Summary of Plan Revisions	Revision in Plan
<p><b>Ia)</b></p> <ul style="list-style-type: none"><li>• “Explain how the undesirable results definitions are consistent with the requirements of SGMA and the GSP Regulations.”</li><li>• “Include descriptions of how the Plans have utilized the same data and methodologies to define the Subbasin-wide undesirable results and how the Plan has considered the interests of beneficial uses and users of groundwater.”</li></ul> <p><b>Ib)</b></p> <ul style="list-style-type: none"><li>• “Commit to comprehensively reporting on the status of minimum threshold exceedances by area in the annual reports and describe how groundwater conditions at or below the minimum thresholds may impact beneficial uses and users prior to the occurrence of a formal undesirable result.”</li></ul> <p><b>Ic)</b></p> <ul style="list-style-type: none"><li>• “Adopt clear and consistent terminology to ensure the various plans are comparable and reviewable by the GSAs, interested parties, and Department staff. This terminology should also adhere to the definitions of various terms in SGMA and the GSP Regulations including the understanding that undesirable results are conditions occurring throughout the Subbasin.”</li><li>• “Clearly document how all of the various undesirable results definitions and methodologies achieve the same common sustainability goal.”</li></ul>	<ul style="list-style-type: none"><li>• Defined Subbasin-wide URs, MTs, and MOs using consistent data and methodologies.</li><li>• Developed UR definitions in line with SGMA and GSP Regulations, reflecting feedback from SWRCB staff.</li><li>• Revised the Chronic Lowering of Groundwater Levels UR definition to address direct impacts on drinking water wells and Subbasin-wide MT exceedances.</li><li>• Conducted a robust Subbasin-wide well impacts analysis to quantify potential impacts to beneficial users, projecting fewer than 307 impacted drinking water wells by 2040 under the worst-case scenario.</li><li>• Conducted a surface properties and land use assessment in which infrastructure was defined and categorized based on potential subsidence-related risk</li><li>• Established a Subbasin-wide MT Exceedance Policy to trigger GSA action in the event of a MT exceedance.</li><li>• Updated functionality of the Subbasin Data Management System (DMS) so that all GSAs are notified when an MT exceedance is uploaded.</li><li>• Established a detailed Subbasin-wide Well Mitigation Program</li><li>• Used common language and templates (and data and methodologies) for all 2024 Plan sections.</li><li>• Used clear and consistent terminology for the Subbasin-wide definitions for URs, MTs, and MOs.</li><li>• Defined and used consistent, Subbasin-wide terminology to establish Land Subsidence SMCs.</li><li>• Revised the Sustainability Goal.</li></ul>	<p><b>Section 2</b></p> <p><b>Section 5</b></p> <p><b>Section 12</b></p> <p><b>Section 13</b></p> <p><b>Appendices</b></p>



## RESPONSE TO DEFICIENCY #2

*“The Subbasin’s chronic lowering of groundwater levels sustainable management criteria do not satisfy the requirements of SGMA and the GSP regulations.”*

*“The GSPs do not consistently and sufficiently document the effects of their selected minimum thresholds on beneficial uses and users in the Subbasin, nor explain how the minimum thresholds and measurable objectives that are set below historical lows will impact other applicable sustainability indicators...”*

Corrective Actions	Summary of Plan Revisions	Revision in Plan
<p><b>All GSPs:</b></p> <ul style="list-style-type: none"><li>• “Demonstrate the relationship between the minimum thresholds for each sustainability indicator, including an explanation of how the GSA has determined that basin conditions at each minimum threshold will avoid undesirable results for each of the sustainability indicators.”</li><li>• “The GSAs should address the specific corrective actions identified for the various GSPs and management area plans, as well as the corrective actions that apply to all the GSPs identified in Table 2. Where addressing those corrective actions includes modifications to the respective GSPs minimum thresholds, the GSPs should evaluate whether the Subbasin’s ‘with-projects’ modeling scenarios still indicate that implementation of the projects and management actions would avoid minimum threshold exceedances. If not, the GSAs should modify their projects and management actions accordingly.”</li></ul>	<ul style="list-style-type: none"><li>• Established a Subbasin-wide methodology for setting MTs and MOs for Chronic Lowering of Groundwater Levels using an iterative process that considered more than 11 potential MT methodologies.</li><li>• Conducted a robust Subbasin-wide well impacts analysis using the Subbasin well inventory, MTs and the quantitative criteria for URs.</li><li>• Conducted a “depletion of supply” analysis to quantify the percentage of urban supply that may be impacted at MTs and the UR definition.</li><li>• Identified potential impacts of lowered groundwater levels on other Sustainability Indicators.</li><li>• Projected the extent of subsidence that would occur under groundwater level MTs and determined that groundwater level MTs are protective of URs for land subsidence.</li><li>• Selected Representative Monitoring Wells (RMWs) in areas with a potential correlation between groundwater levels and water quality.</li><li>• Estimated the reduction of groundwater storage that would occur at MT groundwater levels and determined this decline in storage is not significant relative to the volume of total usable storage in the Subbasin.</li><li>• Coordinated with neighboring subbasins on SMCs.</li><li>• Confirmed that the Subbasin’s model results indicate that there are no instances where more than 25% of the RMW-WLs have MT exceedances over two consecutive years seasonal measurements from 2020 through 2070 based on the Projected-Future “With Project” scenario; this suggests that the Subbasin GSAs have sufficiently designed Projects and Management Actions (P/MAs) to improve the Subbasin conditions to avoid URs.</li></ul>	<p><b>Section 8</b></p> <p><b>Section 13</b></p> <p><b>Section 14</b></p> <p><b>Section 15</b></p> <p><b>Appendices</b></p>





## RESPONSE TO DEFICIENCY #3

*“The Subbasin’s land subsidence sustainable management criteria do not satisfy the requirements of SGMA.”*

*“The Plan lacks a Subbasin-wide, coordinated approach to establishing land subsidence sustainable management criteria.”*

Corrective Actions	Summary of Plan Revisions	Revision in Plan
<p><b>Subbasin:</b></p> <ul style="list-style-type: none"><li>• “Coordinate and collectively satisfy the requirements of SGMA and the GSP Regulations to develop the sustainable management criteria for land subsidence.”</li><li>• “Document the conditions for undesirable results for which the GSAs are trying to avoid, supported by their understanding of land uses and critical infrastructure in the Subbasin and the amount of subsidence that would substantially interfere with those uses.”</li><li>• “Identify the rate and extent of subsidence corresponding with substantial interference that will serve as the minimum threshold.”</li><li>• “Clearly identify the undesirable result parameters for each of the GSPs, management areas, and management area plans so it is clear how the various plans work together at the Subbasin level.”</li><li>• “Explain how implementing projects and management actions proposed in the various GSPs is consistent with avoiding subsidence minimum thresholds.”</li><li>• “If land subsidence is not applicable to parts of the Subbasin, provide supported justification of such.”</li></ul>	<ul style="list-style-type: none"><li>• Referenced and discussed key findings from the six independent subsidence studies to fill data gaps.</li><li>• Conducted extensive studies to explain InSAR time series methodologies to differentiate between subsidence caused by activities within and outside of the GSAs’ authority to control.</li><li>• SMCs are data driven, not risk-based</li><li>• Developed Subbasin-wide definitions for Regional and GSA Area Critical Infrastructure.</li><li>• The GSAs have committed to minimize GSA-related subsidence by 2040.</li><li>• Established land subsidence SMCs based on a projection of the average historical subsidence rates.</li><li>• Assessed the potential change in slope to confirm minimal impacts to land surface uses.</li><li>• Assessed potential impacts on regional critical infrastructure from future GSA-related subsidence.</li><li>• Coordinated with key beneficial users of regional critical infrastructure.</li><li>• Updated the Subbasin-wide Land Subsidence monitoring network.</li></ul>	<p><b>Section 8</b></p> <p><b>Section 13</b></p> <p><b>Section 15</b></p> <p><b>Appendices</b></p>

# SWRCB CONSULTATION & RESPONSE (MAY 2023 – MAY 2024)

Date	SWRCB Comment	Outcome	Revision in Plan
5/17/2023	Plan manager introduction and GSA questions	GSAs considered Plan structure, striving for the majority of the Subbasin to be included under one plan. GSAs initiated plans to expand demand reduction P/MAs.	<b>Section 5</b> <b>Section 14</b>
6/23/2023	Technical Meeting #1 Chronic Lowering of Groundwater Levels SMCs	Initiated well inventory to improve identification of beneficial users. Revised Undesirable Results (UR) definition to include dewatered drinking water wells.	<b>Section 5</b> <b>Section 13</b>
10/4/2023	Technical Meeting #2 Chronic Lowering of Groundwater Levels SMCs	Expanded justification for Chronic Lowering of Groundwater Levels SMCs to include a suite of 5 drinking water well impacts analyses and a “depletion of supply” calculation.	<b>Section 13</b>
11/1/2023	Technical Meeting #3 Chronic Lowering of Groundwater Levels SMCs	Initiated analysis to assess Chronic Lowering of Groundwater Level SMCs inter-relationship with Land Subsidence and Degraded Water Quality SMCs.	<b>Section 13</b>
12/13/2023	Technical Meeting #4 Land Subsidence SMCs	Clarified definitions for the potential causes of subsidence with the GSA’s authority and outside the GSA’s authority to manage. Established Land Subsidence SMCs across the entire Subbasin.	<b>Section 8</b> <b>Section 13</b>
1/24/2024	Technical Meeting #5 Degraded Water Quality SMCs	Expanded representative monitoring network for water quality. Expanded constituents with SMCs to include 1,2,3-TCP, nitrite, and uranium. Examined potential relationship between arsenic concentrations and land subsidence.	<b>Section 8</b> <b>Section 13</b> <b>Section 15</b>
3/6/2024	Technical Meeting #6 Well Inventory & Mitigation Program	Expedited timeframe for well mitigation program framework, to be operational by Jan 2025.	<b>Section 13</b> <b>Appendices</b>
4/3/2024	Technical Meeting #7 Monitoring Networks and SMCs Approach	Expanded representative monitoring network. Increased water quality sampling frequency to semi-annual. Revised UR definition for Degraded Water Quality. Expanded Depletions of Interconnected Surface Waters description to include ICONS dataset.	<b>Section 8</b> <b>Section 13</b> <b>Section 15</b> <b>Appendices</b>
4/23/2024	Technical Meeting #8 Water Budgets and P/MAs Approach	Summarized all planned P/MAs and expected benefits by category on the Subbasin level and moved GSA-specific details on P/MAs as supporting appendices.	<b>Section 9</b> <b>Section 14</b> <b>Appendices</b>
5/29/2024	Technical Meeting #9 Amended GSP(s) Overview	GSAs presented highly-coordinated Amended GSP(s)	N/A

# SWRCB DRAFT STAFF REPORT (JUL 2024): DRAFT PLAN COMMENTS

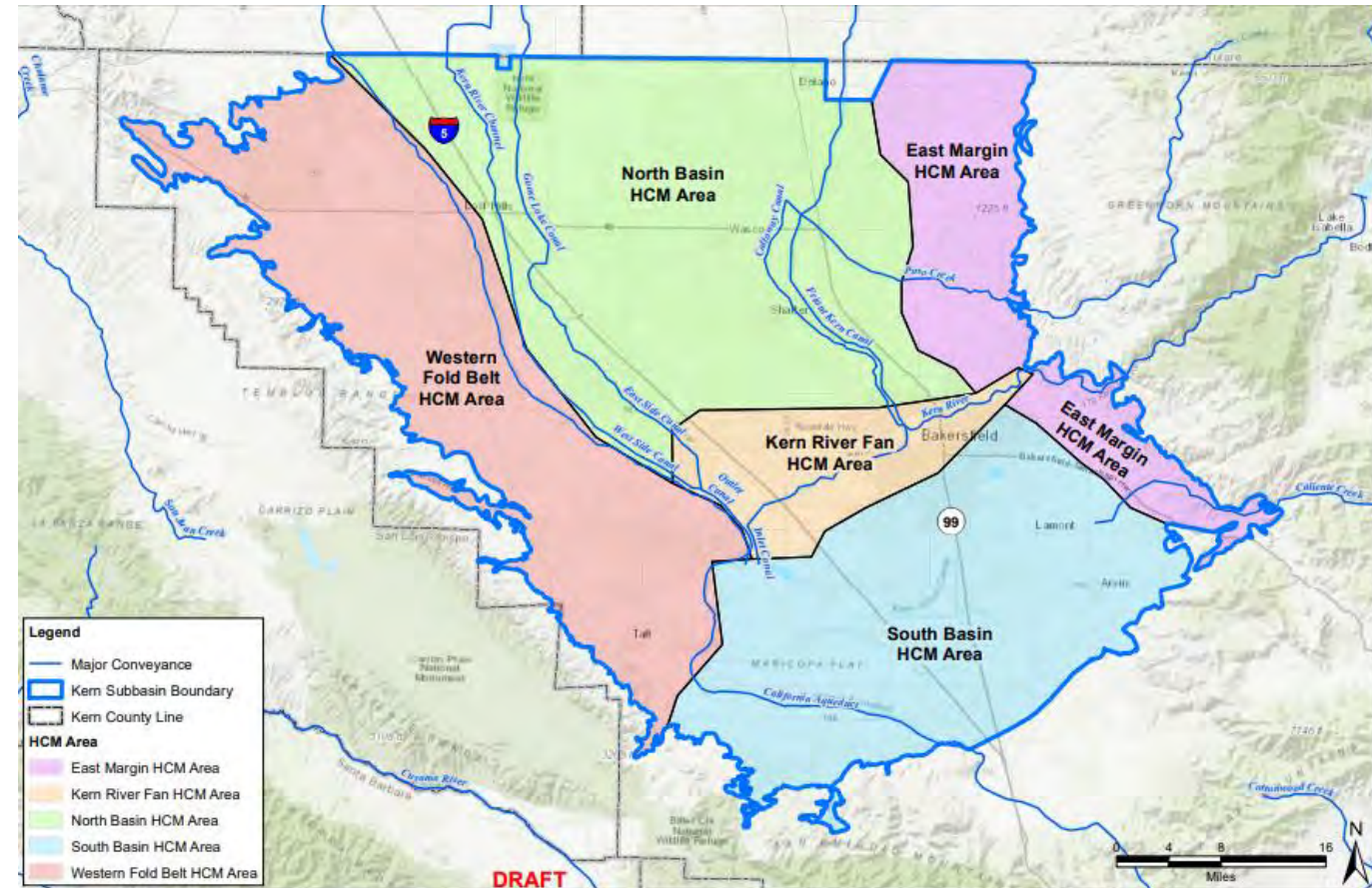
1. Additional support for conceptualization of Basin Setting and designation of principal aquifers.
2. Confirmation of representativeness of the groundwater level monitoring network (RMW-WLs).
3. Additional justification/refinement of Groundwater Level Sustainable Management Criteria (SMCs).
4. Additional justification/refinement of the Subsidence SMCs.
5. Clarification needed on water quality, interconnected surface waters and water banking elements of Plan.
6. Desire for expanded Well Mitigation Program.

# SWRCB CONSULTATION/RESPONSE (AUG-NOV 2024)

SWRCB Comment	Outcome	Final Plan Revision
Additional support for conceptualization of Basin Setting and designation of principal aquifers	<ul style="list-style-type: none"> <li>Expanded presentation of information in the Basin Setting.</li> </ul>	<b>Section 7</b>
Confirmation of representativeness of the groundwater level monitoring network (RMW-WLs)	<ul style="list-style-type: none"> <li>Updated well inventory to improve identification of beneficial users.</li> <li>Conducted cell by cell analysis of water levels and well depths to confirm representativeness of RMW-WLs.</li> <li>Identified the need for 7 additional RMWs in the future.</li> </ul>	<b>Section 13</b> <b>Section 15</b> <b>Appendices</b>
Additional justification/refinement of Groundwater Level Sustainable Management Criteria (SMCs)	Updated HCM Area trends with updated RMW-WL network. Added a cap to the MTs at 61 ft below recent historical lows and updated well impacts analysis. MTs now an average of 33 feet above the 2022 MTs and well impacts reduced to 260-307 in the worst-case scenario.	<b>Section 13</b> <b>Appendices</b>
Additional justification/refinement of Subsidence SMCs	Revised Land Subsidence SMCs and developed MT Exceedance Policy for subsidence.	<b>Section 13</b>
Clarification needed on water quality, interconnected surface waters and water banking elements of Plan	Expanded presentation of information in the relevant chapters.	<b>Section 8</b> <b>Section 13</b>
Expanded Well Mitigation Program	Developed detailed Well Mitigation Program to address impacts to water levels or water quality in drinking water wells as a result of GSA management.	<b>Appendices</b>

# 2024 PLAN: GUIDING PRINCIPLES

- Subbasin Coordination
- Five HCM Areas
- Subbasin Banking Programs
- Demand Management
- Protective of Beneficial Uses and Users



# 2024 FINAL PLAN OVERVIEW

## 7 Areas of Major Revisions:

- 1. Basin Setting
- 2. Representative Monitoring Network
- 3. Groundwater Level SMCs
- 4. Subsidence SMCs
- 5. Water Quality
- 6. Interconnected Surface Water
- 7. Well Mitigation Program

GSP Name	Area (acres)	Area (%)	GSA	GSP Content
Kern Subbasin GSP	1,205,482	67.6%	14 GSAs <sup>1</sup>	Kern Subbasin GSP
Buena Vista WSD GSA GSP	51,070	2.9%	Buena Vista WSD GSA	Kern Subbasin GSP  Supplemental GSA information on <a href="#">blue pages</a> located at the end of each separate GSP
Henry Miller GSA GSP	26,063	1.5%	Henry Miller GSA	
Kern-Tulare Water District GSA GSP	11,344	0.6%	Kern-Tulare Water District GSA	
Olcese Water District GSA GSP	3,199	0.2%	Olcese Water District GSA	
Semitropic Water Storage District GSA GSP	224,350	12.6%	Semitropic Water Storage District GSA	
Westside District Water Authority GSA GSP	260,812	14.6%	Westside District Water Authority GSA	

<sup>1</sup>Arvin GSA, Cawelo Water District GSA, Kern Groundwater Authority GSA, Kern River GSA, Kern Water Bank GSA, Greenfield County Water Districts GSA, North Kern WSD GSA, Pioneer GSA, Rosedale-Rio Bravo WSD GSA, Shafter-Wasco ID GSA, Southern San Joaquin MUD GSA, Tejon-Castac Water District GSA, West Kern Water District GSA, Wheeler Ridge-Maricopa GSA



# 1. BASIN SETTING

## ■ Geologic Setting

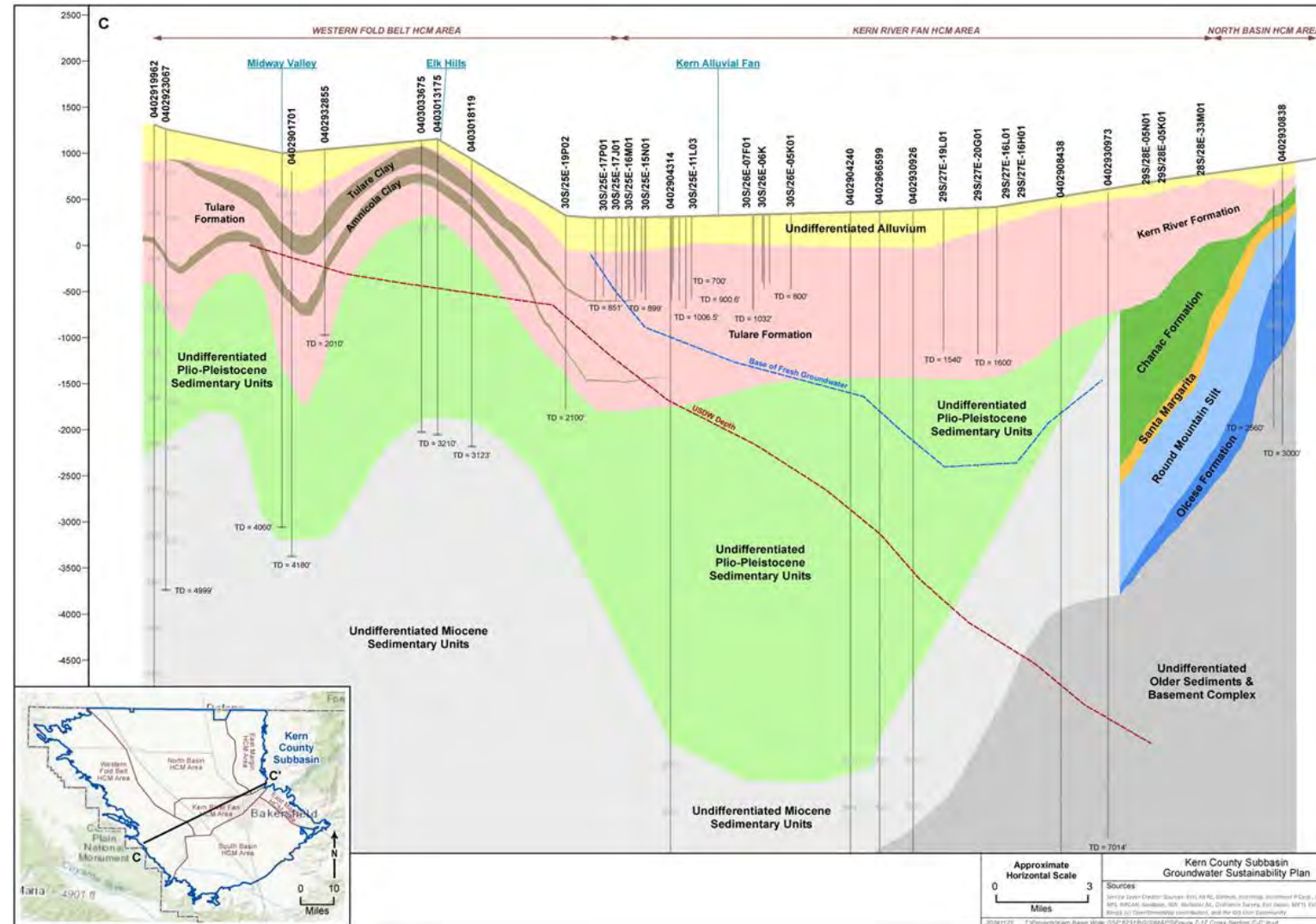
- Updated geologic cross-sections
- Added discussion and figures on clay layers including E-Clay

## ■ Groundwater Conditions

- Added Shallow groundwater maps shown relative to clay layers
- Added discussion on hydraulic interconnectedness

## ■ Water Budgets

- New GSA Operational Water Budgets



## 2. REPRESENTATIVE MONITORING NETWORK

- Current GWL monitoring network consists of 187 GWL monitoring wells
- Identified wells in Upper and Lower Zones based on Basin Setting work and added information to RMS Well table
- Conducted cell by cell analysis of:
  - median RMS Well depths and compared well depths to median domestic and agricultural well depths
  - water levels to determine representativeness of RMS Wells
- Determined data gaps for domestic and agricultural wells
  - Identified need for 7 additional GWL monitoring wells to fill data gaps

### 3. GROUNDWATER LEVEL SMCS

- Applied a “cap” to the MTs at 61 ft below recent historical low
- Raises MTs an average of 33 feet relative to 2022 levels; MTs in more than 20 RMWs raised by more than 100 ft
- Under the “worst-case” scenario 260-307 drinking water wells will be potentially impacted, less than 1% of drinking water supply
- Even under weighted stochastic well impacts analysis, only 73 drinking water wells are projected to be impacted
- Raising the MT cap to 40 feet only protects an additional 26 wells at great economic impact to water users in the Subbasin
- MT Exceedance Policy and Well Mitigation Program can support proactive protection of beneficial users

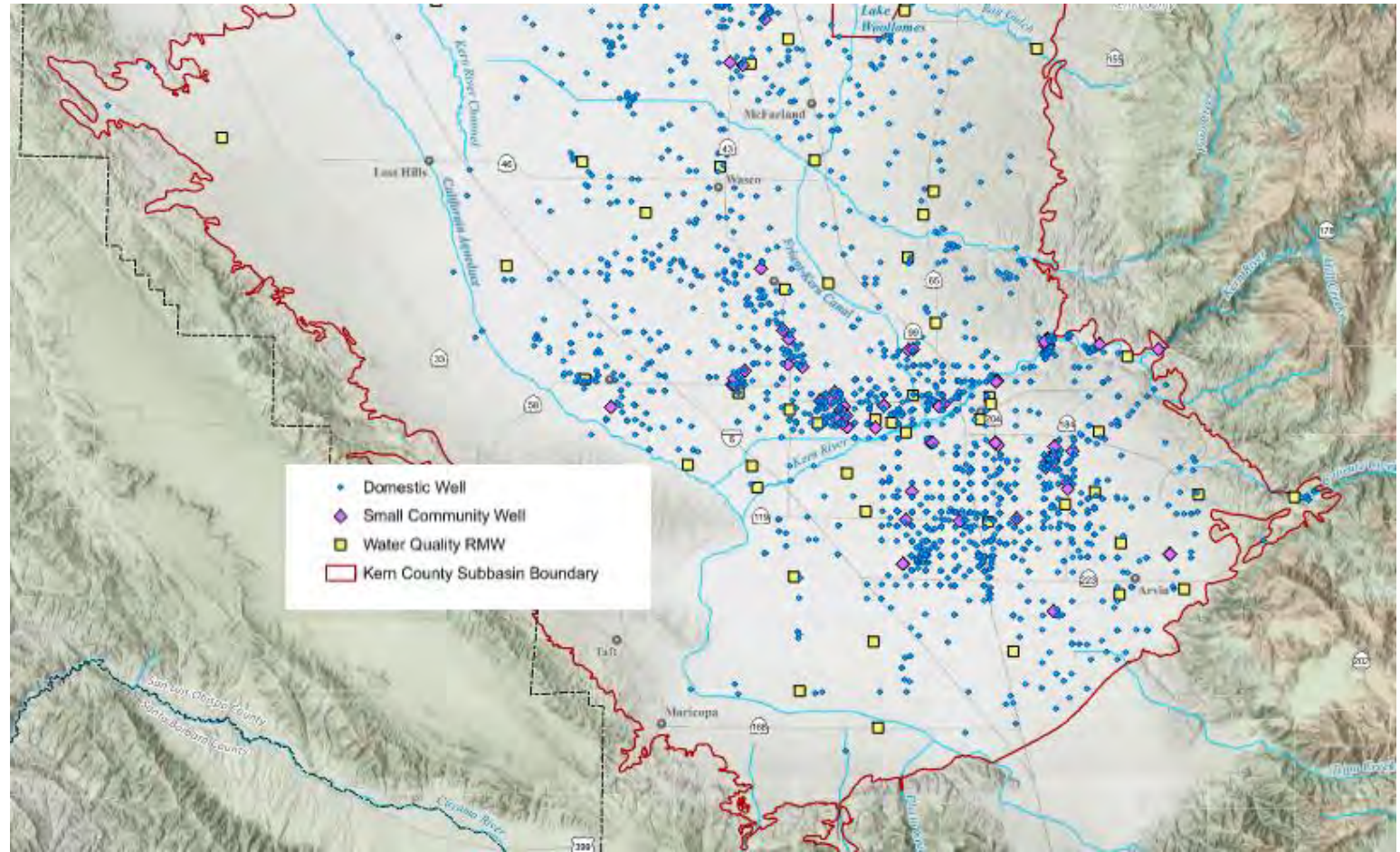
## 4. SUBSIDENCE SMCS

- Data-driven
- Based on Historical Subsidence Rates
- Coordinated Across the Subbasin
- Protective of Beneficial Users
  - SMC rates have been lowered along the California Aqueduct in areas where operational impacts have been identified
- Stable groundwater levels by 2030, allowing for ramp-down to zero GSA-related subsidence by 2040



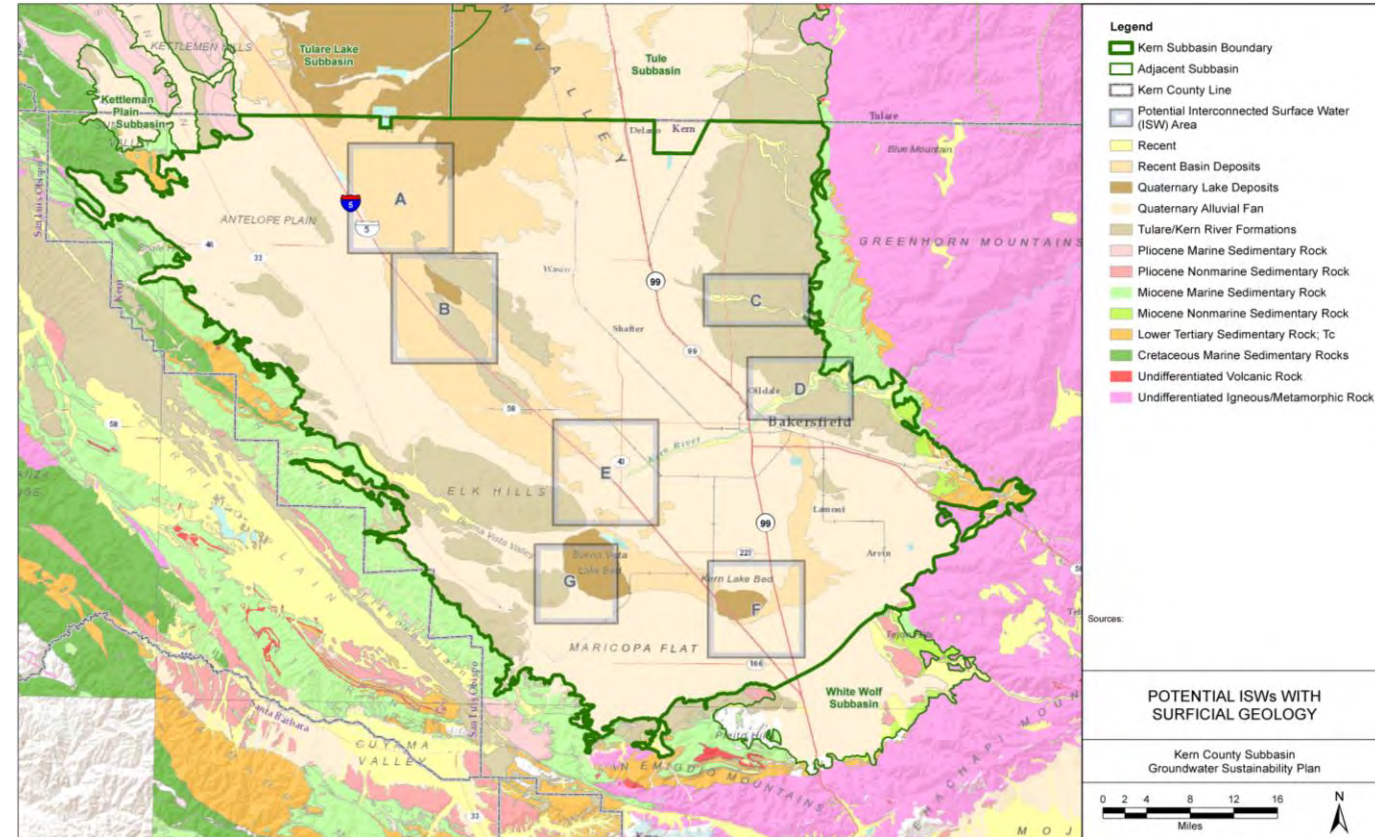
## 5. WATER QUALITY

- COCs: TCP, Arsenic, Nitrate, Nitrite, TDS, Uranium
- 52 Representative Monitoring Wells
- Seasonal Sampling coordinated with Water Level Measurements
- MT Exceedance Policy
- Undesirable Result occur when:
  - MTs for a groundwater quality COC are exceeded in three (3) RMW-WQs in an HCM area or the one (1) RMW-WQ in the Western Fold Belt HCM area based on the average of confirmed seasonal sample results and can be attributed based on a technical analysis to groundwater management actions. OR
  - Five (5) small community wells sampled under the DDW requirements have a new, confirmed MCL exceedance of a COC and can be attributed based on a technical analysis to groundwater management actions



## 6. INTERCONNECTED SURFACE WATER

- Used Natural Communities Commonly Associated with Groundwater (NCCAG) dataset and ICONS dataset to identified potential ISWs
  - 7 potential ISWs identified
- Included more technical justification to show surface water is not connected to the saturated groundwater aquifer like:
  - Geologic maps
  - Shallow perched groundwater map
  - Hydrographs
  - River profiles
- Referred to the Well Inventory to identify potential swallow wells near potential ISWs.





# 7. WELL MITIGATION PROGRAM

## KERN SUBBASIN MITIGATION PROGRAM

### Mitigation Track

*Emergency & interim supplies and a physical long-term solution*



**Administered by Self-Help Enterprises  
Reimbursed by the GSAs**

### Technical Assistance Track

*Up to \$50,000 for technical assistance towards a long-term solution*



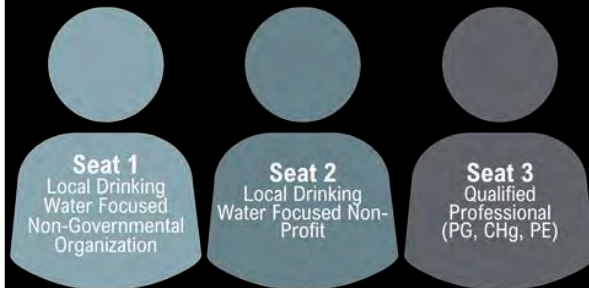
**Administered by the GSAs**

### Qualification Criteria:

1. The impact occurred after January 1, 2015
2. The impact was caused by groundwater management activities

### Evaluation of Eligibility:

1. Evaluation by a qualified professional
2. Evaluation by a three-member committee



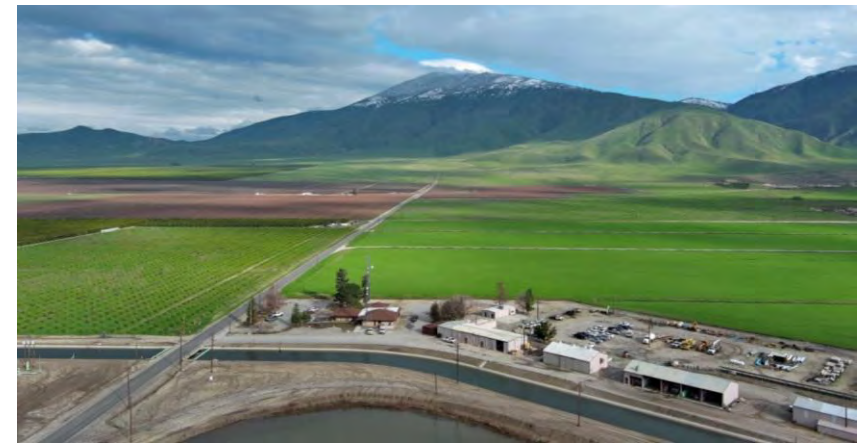
# NEXT STEPS

**Submit 2024 Plan to SWRCB week of Dec 16<sup>th</sup>**

**Upload 2024 Plan to DWR SGMA portal\***

**Probation hearing scheduled Feb 20, 2025**

- *Final SWRCB Staff Report expected ~3 weeks prior*



\*When new DWR SGMA portal module is available



To: Kern Delta Water District Board of Directors

From: Steven Teglia – General Manager

Date: December 17, 2024

**Re: Agenda Item VI B. – 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 November 20, 2024.
- Next regular meeting will be December 18, 2024.
- Update on Water Transfers, Exchanges, and Purchases.
- Update on Delta Conveyance Activities (see schedule attached).
- Update on CVC and Pioneer Operations.
- Approval of Pioneer and CVC 2025 Budgets.
- 2025 allocation for SWP – 5%.
- Summary of groundwater and overdraft correction accounts (attached).

Kern Fan Authority:

- The KFA met October 23, 2024.
- 2024 Water Supply.
- Review of KCWA Board agenda.
- Pioneer Project.
- Local SGMA activities.
- Other activities (IRWMP/CVSALTS).

Kern River Groundwater Sustainability Agency (KRGSA):

- The KRGSA met December 10, 2024 (special meeting agenda attached).
- Basin Coordination Committee update.
- Kern County Subbasin Outreach and Engagement.
- Approval of 2024 Kern Subbasin GSP.

Kern Groundwater Authority (KGA) / Kern Non-District Land Authority (KNDLA):

- The KNDLA met November 25, 2024 & December 13, 2024 (agendas attached).
- Basin Grant update.
- Appointment of Executive Officer.
- Discussion regarding “White Area” representatives.
- Discussion regarding County of Kern participation.
- Discussion regarding administrative items.
- Kern Subbasin 2024 GSP approval.
- KNDLA meeting scheduled for 4<sup>th</sup> Monday of the month.

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

- The KRWCA meeting of December 5, 2024 was canceled.
- Kern Water Collaborative Update – Nitrate Control Program Management Zone.
- Administrative Services Agreement for Kern Water Collaborative.
- Membership Update.
- New website development.
- On Farm Drinking Water Well reports due Dec. 31, 2024 (BC Labs removed / BSK Labs added).
- Updates regarding the status of various reports.

South Valley Water Resources Authority:

- The SVWRA meeting of November 15, 2024 was canceled.
- Fish Friendly Diversion Demonstration Project update.
- Blueprint activity update.

Integrated Regional Water Management Plan (IRWMP):

- No recent meetings.

Water Association of Kern County (WAKC):

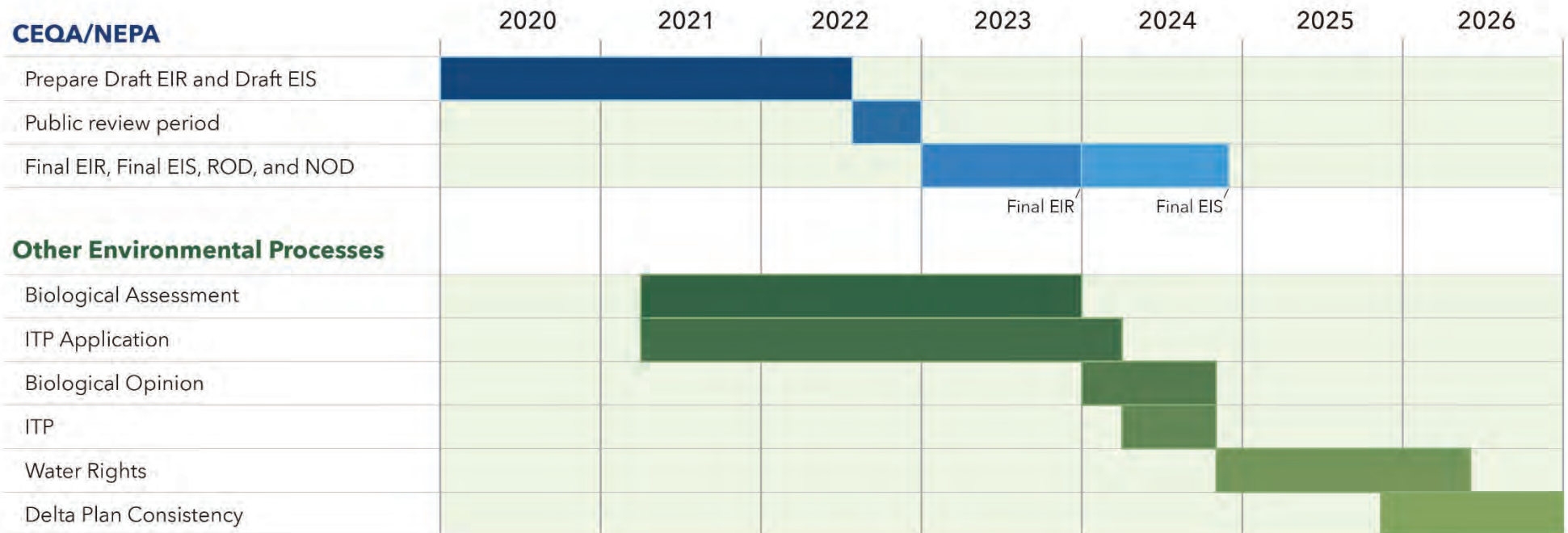
- WAKC met October 22, 2024.
- Water Awareness Campaign.
- Annual Meeting – November 6, 2024.
- Strategic plan development.
- Water Summit planning.





## DCP Schedule

# Delta Conveyance Project Planning Schedule



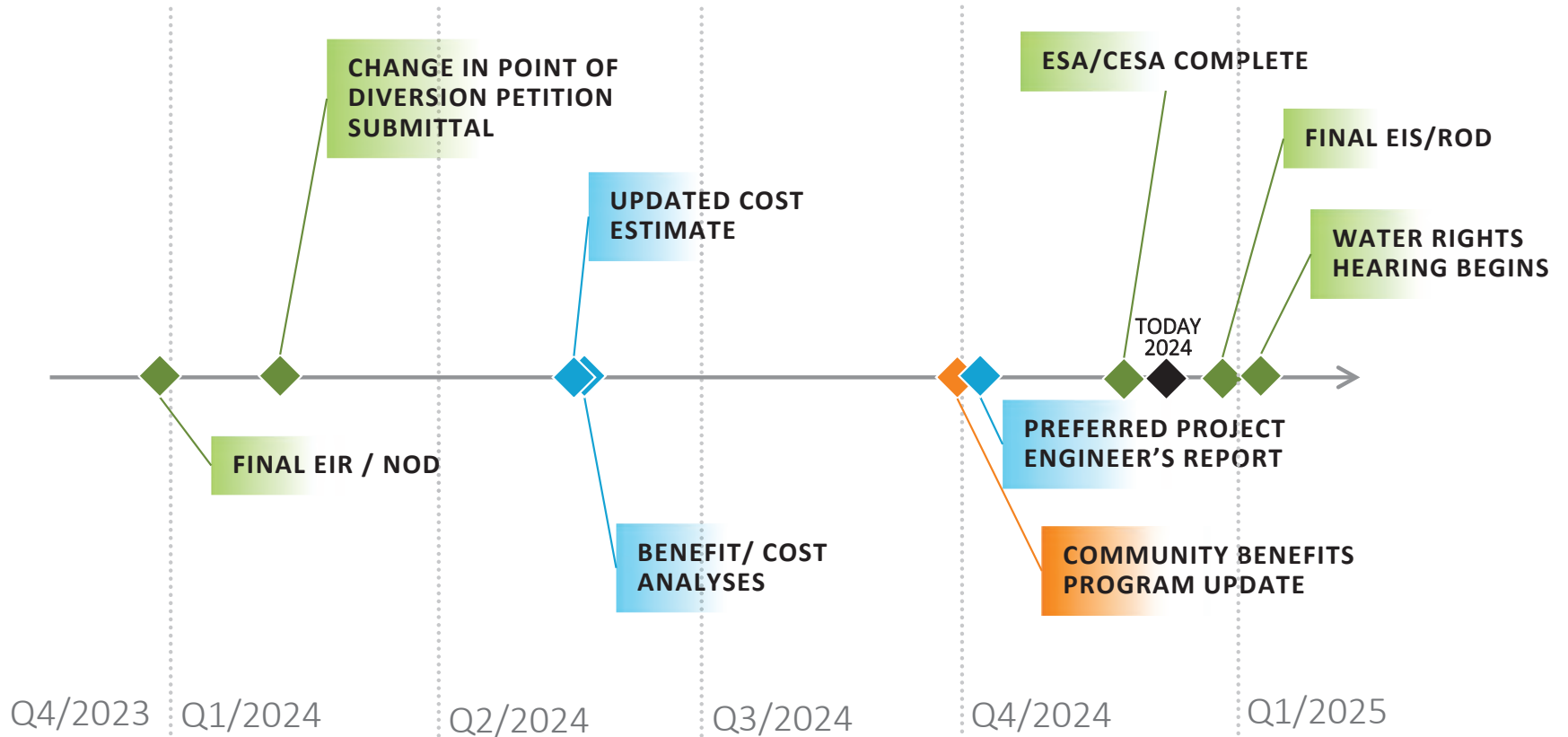
# DCP 2024 Milestones



Attachment 2

## KEY

PERMITTING  
ENGINEERING  
OUTREACH





**Kern County Water Agency  
Estimated Summary of Overdraft Correction Accounts  
As of October 31, 2024**

**Preliminary - Subject to Revision**

Quantities in acre-feet

District	Estimated Balance as of December 31, 2023	Estimated Balance as of October 31, 2024				
		Pioneer Property	2800 Acres	Pioneer Project Subtotal	Berrenda Mesa	Kern Water Bank <sup>[1]</sup> Total
Buena Vista WSD	72,942	61,587	0	61,587	0	11,355
Henry Miller WD	90,890	63,853	375	64,228	2,584	24,078
Kern County Water Agency	55,030	35,356	7,121	42,477	0	12,553
Kern Delta WD	100,157	72,756	409	73,165	2,026	24,966
Rosedale-Rio Bravo WSD	243,122	185,495	5,120	190,615	3,220	49,287
Total	562,141	419,047	13,025	432,072	7,830	122,239

<sup>[1]</sup> Does not include purchase of 2011 4% reserve water.

**Kern County Water Agency  
Estimated Summary of Groundwater Bank Accounts  
As of October 31, 2024**

**Preliminary - Subject to Revision**

Quantities in acre-feet

District	Estimated Balance as of December 31, 2023	Estimated Balance as of October 31, 2024					
		Pioneer Property	2800 Acres	Pioneer Project Subtotal	Berrenda Mesa	Kern Water Bank	Total
Belridge WSD	80,524	76,066	4,993	81,059	3,928	0	84,987
Berrenda Mesa WD	102,939	72,133	5,195	77,328	35,974	0	113,302
Buena Vista WSD	162,741	107,153	4,081	111,234	0	52,484	163,718
Cawelo WD	0	0	0	0	0	0	0
Dudley Ridge WD	63,870	0	0	0	0	68,710	68,710
Henry Miller WD	44,079	43,246	833	44,079	0	0	44,079
Improvement District No. 4	247,331	43,402	5,886	49,288	0	198,887	248,175
Kern County Water Agency	185,256	109,443	60,099	169,542	3,499	17,958	190,999
Kern Delta WD	47,763	60,330	0	60,330	0	0	60,330
Lost Hills WD	86,401	59,739	24,327	84,066	3,252	0	87,318
Rosedale-Rio Bravo WSD	71,899	73,721	835	74,556	0	0	74,556
Semitropic WSD	264,171	32,038	826	32,864	0	233,916	266,780
Tehachapi-Cummings CWD	5,820	0	0	0	0	5,820	5,820
Tejon-Castac WD	64,734	2,666	1,283	3,949	0	61,569	65,518
Westside Mutual Water Co.	532,085	0	0	0	0	533,010	533,010
Wheeler Ridge-Maricopa WSD	280,661	19,590	16,008	35,598	5,541	224,662	265,801
<b>Total</b>	<b>2,240,274</b>	<b>699,527</b>	<b>124,366</b>	<b>823,893</b>	<b>52,194</b>	<b>1,397,016</b>	<b>2,273,103</b>



Board Members:  
Rodney Palla, Chair  
Bob Smith, Vice-Chair  
Gene Lundquist

## **KERN RIVER GSA SPECIAL BOARD MEETING**

Tuesday, December 10, 2024  
10:30 a.m.

**City of Bakersfield Water Resources Department**  
1000 Buena Vista Road, Bakersfield CA 93311  
Large Conference Room

### **AGENDA**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC STATEMENTS**
- 4. APPROVAL OF MINUTES** of the October 22, 2024, Special Board Meeting
- 5. NEW BUSINESS**
  - A. Correspondence Received (City Clerk, Maldonado)
  - B. Finance Updates (McKeegan)
    - i. Receive and File Financial Report
  - C. Management Group Updates (Maldonado, McCarthy, Teglia)
    - i. Basin Coordination Committee Updates
    - ii. Approval of contract with Self-Help Enterprises to administer the Kern County Subbasin Domestic Well Mitigation Program
  - D. Adoption of 2025 KRGSA Meeting Calendar
- 6. PUBLIC HEARING**
  - A. Public Hearing to consider adoption of the 2024 Groundwater Sustainability Plan (GSP) for Kern County Subbasin
    - i. Adoption of 2024 GSP
- 7. COMMITTEE COMMENTS**
- 8. ADJOURNMENT**

---

# **KERN NON-DISTRICTED LAND AUTHORITY**

## **(FORMERLY KERN GROUNDWATER AUTHORITY)**

3200 Rio Mirada Drive Bakersfield, CA 93308  
Regular Meeting of the Board of Directors  
November 25, 2024, 2:00 p.m.

To virtually attend the meeting and to be able to view any presentations or additional materials provided at the meeting, please join online using the link and information below:

<https://us02web.zoom.us/j/81772344478?pwd=PcXVFaf8lakOR2MQ3r6CRQetwmaHbt.1>

Telephone Dial-in: (669) 900-6833

Meeting ID: 817 7234 4478

Password: 533602

### **KERN NON-DISTRICTED LAND AUTHORITY BOARD OF DIRECTORS AGENDA**

This meeting is held in accordance with the Brown Act pursuant to Section 54956 of the California Government Code and the Kern Non-Districted Land Authority Joint Powers Agreement.

**1. Roll Call - Quorum Determination**

In the absence of a quorum, the Board will handle only those items not needing a quorum.

**2. Flag Salute**

**3. Public Input**

This portion of the meeting is set aside to provide the public an opportunity to bring to the attention of the Board matters of which the Board may not be aware and which are not on the current agenda. No action can be taken on any matter raised during this portion of the meeting; however, a Board member may request that the matter be placed on any future agenda for further review and possible action. Members of the public may directly address the Board of Directors on any item of interest within the Board's subject matter jurisdiction, before or during the Board's consideration of the item. The President may limit the time allowed for comment.

**4. Approval of Minutes**

- a. \*October 28, 2024 (Valerie)

**5. Financial Report**

- a. \*Financial Report & Accounts Payable (Skye)
- b. \*Budget Committee Ad hoc (Skye)

**6. Administration**

- a. \*Consideration of Appointment of Executive Officer (Barry)
- b. Special Board Meeting Friday, December 13, 2024, at 2 pm (Rachelle)

- 7. White Area Representatives**
  - a. \*Extend Date of Nomination and Update on Representative Appointment Process (Barry)
- 8. DWR Grant Administration**
  - a. Report on DWR Grant Administration (Jason)
  - b. \*Approve Grant Amendment (Barry)
- 9. County of Kern Participation**
  - a. Kern County Participation Ad hoc Committee Report (Rodney)
- 10. Kern Subbasin Groundwater Sustainability Plan**
  - a. Update of Representative Monitor Well Access Agreements (Dan and Jeevan)
  - b. \*Consideration of Setting of Member Reserves for Well Mitigation Program (Vanessa/Skye)
- 11. Legal**
  - a. Statewide Update (Valerie)
- 12. New Business**
- 13. Correspondence**
- 14. Closed Session**
  - a. Potential Litigation – Government Code Section 54956.9(d)(2)
- 15. Adjournment**

A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the Authority provide disability-related modification or accommodation in order to participate in any public meeting of the Authority. Such assistance includes appropriate alternative formats for the agendas and agenda packets. Requests should be made in person, by telephone, facsimile and/or written correspondence to the Authority office, at least 48 hours before a public Authority meeting. Written materials related to an item on this agenda to be considered in open session that are public documents and that are distributed to board members after the posting of the agenda, will be made available for public inspection when they are so distributed at the location of the KNDLA meeting during normal business hours. Documents that are public documents provided by others during a meeting will be available at the same location during business hours after the meeting.

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# **KERN NON-DISTRICTED LAND AUTHORITY**

## **(FORMERLY KERN GROUNDWATER AUTHORITY)**

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Special Meeting of the Board of Directors  
December 13, 2024, 2:00 p.m.

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<https://us02web.zoom.us/j/82476931170?pwd=qZp0ZpaaTCt5vTcBcPEyl8gblZmaVq.1>  
Telephone Dial-in: (669) 900-6833  
Meeting ID: 824 7693 1170  
Password: 544289

### **KERN NON-DISTRICTED LAND AUTHORITY BOARD OF DIRECTORS AGENDA**

This meeting is held in accordance with the Brown Act pursuant to Section 54956 of the California Government Code and the Kern Non-Districted Land Authority Joint Powers Agreement.

**1. Roll Call - Quorum Determination**

In the absence of a quorum, the Board will handle only those items not needing a quorum.

**2. Flag Salute**

**3. Public Input**

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**4. Approval of Minutes**

- a. \*October 28, 2024 (Valerie)

**5. Financial Report**

- a. \*Financial Report & Accounts Payable (Skye)
- b. \*Consider Adoption of the 2025 Budget (Skye)

**6. Administration**

- a. \*Consideration of Appointment of Executive Officer (Barry)

**7. White Area Representatives**



- a. \*Extend Date of Nomination and Update on Representative Appointment Process (Barry)

**8. DWR Grant Administration**

- a. Report on DWR Grant Administration (Jason)
- b. \*Ratify Approval of Grant Amendment (Barry)

**9. County of Kern Participation**

- a. Kern County Participation Ad hoc Committee Report (Rodney)

**10. Kern Subbasin Groundwater Sustainability Plan**

- a. Update of Representative Monitor Well Access Agreements (Dan and Jeevan)
- b. \*Consideration of Setting of Member Reserves for Well Mitigation Program (Vanessa/Skye)
- c. \*Public Hearing to consider the adoption of the 2024 Groundwater Sustainability Plan (GSP) and supporting appendix of projects and management actions for the Kern County Subbasin of the Tulare Lake Groundwater Basin. (Stephanie)
- d. \*Consideration of Adoption of 2024 GSP. (Barry)
- e. \*Consider approving the Second Amended Kern County Subbasin Coordination Agreement among subbasin Groundwater Sustainability Agencies. (Valerie)
- f. \*Consideration of a contract with Self-Help Enterprises to administer the Kern County Subbasin Domestic Well Mitigation Program (Trent)
- g. Response to SWP Review of the Kern County Subbasin GSA 2024 GSP (Barry)

**11. Legal**

- a. Statewide Update (Valerie)

**12. New Business**

**13. Correspondence**

**14. Closed Session**

- a. Potential Litigation – Government Code Section 54956.9(d)(2)

**15. Adjournment**

A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the Authority provide disability-related modification or accommodation in order to participate in any public meeting of the Authority. Such assistance includes appropriate alternative formats for the agendas and agenda packets. Requests should be made in person, by telephone, facsimile and/or written correspondence to the Authority office, at least 48 hours before a public Authority meeting. Written materials related to an item on this agenda to be considered in open session that are public documents and that are distributed to board members after the posting of the agenda, will be made available for public inspection when they are so distributed at the location of the KNDLA meeting during normal business hours. Documents that are public documents provided by others during a meeting will be available at the same location during business hours after the meeting.



To: Kern Delta Water District Board of Directors

From: Steven Teglia – General Manager

Date: December 17, 2024

**Re: Agenda Item VI C. – Water Banking Projects Report**

---

RECOMMENDATION:

Receive report, informational item only.

DISCUSSION:

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

Kern Fan Recovery Activity:

- As of December 4, 2024 there was 75cfs of Kern Fan groundwater recharge activity, as reported via KCWA weekly call.
- See attached graphs provided by KCWA for Kern Fan banking information through October 31, 2024.

Pioneer Participant Meeting:

- The Pioneer Project Participants met November 14, 2024.
- Update on current operations.
- Discussion regarding Nord Siphon/Turnout Replacement.
- Review and approval of 2025 Pioneer Budget.
- Discussion regarding the Pioneer GSA.

Kern Fan Monitoring Committee:

- The Kern Fan Monitoring Committee met September 18, 2024.
- Update on reports.
- Review of water level monitoring hydrographs.
- Approval of cash call.
- Next meeting January 15, 2025.

KDWD Water Banking Project:

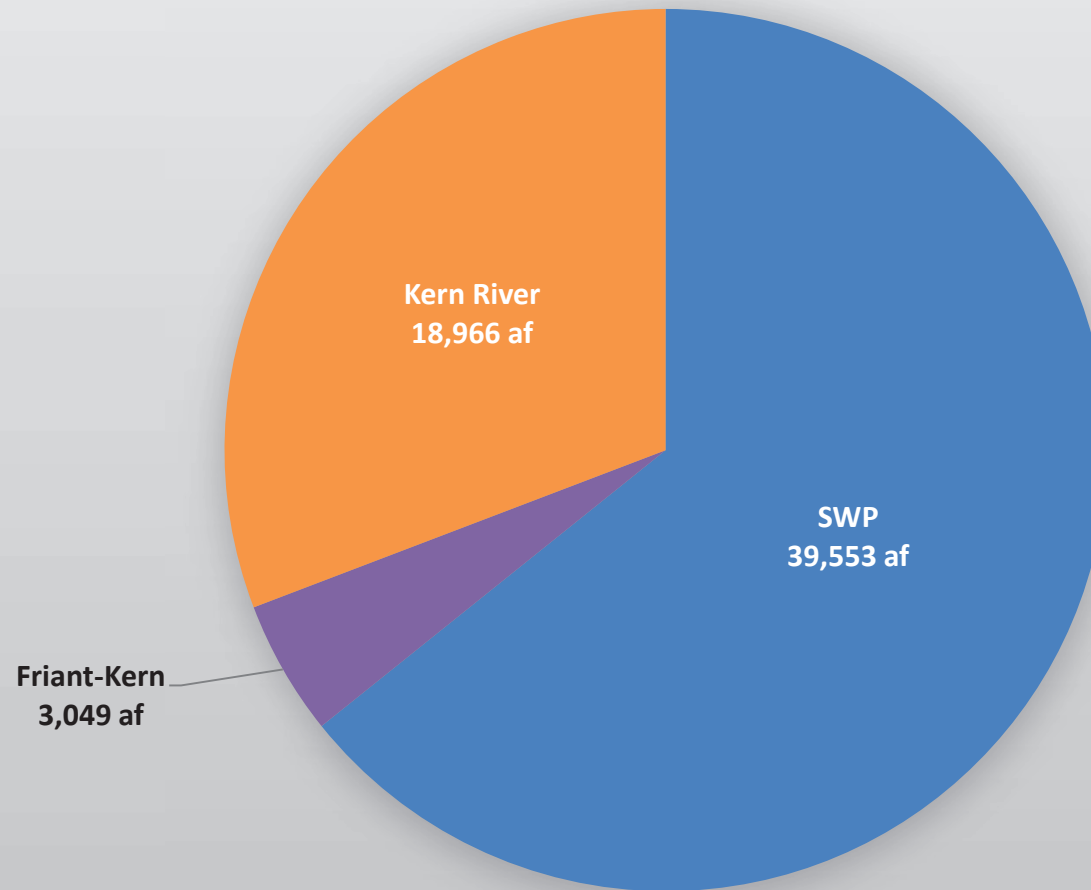
- No current activity.
- October 29, 2024 visit from MWD contingent.

Cross Valley Canal Advisory Committee:

- The CVC Advisory Committee met November 18, 2024.

- Report on CVC operations.
- CVC Construction and Maintenance Projects.
- CVC pools 1-6 sediment disposal project.
- Presentation Kern Fan Groundwater Storage Project – RRB.
- See attached graphs provided by KCWA regarding CVC utilization.

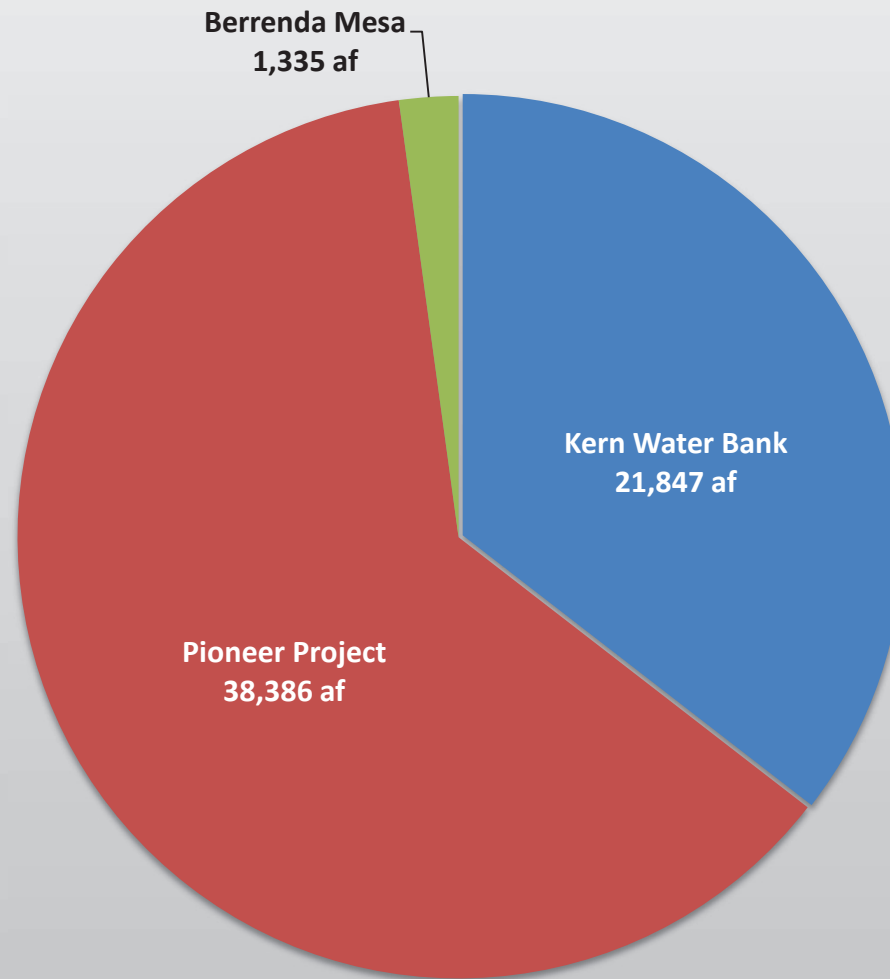
**2024 Estimated Kern Fan Banking Project Deliveries  
(by Water Type)  
Deliveries through October 31, 2024  
Total Deliveries 61,568 af**



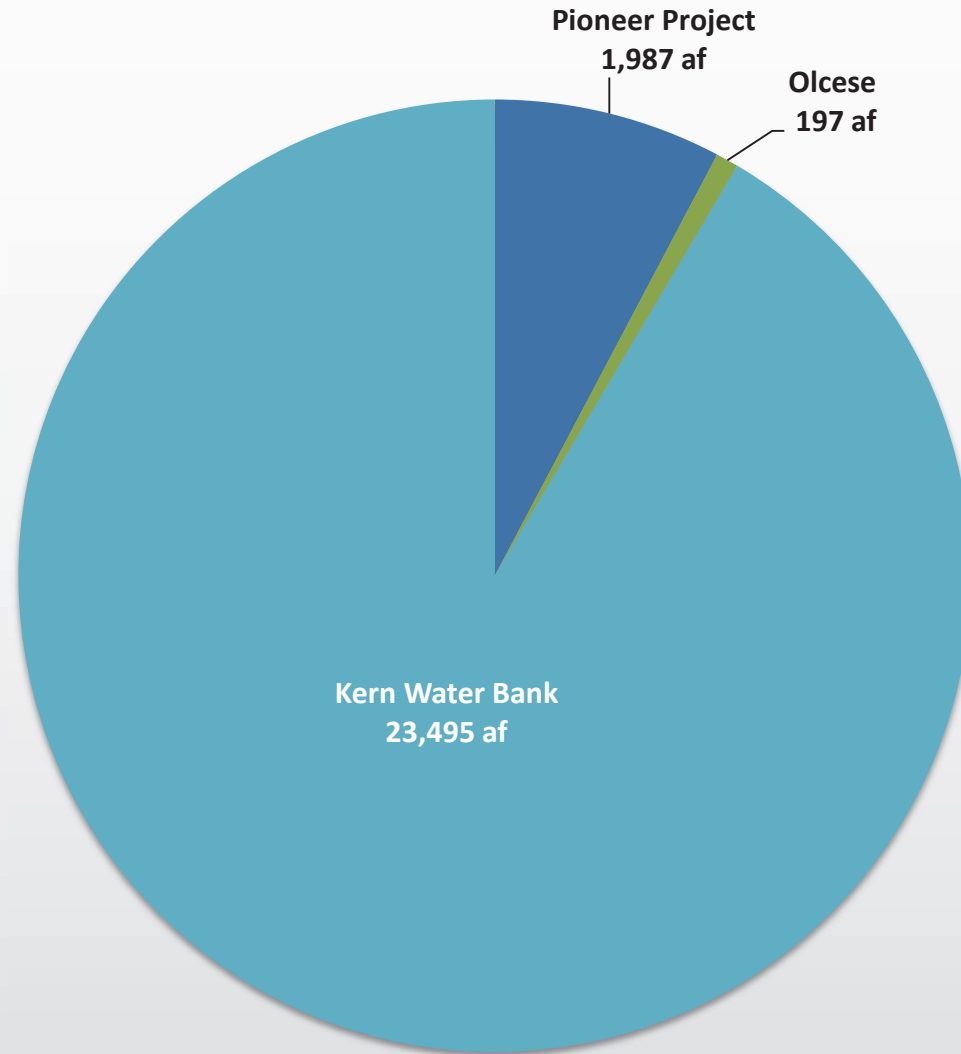
## 2024 Estimated Kern Fan Banking Project Deliveries (by Project)

Deliveries through October 31, 2024

Total Deliveries 61,568 af



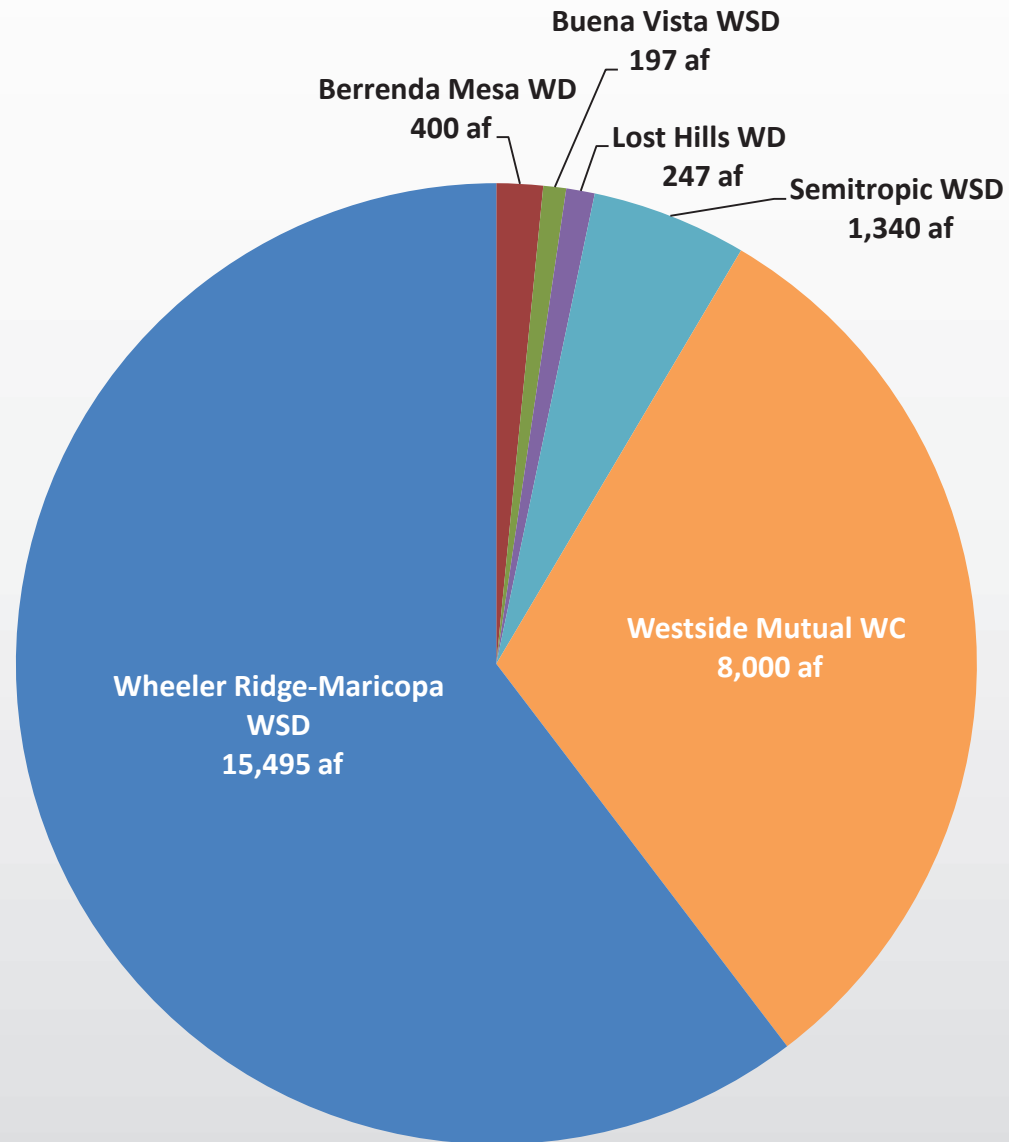
**Kern Fan Banking Projects  
2024 Estimated Gross Recovery by Project  
Through October 31, 2024**



**Total Gross Recovery 25,679 af**

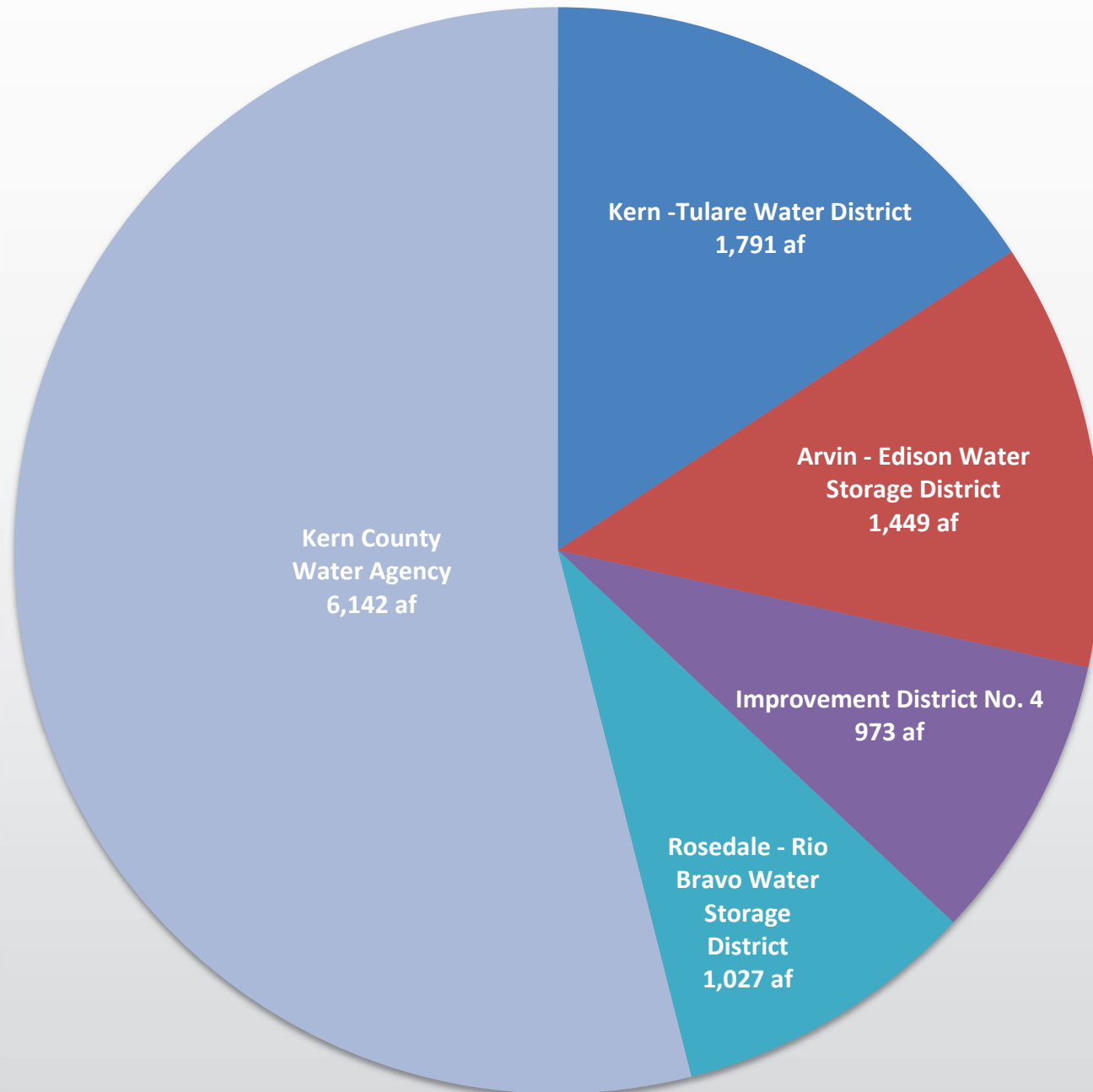


**Kern Fan Banking Projects  
2024 Estimated Recovery by Participant  
Through October 31, 2024**



**Cross Valley Canal  
October 2024 Deliveries  
Total deliveries 11,382 af**

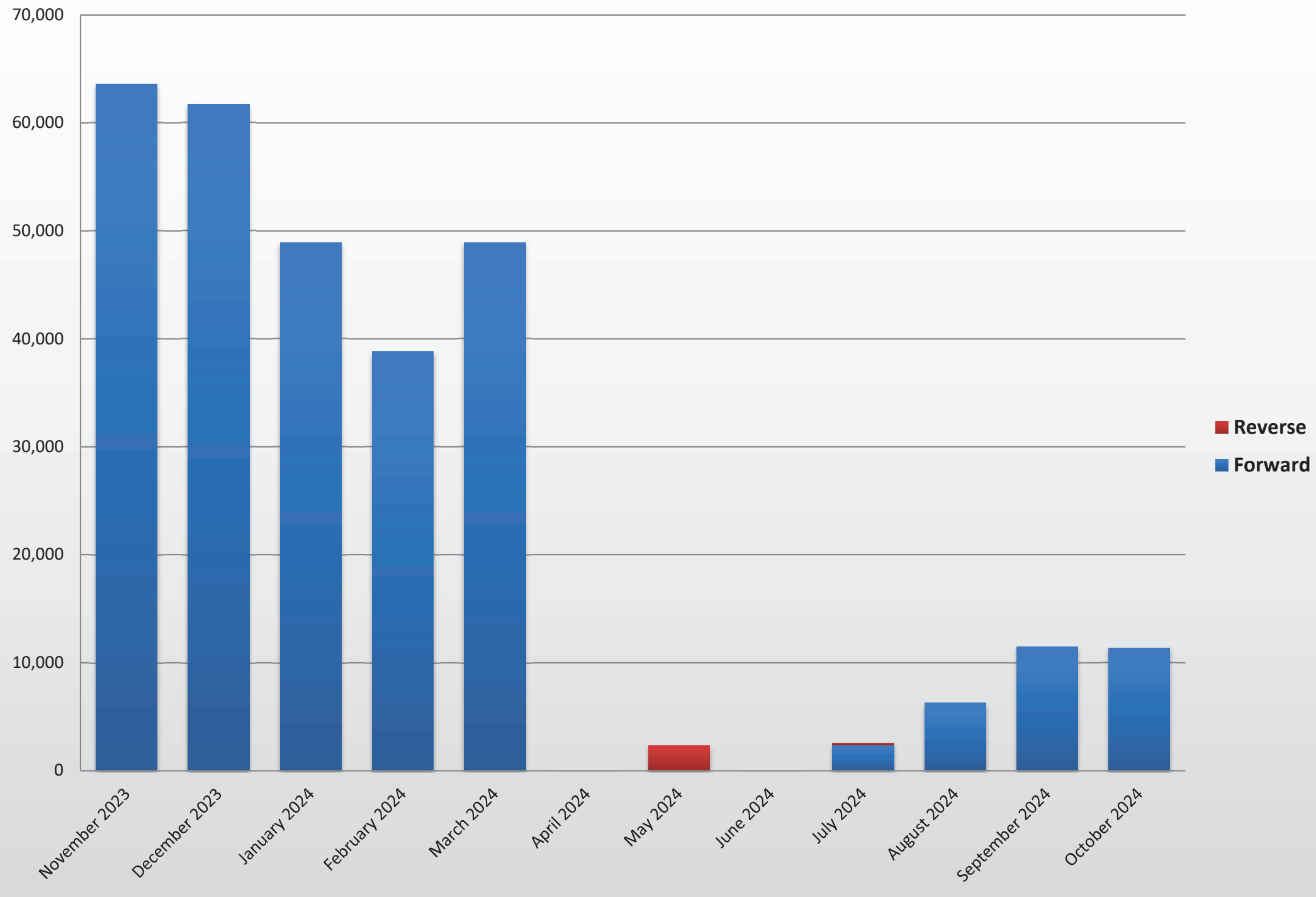
Attachment 2



# Cross Valley Canal

## Twelve Month Delivery by Direction

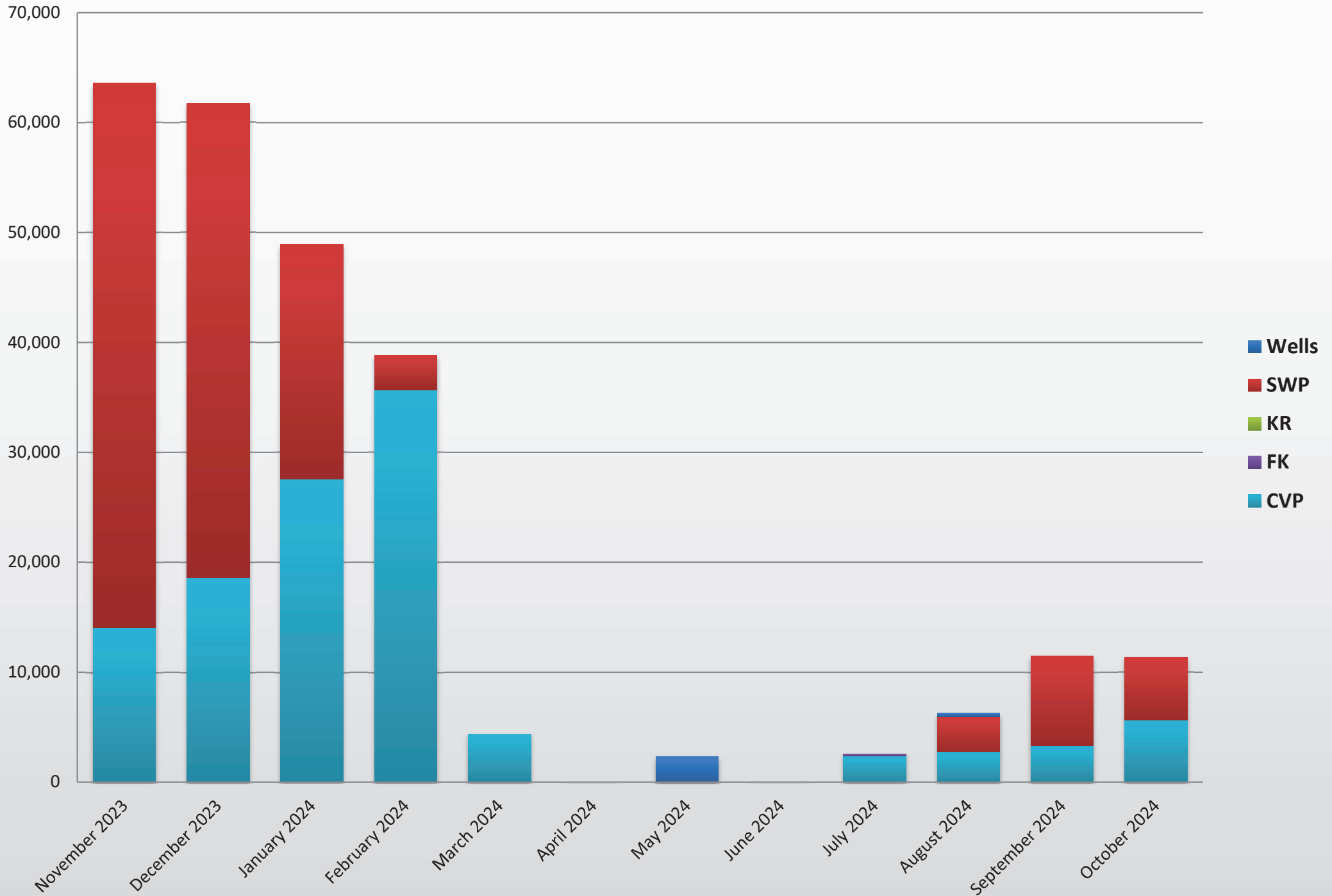
Attachment 3

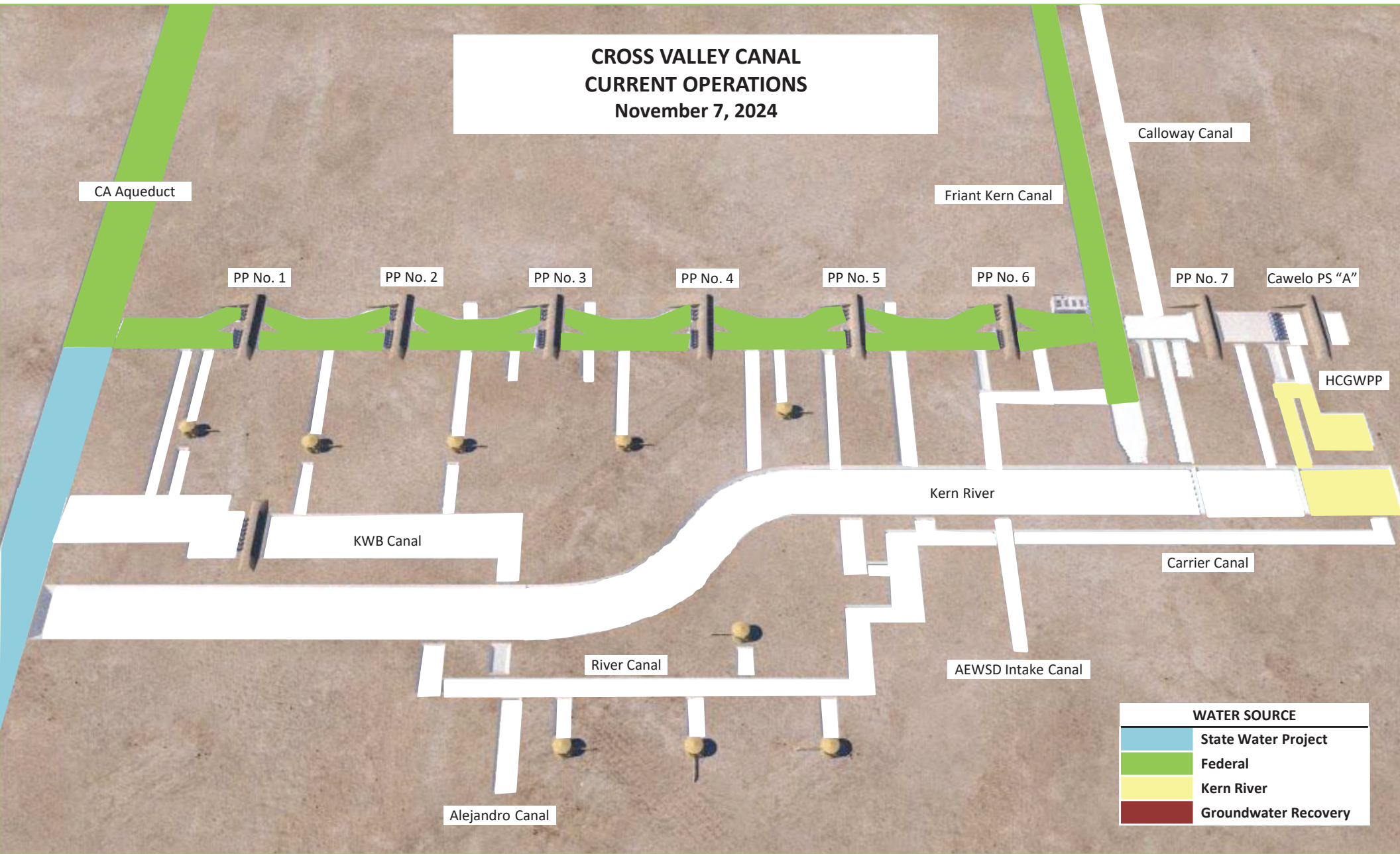


# Cross Valley Canal

## Twelve Month Delivery by Source

Attachment 3





**Cross Valley Canal**  
**Pump and Flow Configuration**  
**Last Updated on November 7, 2024**

'A' Pumping Plants												'B' Pumping Plants					Total cfs
		A	B	C	D	E	F	G	H	J	Total cfs	K	L	M	N	Total cfs	
Pumping Plant No. 1	Estimated Horsepower	100	250	565	565	565	565	250	100			800	800	800			
	Estimated Flow Rate (cfs)	31	70	180	180	180	180	70	31		922	167	167	167		500	1,422
Pumping Plant No. 2	Estimated Horsepower	100	250	565	565	565	565	250	100			700	700	700			
	Estimated Flow Rate (cfs)	31	70	180	180	180	180	70	31		922	167	167	167		500	1,422
Pumping Plant No. 3	Estimated Horsepower	100	250	565	565	565	250	100	250	100		700	700	700			
	Estimated Flow Rate (cfs)	31	Service	180	180	180	Service	Service	Service	31	602	167	167	Service		334	936
Pumping Plant No. 4	Estimated Horsepower	100	250	565	565	565	250	100	250	100		700	700	700			
	Estimated Flow Rate (cfs)	31	Service	180	180	180	70	31	70	31	773	167	167	167		500	1,273
Pumping Plant No. 5	Estimated Horsepower	100	250	565	565	565	250	100	250	100		700	700	700			
	Estimated Flow Rate (cfs)	Service	70	180	180	180	70	31	Service	31	742	167	Service	167		334	1,076
Pumping Plant No. 6	Estimated Horsepower	100	250	565	565	565	250	250	100			200	600	600	350		
	Estimated Flow Rate (cfs)	31	Service	180	180	180	Service	70	31		672	40	193	Service	90	323	995
Pumping Plant No. 7	Estimated Horsepower	100	250	250	250	250	100										
	Estimated Flow Rate (cfs)	31	70	70	70	70	31				342						342



# Tab VII





## REEB GOVERNMENT RELATIONS

### MEMORANDUM

NOVEMBER 18, 2024

**TO:** Members of the Steering Committee  
Valley Ag Water Coalition

**FROM:** Bob Reeb, Raquel Ayala Vargas, Esq. and Kenneth McKelvie  
Reeb Government Relations, LLC

**RE:** 2024 Annual Report

This is the 18th year that Reeb Government Relations has had the honor and privilege to work with Valley Ag Water Coalition (VAWC or Coalition) to advance its interests on behalf of the Coalition's members through state-level legislative and regulatory advocacy in Sacramento. Our firm provides a full suite of lobbying services under the immediate direction of the Coalition's steering committee and enjoys working with Coalition staff and members. During the legislative session, we participate in bi-monthly meetings with the Coalition, submit weekly legislative status reports, as well as a monthly newsletter on issues of interest to VAWC's membership. We value the expertise, advice, and comments shared by senior staff and members in response to our inquiries.

This was the second year of the 2023-24 Regular Session and we are pleased to report that that the Coalition and our firm have continued to work with the Coalition's legislative delegation and their respective staff. All legislators were responsive to Coalition's positions on legislation and their staff continue to be accessible to our firm and the Coalition.

## Fiscal Year 2024-25 State Budget

*—A budget tells us what we can't afford, but it doesn't keep us from buying it*

Governor Gavin Newsom introduced his \$291.4 billion budget proposal on January 10, 2024. Like last year, a deficit continued to challenge the Governor and Legislature, with the Governor's Department of Finance (DOF) projecting a \$37.86 billion shortfall. Governor Newsom proposed another round of fiscal maneuvering, such as cuts, delays, deferments, and withdrawing funds from budgetary reserves.

The 2021 and 2022 Budget Acts allocated about \$54 billion over five years to advance the state's climate agenda, including \$8.7 billion for drought resilience and response programs. The Governor's January proposal left most of this intact with over \$48.3 billion in multi-year climate funding, including \$7.3 billion over multiple years for water investments. It remains to be seen if the funding level is sustained as future state budgets are also projected to be in the red over the following two fiscal years.

To address the projected \$37.86 billion deficit, the Governor's proposed state budget included: a \$13.1 billion withdrawal from the budget stabilization and safety net reserve accounts; an \$8.5 billion cut from existing programs, including climate and water programs; delaying \$5.1 billion worth of spending; deferring \$2.1 billion to 2025–26; and \$5.7 billion in internal borrowing from special funds. Even after the proposed withdrawals, the proposed budget plan still reflected \$18.4 billion in remaining budgetary reserves, which includes \$11.1 billion in the Rainy-Day Fund.

For climate programs, proposed cuts included: reversing \$88.4 million and reduce \$350 million over the next two years for various watershed climate resilience programs within the Department of Water Resources (DWR) and the Wildlife Conservation Board; reversing \$174 million and delaying \$100 million until 2025–26 for water recycling and groundwater cleanup programs; reversing \$71.6 million and reducing \$30 million in 2024–25 for Per- and Polyfluoroalkyl (PFAS) support; reversing \$50 million from dam safety investments; shifting \$20.6 million from the General Fund to the Greenhouse Gas Reduction Fund (GGRF) for the State Water Efficiency and Enhancement Program; reversing \$12.9 million from the California Emergency Relief Fund for drought relief to small farmers; reducing \$6.75 million from ongoing funding for Forecast Informed Reservoir Operations; and reversing \$6 million from California Emergency Relief for on-farm water use and agriculture technical assistance. Despite these cuts, the Governor proposed \$159 million in *new* investments for flood protection, levee repairs, and Salton Sea restoration programs.

Further complicating discussions around the budget this year were the stark differences between Governor Newsom's deficit projections against those of the Legislative Analyst's Office (LAO). In December 2023, the LAO published its annual *Fiscal Outlook* report, projecting a \$68 billion budget deficit, nearly twice what the Governor projected in his proposal. Though the Newsom administration attributed such a gap in their prediction to being less concerned than the LAO about an impending recession, the

LAO believed that the Governor's revenue estimate was optimistic, and that the state faced significant deficits in future years. The LAO also pointedly noted that some of the solutions outlined the January proposal were unlikely to yield anticipated savings.

"Overall, the Governor's budget runs the risk of understating the degree of fiscal pressure facing the state in the future," the LAO wrote in its outlook. "The Legislature likely will face more difficult choices next year."

In February, the LAO released a deficit update, noting that recent revenue collections data indicated a \$15 billion increase to the budget problem, from an estimated \$58 billion to \$73 billion deficit. The LAO then identified one-time and temporary spending that could be pulled back and reduced, including funding for water resilience projects, flood and dam safety, urban flood risk reduction, and water conveyance and water storage projects.

By April, the Legislature preemptively addressed some of the budget issues by passing AB 106 (Gabriel), which amended the Budget Acts of 2022–23 and 2023–24 to reduce the budget shortfall by \$1.6 billion through myriad solutions, many of which were first introduced in the Governor's January budget proposal. Solutions included: reverting to the General Fund \$88 million for watershed climate resilience; reverting \$6 million for on-farm water use and agriculture technical assistance; reverting \$9.8 million for regional climate collaboratives; and reverting \$5 million for climate adaptation and resilience planning grants. The bill also reverted over \$60 million from the Wildfire Resilience Package. AB 106 enacted the Early Action agreement by Assembly Speaker Robert Rivas (D-Hollister), Senate President Pro Tempore Mike McGuire (D-Geyserville), and Governor Gavin Newsom to adopt approximately \$17.3 billion in budget solutions, including reducing previously appropriated funds, spending solutions, and statutory changes. The total Early Action package included \$3.6 billion in reductions, \$5.2 billion in revenue and borrowing, \$5.2 billion in delays and deferrals, and \$3.4 billion in shifts of costs from the General Fund to other state funds. Republicans in the Legislature heavily criticized the Early Action agreement as either unreliable or insufficient, with many labeling the agreement as a "gimmick," and arguing that Democrats have not been taking the growing budget deficit seriously.

By the time the May Revision forecast was finalized, DOF noted that weak cash receipts related to the 2023 tax year and upgraded growth assumptions going forward, have led to downgrades to the revenue forecast in the budget window—fiscal years 2022-23 through 2024-25—followed by upward revisions in the multiyear—fiscal years 2025-26 through 2027-28. Additionally, DOF believes that the immediate risks to their May Revision forecast remain driven by persistent inflation and elevated interest rates:

*"If inflation is slow to return to the Federal Reserve's target rate of 2 percent, the Federal Reserve could maintain high target rates which would result in additional drag on interest-sensitive spending. The current high-interest rate environment could hamper economic activity by more than projected, especially given more cautious lending practices and if consumers curtail discretionary spending."*

*Escalating geopolitical conflicts would likely increase economic uncertainties for the U.S. and California...”*

The Legislature passed a budget bill on June 15, 2024, to meet the constitutional deadline to pass a balanced state budget.

Governor Newsom signed the FY 2024-25 state budget, along with several budget trailer bills on June 26, 2024. The budget spends \$297.9 billion in total state funds, consisting of \$211.5 billion from the General Fund, \$84 billion from special funds, and \$2.4 billion from bond funds. The budget according to legislative leaders addresses an anticipated deficit of \$46.9 billion for the coming fiscal year, and an expected \$29.8 billion shortfall in FY 2025-26.

Spending-related solutions totaling \$39 billion represent about 70% of the of the total solutions in the budget, and include: \$14 billion in reductions, \$10 billion of which are one time or temporary, and \$4 billion are ongoing, which grow to \$6 billion over time; \$4 billion in fund shifts, where other fund sources are used to pay for a cost typically incurred by the General Fund; \$2 billion in delays; and \$1 billion in reverting unspent funds back to the General Fund. Additionally, the budget includes a \$5 billion withdrawal from the Budget Stabilization Account; a \$1 billion withdrawal from the Safety Net Reserve; \$2 billion in cost shifts; \$8 billion in revenue-related solutions, such as a temporary increase on corporation tax revenues by about \$6 billion in 2024-25; and the suspension of Proposition 98 requirements and reduced spending for schools and community colleges.

The 2024-25 budget agreements dedicate \$4.4 billion from the Greenhouse Gas Reduction Fund (GGRF) across multiple years to backfill some of the cuts made to the climate package, and to help offset potential programmatic impacts. Thus, though the multi-year package was not left unscathed from spending solutions, such a cost shift allows the budget to maintain roughly \$45 billion of the original \$54 billion climate package passed in 2021 and 2022.

### Changes in Legislative Leadership Introduces Uncertainty

*– People buy into the leader before they buy into the vision.<sup>ii</sup>*

Senator Mike McGuire (D-Healdsburg) was sworn in on February 5, 2024, as the 52<sup>nd</sup> Senate President Pro tempore of the California State Senate. McGuire, a former county supervisor who was elected to the Senate in 2014, has served as Majority Leader since 2022, and has been integral to several legislative victories, including the 2022 climate package and the infrastructure streamlining package negotiated alongside last year's state budget. McGuire's term as Pro tempore will be short, as he reaches the end of his term limit in 2026.

McGuire announced his leadership team on February 8, 2024, rewarding key allies who helped him secure the leadership post. Senator Lena Gonzalez (D-Long Beach)

succeeded McGuire as Majority Leader for the 31-member Democratic caucus. Senator Monique Limon (D-Santa Barbara) will continue as the Democratic caucus chairperson, and Senators Angelique Ashby (D-Sacramento) and Aisha Wahab (D-Silicon Valley) were chosen to be the Assistant Majority Leaders. Overall, McGuire kept over half of all Senate committee chairpersons intact. Senator Anna Caballero (D-Merced) was selected as the new Appropriations chair, and Senator Scott Wiener (D-San Francisco) was selected as the Budget Committee chair.

McGuire succeeded Senator Toni Atkins (D-San Diego), who stepped down from her leadership post, having led the Senate since 2018. Senator Atkins reaches the end of her term limit this year and has entered the 2026 gubernatorial race.

On the Assembly side, Speaker Robert Rivas (D-Hollister) reorganized his leadership team in November 2023. Rivas initially tapped Assembly Member Cecilia Aguiar-Curry (D-Winters) to assume the role of Speaker Pro tempore and Assembly Member Isaac Bryan (D-Los Angeles) as the Majority Leader. When he announced the changes, he selected Assembly Member Jim Wood (D-Healdsburg) to take over as Speaker Pro Temp, and Assembly Member Aguiar-Curry was named Majority Leader. Assembly Member Bryan, meanwhile, would no longer be part of the Speaker's leadership team. Rivas additionally announced changes to committee leadership. Assembly Member Buffy Wicks (D-Oakland) replaced Assembly Member Chris Holden as Chair of the Appropriations Committee, with the latter being removed from the committee entirely. Rivas selected Assembly Member Jesse Gabriel (D-Encino) to replace Assembly Member Phil Ting as Chair of the Assembly Budget Committee.

Our firm has an established working relationship with Aguiar-Curry and her staff based on our representation of Solano County Water Agency.

## Climate Resilience Bond Qualifies for the November Ballot

—*Resilience... is about accepting and preparing for new realities*<sup>iii</sup>

Promoting climate resilience has been a top priority for Governor Newsom and legislative Democrats, but investment priorities have meant fewer General Fund dollars are available to spend on climate investments. Several legislators introduced climate resilience bonds in 2023 for inclusion in the November 2024 statewide election ballots. These included Senate Bill 638 by Senator Susan Eggman (D-Stockton) and Roger Niello (R-Roseville), Senate Bill 867 by Senator Ben Allen (D-Santa Monica), and Assembly Bill 1567 by Assembly Member Eduardo Garcia (D-Coachella).

SB 867 and AB 1567 had a price tag of just under \$16 billion, respectively; while SB 638, which was more geared towards climate resiliency and flood protection funding sought to approve \$6 billion in funding. Provisions were added to both SB 638 and SB 867 that would prevent each bond from going into effect unless the other is also enacted. All three bills passed their house of origin in 2023 and stalled in their sister house, thus becoming 2-year bills.



Last year, the Governor had indicated that he could only support a total of \$26 billion in new debt going before the voters this year, and a \$4.68 billion bond to build 10,000 new behavioral health beds and supportive housing units across the state appeared on the March primary election ballot. This year, Senate and Assembly staff began working behind closed doors to write a climate resilience bond that would total \$10 billion. The Newsom Administration, however, did not engage in this work, and indicated that it would not do so until the FY 2024-25 state budget was completed. This left little time to settle on a climate resilience bond before the June 27 statutory deadline for placing measures on the November 2024 ballot.

Our firm closely monitored the progress of all three bond bills and communicated District priorities to influence the content of the bills. Throughout this time, we leaned heavily on Senator Alvarado-Gil to press for funding categories and language that would benefit the District in terms of its ability to compete for state grant funding. In the first week of July 2024, after a year in stagnation, the Legislature swiftly released and passed SB 867 by Senator Ben Allen (D-Santa Monica). The bill, known as the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024, or climate resilience bond, authorized a \$10 billion state general obligation bond for the November 5, 2024 state-wide ballot (Proposition 4) that would direct funding for safe drinking water and drought, flood, water resilience, wildfire and forest resilience, sea level rise, extreme heat mitigation, clean air, and protecting biodiversity and promoting nature-based solutions.

Specifically, the bond includes:

- \$3.8 billion for safe drinking water, drought, flood, and water resilience programs.
- \$1.5 billion for wildfire and forest resilience programs.
- \$1.2 billion for coastal resilience programs.
- \$450 million for extreme heat mitigation programs.
- \$1.2 billion for biodiversity protection and nature-based climate solution programs.
- \$300 million for climate-smart, sustainable, and resilient farms, ranches, and working lands programs.
- \$700 million for park creation and outdoor access programs.
- \$850 million for clean air programs.

For water, the \$3.8 billion includes: \$610 million for grants or loans that improve water quality or drinking water reliability; \$386 million for projects related to groundwater storage, banking, or recharge; \$200 million for the Multi-benefit Land Repurposing program for groundwater sustainability projects; \$386 million for grants and projects related to water reuse and recycling; \$75 million for projects under the Water Storage Investment Program; \$62.5 million for capital investments in brackish desalination, contaminant and salt removal, and salinity management; \$15 million for the improvement of water data management and stream gages; \$75 million for regional

conveyance projects or repairs; and \$75 million for projects that increase water conservation. Additionally, projects to reduce flood risk and improve stormwater management will receive around \$1.14 billion, which includes \$550 million for flood management projects, \$480 million for Dam Safety and Climate Resilience Local Assistance Programs, and \$110 million for grants for urban storm water management projects.

California voters approved Proposition 4 with 59.6% of the vote.

## Legislation of Interest to the Coalition

— *“Men do not make laws. They do but discover them. Laws must be justified by something more than the will of the majority. They must rest on the eternal foundation of righteousness.”* — President Calvin Coolidge<sup>iv</sup>

Following the review and approval of legislative positions by the Coalition Steering Committee, our firm actively monitored and engaged in direct lobbying on over 40 bills this year. The super-majority status for Democrats in the Legislature makes it particularly challenging to block or amend legislation. We are quick to note that the same would be true if the Republican Party held a super-majority status. Advocacy at the policy committee level becomes ever more important in terms of shaping the policy provisions of legislation, and it has always been a key part of our approach to advocacy in Sacramento to establish sound working relationships with policy committee consultants. In challenging fiscal years, we rely heavily on the respective Appropriations Committees to hold onto expensive, but lower priority legislation. Governor Newsom, of course, is the ultimate determiner of legislative success and he has become more skeptical of legislation that would increase state costs that has not already been accounted for in the state budget.

Below, we highlight some of the more impactful legislation on which our firm was active this year.

### 2023 Water Rights Legislation

Efforts to oppose radical changes to California’s water system continued to prove successful. Three bills were introduced in 2023 — AB 460 (Bauer-Kahan), AB 1337 (Wicks), and SB 389 (Allen) — which represented a package of water legislation based on recommendations contained in a 2021 white paper sponsored by the Planning and Conservation League (PCL) titled *“Updating California Water Laws to Address Drought and Climate Change”*.

VAWC opposed all three bills. Joining a coalition that consisted of business properties associations, the California State Association of Counties, the Association of California Water Agencies, the California Municipal Utilities Association, several other water districts, and building associations, (collectively referred to in this section as “Coalition”), our firm continuously engaged legislators and legislative staff as the bills moved through

the legislative process, aiming to halt their progress at every step or secure amendments that were offered by the Coalition.

VAWC removed its opposition to SB 389 on July 6, 2023, after the bill was amended to reflect a compromise reached between the Senator, bill sponsors, and opponents which addressed concerns with the legislation. Governor Newsom signed SB 389 into law on October 8, 2023 (Chapter 486, Statutes of 2023).

Assembly Members Bauer-Kahan (D-Orinda) and Wicks (D-Oakland), however, were more resistant to amendments. Because of this, our firm and the Coalition focused on stopping progress on both bills in the Senate Natural Resources and Water Committee. Both bills became two-year bills after opponents successfully secured commitments from all Republican, and three Democratic, members of the Committee to either abstain or oppose the bills.

This year our firm continued work with opposition interests to monitor activity on the two bills and work with ACWA and CMUA to engage the authors in discussions as the 2024 deadline for action approached.

#### *Assembly Bill 460*

Current law authorizes the State Water Board (Board) to investigate all watercourses, take testimony relating to the rights to water or the use of water, and ascertain whether water filed upon or attempted to be appropriated is appropriated under the laws of the state. The Board also has the authority to take appropriate actions to prevent waste or unreasonable use of water. Current law authorizes any party aggrieved by any decision or order of the Board to file a petition for a writ of mandate for judicial review of the decision or order. Current law requires a court to exercise its independent judgment on the evidence in any case involving the judicial review of certain cease and desist orders issued by the Board and in any other case in which the court is authorized by law to exercise its independent judgment on the evidence.

As introduced in 2023, AB 460 would have authorized the Board to issue, on its own motion or upon the petition of an interested party, an interim relief order to implement or enforce constitutional law, common law, and statutes regarding waste and unreasonable use, the public trust doctrine, and water quality objectives. The bill would have provided that a person or entity that violates any interim relief order issued by the Board would be liable to the Board for a civil penalty. The bill would have required an aggrieved party to file a petition for reconsideration with the Board to exhaust the party's administrative remedies before filing an action for judicial review of the Board's decision or order. The bill would have required the scope of review of a Board decision or order regarding interim relief to be the same as for a court of appeal review of a superior court decision granting or denying a preliminary injunction. The bill would have generally prohibited a legal or equitable process from issuing in any proceeding in a court against the Board to review, prevent, or enjoin certain adjudicative proceedings or a decision or order of the Board before a final decision or order of the Board is issued.

According to Assembly Member Rebecca Bauer-Kahan (D-Orinda), the intent behind the bill is to give the State Water Board an additional tool to enforce existing law and enhance penalties to deter unlawful behavior. The Coalition, along with the rest of the opposition coalition, argued against AB 460 stating that the bill was overly broad, significantly expanding the Board's existing enforcement authority, thus presenting a threat to law-abiding water right holders and water supply reliability; as well as raising several procedural issues and concerns.

Assembly Member Bauer-Kahan amended AB 460 in June to narrow the bill's scope, focusing on increasing the penalties for illegal diversions, which reflected opposition amendments proposed in 2023. Specifically, the bill would enact the following:

- 1) Beginning January 1, 2025, requires the SWRCB to annually adjust all civil and administrative liabilities or penalties related to water rights administration that are imposed by the Board for inflation.
- 2) Increases the penalty for a person who violates certain cease and desist orders issued by the SWRCB from \$1,000 to \$2,500 per day the violation occurs.
- 3) Increases the civil penalty to not to exceed \$1,000 from \$500 for each day the violation occurs for a person or entity who violates a term or condition of a permit, license, certification or registration issued by the Board; an order or regulation adopted by the Board; or a condition or reporting requirement for the diversion of floodwaters for groundwater recharge.
- 4) Provides that if the violation is of a regulation or order adopted by SWRCB that constitutes the diversion of water contrary to a curtailment order the person or entity may be liable for an additional \$10,000 for each day the violation occurs and \$2,500 for each acre-foot of water diverted in violation of the curtailment order.

With these amendments, several members of the Coalition, including VAWC, removed opposition on the bill. AB 460 passed the Senate Floor on a 38-2 vote, and the Assembly concurred on the Senate Amendments with a 65-5 vote. Governor Newsom signed AB 460 into law on September 22. (Chapter 342; Statutes of 2024)

### *Assembly Bill 1337*

Under existing law, the diversion or use of water other than that authorized by specified provisions of law is a trespass. Existing law authorizes the Board to adopt emergency regulations if, among other things, the regulations are adopted to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter's priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports. Existing law also authorizes the Board to issue a

cease-and-desist order against a person who is violating, or threatening to violate, certain requirements relating to water use.

AB 1337 would authorize the Board to issue a curtailment order for any diversion, regardless of basis of right, when water is not available under the diverter's priority of right. Specifically, the bill would: (1) require the Board to adopt regulations governing implementation of curtailment orders; (2) authorize the Board to issue a cease-and-desist order when a water right holder fails to curtail diversions when water is unavailable under the water right holder's priority of right; and (3) expand the instances when unauthorized diversion or use of water is considered a trespass.

The Coalition, along with the rest of the opposition coalition, argued that AB 1337 would essentially hand the State Water Board unfettered authority to control water as it sees fit. The Board's use of curtailments to deal with water shortages during drought is a relatively new occurrence. With this unprecedented statutory authority, the Board would be able to curtail the legal diversion or use of water under any claim of right during any water year—even during years when the state receives record amounts of precipitation. There are also limited guardrails or guidance in the bill for how the Board would implement curtailments under the authority provided in this bill.

Curtailments have significant ramifications that extend far beyond the water right holders themselves. For example, the resulting reduction in anticipated water supply can disrupt agriculture, industry, and other water-dependent sectors, leading to job losses, revenue declines, and other economic hardships. Additionally, curtailment orders can disproportionately impact small and disadvantaged water users who may lack the resources to adapt to changing water conditions. Because of their effects, curtailments have historically—and should continue to be—reserved for use only during emergency drought conditions. By limiting curtailment to the most severe and urgent water shortages, the Board can ensure that this tool is used only when necessary and that its impacts are mitigated. Under AB 1337, curtailments could become an every-year water management tool, which would be an unnecessary task for the Board and threaten to create chaos in the way water is managed, diverted, and used.

ACWA and CMUA took the lead in engaging the author and her staff this year in an effort to achieve a compromise similar to that which was achieved for AB 460. In the end, however, an agreement was not reached and AB 1337 died in the Senate after failing to pass the July 3, 2024, deadline for policy committees to meet and report bills.

### SGMA: Managed Wetlands

The Sustainable Groundwater Management Act (SGMA) was designed to ensure groundwater resources are managed sustainably for the long-term benefit of communities, farms, businesses, and the environment. In enacting SGMA, the Legislature expressed its intent to:

- Enhance local management of groundwater consistent with rights to use or store groundwater and Section 2 of Article X of the California Constitution. It is the intent of the Legislature to preserve the security of water rights in the state to the greatest extent possible consistent with the sustainable management of groundwater.
- Provide local groundwater agencies with the authority and the technical and financial assistance necessary to sustainably manage groundwater.
- Manage groundwater basins through the actions of local governmental agencies to the greatest extent feasible, while minimizing state intervention to only when necessary to ensure that local agencies manage groundwater in a sustainable manner.

Assembly Bill 828, by Assemblymember Damon Connolly (D-San Rafael), would prohibit a groundwater sustainability agency (GSA) from regulating small community water systems serving disadvantaged communities (DACs) and managed wetland groundwater extractions and from imposing fees on groundwater extraction. AB 828, however, would not prohibit the State Water Resources Control Board from imposing well registration fees or fees on groundwater extraction relating to these same users once the Board determines a basin is in probationary status.

According to the author: "Wetlands are a critical natural resource for our state, and small, rural communities are being hit the hardest by the state's depleting groundwater resources. These DACs usually depend on a single source for their water supply, leaving them vulnerable to drought and affordability challenges."

VAWC strongly opposed AB 828 as the bill represented a significant departure from legal protections afforded to all groundwater users, interfering with SGMA implementation. AB 828 picked winners and losers by establishing a higher priority for small community water systems and managed wetland groundwater users as compared to the access of all other groundwater users. This is inconsistent with the right to use groundwater under California law.

For example, SGMA authorized GSAs to impose regulatory and parcel fees following their formation in 2017. These local revenues provide the necessary funds to develop and implement SGMA. AB 828, if enacted, would reduce local revenues. According to AB 828 supporter California Audubon, the legislation exempts only 1.21% of the combined basin acreage. However, the groundwater pumping associated with those lands—nearly 110,000 acres in the San Joaquin Valley according to California Audubon, could pump a minimum of 330,000 acre-feet of groundwater annually. At \$20 an acre-foot, that constitutes a loss of \$6.6 million in support for local SGMA implementation efforts. At \$50 an acre-foot, that constitutes a loss of \$16.5 million. Relying on the combined percentage of wetland acreage to argue for support of AB 828 is misleading on two fronts: first, total managed wetland acres can approach nearly 10 percent of total land area in some GSAs; second, the focus should be on the financial hit to local agencies trying to achieve their groundwater sustainability goal under SGMA.



Further, by determining priority rights to groundwater extraction in exempting small community water systems and managed wetlands from reducing pumping in a basin and from paying groundwater extraction fees, AB 828 would incentivize other groundwater users to petition the trial court to adjudicate the basin and determine pumping rights. This is what the Legislature sought to avoid with SGMA. The same supporters of AB 828 claimed last year that adjudication proceedings were inherently unfair for disadvantaged communities and small farmers (see AB 799, Wilson, Chapter 665, Statutes of 2023) because they could not afford to fully participate in adjudication proceedings and argued that their needs would be overwhelmed by other groundwater pumpers. According to the Assembly Floor analysis of AB 779:

Despite this, AB 828 passed both houses of the Legislature and was eventually sent to the Governor's desk for his signature.

Our firm worked alongside other key interests in battling the bill, including the Association of California Water Agencies, CalChamber, Western Growers Association, and California Farm Bureau Federation. Other organizations joined our opposition coalition, but our colleagues with these named organizations worked actively with our firm this session and helped in making contact with the Governor's staff.

Governor Newsom returned AB 828 to the Assembly without his signature on September 25, 2024, writing, in part:

*"While I appreciate the author's intent to address the needs of small water systems serving these communities, excluding some groundwater extractors from GSAs does not align with the goals of the Sustainable Groundwater Management Act (SGMA) to analyze groundwater basins comprehensively to ensure future long-term sustainability. Groundwater accounts for 40 to 60 percent of our water supplies, and many communities, especially in the Central Valley, are groundwater-dependent. SGMA serves as a critical buffer to protect drinking water supplies against the impacts of drought and climate change. Successful implementation of SGMA is also integral to protecting state infrastructure from the effects of subsidence. On September 16th, we marked the 10-year anniversary of the enactment of SGMA. While I am proud of all the milestones we have met, and the investments my Administration has made, I also recognize there is still much we need to accomplish. I believe we should continue to implement the SGMA framework as is without creating exceptions for certain groundwater extractors."*

His veto message echoes the principal arguments raised in the legislative process by Valley Ag Water Coalition.

Tribal Ancestral Lands and Waters: Co-governance and Co-management

Assembly Bill 1284, by Assembly Member James Ramos (D-Highland), would encourage the California Natural Resources Agency (CNRA) and its departments, conservancies and commissions, to enter into co-governance and co-management agreements with federally recognized tribes for purposes of shared responsibility, decision-making, and partnership in resource management and conservation within a tribe's ancestral lands and waters.

VAWC opposed the inclusion of co-governance and co-management of waters of the state.

Governor Newsom's Statement of Administration Policy directive on Native American Ancestral Lands released September 25, 2020, sought "opportunities to support California tribe's co-management of and access to lands that are within tribal ancestral territories and under the ownership or control of the state." The purpose of the policy was "to partner with California tribes to facilitate tribal access, use, and co-management of State-owned or controlled natural lands and to work cooperatively with California tribes that are interested in acquiring natural lands in excess of State needs."

The policy statement, however, also included an important savings clause that is not included in AB 1284:

*"Any action taken in accordance with this Policy shall: (i) comply with all applicable laws and regulations, including those governing surplus and excess lands; (ii) occur in consultation with California tribes pursuant to Executive Orders N-15-19 and B-10-11; and (iii) not conflict with the Governor's stated policy priorities, such as housing and homelessness and climate action."*

Following release of that statement, California's 30x30 Initiative included a commitment to strengthening tribal partnerships, including the development of opportunities for "meaningful and mutually beneficial tribal management and tribal co-management within new and existing state lands, marine waters, and private lands, through formal agreements and other means." "Natural lands" is defined in Section 9001.5 of the Public Resources Code to mean lands consisting of forests, grasslands, deserts, freshwater and riparian systems, wetlands, coastal and estuarine areas, watersheds, wildlands, or wildlife habitat, or lands used for recreational purposes such as parks, urban and community forests, trails, greenbelts, and other similar open-space land. The 30x30 Initiative does not include inland waters.

The State Water Resources Control Board is recognized as the primacy agency for water quality under the Federal Clean Water Act. Moreover, Section 174 of the Water Code provides that the Board was established to provide for the orderly and efficient administration of the water resources of the state, and shall exercise the adjudicatory and regulatory functions of the state in the field of water resources. The Board is not in the Natural Resources Agency.

One of the key principles included in the Pathways to 30x30 California is to engage in “early, often, and meaningful government-to-government consultation with California Native American tribes for the protection, care, access, and stewardship of cultural landscapes, celestial-scapes, and seascapes, as well as other sacred sites and ceremonial places, within their traditional and culturally affiliated territory.” Therefore, there is no compelling need to codify government-to-government consultation in the Government Code for such purpose.

VAWC submitted amendments to the author either delete “waters” from the legislation or to include a savings provision that agreements entered into under the legislation would not alter or interfere with the rights of other legal users of water. Despite a commitment from the Assembly Member Ramos during meetings with our firm, and again at the bill’s June 11 hearing in the Senate Natural Resources and Water hearing, to work with the opposition to ensure that the bill’s provisions do not interfere with or alter water rights or the role of the State Water Board and the courts regarding concurrent jurisdiction over water use, Assembly Member Ramos rejected all our amendments. Notwithstanding our firm’s efforts to persuade others to engage on the bill, many were reluctant to oppose Native American groups, particularly gaming tribes with influence.

The Department of Finance also opposed AB 1284, estimating the fiscal impact as requiring 38.5 permanent positions and \$9.1 million General Fund (GF) in 2025-26 and \$9.4 million GF in 2026-27 and annually thereafter, largely associated with staffing, contract, and consulting costs. Costs that were not included in a difficult FY2024-25 State Budget.

AB 1284 ultimately passed both houses of the Legislature with zero NO votes. Governor Newsom signed the bill into law on September 27, 2024. (Chapter 657, Statutes of 2024)

In a signing message to the Legislature, Governor Newsom stated, in part:

*“I am signing this bill to reflect my strong support of tribal-state collaboration as we work to create a healthier and more climate-adaptive California for future generations. My Administration will continue working with tribal governments and the Legislature to ensure we can collectively address outstanding issues or limitations in embracing and implementing these sovereign-to-sovereign agreements.”*

#### Lake and Streambed Alteration Agreements Exemptions

Current law prohibits a person, a state or local governmental agency, or a public utility from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or depositing or disposing of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, unless prescribed

requirements are met, including written notification to the Department of Fish and Wildlife regarding the activity. Current law requires the department to determine whether the activity may substantially adversely affect an existing fish and wildlife resource and, if so, to provide a draft lake or streambed alteration agreement to the person, agency, or utility.

Current law also establishes various exemptions from these provisions, including, until January 1, 2029, an exemption for the diversion of floodflows for groundwater recharge (SB 122, Chapter 51, Statutes of 2023). VAWC supported the latter exemption which modified and extended through January 1, 2029, the authority provided by Governor Newsom in Executive Order N-4-23 and N-7-23 to protect communities from possible flood damage as a result of a series of winter storms that struck California and support groundwater recharge.

Assembly Bill 2060, by Assembly Member Esmeralda Soria (D-Fresno), would, until January 1, 2029, exempt from these provisions the temporary operation of existing infrastructure or temporary pumps being used to divert water to groundwater recharge as long as certain conditions are met, including the use of protective screens on temporary pump intakes for diversions directly from rivers or streams, and implementation of appropriate species protection measures.

VAWC supported AB 2060 as the bill would facilitate the diversion of floodflows for groundwater recharge in the San Joaquin Valley during wet years to be better positioned to endure dry years.

According to the Senate Appropriations Committee Analysis, the State Water Resources Control Board estimated ongoing costs to implement the bill provisions of \$225,000 annually from the Water Rights Fund related to permit application review and permit oversight. Those annual costs may increase over time up to \$900,000 (Water Rights Fund with any remainder coming from the General Fund), depending on the number of permits issued and how the permits are used. Additionally, the Department of Fish and Wildlife estimated unknown, but potentially significant, ongoing costs from General Fund or special fund for consultation with permit applicants and making recommendations regarding appropriate species protection measures.

The bill was also opposed by the California Department of Finance due these costs.

Despite near-unanimous support in the Assembly, with the bill receiving zero NO votes, the bill ultimately died in the Senate on August 31, 2024, a day after the bill had been ordered to the inactive file.

### Groundwater Extraction Permits

Passed in 2014, the Sustainable Groundwater Management Act (SGMA) provides a comprehensive framework to manage groundwater resources in overdrafted

groundwater basins (i.e., basins deemed high-or medium-priority). To comply with SGMA, local agencies in overdrafted basins had to form a groundwater sustainability agencies (GSA) by 2017 and develop groundwater sustainability plans (GSPs) by 2020 or 2022 that will lead to sustainable groundwater management over 20 years. SGMA defines sustainable groundwater management as the avoidance of “undesirable results”. SGMA’s explicit intent is to keep management of groundwater resources at the local level while allowing for state intervention if local agencies are unsuccessful or get off track in meeting their sustainability goals. SGMA also intends for GSAs to have flexibility to address conditions unique to their particular basin and states that it does not alter groundwater rights.

The Department of Water Resources (DWR) estimates there are two million groundwater wells in California at present and indicates that between 7,000 and 15,000 new wells are constructed each year. Permitting for construction, alteration, or destruction of groundwater wells is handled by local enforcement agencies (LEAs); typically this is a county department of environmental health, but cities and water agencies also exercise this authority in some cases. LEAs ensure compliance with well standards set by DWR (in Bulletin 74) before issuing a permit. Some agencies adopt standards for wells that surpass DWR guidelines. Others may require the application for a new well to be reviewed by an expert consultant to determine the likelihood of drinking well interference and other impacts. A permitting decision can be either discretionary or ministerial, depending on whether the agency is required to exercise judgment in the approval process. Currently, most groundwater well permits are issued ministerially in compliance with well construction standards that primarily address protections for groundwater quality.

Assembly Bill 2079, by Assemblymember Steve Bennet (D-Ventura) would require a LEA to perform specified activities at least 30 days before determining whether to approve a permit for a new large-diameter, high-capacity well. The bill would require, upon adoption or amendment of a GSP, the GSA to provide specified information to the local enforcement agency, including, but not limited to, the name of the applicable GSA, the agency manager and contact information, and the applicable sustainable management criteria related to groundwater levels, including the groundwater level measurable objectives and minimum thresholds. AB 2079 would also create statutory restrictions regarding the permitting of certain wells. These restrictions include prohibiting a local enforcement agency from approving wells with a diameter of 8 inches or more, and intended to extract more than 2 acre-feet per year, if that well is in an area with subsidence, or within a quarter mile of a domestic well. DWR was the sponsor of the bill.

According to the Author:

*"SGMA was passed to establish a statewide framework to help protect groundwater basins from over-pumping and have them reach long-term sustainable pumping levels. In March of 2022, the Governor signed Executive Order (EO) N-7-22 to establish new well permitting requirements in order to*

*ensure new wells were evaluated for their impact on neighboring wells and land subsidence. Thousands of wells were permitted, with only a cursory ministerial approval process between the 2014 passage of SGMA and the governor's 2022 [EO]. Thousands of drinking water wells that often times served disadvantage communities went dry during that same period. [DWR] performed an extensive review followed by a thorough report on the implementation and effectiveness of the Governor's [EO]. [This bill] now implements the recommendations from DWR to ensure that new wells are evaluated for their impact on neighboring wells and land subsidence."*

VAWC opposed AB 2079 on fiscal grounds for two reasons. First, the bill will result in upward pressure on the General Fund (GF) for DWR. Similar to executive orders issued in 2022 and 2023, AB 2079 had no mechanism to ensure compliance, but enactment of the bill will result in greater costs for data collection and management, and facilitation of support services to local agencies and community groups. Just last year, the Legislature approved \$14 million ongoing GF for 11 new positions and the support for 29 existing positions to address the emerging needs associated with SGMA implementation. The request was to support DWR in meeting all obligations under SGMA. AB 2079 will add to those obligations.

Second, AB 2079 will impose a costly unfunded mandate on cities, counties, and GSAs. The latter entities are already experiencing financial challenges in balancing the effects of their regulatory and plan implementation fees imposed on groundwater extractors with paying for the actions necessary to achieve their sustainability goals.

VAWC further argued the legislation represents an unnecessary intrusion into local control, interferes with the regulatory authority granted to GSAs under SGMA, and adds burdensome requirements on GSAs at a time when they are focused on implementation of GSPs—the majority of which have been approved by DWR.

Our firm, on behalf of VAWC, joined an opposition coalition (coalition) that worked on amendments to AB 2079. The coalition consisted of the California State Association of Counties, California Chamber of Commerce, Association of California Water Agencies, agricultural associations, and other water agencies. In April, our firm began directly communicating directly with Paul Gosselin, DWR's Deputy Director of SGMA, about the bill's shortcomings.

Gosselin stated that the purpose of the bill was to stop subsidence and well interference with small domestic wells and small water systems. Reeb, however, reminded Gosselin that DWR did not have the authority to adopt standards, and that subsidence and well interference were not a water quality concern. The nature of SGMA placed local agencies, through GSAs, at the forefront of achieving sustainability. Even if all drilling ceased, this would likely have no effects on water subsidence or well interference. Reeb also argued that the bill could result in adjudication, property rights issues, or affect current water banks. Though Gosselin signaled a willingness to accept amendments, the bill remained problematic through the Assembly, passing both the Water, Parks and

Wildlife and Appropriations Committees. The bill eventually passed the Assembly Floor 41–17, with 22 members not voting.

After moving to the Senate, the opposition coalition continued efforts to work with DWR and the Author to amend the bill. Gosselin, however, appeared to be on a mission to pass the bill without further amendments. With this realization, the coalition pivoted to stop the bill in the Senate Natural Resources and Water Commerce (SNRW).

The coalition targeted three SNRW Democrats asking them to join Republicans in stopping the bill from moving forward by either abstaining or opposing AB 2079: Senators Melissa Hurtado (D-Sanger), Susan Talamantes Eggman (D-Stockton), and Steve Padilla (D-San Diego). All three joined Republican Senators Seyarto and Meghan Dahle (R-Bieber) in voting against the bill. The bill failed passage on a 5-6 vote, effectively dying in committee.

Reeb noted that the Democratic senators agreed with the opposition's assessment that AB 2079 would interfere with SGMA, which was supported by recent DWR information that demonstrated SGMA working the way it was originally designed. Gosselin, however, appears firm in his belief that the legislation is necessary and indicated interest on continuing conversations on the bill's subject matter before the next session.

#### Water Quality Control Plans – Tribal Uses

Assembly Bill 2614, by Assembly Member James Ramos (D-Highland), would require the State Water Resources Control Board (State Water Board) to incorporate water quality standards to achieve reasonable protection of tribal water uses into the water quality control plan for the San Francisco Bay and Sacramento-San Joaquin Delta watershed. The bill would add consultations with California tribal communities and environmental justice considerations as factors for a regional board to consider in establishing water quality control objectives; as well as exempt adoption of tribal water uses within water quality control plans from the California Environmental Quality Act (CEQA). The bill would require, on or before January 1, 2028, that each regional board adopt water quality standards to achieve reasonable protection of tribal water uses into water quality control plans; codify legislative findings and declarations that tribal water uses must be protected through the statewide program for the control of the quality of all the waters of the state; and allow for tribal water uses to be a primary factor in determining the highest water quality that is reasonable in all regulatory decisions.

According to the bill sponsors, the Shingle Springs Band of Miwok Indians, "*Establishing tribal beneficial uses (TBUs) in statute would ensure that all California tribes can benefit from water quality management plans that place tribal water uses on equal footing with other uses, such as recreation and hydropower generation.*" This bill defines TBUs in statute and requires that the definition replace all other definitions of tribal water use adopted by a state agency. This applies to the State Water Board's adoption of "tribal traditional cultural uses" and "tribal subsistence uses" via Resolution 2017-0027, which followed significant stakeholder input, including with tribal representatives.



VAWC strongly opposed AB 2614 for several reasons, but overall asserted that several provisions of the bill were duplicative and therefore unnecessary and inconsistent with provisions of existing law. For example, the legislation would require that environmental review conducted pursuant CEQA for any project or regulatory program subject to approval by the State Water Board or a regional board, to describe, with both quantitative and qualitative information, how the project or regulatory program will impact tribal water uses. This provision is unnecessary since Section 21080.3.1 of the Public Resources Code already requires, prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project, a lead agency to begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if: (1) the California Native American tribe requested to the lead agency, in writing, to be informed by the lead agency through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe, and (2) the California Native American tribe responds, in writing, within 30 days of receipt of the formal notification, and requests the consultation. Section 21080.3.2 specifies that, as a part of the consultation, the parties may propose mitigation measures capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource. The consultation may include discussion concerning the type of environmental review necessary, the significance of tribal cultural resources, the significance of the project's impacts on the tribal cultural resources, and, if necessary, project alternatives or the appropriate measures for preservation or mitigation that the California Native American tribe may recommended to the lead agency.

Beyond being duplicative of existing law, AB 2614 would add two very troubling requirements relating to tribal water uses to the Water Code. First, that adoption of tribal water uses within a water quality control plan would be exempt from CEQA. Second, that each regional board would be required to adopt water quality standards to achieve reasonable protection of tribal water uses into water quality control plans. More specifically, AB 2614 would require the state board to incorporate water quality standards to achieve reasonable protection of tribal water uses into the water quality control plan for the Bay-Delta watershed.

The latter requirement—ensuring the reasonable protection of beneficial uses—is already provided for under Section 13241 of the Water Code, except that Section 13241 recognizes that “it may be possible for the quality of water to be changed to some degree without unreasonably affecting beneficial uses.” It is therefore unnecessary to add a new section to the Water Code—Section 13170.4—as proposed by AB 2614. Worse, it proposes a requirement for the State Water Board to incorporate water quality standards for one beneficial use into the Bay-Delta Water Quality Control Plan update, which is a regulatory process that has been underway for many years and has completed the first of three phases.

VAWC further noted that the provisions of AB 2614 are internally inconsistent in that while the legislation would require CEQA review of any project or regulatory program subject to approval by the State Water Board or a regional board to describe how the project or regulatory program will impact tribal water uses, while at the same time allow a California tribal community that elects not to publicly disclose its tribal water uses to confidentially disclose them to the State Water Board or a regional board.

AB 2614 would additionally require the California Water Quality Monitoring Council to formulate recommendations to: “Achieve and maintain tribal water uses through state board and regional board regulatory action and other programs, including, but not limited to, co-management of habitat restoration and management programs and consultations with California tribal communities.” The latter requirement would expand the scope of the monitoring council far beyond its stated purpose. AB 2614 would insert a policy standard to achieve and maintain tribal water uses. Such a standard is in conflict with the standard established in Section 13241 of the Water Code. Factors to be considered by a regional board in establishing water quality objectives already include past, present, and probable future beneficial uses of water, environmental characteristics of the hydrographic unit, and water quality conditions that could reasonably be achieved through the coordinated control of all factors which that affect water quality in the area. VAWC asserted that tribal water uses may already be provided reasonable protection, considering all other beneficial uses, and balancing competing uses.

Our firm was heavily involved in the opposition of this bill, meeting with the author, bill sponsor, and committee consultants. Our clients, in fact, were the sole opponents initially on AB 2614. Our firm worked hard to secure other opponents and to persuade ACWA to engage in terms of sharing concerns with the author.

AB 2614 died in the Assembly Appropriations Committee after being held under submission in the Committee’s Suspense File on May 15, 2024.

### Water Resiliency Act of 2024

The California Constitution declares that the general welfare requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable, and that the right to the use of water does not extend to the waste or unreasonable use, method of use, or method of diversion of water.

Assembly Constitutional Amendment 2 (ACA 2) would require the annual transfer of 1.5% of all state revenues from the General Fund to the California Water Resiliency Trust Fund (Fund), which the measure would create. ACA 2 would continuously appropriate moneys in the fund to the California Water Commission (Commission) for its actual costs of implementing these provisions and for all of the following project categories: the development or expansion of groundwater aquifer storage, remediation, and recovery projects; recycling, purification and treatment of stormwater for water reuse, including for drinking water; expansion, repair, or replacement of existing surface

reservoirs and construction of new surface reservoirs; desalination plants; water conveyance development, maintenance or expansion; other projects designed to increase clean, safe, and affordable supply of water; and research and development of new technologies in relation to clean, safe, and affordable water supply.

ACA 2 would require the Commission to allocate and provide funding from the fund for part or all of a project, or, where applicable, additional funding in an amount necessary to complete a project, which will begin delivery of water to California's urban and agricultural consumers. The measure would authorize a project funded pursuant to its provisions to elect to be subject to a streamlined review pursuant to the California Environmental Quality Act (CEQA). Additionally, ACA 2 would provide that the California State Auditor is to annually conduct a programmatic review and an audit of expenditures from the fund and report those findings.

Similar to constitutional amendments that have previously been approved, such as Proposition 98, ACA 2 would allow state agencies and local agencies to easily access state financial assistance for infrastructure projects regardless of fluctuations in state revenues from year to year. Though this would reduce the flexibility of the Governor and Legislature to respond to economic downturns and their effects on state revenues, setting aside state revenues for infrastructure on a "pay-as-you-go" basis is more cost effective over time compared to issuing general bonds. Further, by ensuring there is continued funding available for critical infrastructure projects, ACA 2 would ultimately bolster overall climate resilience against the current and future impacts of climate change in the state.

VAWC held a support position on ACA 2. The bill was double referred to the Assembly Water Parks and Wildlife Committee and to the Natural Resources Committee. The bill's hearing in the first committee was canceled in March at the request of the Author. The bill died in the Assembly after failing to meet the August 31 legislative deadline for each house of the Legislature to pass bills.

### The California Water Plan – Long-Term Supply Targets

The California Water Plan (Plan) is "the master plan which guides the orderly and coordinated control, protection, conservation, development, management and efficient utilization of the water resources of the state." As a part of updating the plan every five years, the Department of Water Resources (DWR) is required to include a discussion of various strategies, including those relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, and water transfers that may be used to meet future water needs of the state. Inclusion of a particular project or strategy does not constitute approval of or state financing for said project or strategy without further legislative action. DWR must also conduct, as part of the updating the plan, a study to determine the amount of water needed to meet the state's future needs and to recommend programs, policies, and facilities to meet those needs. The plan was last updated in 2018, and the next update is currently underway.

Senate Bill 366, by Senator Anna Caballero (D-Merced), would require DWR to coordinate with the California Water Commission, the State Water Resources Control Board, other state and federal agencies as appropriate, and a stakeholder advisory committee to develop a comprehensive plan for addressing the state's water needs and meeting specified long-term water supply targets established by the bill for purposes of the California Water Plan. The bill would require the plan to provide recommendations and strategies to ensure enough water supply for all beneficial uses; and require DWR to update the California Water Plan on or before December 31, 2028, and every five years thereafter. Each update will require the plan to include a discussion of various strategies that may be pursued to meet the water supply targets, and an economic analysis. The bill would also require DWR to submit to the Legislature an annual report between updates to the plan that includes progress made toward meeting the water supply targets once established.

The California Municipal Utilities Association is the sponsor of this legislation.

According to the author and bill sponsor: *“Despite decades of work to improve California’s water system, our infrastructure remains inadequate to meet present needs and is woefully unprepared to meet future needs. [This bill] would establish necessary water supply targets to capture and produce enough water for all uses, including communities, agriculture, and the environment, by modernizing the California Water Plan for a 21st century climate.”*

California has established numerous targets over the last decade, including for renewable energy generation and electric vehicles sales. In August 2022, Governor Newsom released the *“California’s Water Supply Strategy: Adapting to a Hotter, Drier Future,”* the Administration’s blueprint for enabling the state to cope with more extreme droughts, floods, and temperatures while addressing long-standing challenges, such as over-reliance on groundwater and lack of safe drinking water in many communities. The governor released this strategy to address a projected 10% decrease in water supply by 2040 due to climate change. To address this projection, the strategy sets various targets to generate new water supply, reduce demand, and develop additional water shortage.

SB 366 would codify and amplify the governor’s Water Supply Strategy, which admits that the ability to capture water in wet years for use in dry years and to supply water for groundwater recharge will depend on adding surface water and groundwater storage capacity. This is especially important if a warming climate results in more precipitation falling as rain instead of snow—adding surface water storage capacity will be needed to both maintain and increase water supplies.

VAWC maintained a support position on SB 366 all through 2023. The bill unanimously passed the Senate before it was sent to the Assembly, where it was referred to the Assembly Water, Parks, and Wildlife Committee. The bill was scheduled to be heard in the Assembly Water Committee on July 11. The hearing was canceled at the request of

the author, as the committee was requesting amendments Senator Caballero was not willing to take. The requested amendments included, (1) striking the economic analysis requirement from the bill and instead requiring DWR to analyze the costs of achieving the targets developed under the bill and a cost-benefit analysis of the projects and strategies needed to achieve them; and (2) removing the 2040 interim target and allow DWR to determine whether or not an interim target is necessary and feasible.

The bill then became a two-year bill and remained inactive until April 2024, when Senator Caballero accepted the water committee's suggested amendments. The committee then further requested that the author take additional amendments to strike references to the "co-equal goals for Delta." This would include replacing the original interim target requirement with a requirement that DWR include an interim planning target of 9,000,000 acre-feet of additional water, water conservation, or water storage to be achieved by 2040—a target that may be achieved through the development of new or expanded surface or groundwater storage, conservation efforts, or the development of stormwater capture, gray water, recycled water, or other water supplies.

In August, the bill was further amended to instead require the California Water Plan to, among other things, require the DWR to expand the membership of the advisory committee to include tribes, labor, and environmental justice interests. The bill would require DWR, as part of the 2033 plan update, to adjust the interim planning target for 2050. The bill would require the target to consider future water needs for all beneficial uses and ensure safe drinking water for all Californians, among other things. The bill would require the plan to include specified components, including discussions of environmental needs, urban sector water needs, and agricultural water needs, and a discussion of the estimated costs and benefits of any project type or action that is recommended by DWR within the plan that could help achieve the water supply targets. The bill would require DWR to report to the Legislature amendments, supplements, and additions included in the updates of the plan, together with a summary of the DWR's conclusions and recommendations, in the session in which the updated plan is issued. The bill would also require DWR to conduct public workshops to give interested parties an opportunity to comment on the plan.

VAWC maintained its support for SB 366 this year, and joined a coalition consisting of other water suppliers, agricultural groups, building associations, manufacturers' groups, and the California Chamber of Commerce.

In letter to sent to legislators in August, the support coalition wrote: *"Given the extreme climate impacts of the 21st century, an expanding economy, a growing population, the anticipated reductions from existing water resources, and the controls on the use of groundwater, California needs to align the state's water supply strategy and policies with a target that will result in an adequate and reliable water supply for all beneficial uses including the environment, agriculture, the economy and all Californians."*

SB 366 finally passed the Assembly on a 68–0 vote, with 11 members not voting, on August 26, 2024. The Senate concurred on the Assembly amendments with a 40-0 vote.

Governor Newsom vetoed the measure on September 29 stating, in part:

*“While I appreciate the author’s intent, this bill would create substantial ongoing costs for DWR, the State Water Resources Control Board, and other state agencies and departments to assist in the development of water supply planning targets. A revision to the Plan of this magnitude, that creates such significant costs, must be considered in the context of the annual budget.”*

In his veto message, Newsom also seemed to believe that the state currently has an adequate plan for water management. He stated, in part:

*“My Administration recently released the 2023 Plan to lay out a statewide vision promoting climate resilience across regions, water sectors, and natural and built infrastructure. This Plan update includes clear goals, watershed-based climate resilience planning, and regional and interregional infrastructure modernization strategies.”*

#### Flood-flow Diversion for Groundwater Recharge

In 2023, a series of atmospheric rivers brought record-breaking precipitation, snowpack levels, and flooding to the state. In response, Governor Gavin Newsom issued executive orders authorizing water agencies to divert excess floodflows from rivers and streams to both manage potentially destructive flood damage and for the purposes of groundwater recharge. Executive Orders N-4-23 (flood diversions began before June 1, 2023) and N-7-23 (for flood diversions after June 1, 2023), authorized water agencies to divert excess floodflows for the purposes of groundwater recharge without the need to obtain a water right under specific criteria. Previously a diverter would have had to apply to the State Water Resources Control Board (SWRCB) for a new water right permit or to change an existing water right permit. Between March and August of 2023, 78 diversions of floodflows were conducted for groundwater recharge under the executive orders.

The public resources budget trailer bill for FY2023-24 (SB 122, Chapter 51, Statutes of 2023) provided that the diversion of flood flows for groundwater recharge does not require an appropriative water right if specified conditions regarding the diversion are met, including, among other things, if a local or regional agency that has adopted a local plan of flood control or has considered flood risk as part of its most recently adopted general plan has given notice via its internet website, electronic distribution list, emergency notification service, or another means of public notice, that flows downstream of the point of diversion are at imminent risk of flooding and inundation of land, roads, or structures. The bill provided that these provisions apply only to diversions commenced before January 1, 2029. The bill provided that the state is not

liable for flood damages related to actions authorized pursuant to the provisions of SB 122.

Upon introduction, Senate Bill 1390, by Senator Caballero, would extend the application of permits through June 1, 2032, and expand the authority to divert to a local or regional agency that has a county emergency operations plan or a publicly available regional flood plan certified by DWR. This legislation also would expand SB 122 authority beyond where flows would inundate ordinarily dry areas in the bed of a terminal lake to a depth that floods dairies and other ongoing agricultural activities, or areas with substantial residential, commercial, or industrial development. This legislation would authorize the diversion of floodflows where they are projected to inundate ordinarily dry areas.

According to the author: *“SB 1390 is a simple bill that provides clarity to current flood planning requirements and builds on the momentum of SB 122 and the Governor’s Executive Order issued in March of 2023. SB 1390 will allow more groundwater projects to move forward during flood events by providing water agencies with information about when flood conditions begin and end by using sophisticated forecasting models to anticipate flood events, with increased accountability, public safety and water quality.”*

VAWC initially took a “support” position on SB 1390 upon its introduction in the Senate, noting that the bill would allow for the continued diversion of flood flows in the San Joaquin Valley to protect communities from possible flood damage and to support groundwater recharge.

The bill, however, was amended in the Assembly to further strike a balance between ensuring opportunities for recharge in the San Joaquin and Sacramento Valley streams while protecting California’s water rights priority system. These amendments, included, but were not limited to:

- 1) Adding a county emergency operations plan (EOP) and a local hazard mitigation plan to the list of plans that a local or regional agency may rely upon to determine there is an imminent risk of flooding to authorize the temporary diversion of floodflows for groundwater recharge.
- 2) Provide that “floodflows” may include measured flows that are “projected” by a local or regional agency to be in excess of the maximum design capacity of a flood project or flows “projected” by a local or regional agency to inundate ordinarily dry areas in the bed of a terminal lake.
- 3) Clarify that “imminent” means conditions that will begin or that are projected to begin within 72 hours.
- 4) Provide that a local or regional agency shall be responsible for determining when flood conditions have abated for purposes of ceasing the temporary diversion of floodflows for groundwater recharge.
- 5) Require a local or regional agency to issue a declaration that flood conditions are projected to end at least 48 hours beforehand to inform the public and diverters.



- Required a local or regional agency to notify the public and known diverters that flood conditions are abating, within 24 hours of the projected end of flood conditions.
- 6) Provide a local or regional agency may renew a temporary diversion of floodflows for groundwater recharge for an additional 14 days by notifying the State Water Resources Control Board (State Water Board) seven days before the authority to do so expires.
  - 7) Provide that floodflows may only be temporarily diverted for groundwater recharge when the Delta is in excess water conditions without restrictions. Requires a diverter exercising the authority to temporarily divert floodflows for groundwater recharge to monitor conditions daily using the Delta Operations Summary published on the Department of Water Resources' (DWR) website to determine whether the Delta is in excess conditions without restrictions.
  - 8) Define "excess water conditions" for purposes of #9, above, as those determined pursuant to the coordinated operation agreement (COA) for the federal Central Valley Project (CVP) and State Water Project (SWP), as amended.
  - 9) Define "without restrictions" for purposes of #9, above, as when Delta exports are not constrained by any requirements, including for the protection of water quality and endangered species per COA.

Later amendments also removed the extension of the 2029 sunset date.

The bill became more controversial after these amendments. Though they would protect legal water users of water in the Delta with respect to water rights permits and conditions; the language referring to the diversion of flood flows would prove a problem for state flood control and local flood control agencies that divert flood waters in order to avoid levee failure during high flood flow situations. Thus, the original intent of the bill was lost. During discussions with VAWC about the bill, Reeb further noted that the August amendments were included to ensure that the bill's provisions were enacted within the context of the water rights system that VAWC itself spent years fighting to protect.

Because of the differences within the Coalition's membership the Steering Committee ultimately voted to take a watch position on SB 1390 for the remainder of the year. After this, our firm communicated with Caballero's staff to hold the bill in order to search for a better compromise in the fall; however, staffers decided to move forward with the bill this session, albeit with a commitment to hold more discussions on the San Joaquin tributary in the fall.

The bill passed the Senate Floor unanimously, with 3 Senators not voting. SB 1390 died on the Assembly Floor after failing to reach the 41 vote threshold needed to pass, with 36 "aye" votes, 2 "no" votes, and 41 members not voting.

## **November Elections**

— *Politics is not predictions and politics is not observations. Politics is what we do. Politics is what we do, politics is what we create, by what we work for, but what we hope for and what we dare to imagine.*<sup>v</sup>

All members of the Assembly and one-half of the 40-member State Senate will stand for election this November. Twenty-three Assembly Members (19 Democrats; 4 Republicans) and 11 Senators (9 Democrats; 2 Republicans) will not be seeking reelection. Many are either termed-out or running for other offices.

Under the new maps, much of the San Joaquin Valley falls within Senate Districts 5, 12, 14, and 16; and Assembly Districts 8, 9, 13, 27, 31, 32, and 33.

Locally, Senator Susan Talamantes Eggman (D-Stockton) was among several legislators unable to run for reelection due to term limits. Running to fill the Senate District 5 seat this November were Jerry McNerney (D), former U.S. House Representative for California's 9th Congressional District, and Jim Shoemaker (R), business, trucker, and tradesman; with McNerney in the lead with 53.0% of the votes counted, at the time of this writing. The district includes San Joaquin County and the northeastern portion of Alameda County.

Senate Districts 12, 14, and 16, were not up for election this year.

In the Assembly, Assembly Member Jim Patterson (R-Fresno) was prevented from running for reelection in Assembly District 8 due to term limits. Vying for his seat were George Radanovich (R), former U.S. Representative for California's 19th congressional district, and David J. Tangipa (R), Field Representative for Fresno County Supervisor Nathan Magsig; with Tangipa leading on the ballot with 53.2% of the vote, over Radanovich's 46.8%. The District covers all of Inyo, Mariposa, Mono and Tuolumne counties as well as parts of Calaveras, Fresno and Madera counties.

In Assembly District 9, incumbent Heath Flora (R-Modesto) retained his seat having garnered 70.1% of the vote over challenger retired business owner Tami Nobriga's (AI) 29.9%.

In Assembly District 13, Rhodesia Ransom (D), Tracy City Council Member, won election with 57% of the vote, with opponent Denise Aguilar Mendez (R), conservative activist, receiving 43%. The District covers parts of San Joaquin County, including Mountain House, Tracy, and Stockton, and has been represented by Assembly Member Carlos Villapudua, who unsuccessfully sought the Senate District 5 seat in the March primary.

Incumbent Assembly Member Esmeralda Soria (D) won reelection in the contest for Assembly District 27 with 52.2% of the vote, with challenger Joanna Garcia Rose (R),

business manager for the California Department of Corrections and Rehabilitation, obtaining 46.8%. The newly redistricted seat represents Merced, Madera and Fresno counties.

In Assembly District 31, incumbent Assembly Member Joaquin Arambula (D-Fresno) won reelection with 59.2% of the vote, over challenger Solmon Verduzco (R), a journalist, who received 40.8% of the vote. The 31st Assembly District sits entirely within Fresno County and includes much of Fresno, part of Clovis, as well as Sanger, Selma, Fowler, Parlier, Orange Cove, and parts of rural Fresno County to the southeast of Fresno.

The ballot for the Assembly District 31st seat showed former Assembly Member Vince Fong (R) and Ken Weir (R) vying for the office. In the March primary, Fong was initially running for the State Assembly seat unopposed. Weir was one of four write-in candidates who joined the March primary after Fong announced he would not be running for reelection to the Assembly. Fong and Weir were the top two vote-getters, advancing them to the general election. Fong, however, also appeared in the run for the U.S. House of Representatives in the 20th Congressional District, a role he has served in for the last few months after he won a special election for the remainder of former Rep. Kevin McCarthy's term. Fong won the Assembly District seat with 58.9% of the vote, and the Congressional seat with 65.6% of the vote. Fong had previously stated that should he be elected to both seats, he will resign from the Assembly, triggering a special election for the 32nd Assembly District in 2025.

Assembly Member Devon Mathis (R-Poterville) did not seek reelection in the 33rd Assembly District, just two years shy of his legislative term limit. Vying for the seat were Republicans Xavier Avila, dairy farmer, and Alexandra Macedo, business owner. Macedo won the race with 63.1% of the vote, over Avila's 36.9%.

Election results will be certified by the Secretary of State on December 13, 2024.

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<sup>i</sup> "A budget tells us what we can't afford, but it doesn't keep us from buying it." — William Feather

<sup>ii</sup> "People buy into the leader before they buy into the vision." — John C. Maxwell

<sup>iii</sup> "Resilience, in today's context is definitely not about bouncing back to normal state, it is about accepting and preparing for new realities." — Arivudai Nambi Apparudai

<sup>iv</sup> "Men do not make laws. They do but discover them. Laws must be justified by something more than the will of the majority. They must rest on the eternal foundation of righteousness." —President Calvin Coolidge

<sup>v</sup> "Politics is not predictions and politics is not observations. Politics is what we do. Politics is what we do, politics is what we create, by what we work for, but what we hope for and what we dare to imagine." —Paul Wellstone