

Wheeler Ridge-Maricopa Water Storage District
Wheeler Ridge-Maricopa GSA
Regular Board Meeting
Tuesday, May 14, 2024 @ 8:00 A.M.
District Headquarters Board Room
12109 Hwy 166, 6.5 miles west of Mettler, CA

Or via GoToMeeting
(Optional Remote Public Participation Only – See NOTICE Below)
Conference Line: +1 (872) 240-3212
Access Code: 211-452-397
<https://www.gotomeet.me/WRMWS>

NOTICE: Members of the public interested in participating remotely via GoToMeeting may do so using the call-in information above or by following this [link](#). Please note that this option is provided as a courtesy and at the participant's own risk. The District cannot guarantee that there will be no loss of connectivity or other technological obstacle to full participation through via GoToMeeting. By participating in this way, participants confirm that they understand this risk and that the Board is not obliged to delay any portion of the meeting due to such technological obstacles and thus via GoToMeeting participants may be unable to participate.

AGENDA

8:00 1. Call to Order

2. Closed Session

Conference with Legal Counsel Re: Existing Litigation (Govt. Code § 54956.9(a)):

1. *DWR v. All Persons Interested, etc. "Complaint for Validation" Re: SWP Contract Extension Amendment (Sacramento County Sup. Ct., Case No. 34-2018-00246183, 3rd Appellate Dist., Case No. C096316, and related cases and appeals)*
2. *Sierra Club v. DWR v. All Persons Interested, etc., consolidated CEQA Case and "Complaint for Validation" Re: Delta Program Revenue Bonds, Sacramento County Sup. Ct., Case No. 34-2020-80003517*
3. *CDWR Environmental Impact [WaterFix] Cases, Sacramento County Sup. Ct., Case No. JCCP No. 4942*
4. *Rosedale-Rio Bravo Water Storage District v. Kern County Water Agency, et al., Kern County Superior Court, Case No. BCV-21-100418*
5. *KWBA, et al. v. Kern LAFCo, et al., Kern County Sup. Ct., Case No. BCV-21-101310-GP*
6. *Friends of the River, et al., v. Sites Project Authority, Yolo County Sup. Ct., Case No. CV2023-2626 and related cases*
7. *Sierra Club, et al., v. DWR, Sacramento County Sup. Ct., Case No. 24WM000008, and related cases, challenging DCP EIR*
8. *State Water Resources Control Bd. Administrative Hearing Office (AHO) Proceeding Re Sites Project Authority Water Rights Applications*
9. *MFC Kern I LLC, et al. v. Wheeler Ridge-Maricopa WSD, Kern County Sup. Ct., Case No. BCV-24-100873*

Conference with Legal Counsel - Anticipated Litigation: Initiation of Litigation (Govt. Code § 54956.9(d)(4)):

10. *Two Potential Cases*

Conference with Legal Counsel - Anticipated Litigation: Significant Exposure to Litigation (Govt. Code § 54956.9(d)(2)):

11. *Two Potential Cases*

9:00 Open Session Pledge of Allegiance

3. Attorney's Report

Torigiani (5 mins)

1. Report from Closed Session (Gov. Code § 54957.1)
2. Legislative, Executive, Regulatory, and Legal Matters

4. Minutes

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1. Approval of Minutes of the Regular Board Meeting April 10, 2024

Atkinson (2 mins)

5. Financial Reports

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1. Filing of Treasurer's Report
2. Approve Payment of Accounts Payable
- 2.1 Director Compensation and Expense

Mettler (5 mins)

Mettler (5 mins)

Mettler (2 mins)

6. **Controller's Report**
- 1. Delinquent Accounts Report for May 2024 *Smith* (2 mins)
 - 2. Budget Expenditures Report for March 2024 *Mielke* (5 mins)
 - * 3. Intent to Fix Special Service Charges 2024 ****Resolution Required**** *Smith* (5 mins)
7. **President's Report** *Atkinson* (5 min)
8. **Engineer-Manager's Report**
- 1. Filing of the Monthly Report *Nicholas* (5 mins)
 - 2. Water Supply – **2024 SWP Increased Allocation of 40%** *McDaris* (15 mins)
 - a. 2024 Water Supply/Demand Estimate
 - b. Other Purchases/Exchanges
 - * 3. 2024 Budget Water Rate Revisions and Set District Allocation *McDaris* (20 mins)
 - a. Fixed Obligation Equivalent – SWP and Supplemental
 - b. User Input Administration Charge
 - c. Supplemental Water Agreements
 - d. Miscellaneous Water Rates (Budget Table 17)
 - e. Groundwater Service Charge
 - * 4. 2024 – 2025 Carryover *McDaris* (15 mins)
 - * 5. Ratification of Revised Contract for SCADA Services for District System *Nicholas* (5 mins)
 - * 6. Revised Add/Exclude for Materra Farming ****Restated Resolution **** *McDaris* (10 mins)
 - 7. State Water Project / Delta Conveyance Project *Nicholas* (10 mins)
 - 8. Sites Reservoir *Kunde* (E-M Report)
 - * 9. WRMGSA *Staff* (45 mins)
 - a. Discussion and possible action to (a) approve final draft amendments to Kern Subbasin Groundwater Sustainability Plan and supporting appendix of projects and management actions for the Wheeler Ridge-Maricopa Groundwater Sustainability Agency, (b) authorize their submission by the Kern County Subbasin Point of Contact to the State Water Resources Control Board before May 29 for review by SWRCB staff, and (c) authorize their release for public review and comment.
 - b. Discussion and possible action to authorize execution of amended and restated Kern County Subbasin Coordination Agreement among subbasin Groundwater Sustainability Agencies.
 - c. Discussion and possible action to authorize execution of Third Amended and Restated Joint Powers Agreement for Kern Non-Districted Land Authority (formerly Kern Groundwater Authority).
 - d. Discussion and possible action to authorize [updated] notification to cities and counties of intention to adopt new or amended Groundwater Sustainability Plan.
 - e. Discussion and possible action to authorize execution of Memorandum of Understanding Between Kern Water Collaborative and Groundwater Sustainability Agencies in the Kern Subbasin.
 - f. Resolution Authorizing Impose WRMGSA Administration Charge, Directing Notice, and Setting Hearing Regarding Same ****Resolution Required****

9. Reports

1. Director’s Reports on Meetings Attended
2. Kern County Water Agency *McDaris* (5 mins)
3. Kern Water Bank Authority/ KWBGSA *Nicholas* (5 mins)
4. South of Kern River GSP *Nicholas* (5 mins)
5. White Wolf Groundwater Sustainability Agency *Nicholas* (5 mins)
6. Kern River Watershed Coalition Authority *Blaine* (5 mins)
7. Committee for Delta Reliability *Nicholas* (5 mins)
8. South Valley Water Resource Authority *Nicholas* (5 mins)

10. Unfinished and New Business

11. Public Comments

12. Adjournment

*These items may require Board action and may be moved to earlier in the meeting to ensure the maximum number of Directors are present.

Posted pursuant to Government Code § 54954.2(a) at least 72 hours prior to said meeting.

By: Danyel Ruth

May 10, 2024

Per Govt. Code § 54953.2 and § 54961, requests for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in this meeting should be made to the Administrative Assistant (phone 661-527-6068) in advance of the meeting to ensure availability of the requested service or accommodation.

****Per Govt. Code § 54954.3(a)**, A member of the public may comment on any matter on the agenda, before or during the Board's consideration of the matter (and in the case of a closed session matter immediately before the Board goes into closed session) upon being recognized by the President and subject to any time constraints the President may impose from time to time.

AMENDED IN SENATE APRIL 29, 2024

SENATE BILL

No. 1156

Introduced by Senator Hurtado

February 14, 2024

~~An act to add Section 10724.1 to the Water Code, relating to groundwater.~~ *An act to add Section 87200.5 to the Government Code, relating to the Political Reform Act of 1974.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1156, as amended, Hurtado. Groundwater sustainability agencies: *conflicts of interest*: financial *interest* disclosures.

Existing law, the Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans, except as specified. Existing law requires a groundwater sustainability plan to be developed and implemented for each medium- or high-priority basin by a groundwater sustainability agency. Existing law authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin, as provided.

~~Existing provisions of the~~ *The Political Reform Act of 1974 prohibit prohibits* a public official from making, participating in making, or attempting to use their official position to influence a governmental decision in which they know or have reason to know that they have a financial interest, as defined. *The act requires specified public officials, including elected state officers, judges and court commissioners, members of certain boards and commissions, other state and local public officials, and candidates for these positions to file statements of*

economic interests, annually and at other specified times, that disclose their investments, interests in real property, income, and business positions. The Fair Political Practices Commission is the filing officer for such statements filed by statewide elected officers and candidates and other specified public officials. However, existing law permits a public official to make or participate in the making of a governmental decision, even if the public official knows or has reason to know that the official has a financial interest, if the official's participation is legally required for the action or decision to be made. Existing law makes a knowing or willful violation of the act a misdemeanor and subjects offenders to criminal penalties.

This bill would require members of the executive team, board of directors, and other groundwater management decision makers of groundwater sustainability agencies to annually disclose any economic or financial interests pursuant to the Political Reform Act of 1974 that may reasonably be considered to affect their decision-making related to groundwater management, as provided. Because it would expand the scope of a crime, this bill would impose a state-mandated local program. file statements of economic interests according to the filing requirements described above. The bill would require that these statements be filed with the Fair Political Practices Commission, and would require the commission to establish guidelines and procedures for the submission and review of those disclosures. The bill would authorize the commission to investigate and take appropriate enforcement actions for violations of the disclosure requirements. the statements.

Existing law makes a knowing or willful violation of the Political Reform Act of 1974 a misdemeanor and subjects offenders to criminal penalties. By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a $\frac{2}{3}$ vote of each house of the Legislature and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares it is essential
2 to establish mechanisms that promote transparency, prevent
3 conflicts of interest, and ensure accountability within groundwater
4 sustainability agencies to safeguard the sustainable management
5 of groundwater resources.

6 SEC. 2. Section 87200.5 is added to the Government Code, to
7 read:

8 87200.5. (a) (1) *Members of the executive team, the board of*
9 *directors, and other groundwater management decision makers*
10 *of groundwater sustainability agencies shall file statements of*
11 *economic interests in accordance with this article that disclose*
12 *any financial interests that may reasonably be considered to affect*
13 *their decision-making related to groundwater management.*

14 (2) *The statements of economic interests required by this section*
15 *shall be filed with the Commission in a format specified by the*
16 *Commission.*

17 (b) *The statements of economic interests required by this section*
18 *shall include, but not be limited to, information on all of the*
19 *following:*

20 (1) *Investments, ownership, or financial interests in entities*
21 *engaged in groundwater related activities or that may be impacted*
22 *by groundwater related activities.*

23 (2) *Receipts of gifts, loans, or other economic benefits due to*
24 *the person’s role in groundwater management.*

25 (3) *Other financial interests that may reasonably influence*
26 *decision-making pursuant to Article 1 (commencing with Section*
27 *87100) or this article.*

28 (c) (1) *The Commission shall establish guidelines and*
29 *procedures for the submission and review of statements of*
30 *economic interests required by this section.*

31 (2) *The Commission may investigate and take appropriate*
32 *enforcement actions for violations of this section.*

33 ~~SEC. 2. Section 10724.1 is added to the Water Code, to read:~~

34 ~~10724.1. (a) (1) Members of the executive team, the board of~~
35 ~~directors, and other groundwater management decision makers of~~

1 ~~groundwater sustainability agencies shall annually disclose any~~
2 ~~economic or financial interests as required pursuant to Article 2~~
3 ~~(commencing with Section 87200) of Chapter 7 of Title 9 of the~~
4 ~~Government Code that may reasonably be considered to affect~~
5 ~~their decision-making related to groundwater management.~~

6 ~~(2) The disclosures shall be submitted to the Fair Political~~
7 ~~Practices Commission in a format specified by the commission.~~

8 ~~(b) The disclosure shall include, but not be limited to,~~
9 ~~information on all of the following:~~

10 ~~(1) Investments, ownership, or financial interests in entities~~
11 ~~engaged in groundwater related activities or that may be impacted~~
12 ~~by groundwater related activities.~~

13 ~~(2) Receipts of gifts, loans, or other economic benefits due to~~
14 ~~the person's role in groundwater management.~~

15 ~~(3) Other economic or financial interests that may reasonably~~
16 ~~influence decision-making pursuant to Article 1 (commencing~~
17 ~~with Section 87100) of, and Article 2 (commencing with Section~~
18 ~~87200) of, Chapter 7 of Title 9 of the Government Code.~~

19 ~~(e) (1) The Fair Political Practices Commission shall establish~~
20 ~~guidelines and procedures for the submission and review of~~
21 ~~disclosures required pursuant to this section.~~

22 ~~(2) The commission may investigate and take appropriate~~
23 ~~enforcement actions for violations of the disclosure requirements.~~

24 ~~(d) Failure to comply with the disclosure requirements pursuant~~
25 ~~to this section may result in penalties pursuant to Chapter 11~~
26 ~~(commencing with Section 91000) of Title 9 of the Government~~
27 ~~Code.~~

28 SEC. 3. No reimbursement is required by this act pursuant to
29 Section 6 of Article XIII B of the California Constitution because
30 the only costs that may be incurred by a local agency or school
31 district will be incurred because this act creates a new crime or
32 infraction, eliminates a crime or infraction, or changes the penalty
33 for a crime or infraction, within the meaning of Section 17556 of
34 the Government Code, or changes the definition of a crime within
35 the meaning of Section 6 of Article XIII B of the California
36 Constitution.

1 *SEC. 4. The Legislature finds and declares that this act furthers*
2 *the purposes of the Political Reform Act of 1974 within the meaning*
3 *of subdivision (a) of Section 81012 of the Government Code.*

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AMENDED IN ASSEMBLY APRIL 25, 2024

AMENDED IN ASSEMBLY APRIL 16, 2024

AMENDED IN ASSEMBLY MARCH 21, 2024

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL

No. 2079

Introduced by Assembly Member Bennett

February 5, 2024

An act to add Article 5 (commencing with Section 13807) to Chapter 10 of Division 7 of the Water Code, relating to groundwater.

LEGISLATIVE COUNSEL’S DIGEST

AB 2079, as amended, Bennett. Groundwater extraction: large-diameter, high-capacity water wells: permits.

Existing law, the Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans, except as specified. Existing law authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin and imposes specified duties upon that agency or combination of agencies, as provided.

Existing law requires the State Water Resources Control Board to adopt a model water well, cathodic protection well, and monitoring well drilling and abandonment ordinance implementing certain standards for water well construction, maintenance, and abandonment and requires each county, city, or water agency, where appropriate, to adopt a water well, cathodic protection well, and monitoring well drilling and

abandonment ordinance that meets or exceeds certain standards. Under existing law, if a county, city, or water agency, where appropriate, fails to adopt an ordinance establishing water well, cathodic protection well, and monitoring well drilling and abandonment standards, the model ordinance adopted by the state board is required to take effect, and is required to be enforced by the county or city and have the same force and effect as if adopted as a county or city ordinance.

This bill would require a local enforcement agency, as defined, to perform specified activities at least 30 days before determining whether to approve a permit for a new large-diameter, high-capacity well, as defined. By imposing additional requirements on a local enforcement agency, the bill would impose a state-mandated local program. The bill would require, ~~upon notice, a groundwater sustainability agency with oversight for the area of the basin where the proposed large-diameter, high-capacity well is to be located~~ *if the proposed large-diameter, high-capacity well is to be located in an area subject to management by a groundwater sustainability agency, the applicable groundwater sustainability agency, upon notice of a permit application*, to provide specified information to the local enforcement agency, including, but not limited to, the name of the applicable groundwater sustainability agency, 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. The bill would require a local enforcement agency, before approving a permit for a large-diameter, high capacity well, to provide specified information to the applicant. The bill would prescribe certain standards a local enforcement agency would be required to follow in the approval or denial of the permit, including the location of the proposed large-diameter, high capacity well and specified geological and water supply considerations. The bill would provide exemptions for its provisions for specified water wells. The bill would provide that its provisions apply only to applications for permits for the construction, maintenance, abandonment, or destruction of water wells in basins identified in the Department of Water Resources Bulletin 118.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
2 following:
- 3 (a) The groundwater extraction from large-diameter,
4 high-capacity wells can interfere with nearby drinking water wells
5 and result in impacts to critical infrastructure from subsidence.
- 6 (b) It is in the public interest to ensure that the permitting of
7 new wells extracting groundwater will be conducted to minimize
8 the impacts to drinking water wells and subsidence.
- 9 (c) Sustainable groundwater management in many parts of the
10 state requires coordination between local agencies permitting water
11 wells and groundwater sustainability agencies managing
12 groundwater basins.
- 13 (d) People, businesses, and industries seeking to construct or
14 operate water wells should be adequately informed about
15 groundwater conditions and groundwater management programs
16 that may affect the current or future use and operation of their
17 wells.
- 18 (e) Applicants seeking, and agencies permitting, the construction
19 and operation of water wells should take into account the reliability
20 and sustainability of the groundwater sources intended to be used
21 to avoid unexpected or unplanned well dewatering or loss of well
22 production capacity, which could lead to higher rates of
23 unexpected, unplanned, or premature well abandonment and
24 dereliction that could pose additional threats to groundwater
25 quality.
- 26 (f) Agencies issuing permits for the construction and operation
27 of water wells should consider the potential for those wells to cause
28 or contribute to land subsidence, which can have impacts on water
29 quality by adversely affecting the concentration of naturally or
30 artificially occurring chemical constituents of concern and posing
31 other serious public health and economic problems.
- 32 SEC. 2. Article 5 (commencing with Section 13807) is added
33 to Chapter 10 of Division 7 of the Water Code, to read:

Article 5. Well Sustainability

1 Article 5. Well Sustainability
2
3 13807. This article shall apply only to applications for permits
4 for the construction, maintenance, abandonment, or destruction of
5 water wells in basins identified in the Department of Water
6 Resources Bulletin 118.

7 13807.1. The following definitions shall apply to this article:

8 (a) "Community water system" has the same meaning as
9 provided in Section 116275 of the Health and Safety Code.

10 (b) "Domestic well" has the same meaning as provided in
11 Section 116681 of the Health and Safety Code.

12 (c) "Large-diameter, high-capacity well" means any water well
13 with a diameter of more than eight inches and intended to produce
14 greater than two acre-feet annually.

15 (d) "Local enforcement agency" means any city, county, or
16 water agency that has adopted and is administering an ordinance
17 for the construction, maintenance, abandonment, or destruction of
18 a water well pursuant to this chapter.

19 (e) "Public water system" has the same meaning as defined in
20 Section 116275 of the Health and Safety Code.

21 (f) "State small water system" has the same meaning as provided
22 in Section 116275 of the Health and Safety Code.

23 (g) "*Urban retail water supplier*" has the same meaning as
24 provided in Section 10608.12.

25 13807.2. (a) A local enforcement agency shall perform all of
26 the following activities at least 30 days before determining whether
27 to approve a permit for a new large-diameter, high-capacity well:

28 (1) Provide electronic notice to the general public by posting
29 notice of receipt of the application and the contents of the
30 application on the local enforcement agency's internet website.

31 (2) Provide notice to all groundwater sustainability agencies
32 managing within a 10-mile radius of a proposed well, including
33 those in adjacent basins or counties, as applicable.

34 (3) Provide notice to all other local enforcement agencies, if
35 any, administering well permitting programs within the basin in
36 which the activities covered in the application would occur.

37 (4) Provide written notice through the United States Postal
38 Service to the registered owners or agents of all parcels within a
39 one-mile radius of the site where the activities covered in the

1 application would occur and any relevant information on the well
2 permitting process.

3 (5) Provide notice to the state board if the well is to be located
4 within a groundwater basin that is designated as a probationary
5 basin.

6 ~~(b) Upon notice, a groundwater sustainability agency with~~
7 ~~oversight for the area of the basin where the proposed~~
8 ~~large-diameter, high-capacity well is to be located shall~~ *If the*
9 *proposed large-diameter, high-capacity well is to be located in an*
10 *area subject to management by a groundwater sustainability*
11 *agency, the applicable groundwater sustainability agency shall,*
12 *upon notice of a permit application, provide all of the following*
13 *information to the local enforcement agency:*

14 (1) The name of the applicable groundwater sustainability plan
15 being implemented and where an electronic copy of the plan may
16 be accessed.

17 (2) The name of the applicable groundwater sustainability
18 agency, the agency manager and contact information, and the
19 applicable sustainable management criteria related to groundwater
20 levels, including the groundwater level measurable objectives and
21 minimum thresholds.

22 (3) The estimated depth to the groundwater level based on the
23 most recent monitoring conducted by the groundwater
24 sustainability agency for the area of the basin where the proposed
25 activities covered by the application would occur.

26 (4) Any fees, allocation, metering, spacing determinations, or
27 other regulations or ordinances that the groundwater sustainability
28 agency has adopted.

29 (5) Any updates to the information provided pursuant to this
30 subdivision as necessary within 30 days, should changes occur.

31 (6) Notice of an inadequate determination, if applicable, by the
32 department of the groundwater sustainability plan and the status
33 of any action of the state board resulting from the department
34 determination.

35 (c) Before approving any well permit for a large-diameter,
36 high-capacity well, a local enforcement agency shall provide all
37 of the following ~~information~~ to the applicant:

38 (1) The basin name, number, and priority as assigned by the
39 department in its most recent Bulletin 118.

1 (2) The name of all groundwater sustainability agencies, if any,
2 managing the basin in which the activities covered in the
3 application would occur.

4 (3) Information on regulations or ordinances adopted by the
5 groundwater sustainability agency relevant to the construction and
6 operation of the proposed ~~well~~. *well, if applicable.*

7 (4) ~~Notice~~ *If applicable, notice* to the applicant that the approval
8 of the application and granting of any associated permit is subject
9 to the regulatory authority of any groundwater sustainability agency
10 managing the portion of the basin in which the activities covered
11 in the application would occur. The notice shall specifically inform
12 the applicant that in addition to any regulatory authority already
13 being exercised, a groundwater sustainability agency or the state
14 board for a probationary groundwater basin may exercise authority
15 to limit groundwater extraction, the imposition of fees, and
16 metering.

17 13807.3. (a) A local enforcement agency shall not approve a
18 permit for a large-diameter, high-capacity well if that well is
19 proposed to be located within one-quarter mile of a well used for
20 supplying domestic water to one or more persons or to a
21 community.

22 (b) (1) A local enforcement agency shall not approve a permit
23 for a large-diameter, high-capacity well if that well is proposed to
24 be located within one-quarter mile of an area that has subsided
25 greater than 0.5 feet in total since January 1, 2015, as reported and
26 defined by the department based upon provided InSAR subsidence
27 data report posted on the Natural Resources Agency open data
28 portal and department internet websites.

29 (2) A local enforcement agency may approve a permit for a
30 large-diameter, high-capacity well if the area identified in
31 paragraph (1) has not had subsidence of more than 0.1 feet over
32 the preceding four years, is consistent with the local groundwater
33 sustainability plan, and is screened above geologic units known
34 to be susceptible to compaction.

35 (c) For areas subject to the Sustainable Groundwater
36 Management Act (Part 2.74 (commencing with Section 10720) of
37 Division 6), a local enforcement agency shall not approve a permit
38 for any well unless that well is screened below the minimum
39 thresholds applicable to that portion of the basin as established by

1 the groundwater sustainability agency pursuant to paragraph (2)
2 of subdivision (b) of Section 13807.2.

3 (d) To ensure the reliability and long-term operation of water
4 wells within its jurisdiction, a local enforcement agency may
5 determine not to approve an application or grant a permit based
6 on criteria that are more stringent than those provided in this
7 section.

8 13807.4. This article does not apply to applications or permits
9 for any of the following water wells: *following:*

10 (a) ~~Wells~~ *Water wells* that will draw less than two acre-feet per
11 year.

12 (b) ~~Wells~~ *Water wells* that will be located on a parcel of five
13 acres or fewer that is in an area that has been zoned by the local
14 land use authority for rural residential use.

15 (c) Drinking water wells of a ~~public water system~~, *an urban*
16 *retail water supplier*, state small water system, or a community
17 water system.

18 (d) *Large-diameter, high-capacity wells for the replacement or*
19 *reconstruction of an existing large-diameter, high-capacity well*
20 *that meets all of the following conditions:*

21 (1) The replacing or reconstructed well shall not have a larger
22 diameter or be used to pump more water annually than the previous
23 well.

24 (2) The well being replaced shall be abandoned prior to initial
25 operation of the ~~replacing~~ *replacement* well.

26 (3) The ~~replacing~~ *replacement* well is in substantially the same
27 location as the well it is replacing or is to be moved to a location
28 that would lessen impacts to domestic wells and wells that provide
29 water for state small water systems or community water systems.

30 (e) *Water wells associated with, or part of, a conjunctive use*
31 *or water banking program, or a project that has approved*
32 *environmental documents consistent with the California*
33 *Environmental Quality Act (Division 13 (commencing with Section*
34 *21000) of the Public Resources Code).*

35 (f) *Water wells that are part of a groundwater remediation or*
36 *protection project that aims to address groundwater contamination,*
37 *water quality, or seawater intrusion.*

38 SEC. 3. No reimbursement is required by this act pursuant to
39 Section 6 of Article XIII B of the California Constitution because
40 a local agency or school district has the authority to levy service

- 1 charges, fees, or assessments sufficient to pay for the program or
- 2 level of service mandated by this act, within the meaning of Section
- 3 17556 of the Government Code.

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**Valley Ag Water Coalition
2023-24 Regular Session, Second Year**

[AB 460](#) ([Bauer-Kahan D](#)) **State Water Resources Control Board: water rights and usage: interim relief: procedures.**
Current Text: Amended: 5/18/2023 [html](#) [pdf](#)
Introduced: 2/6/2023
Last Amend: 5/18/2023
Status: 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/7/2023)(May be acted upon Jan 2024)
Is Urgency: N
Is Fiscal: Y
Location: 7/14/2023-S. 2 YEAR
Summary: Current law authorizes the State Water Resources Control Board to investigate all streams, stream systems, lakes, or other bodies of water, 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. Current law requires the board to take appropriate actions to prevent waste or the unreasonable use of water. This bill would authorize the board, in conducting specified investigations or proceedings to inspect the property or facilities of a person or entity, as specified. The bill would authorize the board, if consent is denied for an inspection, to obtain an inspection warrant, as specified, or in the event of an emergency affecting public health and safety, to conduct an inspection without consent or a warrant.

Organization	Position
VAWC	Oppose

[AB 828](#) ([Connolly D](#)) **Sustainable groundwater management: managed wetlands.**
Current Text: Amended: 1/11/2024 [html](#) [pdf](#)
Introduced: 2/13/2023
Last Amend: 1/11/2024
Status: 5/1/2024-Referred to Com. on N.R. & W.
Is Urgency: N
Is Fiscal: Y
Location: 5/1/2024-S. N.R. & W.
Summary: The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans, except as specified. Current law defines various terms for purposes of the act. This bill would add various defined terms for purposes of the act, including the terms "managed wetland" and "small community water system."

Organization	Position
VAWC	Oppose

[AB 1205](#) ([Bauer-Kahan D](#)) **Water rights: sale, transfer, or lease: agricultural lands.**
Current Text: Amended: 7/13/2023 [html](#) [pdf](#)
Introduced: 2/16/2023
Last Amend: 7/13/2023
Status: 9/14/2023-Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/11/2023)(May be acted upon Jan 2024)
Is Urgency: N
Is Fiscal: Y
Location: 9/14/2023-S. 2 YEAR
Summary: Current law declares that, because of the conditions prevailing in this state, 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, that the waste or unreasonable use or unreasonable method of use of water be prevented, and that the conservation of the water is to be exercised with a view to the reasonable and beneficial use of the water in the interest of the people and for the public welfare. This bill would require the State Water Resources Control Board to, on or before January 1, 2027, conduct a study and report to the Legislature and appropriate policy committees on the existence of speculation or profiteering by an investment fund in the sale, transfer, or lease of an interest in any surface water right or groundwater right previously put to beneficial use on agricultural lands, as specified. The bill would repeal this provision on January 1, 2031.

Organization	Position
VAWC	Oppose

[AB 1337](#) ([Wicks D](#)) **State Water Resources Control Board: water diversion curtailment.**

Current Text: Amended: 5/18/2023 [html](#) [pdf](#)

Introduced: 2/16/2023

Last Amend: 5/18/2023

Status: 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/7/2023)(May be acted upon Jan 2024)

Is Urgency: N

Is Fiscal: Y

Location: 7/14/2023-S. 2 YEAR

Summary: Under existing law, the diversion or use of water other than as authorized by specified provisions of law is a trespass, subject to specified civil liability. This bill would expand the instances when the diversion or use of water is considered a trespass. This bill contains other related provisions and other existing laws.

Organization	Position
VAWC	Oppose

[AB 1563](#)

(Bennett D) Groundwater sustainability agency: groundwater extraction permit: verification.

Current Text: Amended: 6/28/2023 [html](#) [pdf](#)

Introduced: 2/17/2023

Last Amend: 6/28/2023

Status: 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was GOV. & F. on 6/22/2023)(May be acted upon Jan 2024)

Is Urgency: N

Is Fiscal: Y

Location: 7/14/2023-S. 2 YEAR

Summary: Current law authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin and imposes specified duties upon that agency or combination of agencies, as provided. Current law authorizes a groundwater sustainability agency to request of the county, and requires a county to consider, that the county forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the agency before permit approval. This bill would instead require a county to forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the groundwater sustainability agency before permit approval.

Organization	Position
VAWC	Oppose

[AB 1567](#)

(Garcia D) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024.

Current Text: Amended: 5/26/2023 [html](#) [pdf](#)

Introduced: 2/17/2023

Last Amend: 5/26/2023

Status: 6/14/2023-Referred to Coms. on N.R. & W. and GOV. & F.

Is Urgency: N

Is Fiscal: Y

Location: 6/14/2023-S. N.R. & W.

Summary: Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,995,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, clean energy, and workforce development programs.

Organization	Position
VAWC	Support/Amend

[AB 2060](#)

(Soria D) Lake and streambed alteration agreements: exemptions.

Current Text: Amended: 4/16/2024 [html](#) [pdf](#)

Introduced: 2/1/2024

Last Amend: 4/16/2024

Status: 5/8/2024-In committee: Set, first hearing. Referred to suspense file.

Is Urgency: N

Is Fiscal: Y

Location: 5/8/2024-A. APPR. SUSPENSE FILE

Calendar: 5/16/2024 Upon adjournment of Session - 1021 O Street, Room 1100

ASSEMBLY APPROPRIATIONS SUSPENSE, WICKS, BUFFY, Chair

Summary: 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 prescribes various requirements for lake and streambed alteration agreements. Current law also establishes various exemptions from these provisions, including, until January 1, 2029, an exemption for the diversion of floodflows for groundwater recharge, as provided. This bill would indefinitely exempt from these provisions the temporary operation of existing infrastructure or temporary pumps being used to divert water to underground storage as long as certain conditions are met, including the use of protective screens on temporary pump intakes, as provided, for diversions directly from rivers or streams.

Organization	Position
VAWC	Support

AB 2079 (**Bennett D**) **Groundwater extraction: large-diameter, high-capacity water wells: permits.**

Current Text: Amended: 4/25/2024 [html](#) [pdf](#)

Introduced: 2/5/2024

Last Amend: 4/25/2024

Status: 5/9/2024-Read second time. Ordered to third reading.

Is Urgency: N

Is Fiscal: Y

Location: 5/9/2024-A. THIRD READING

Calendar: 5/13/2024 #108 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary: Current law requires the State Water Resources Control Board to adopt a model water well, cathodic protection well, and monitoring well drilling and abandonment ordinance implementing certain standards for water well construction, maintenance, and abandonment and requires each county, city, or water agency, where appropriate, to adopt a water well, cathodic protection well, and monitoring well drilling and abandonment ordinance that meets or exceeds certain standards. Under current law, if a county, city, or water agency, where appropriate, fails to adopt an ordinance establishing water well, cathodic protection well, and monitoring well drilling and abandonment standards, the model ordinance adopted by the state board is required to take effect, and is required to be enforced by the county or city and have the same force and effect as if adopted as a county or city ordinance. This bill would require a local enforcement agency, as defined, to perform specified activities at least 30 days before determining whether to approve a permit for a new large-diameter, high-capacity well, as defined. By imposing additional requirements on a local enforcement agency, the bill would impose a state-mandated local program. The bill would require, if the proposed large-diameter, high-capacity well is to be located in an area subject to management by a groundwater sustainability agency, the applicable groundwater sustainability agency, upon notice of a permit application, to provide specified information to the local enforcement agency, including, but not limited to, the name of the applicable groundwater sustainability agency, 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. The bill would require a local enforcement agency, before approving a permit for a large-diameter, high capacity well, to provide specified information to the applicant. The bill would prescribe certain standards a local enforcement agency would be required to follow in the approval or denial of the permit, including the location of the proposed large-diameter, high capacity well and specified geological and water supply considerations. The bill would provide exemptions for its provisions for specified water wells. The bill would provide that its provisions apply only to applications for permits for the construction, maintenance, abandonment, or destruction of water wells in basins identified in the Department of Water Resources Bulletin 118.

Organization	Position
VAWC	Oppose

AB 2517 (**Fong, Vince R**) **Water: irrigation districts: long-term maintenance agreements.**

Current Text: Amended: 4/17/2024 [html](#) [pdf](#)

Introduced: 2/13/2024

Last Amend: 4/17/2024

Status: 4/18/2024-Re-referred to Com. on APPR.

Is Urgency: N

Is Fiscal: Y

Location: 4/16/2024-A. APPR.

Summary: The Irrigation District Law provides for the formation of irrigation districts with prescribed

powers. The law authorizes an irrigation district to control, distribute, store, spread, sink, treat, purify, recapture, and salvage any water, as specified. Current law requires the Department of Water Resources to give information so far as it may be practicable to persons contemplating the formation of districts. This bill would require the department to respond to a request to enter into a long-term maintenance agreement, as defined, with an irrigation district within 120 days and to prioritize responding to long-term maintenance agreement requests for waterways that already have existing regular-term maintenance agreements, as defined.

Organization	Position
VAWC	Watch

AB 2614 (Ramos D) Water policy: California tribal communities.

Current Text: Amended: 3/21/2024 [html](#) [pdf](#)

Introduced: 2/14/2024

Last Amend: 3/21/2024

Status: 4/23/2024-From committee: Do pass and re-refer to Com. on APPR. (Ayes 12. Noes 0.) (April 23). Re-referred to Com. on APPR.

Is Urgency: N

Is Fiscal: Y

Location: 4/23/2024-A. APPR.

Calendar: 5/15/2024 9:30 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, WICKS, BUFFY, Chair

Summary: The Porter-Cologne Water Quality Control Act establishes a statewide program for the control of the quality of all the waters in the state and makes certain legislative findings and declarations. Existing law defines the term "beneficial uses" for the purposes of water quality as certain waters of the state that may be protected against quality degradation, to include, among others, domestic, municipal, agricultural, and industrial supplies. This bill would add findings and declarations related to California tribal communities and the importance of protecting tribal water use, as those terms are defined. The bill would add tribal water uses as waters of the state that may be protected against quality degradation for purposes of the defined term "beneficial uses."

Organization	Position
VAWC	Oppose Unless Amended

AB 2751 (Haney D) Employer communications during nonworking hours.

Current Text: Amended: 3/21/2024 [html](#) [pdf](#)

Introduced: 2/15/2024

Last Amend: 3/21/2024

Status: 5/8/2024-In committee: Set, first hearing. Referred to suspense file.

Is Urgency: N

Is Fiscal: Y

Location: 5/8/2024-A. APPR. SUSPENSE FILE

Calendar: 5/16/2024 Upon adjournment of Session - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS SUSPENSE, WICKS, BUFFY, Chair

Summary: This bill would require a public or private employer to establish a workplace policy that provides employees the right to disconnect from communications from the employer during nonworking hours, except as specified. The bill would define the "right to disconnect" to mean that, except for an emergency or for scheduling, as defined, an employee has the right to ignore communications from the employer during nonworking hours. The bill would require nonworking hours to be established by written agreement between an employer and employee. The bill would authorize an employee to file a complaint of a pattern of violation of the bill's provisions with the Labor Commissioner, punishable by a specified civil penalty.

Organization	Position
VAWC	Not Favor

ACA 2 (Alanis R) Water Resiliency Act of 2024.

Current Text: Amended: 3/6/2024 [html](#) [pdf](#)

Introduced: 12/5/2022

Last Amend: 3/6/2024

Status: 3/19/2024-In committee: Set, first hearing. Hearing canceled at the request of author.

Is Urgency:

Is Fiscal: Y

Location: 4/20/2023-A. W.,P. & W.

Summary: 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. This measure would require the Treasurer to annually transfer an amount equal to 1.5% of all state revenues from the General Fund to the California Water Resiliency Trust Fund, which the measure would create. The measure would continuously appropriate moneys in the fund to the California Water Commission for its actual costs of implementing these provisions and for specified water infrastructure projects.

Organization	Position
VAWC	Favor

SB 366 (Caballero D) The California Water Plan: long-term supply targets.

Current Text: Amended: 4/8/2024 [html](#) [pdf](#)

Introduced: 2/8/2023

Last Amend: 4/8/2024

Status: 4/8/2024-From committee with author's amendments. Read second time and amended. Re-referred to Com. on W., P., & W.

Is Urgency: N

Is Fiscal: Y

Location: 6/8/2023-A. W.,P. & W.

Summary: Current law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as "The California Water Plan." Current law requires the department to include a discussion of various strategies in the plan update, including, but not limited to, strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, water transfers, and alternative pricing policies that may be pursued in order to meet the future needs of the state. Current law requires the department to establish an advisory committee to assist the department in updating the plan. This bill would revise and recast certain provisions regarding The California Water Plan to, among other things, require the department to instead establish a stakeholder advisory committee and to expand the membership of the committee to include tribes, labor, and environmental justice interests. The bill would require the department to coordinate with the California Water Commission, the State Water Resources Control Board, other state and federal agencies as appropriate, and the 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 designated beneficial uses.

Organization	Position
VAWC	Support

SB 638 (Eggman D) Climate Resiliency and Flood Protection Bond Act of 2024.

Current Text: Amended: 6/28/2023 [html](#) [pdf](#)

Introduced: 2/16/2023

Last Amend: 6/28/2023

Status: 7/6/2023-July 11 hearing postponed by committee.

Is Urgency: N

Is Fiscal: Y

Location: 6/15/2023-A. W.,P. & W.

Summary: Would enact the Climate Resiliency and Flood Protection Bond Act of 2024 which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,000,000,000 pursuant to the State General Obligation Bond Law, for flood protection and climate resiliency projects.

Organization	Position
VAWC	Support

SB 867 (Allen D) Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024.

Current Text: Amended: 6/22/2023 [html](#) [pdf](#)

Introduced: 2/17/2023

Last Amend: 6/22/2023

Status: 7/6/2023-July 10 hearing postponed by committee.

Is Urgency: N

Is Fiscal: Y

Location: 6/20/2023-A. NAT. RES.

Summary: Would enact the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,500,000,000

pursuant to the State General Obligation Bond Law to finance projects for drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, park creation and outdoor access, and clean energy programs.

Organization	Position
VAWC	Watch/Amend

[SB 973](#) ([Grove R](#)) Williamson Act: cancellation: solar energy projects.

Current Text: Introduced: 1/29/2024 [html](#) [pdf](#)

Introduced: 1/29/2024

Status: 5/2/2024-Failed Deadline pursuant to Rule 61(b)(6). (Last location was L. GOV. on 2/21/2024)

Is Urgency: N

Is Fiscal: N

Location: 5/2/2024-S. DEAD

Summary: Current law, known as the Williamson Act, authorizes a city or county to contract with a landowner to limit the use of agricultural land located in an agricultural preserve designated by the city or county to preserve the land, subject to conditions of the contract, that may include an agreement to a specified valuation of the land for purposes of property taxation. The act authorizes a landowner to petition the city council or board of supervisors, as applicable, for cancellation of the contract under specified circumstances and imposes a cancellation fee equal to 12.5% of the fair market value of the land without the restriction of the contract. This bill would authorize a board or council to grant a petition for cancellation where the land subject to the contract is located in a basin under the jurisdiction of an adjudicated watermaster or the groundwater sustainability agency. The bill would require the landowner to commit to limiting the amount of water rights to a specific solar energy project, as defined, that uses less water than the agricultural use. The bill would also require the board or council to make specified findings, including that the solar energy project use is being permitted that will use less water than the agricultural use.

Organization	Position
VAWC	Watch

[SB 1156](#) ([Hurtado D](#)) Groundwater sustainability agencies: conflicts of interest: financial interest disclosures.

Current Text: Amended: 4/29/2024 [html](#) [pdf](#)

Introduced: 2/14/2024

Last Amend: 4/29/2024

Status: 5/9/2024-From consent calendar on motion of Senator Blakespear. Ordered to third reading.

Is Urgency: N

Is Fiscal: Y

Location: 5/9/2024-S. THIRD READING

Calendar: 5/13/2024 #98 SENATE SENATE BILLS -THIRD READING FILE

Summary: Current law requires a groundwater sustainability plan to be developed and implemented for each medium- or high-priority basin by a groundwater sustainability agency. Current law authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin, as provided. The Political Reform Act of 1974 prohibits a public official from making, participating in making, or attempting to use their official position to influence a governmental decision in which they know or have reason to know that they have a financial interest, as defined. The act requires specified public officials, including elected state officers, judges and court commissioners, members of certain boards and commissions, other state and local public officials, and candidates for these positions to file statements of economic interests, annually and at other specified times, that disclose their investments, interests in real property, income, and business positions. The Fair Political Practices Commission is the filing officer for such statements filed by statewide elected officers and candidates and other specified public officials. This bill would require members of the executive team, board of directors, and other groundwater management decision makers of groundwater sustainability agencies to file statements of economic interests according to the filing requirements described above. The bill would require that these statements be filed with the Fair Political Practices Commission, and would require the commission to establish guidelines and procedures for the submission and review of the statements.

Organization	Position
VAWC	Oppose

[SB 1390](#) ([Caballero D](#)) Groundwater recharge: floodflows: diversion.

Current Text: Amended: 4/24/2024 [html](#) [pdf](#)

Introduced: 2/16/2024

Last Amend: 4/24/2024

Status: 5/3/2024-Set for hearing May 13.

Is Urgency: N

Is Fiscal: Y

Location: 4/23/2024-S. APPR.

Calendar: 5/13/2024 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, CABALLERO, ANNA, Chair

Summary: Current law declares that all water within the state is the property of the people of the state, but the right to the use of the water may be acquired by appropriation in the manner provided by law. Current law requires the appropriation to be for some useful or beneficial purpose. Current law provides, however, that the diversion of floodflows for groundwater recharge does not require an appropriative water right if certain conditions are met, including that a local or regional agency that has adopted a local plan of flood control or has considered flood risks as part of its most recently adopted general plan has given notice, as provided, of imminent risk of flooding and inundation of lands, roads, or structures. Current law also requires the person or entity making the diversion for groundwater recharge purposes to file with the State Water Resources Control Board a final report 15 days after the diversions cease. These requirements apply to diversions commenced before January 1, 2029. This bill would extend the operation of these requirements to diversions commenced before June 1, 2032. The bill would revise, recast, and expand the conditions that are required to be met for the diversion of floodwaters for groundwater recharge that do not require an appropriative water right. The bill would require that a local or regional agency take specified actions, including making a declaration that diversion of floodflows for groundwater recharge from a delineated stretch of waterway within its jurisdiction is in accordance with one of certain enumerated plans relating to flood control or flood risk, as specified, or a county emergency operations plan. The bill would require diversions to cease no later than 90 days after commencing, unless they are renewed, and would authorize a local or regional agency to renew a diversion for an additional 30 days by notifying the board of its intention to continue diverting 15 days before its expiration.

Organization	Position
VAWC	Support

Total Measures: 18

Total Tracking Forms: 18

**Minutes of the Regular Board Meeting
of the Board of Directors of the
Wheeler Ridge-Maricopa Water Storage District and
Wheeler Ridge-Maricopa Groundwater Sustainability Agency
Convened at 8:00 A.M., April 10, 2024**

The meeting of the Board of Directors of the Wheeler Ridge-Maricopa Water Storage District and Wheeler Ridge-Maricopa Groundwater Sustainability Agency was held at the District's office, with optional public participation made available through teleconference via GoToMeeting on Wednesday April 10, 2024, at the hour of 8:00 A.M. President Atkinson declared a quorum was present and called the meeting to order.

Directors Present in Person. Atkinson, Blaine, Fry, Lyda, Marin, Mettler, Reiter, Richardson, Valpredo.

Directors Absent. None.

Others Present at 8:00 A.M. Engineer-Manager Sheridan Nicholas, Director of Water Resource Eric McDaris, and Attornies for the District Steve Torigiani and Brett Stroud.

Others Present at 9:35 A.M. Engineer-Manager Sheridan Nicholas, Attorney for the District Steve Torigiani, Director of Water Resource Eric McDaris, Staff Engineer Tom Suggs, Contract Administrator Flower Duenas, Staff Accountant Kelly Mielke, Executive Assistant Danyel Ruth, Trey Irwin with Tejon Ranch, Angelica Martin with TCWD, Stacie Ann Silva with Altum Aqua Logic, and Gary Romoff with Sun Pacific.

8:00 A.M. Closed Session. The Board convened in Closed Session to consider the following matters:

Conference with Legal Counsel Re: Existing Litigation (Govt. Code § 54956.9(a)):

1. *DWR v. All Persons Interested, etc. "Complaint for Validation" Re: SWP Contract Extension Amendment (Sacramento County Sup. Ct., Case No. 34-2018-00246183)*
2. *Sierra Club v. DWR v. All Persons Interested, etc., consolidated CEQA Case and "Complaint for Validation" Re: Delta Program Revenue Bonds (Sacramento County Sup. Ct., Case No. 34-2020-80003517)*
3. *CDWR Environmental Impact [WaterFix] Cases, Sacramento County Sup. Ct., Case No. JCCP No. 4942*
4. *Rosedale-Rio Bravo Water Storage District v. Kern County Water Agency, et al., Kern County Superior Court, Case No. BCV-21-100418*
5. *KWBA, et al. v. Kern LAFCo, et al., Kern County Sup. Ct., Case No. BCV-21-101310-GP*
6. *Friends of the River, et al., v. Sites Project Authority, Yolo County Sup. Ct., Case No. CV2023-2626*
7. *Sierra Club, et al., v. DWR, Sacramento County Sup. Ct., and related cases, challenging DCP EIR*
8. *State Water Resources Control Bd. Administrative Hearing Office (AHO) Proceeding Re Sites Project Authority Water Rights Applications*
9. *MFC Kern I LLC, et al. v. Wheeler Ridge-Maricopa WSD, Kern County Sup. Ct., Case No. BCV-24-100873*

Conference with Legal Counsel - Anticipated Litigation: Initiation of Litigation (Govt. Code § 54956.9(d)(4)):

10. *Two Potential Cases*

Conference with Legal Counsel - Anticipated Litigation: Significant Exposure to Litigation (Govt. Code § 54956.9(d)(2)):

11. *Two Potential Cases*

9:35 A.M. Open Session. Mr. Torigiani stated there was no reportable action taken in closed session.

Legislative Matters. Mr. Torigiani noted the ACWA State Legislative Committee continues to meet to discuss and determine ACWA positions on various submitted bills. He discussed two specific bills - AB2079, which would add significant requirements and exclusions for the permitting of large capacity

wells; and AB2614 which would add tribal beneficial uses as waters of the state that may be protected against quality degradation.

Director Lyda left meeting at 9:37 a.m.

Minutes. Upon motion from Director Reiter, seconded by Director Richardson and unanimously carried with no abstentions, *The Minutes of the Regular Board Meeting of Directors ... Convened March 13, 2024* and *The Minutes of the Special Board Meeting of Directors ... Convened March 19, 2024* were approved and filed.

Filing of the Treasurer's Report. Treasurer Mettler presented and reviewed the *Treasurer's Report for the Month of March 2024*. Upon motion from Director Mettler, seconded by Director Richardson and unanimously carried with no abstentions, the *Treasurer's Report for the month of March 2024* was approved and filed.

Approve Payment of Accounts Payable. Treasurer Mettler presented and reviewed the *Accounts Payable for the month of March 2024*, and the *Reimbursements and Transfers for the month of March 2024*. Upon motion from Director Mettler, seconded by Director Richardson and unanimously carried with no abstentions, the *Accounts Payable for the Month of March 2024* - and the *Reimbursements and Transfers for the Month of March 2024* was approved and filed.

Controller's Report. Mr. Smith reported that the District had made an offer to a candidate for the Assistant Controller position.

Delinquent Accounts Report for April 2024. Mr. Smith reported that the delinquency date was today and there were currently 6 landowners who still owed for the month of April.

Budget Expenditures Report for January and February 2024. Ms. Mielke reviewed the Budget Expenditure Report for January and February 2024.

President's Report. Nothing to report.

Engineer-Manager's Report. Mr. Nicholas noted the Engineer-Manager's Report was included in the Board packet for their review. He further noted the status report for the Wheeler #2 solar project was included.

2024 Water/Supply Demand Estimate. Mr. McDaris reviewed the 2024 Water/Supply Demand Estimate.

Other Purchases and Exchanges. Mr. McDaris reviewed his April 8, 2024 memorandum to the Board entitled *Other Purchases and Exchanges*. Mr. McDaris stated this was for informational purposes only and no action was needed at this time.

District Landowner Well Meter Standards Discussion. Mr. Suggs reviewed his April 5, 2024 memorandum with the Board entitled *Proposed Landowner Well Meter Standard*. Mr. Nicholas noted that there was included therein a summation of recommendations by the Board members from the previous meeting. He further noted that staff would be bringing a formal policy in an upcoming meeting based on the memorandum.

Reschedule Regular May Board Meeting. Mr. Nicholas announced that the regularly scheduled May Board meeting fell during the week of ACWA Spring Conference and recommended the regular May

Board meeting be changed to Tuesday, May 14, 2024. Upon motion from Director Fry, seconded by Director Richardson and unanimously carried with no abstentions the Board adopted Resolution No. 2024-05 in the matter of:

RESCHEDULING THE MAY 2024 REGULAR BOARD MEETING

Consider Terra Verde Energy Proposal for Solar Management Services. Mr. Suggs reviewed his April 8, 2024 memorandum to the Board entitled *Consider Terra Verde Energy Proposal for Solar Management Services* and attachments. He noted, as a change in the inclusion of asset management, that the agreement would instead include cost and performance analyses. Upon motion from Director Reiter, seconded by Director Mettler and unanimously carried with no abstentions the Board authorized the Engineer-Manager to execute a contract with Terra Verde Energy, LLC subject to approval by Counsel as to form, for cost and performance analyses.

State Water Project/Delta Conveyance Project. Mr. Nicholas stated there were handouts included in the packet for self-review. He also reviewed the *DWR California Aqueduct Subsidence Program* presentation and touched on the key points.

Sites Reservoir. Mr. Kunde reviewed a portion of his Engineer-Manager's report with Board, as well as his March 11, 2024; revised April 8, 2024 memorandum to the Board entitled *Sites Reservoir Project - Benefits and Obligations Contract Update*. In particular, there was discussion with the Board regarding the issues of project affordability and Sites remedies in the event of participating District landowner default. The Board reiterated prior Board direction that, in the event of any such default, Sites' shall have no recourse against District assets and exclusive recourse would be against participating landowner assets. Mr. Kunde mentioned that these matters were particularly addressed in Wheeler Ridge Appendix 7C-2 to the draft. Staff was asked to further evaluate the draft B&O contract and District appendix language for protection of District assets, including the District's collateral for its SWP contract obligations. Staff were also asked to look into whether the District could or should form an improvement district to contract with Sites, and whether there should be a participating landowner reserve fund to backstop possible defaults.

WRMGSA - Projects and Management Actions Committee Report. Mr. Nicholas announced the District held two landowner workshops on March 18th and 20th.

WRMGSA - Consider Approval of Joint Exercise of Powers Agreement for the Kern Non-districted Lands Authority. This item was tabled.

WRMGSA - Kern Subbasin GSP Update. Anona Dutton and Christina Lucero with EKI presented an presentation entitled *Update on Kern County Subbasin Coordinated GSP*.

Directors Meeting Attended. Nothing to report.

Kern County Water Agency. Nothing to report.

Kern Water Bank Authority/KWBGSA. Mr. Nicholas reported the KWBA approved the new recharge and recovery fees.

South of Kern River GSP. Mr. Nicholas stated that the Executive Committee's monthly meeting is scheduled for tomorrow. He also stated the Technical Working Group, and the Coordination Committee is preparing a revised Kern Subbasin plan for submission to the SWRCB in May.

White Wolf Groundwater Sustainability Agency. Mr. Nicholas reported that the WWGSA held its monthly meeting on April 2nd, and noted the 2023 Annual Report was sent to DWR. He further noted the WWGSA Board approved an EKI Task Order of \$337,000, with \$307,000 from a DWR grant, and the remaining \$30,000 paid by the three GSA members.

Kern River Watershed Coalition Authority. Director Blaine stated that the Authority approved the Administrative Service Agreement with the Kern Water Collaborative, and payments to the KWC as well as the State for the ILRP.

Committee for Delta Reliability. Mr. Nicholas stated that the meeting was held yesterday and included in the packet is a blog post in the packet for self-review.

South Valley Water Resource Authority. No meeting.

Unfinished and New Business. Executive Assistant Danyel Ruth reminded the Board that Form 700's had been sent out and were due in April.

Public Comments. None.

Adjournment. With no further business the meeting was adjourned at 11:55 a.m.

Respectfully submitted:
[Seal]

Secretary of the Board

List of Abbreviations:

ACWA	Association of California Water Agencies
ADM SSC	Administrative Service Charge, for basic administrative costs, non-project in nature, benefitting both SWSA and groundwater service area
AECA	Agricultural Energy Consumers Association
Agency	Kern County Water Agency
AWMP	Agricultural Water Management Plan
BDCP	Bay Delta Conservation Plan
BDS	Bond Debt Service
CAW	Contract Amount of Water totaling 200,818 acre-feet between the District & Water Users
CEQA	California Environmental Quality Act
CFWC	California Farm Water Coalition
COBRA	Consolidated Omnibus Budget Reconciliation Act
CVC	Cross Valley Canal
CVP	Central Valley Project (operated by the U.S. Bureau of Reclamation)
CWF	California WaterFix delta conveyance program (previously DHCCP)
DCA	Delta Conveyance Authority
DCF	Delta Conveyance Facility
DCP	Delta Conveyance Project
DFW	California Department of Fish and Wildlife
DHCCP	Delta Habitat Conservation and Conveyance Program - the conveyance element of the BDCP - renamed the California
District	Wheeler Ridge-Maricopa Water Storage District
DOG	California Division of Oil & Gas
DWR	California Department of Water Resources
DYTP	Dry Year Transfer Program
EIR	Environmental Impact Report
FAA	Final Accounting Adjustment
FO	Fixed Obligation water rate
FWS	U.S. Fish and Wildlife Service
GEN	GSC General Service charge, for recovery of Bond Debt for general purposes in the District
GL	General Ledger
GSA	Groundwater Sustainability Agency
GSP	Groundwater Sustainability Plan
GWSC	Groundwater Service Charge
ILRP	Irrigated Lands Regulatory Program
IRWMP	Integrated Regional Water Management Plan
ITRC	Irrigation Training and Research Center
JPIA	Joint Powers Insurance Authority
KCWA	Kern County Water Agency or Agency
KFMC	Kern Fan Monitoring Committee
KGA	Kern Groundwater Authority
KRGSA	Kern River Groundwater Sustainability Agency
KRWCA	Kern River Watershed Coalition Authority
KWB	Kern Water Bank
KWBA	Kern Water Bank Authority
ITP	Incidental Take Permit
MOU	Memorandum of Understanding
MWD	Metropolitan Water District
NoD	North of the Delta
NonC	Non-Contract Charges
OMR	Operations, Maintenance and Repair, not to be confused with OMR of Old Middle Rivers
OMR	Old and Middle Rivers in the Sacramento-San Joaquin Delta
OSHA	Occupational Safety and Health Administration
PEF	Pastoria Energy Facility
PoE	Probability of Exceedance
PROJ	SSC Project Service Charge, for project costs related to, but not specific to a particular system
RWQCB	Regional Water Quality Control Board
SGMA	Sustainable Groundwater Management Act
SLR	San Luis Reservoir
SoD	South of the Delta
SOKR	South of Kern River
SSC	Special Service Charge, consists of ADM SSC, GEN SSC and PRO SSC
SSJVWQC	Southern San Joaquin Valley Water Quality Coalition
SVWRA	South Valley Water Resources Authority
SWC	State Water Contractors
SWP	State Water Project (operated by DWR)
SWRCB	State Water Resources Control Board
SWSA	Surface Water Service Area or contracted acreages
WAC	Water Availability Charge, consists of BDS, OMR & FO
Water User	A landowner holding a Water Service Contract with the District
WD	Water District
WRMWSA	Wheeler Ridge-Maricopa Water Storage District
WS5	Westside 5 Water Districts - Belridge, Berrenda Mesa, Dudley Ridge, Lost Hills & Wheeler Ridge
WSC	Water Service Contract
WSD	Water Storage District
WUC	Water Use Charge, consists of State Pumping/Variable and District Pumping/Variable
WWGSA	White Wolf Groundwater Sustainability Agency

WHEELER RIDGE - MARICOPA WATER STORAGE DISTRICT
 TREASURER'S REPORT FOR THE MONTH OF APRIL 2024

05/14/2024 - packet
 GENERAL FUND

FUNDS ON DEPOSIT:

BALANCE AS OF:	03/30/2024	56,902,171.60
PLUS CASH RECEIVED FOR: (cash receipts/laif/camp interest)	04/2024	10,261,898.13
LESS CASH EXPENDED DURING MONTH FOR:	04/2024	(8,095,143.97)
(mar, pr, ap, cdr, mnl, fees - apr pr burdens, ee net, taxes, inv)		

FUNDS ON RECONCILED DEPOSIT AT END OF MONTH:

59,068,925.76

THE ABOVE FUNDS ARE ON DEPOSIT AS FOLLOWS:

WELLS FARGO BANK NA - (GL) CASH BALANCE	489,357.91
KCT-POOLED INVESTMENTS - (G/L) CASH BALANCE	22,605,648.20
LAIF-POOLED INVESTMENTS - (GL) CASH BALANCE	2,011.55
CAMP-POOLED INVESTMENTS - (GL) CASH BALANCE	35,971,908.10

59,068,925.76

INTEREST APPORTIONMENT PERCENTAGE (ANNUALIZED)

MONTH ENDING APRIL 30, 2024	-----	CAMP	5.440%
MONTH ENDING MARCH 31, 2024	-----		5.480%
MONTH ENDING FEBRUARY 29, 2024	-----		5.500%
MONTH ENDING JANUARY 31, 2024	-----		5.540%

INTEREST APPORTIONMENT PERCENTAGE (ANNUALIZED)

QUARTER ENDING MAR 31, 2024	-----	KCT	3.370%
QUARTER ENDING DEC 31, 2023	-----		3.146%
QUARTER ENDING SEP 30, 2023	-----		2.909%
QUARTER ENDING JUN 30, 2023	-----		2.650%

ALL FUNDS ARE PLACED IN ACCORDANCE WITH THE DISTRICT'S INVESTMENT POLICY AND GUIDELINES. SUFFICIENT CASH FLOW EXISTS TO MEET BUDGETED OBLIGATIONS FOR THE NEXT SIX MONTHS.

CASH RECEIVED (KERN COUNTY TREASURER/LAIF/WELLS FARGO/CAMP) DURING MONTH AS FOLLOWS:

MANUAL INVOICES	57,726.17
CONTRACT WATER PAYMENTS	9,654,379.72
NON CONTRACT OM&R PAYMENTS	93,402.34
SPECIAL SERVICE CHARGES ADMINISTRATION - kc auditor/controller	215,363.17
SPECIAL SERVICE CHARGES GENERAL - kc auditor/controller	11,907.92
RENT - igs solar, llc	1.00
INTEREST 4TH QUARTER 2ND APPORTIONMENT - kc auditor/controller	41,111.33
RECYCLE/COPPER & ALUMINUM - sierra recycling & demolition inc	28,224.37
LAIF - interest month ending 04/30/2024	21.27
CAMP - interest month ending 04/30/2024	159,760.84

Cash Receipts Summary for KCT & CAMP **10,261,898.13**

OPERATING RESERVE FUND BALANCE: audited 12/31/2022 **23,391,974.00**

WHEELER RIDGE - MARICOPA WATER STORAGE DISTRICT
AUDITED RESERVE FUND BALANCES AS OF DECEMBER 31, 2022 PLUS ESTIMATED ADJUSTMENTS

5/14/2024 Board Packet

INTERNALLY CONSTRAINED RESERVES	DRAFT AUDIT 12/31/2022	2023/2024 Adjustments	Adjusted 5/10/2024
OPERATING RESERVE FUND	23,391,974	662,812	(1) 24,054,786
EQUIPMENT REPLACEMENT RESERVE FUND	3,430,967	97,071 (17,974)	(1) 3,510,064 (2)
GROUND WATER REPLENISHMENT RESERVE FUND	38,576,115	441,817 (29,635,385)	(1) 9,382,547 (3)
CONTINGENCY RESERVE FUND	10,953,195	292,800 (914,191) (197,088) (3,203) (5,723) (13,949) (27,836)	(1) 10,084,005 (4) (5) (6) (7) (8) (9)
WATER BANKING CAPITAL RESERVE FUND	4,280,686	125,771 843,400 168,680 (459,232)	(1) 4,959,305 (10) (11) (12)
WATER BANKING REPLACEMENT RESERVE FUND	10,597	2,184 46,708 50,645 147,073 (621,520) 366,496	(1) 2,183 (13) (14) (15) (16) (17)
WELL REPAIR RESERVE	548,286	11,095 (1,143,785) 595,499	(1) 11,095 (18) (19)

TOTAL RESERVE FUNDS INTERNALLY CONSTRAINED

81,191,820	(29,187,835)	52,003,985
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THIS AMOUNT IS SHOWN AS AN UNCONSTRAINED RESERVE. THIS IS MISLEADING AS THE BOARD HAS NOT DESIGNATED SUCH A RESERVE, AND IT IS NOT A CASH ASSET (COMPARE THE \$92.9 MILLION OF TOTAL RESERVES TO THE \$49.5 MILLION OF CASH EQUIVALENTS ON PAGE 11 OF THE 2022 AUDIT.

11,740,258	29,187,835	40,928,093
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UNRESTRICTED NET ASSETS

92,932,078	0	92,932,078
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- (1) Accrued Interest for 2023
- (2) A5X/B5X Intertie Facilities
- (3) Estimated Groundwater Replenishment expense in 2023
- (4) CalPERS - UAL (refund in 2024 with OM&R/SSC charges)
- (5) CDR 2023 Assessment
- (6) Water Quality Litigation (123-TCP)
- (7) CVC Litigation
- (8) Legal Expenses - Health & Human Safety
- (9) Legal Expenses - Bond Validation
- (10) Pastoria Energy Facility wheeling charges
- (11) Granite Construction Co. wheeling charges
- (12) Debt service for Water Banking facilities
- (13) KWBA 2021 Capital Fee Reconciliation
- (14) KWBA 2021 Operations Distribution
- (15) KWBA 2019 4% Water
- (16) Capital expenses for Water Banking facilities
- (17) Adjust reserve fund for exceedence of fund balance for 2023 Capital expenses for Water Banking facilities
- (18) 2023 Well Repairs and Replacement
- (19) Adjust reserve fund for exceedence of fund balance for 2023 Well Repairs and Replacement

WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT

ACCOUNTS PAYABLE

APRIL 2024

						5.2
ID	NAME	DATE	INVOICE	AMOUNT	DESCRIPTION	5,000+
B125	ROBERT CLAFFY	4/30/2024	20240430	25.00	APR 2024 WATER TREATMENT	
B135	NEIL DURHAM	4/29/2024	20240429	221.86	BOOTS - DURHAM	
B136	MARK DELEON	4/30/2024	20240430	422.10	TRANSPORTATION	
B137	KEVIN EATON	4/30/2024	APR 2024	180.90	TRANSPORTATION	
B207	CHRISTOPHER NICHOLAS	4/30/2024	20240430	193.89	MEALS, FUEL, MISC SUPPLIES	
B209	ROBERT KUNDE	4/11/2024	04112024	429.77	TRANSPORTATION REIMBURSEMENT	
B211	ADRIAN MARTINEZ	5/6/2024	APR 2024	442.20	TRANSPORTATION	
B214	KELLY MIELKE	4/30/2024	20240430	402.00	TRANSPORTATION	
B219	SHERIDAN NICHOLAS	5/6/2024	68576	89.33	FUEL REIMBURSEMENT	
B222	ANGIE MONTES	4/30/2024	APR 2024	20.10	TRANSPORTATION	
B222	ANGIE MONTES	4/10/2024	20240410	95.00	BOARD MEETING FOOD	
B259	JUAN RAMIREZ	4/30/2024	20240430	381.90	TRANSPORTATION	
B301	COREY WILKERSON	5/6/2024	APR 2024	25.00	APR 2024 SAFETY MEETING	
C0930	661 COMMUNICATIONS	4/18/2024	1868	248.41	2-WAY RADIOS, CAMERA	
C0930	661 COMMUNICATIONS	4/18/2024	1869	135.31	MOTOROLA BATTERY	
C0930	661 COMMUNICATIONS	5/8/2024	1876	2,710.07	ANTENNA TOWER WORK	
C1010	HYDRAULIC CONTROLS, INC. CORP. ADMIN	4/15/2024	2768870	171.81	HYDRAULIC HOSE	
C1064	AFTW HOLDINGS, LLC	5/7/2024	"AFTW"03-2024	56,766.83	WHEELER #1 SOLAR CHARGES	56,766.83
C1065	AGILE OCCUPATIONAL MEDICINE	4/16/2024	EM018156	403.00	DRUG TEST/PHYSICAL EXAM	
C1086	ALERT 360	4/25/2024	APR 2024	132.30	ALARM MONITORING	
C1116	APEX INDUSTRIAL SUPPLY INC.	4/18/2024	5277	210.93	GLOVES/TRUCK WASH BRUSHES	
C1116	APEX INDUSTRIAL SUPPLY INC.	4/17/2024	5269	373.53	WELDING SUPPLIES	
C1116	APEX INDUSTRIAL SUPPLY INC.	4/25/2024	5305	464.70	WELDING SUPPLIES, LANYARDS	
C1116	APEX INDUSTRIAL SUPPLY INC.	5/1/2024	5311	793.63	SHACKLES, VAPOR CARTRIDGES	
C1116	APEX INDUSTRIAL SUPPLY INC.	5/8/2024	5331	309.49	PLIERS SET, ELECTRICAL TAPE	
C1116	APEX INDUSTRIAL SUPPLY INC.	5/8/2024	5333	210.84	GLOVES, JOINT COMPOUND	
C1192	AVADINE	3/1/2024	113107	1,000.00	LATIS MAINTENANCE & SUPPORT	
C1192	AVADINE	3/6/2024	113128	(5,125.00)	REFUND-SCADA PROJECT	
C1192	AVADINE	4/1/2024	113265	1,000.00	LATIS MAINTENANCE & SUPPORT	
C1192	AVADINE	2/7/2024	112994	453,600.00	SCADA INSTALLATION	
C1192	AVADINE	4/30/2024	113470	1,000.00	LATIS MAINTENANCE & SUPPORT	451,475.00
C1210	B.S.& E. CO., INC.	4/16/2024	20240416	513.14	CONCRETE	
C1238	BAKERSFIELD DRUG TESTING	4/10/2024	WHEELERR03	100.00	DOT COLLECTION	
C1247	BAKERSFIELD ICE	4/30/2024	335B	796.93	RENTAL/ICE	
C1250	BAKERSFIELD PAINT AND WALLPAPER	4/10/2024	L0022326	38.73	LACQUER THINNER	
C1250	BAKERSFIELD PAINT AND WALLPAPER	4/17/2024	L0022653	120.35	PAINT REMOVER	
C1250	BAKERSFIELD PAINT AND WALLPAPER	4/11/2024	L0022408	807.85	PAINT	
C1250	BAKERSFIELD PAINT AND WALLPAPER	5/1/2024	L0023269	624.51	PAINT, ACETONE	
C1272	B & B SURPLUS INC	4/15/2024	1138083	708.50	REDUCER, FLANGES	
C1272	B & B SURPLUS INC	4/26/2024	1140990	1,595.52	40-FOOT STEEL PIPE	
C1272	B & B SURPLUS INC	4/29/2024	1141255	657.94	FLANGES (12)	
C1272	B & B SURPLUS INC	5/3/2024	1142642	623.09	PIPE, REBAR, HARDWARE	
C1272	B & B SURPLUS INC	5/6/2024	1143124	75.78	ELBOWS (7)	
C1277	B & R SUPPLY, INC.	4/24/2024	1900999970	36.16	MISC HARDWARE	
C1286	BARBICH HOOPER KING DILL HOFFMAN	3/31/2024	151791	18,610.00	AUDIT 2023	
C1286	BARBICH HOOPER KING DILL HOFFMAN	3/31/2024	151792	2,055.00	RECRUITING ASST CONTROLLER	20,665.00
C1327	BELRIDGE WATER STORAGE DISTRICT	4/24/2024	23PWD/BUTTEWATER	10,350.90	WATER TRANSFER AGREEMENT	10,350.90
C1339	BERMAD INC.	4/25/2024	75095723	1,835.15	AIR VALVES (18)	
C1348	BIG STATE INDUSTRIAL SUPPLY	4/9/2024	1556882	908.01	12 FIRST AID KITS	
C1358	BOOT BARN INC.	4/17/2024	094248	210.38	BOOTS - RAMOS	
C1360	BLUEPRINT SERVICE CO, INC	4/5/2024	62130	132.70	DISTRICT MAP - MOUNTED	
C1360	BLUEPRINT SERVICE CO, INC	4/23/2024	62995	14.40	AQUADUCT BLUE PRINTS	
C1360	BLUEPRINT SERVICE CO, INC	4/29/2024	63380	61.49	BLUEPRINTS	
C1370	BRANDCO	4/18/2024	149290	3,773.68	FIRE EXTINGUISHERS ANNUAL	
C1390	JIM BURKE FORD	4/9/2024	254463C	637.57	REPAIR TAIL LIGHT WIRING #151	
C1424	CALCPA	3/15/2024	6684648	580.00	2024-2025 MEMBERSHIP	
C1433	CAL STATE COMMUNICATIONS	4/12/2024	1856	1,388.00	WIFI ACCESS POINTS	
C1440	CALIFORNIA CHAMBER OF COMMERCE	4/8/2024	SI508192	799.00	2024 MEMBERSHIP	
C1456	CANON	4/10/2024	unknown	820.57	LEASE - 2 CANON COPIERS	
C1481	CENTRAL VALLEY SEARCH PARTNERS LLC	4/18/2024	346	30,000.00	RECRUITING - ASST CONTROLLER	30,000.00
C1530	COASTLINE EQUIPMENT	5/6/2024	1128012	593.36	DURA-MAX BLADES, BOLTS	
C1540	HERITAGE-CRYSTAL CLEAN, LLC	4/29/2024	18648515	395.00	USED OIL DISPOSAL	
C1576	CONEXUS SG	4/20/2024	240420WHEERE	1,378.00	DYNAMICS GP ADVANTAGE PLAN	
C1576	CONEXUS SG	4/27/2024	240427WHEESU	300.00	NEW USER COMPUTER SETUP	
C1610	CULLIGAN WATER CONDITIONING	5/3/2024	19228	151.55	BACTICIDE	

WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT

ACCOUNTS PAYABLE

APRIL 2024

						5.2
ID	NAME	DATE	INVOICE	AMOUNT	DESCRIPTION	5,000+
C1625	DANIELS TIRE SERVICE	2/29/2024	240152894-VOID	(1,184.31)	8 TIRES - STOCK	
C1625	DANIELS TIRE SERVICE	3/28/2024	240176567	1,131.63	5 TIRES	
C1625	DANIELS TIRE SERVICE	4/10/2024	240176999	977.92	4 TIRES #144	
C1625	DANIELS TIRE SERVICE	4/15/2024	240177231	1,352.49	8 TIRES - STOCK	
C1625	DANIELS TIRE SERVICE	5/9/2024	240178300	373.09	TIRE REPAIR #699B	
C1643	DELL BUSINESS CREDIT	4/11/2024	04112024	1,591.92	COMPUTER - ASST. CONTROLLER	
C1659	DIMENSIONAL WIRECUT	4/9/2024	7673	2,500.58	6 - SSTL BEARING ADJUSTERS	
C1668	DOCUSIGN, INC.	1/24/2024	111100263828	6,955.20	LICENSE RENEWAL	6,955.20
C1686	DUDLEY RIDGE WATER DISTRICT	4/26/2024	1012BVID	2,697.00	BVID PURCHASE	
C1691	ECONOMY TRUCK SCHOOL	3/25/2024	03252024	2,000.00	CLASS A TRAINING - RAMIREZ	
C1692	EKI ENVIRONMENT & WATER, INC.	5/3/2024	C20055.04-04	29,831.36	SOKR GSP	
C1692	EKI ENVIRONMENT & WATER, INC.	5/3/2024	C20055.05-04	45,631.56	SOKR GSP DEFICIENCY RESPONSE	75,462.92
C1716	EQUIPMENT SHARE	4/29/2024	BFL-3805108-0000	2,160.52	BOOM LIFT RENTAL	
C1755	FASTENAL	4/22/2024	CABGV1488	449.63	WET/DRY VACUUMS, BOLTS	
C1775	FERGUSON ENTERPRISES, INC.	4/17/2024	1851896	4,416.05	CATHODIC COUPLERS	
C1815	FLYERS ENERGY, LLC	4/10/2024	24-072706	34,024.28	FUEL	34,024.28
C1960	GRAINGER	4/18/2024	9091066572	95.93	PADLOCK & BATTERIES	
C1960	GRAINGER	4/8/2024	9078644136	1,321.00	SPRAY GUN KIT	
C1960	GRAINGER	4/8/2024	9078644144	38.91	GASKETS	
C1960	GRAINGER	4/16/2024	9088315438	1,369.06	INVERTER (2)	
C1960	GRAINGER	4/22/2024	9095087459	21.86	GASKETS (10)	
C1969	GRAPEVINE MSP	4/15/2024	40951	5,244.00	IT SERVICE/BACKUP/SECURITY	
C1969	GRAPEVINE MSP	3/14/2024	40159	1,290.00	SECURITY AWARENESS TRAINING	
C1969	GRAPEVINE MSP	4/17/2024	40986	600.00	WI-FI ACCESS POINTS	7,134.00
C1992	GREG'S PETROLEUM SERVICE, INC.	4/29/2024	452876	3,017.67	RED DIESEL FUEL	
C2022	HADDAD DODGE	4/24/2024	165351	500.72	HEAD LAMP, KEYS	
C2075	HOWARD SUPPLY CO	4/8/2024	51122086	620.49	MAN BASKET SLING	
C2106	IGS SOLAR	4/11/2024	241060007026603	26,621.59	850 CANAL SOLAR CHARGES	26,621.59
C2118	INNOVATIVE ENGINEERING SYSTEMS, INC.	4/23/2024	47524	7,244.01	REPLACE SERVICE POLE GATE104-A	7,244.01
C2213	KEN'S OPTICAL	4/24/2024	8632	280.00	SAFETY GLASSES - AGUIRRE	
C2250	KERN COUNTY WATER AGENCY	5/9/2024	41123	39,715.00	PIONEER PROJ RECHARGE DEC 23	
C2250	KERN COUNTY WATER AGENCY	5/9/2024	41268	29,485.00	PIONEER PROJ RECHARGE NOV 23	69,200.00
C2260	KERN ELECTRIC DISTRIBUTORS	3/28/2024	600821	288.03	PUTTY TAPE, CONTACT CLEANER	
C2275	KERN PRINT SERVICES	4/18/2024	52520	583.95	PRINTED ENVELOPES	
C2312	KIMBALL MIDWEST	5/2/2024	102185365	353.70	SOCKET SET, PAINT MARKERS	
C2327	KMS MECHANICS INC	5/7/2024	42524WM	5,982.62	REPAIR DUMP TRUCK BED #386	5,982.62
C2330	KNIGHTS PUMPING SERVICE	4/5/2024	196189	252.49	PORTABLE TOILET SERVICES	
C2330	KNIGHTS PUMPING SERVICE	4/12/2024	196748	252.46	PORTABLE TOILET SERVICES	
C2330	KNIGHTS PUMPING SERVICE	4/19/2024	197352	229.66	PORTABLE TOILET SERVICES	
C2412	LOWE'S BUSINESS ACCOUNT	5/2/2024	APR 2024	504.59	MICROWAVE, MOP & BUCKET, ETC	
C2449	THE MARCOM GROUP	4/15/2024	63619	95.00	WORDPRESS SECURITY MONITORING	
C2450	MC CALL'S METER SALES AND SERVICE	4/30/2024	36645	6,267.07	DIGITAL METERS, CANOPIES	6,267.07
C2487	MOTION INDUSTRIES INC	4/4/2024	CA61-00155954	775.63	6 - DODGE BEARING	
C2500	MOTOR CITY AUTO CENTER	4/10/2024	GCCS261450	545.81	TRUCK REPAIR #152	
C2505	MSC INDUSTRIAL SUPPLY CO.	4/26/2024	67628308	373.42	URINAL FLOOR MATS	
C2552	NAPA AUTO PARTS-GENUINE PARTS CO.	4/9/2024	688776	558.51	OIL AND AIR FILTERS	
C2552	NAPA AUTO PARTS-GENUINE PARTS CO.	4/8/2024	688711	(77.81)	RETURN - BUG WASH	
C2552	NAPA AUTO PARTS-GENUINE PARTS CO.	4/5/2024	688672	328.32	BUG WASH/OCTANE BOOST/INJ PLUS	
C2552	NAPA AUTO PARTS-GENUINE PARTS CO.	4/12/2024	688993	80.09	TIRE REPAIR KIT #160	
C2552	NAPA AUTO PARTS-GENUINE PARTS CO.	4/24/2024	689443	7.78	UPHOLSTERY CLEANER	
C2552	NAPA AUTO PARTS-GENUINE PARTS CO.	4/23/2024	689385	208.33	OIL, FILTERS	
C2552	NAPA AUTO PARTS-GENUINE PARTS CO.	5/3/2024	689838	527.87	AUTO FLUIDS & FILTERS	
C2552	NAPA AUTO PARTS-GENUINE PARTS CO.	5/3/2024	689851	92.22	TIRE REPAIR KIT	
C2552	NAPA AUTO PARTS-GENUINE PARTS CO.	5/6/2024	689941	121.07	OIL FILTERS	
C2552	NAPA AUTO PARTS-GENUINE PARTS CO.	5/6/2024	689967	78.37	FUEL & OIL FILTERS	
C2552	NAPA AUTO PARTS-GENUINE PARTS CO.	5/7/2024	690006	146.39	SOLENOID FOR WELDER	
C2582	QUADIENT	4/12/2024	04122024	250.00	POSTAGE	
C2690	P G & E #1	4/29/2024	20240429	296,453.00	APRIL POWER	
C2691	P G & E #2	4/29/2024	20240429	156,414.54	APRIL POWER	
C2692	P G & E #3	4/29/2024	20240429	4,781.66	APRIL POWER	
C2693	P G & E #4	4/29/2024	20240429	713.20	APRIL POWER	
C2694	P G & E #5	4/29/2024	20240429	2,870.40	APRIL POWER	461,232.80
C2788	POWERS ELECTRIC PRODUCTS CO.	4/24/2024	77179	252.08	REEL OF CABLE	
C2790	POWERSTRIDE BATTERY	4/24/2024	B388088	409.48	MICRO START BATTERY PACKS	

WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT
 ACCOUNTS PAYABLE
 APRIL 2024

						5.2
ID	NAME	DATE	INVOICE	AMOUNT	DESCRIPTION	5,000+
C2790	POWERSTRIDE BATTERY	5/3/2024	B388212	104.21	BATTERY FOR WELDER	
C2800	LINDE GAS & EQUIPMENT INC.	4/4/2024	42156945	72.31	NITROGEN	
C2800	LINDE GAS & EQUIPMENT INC.	4/23/2024	42418177	1,086.59	DEMURRAGE	
C2808	PRICE DISPOSAL INC	4/10/2024	746619	501.66	2 - 40 YD ROLL OFFS	
C2812	PROVOST & PRITCHARD	4/8/2024	108785	157.50	WS5 WATER SUPPLY	
C2840	QUINN COMPANY	2/1/2024	PC080534100	397.47	BUCKET PLATE	
C2890	RAIN FOR RENT - BAKERSFIELD	4/24/2024	1997776	128.50	BALL VALVES, COUPLERS	
C2890	RAIN FOR RENT - BAKERSFIELD	5/1/2024	2001964	93.24	CAM LOCK FITTINGS	
C2893	RINGCENTRAL INC.	5/1/2024	CD_000809037	1,301.48	TELEPHONES	
C2898	READY REFRESH by NESTLE	4/29/2024	14D0028964179	487.59	DRINKING WATER	
C2911	RESA POWER SOLUTIONS LLC	4/16/2024	INV479513	2,900.00	REBUILD (1) 400 AMP BREAKER	
C2911	RESA POWER SOLUTIONS LLC	4/16/2024	INV479517	4,800.00	REBUILD (1) 2000 AMP BREAKER	
C2911	RESA POWER SOLUTIONS LLC	4/16/2024	INV479518	3,000.00	REBUILD (2) 800 AMP BREAKERS	10,700.00
C2924	ROYAL INDUSTRIAL SOLUTIONS	2/22/2024	0332-1094590	(290.30)	RETURN - ELECTRICAL PARTS	
C2924	ROYAL INDUSTRIAL SOLUTIONS	3/1/2024	0332-1095408	(246.81)	RETURN - ELECTRICAL PARTS	
C2924	ROYAL INDUSTRIAL SOLUTIONS	2/1/2024	0332-1092410	1,845.11	YARD LIGHTS, HARDWARE	
C2924	ROYAL INDUSTRIAL SOLUTIONS	2/12/2024	0332-1093759	579.69	TWIST HARDWARE	
C2924	ROYAL INDUSTRIAL SOLUTIONS	2/16/2024	0332-1094184	867.27	TWIST HARDWARE	
C2924	ROYAL INDUSTRIAL SOLUTIONS	2/21/2024	0332-1094185	425.20	TWIST HARDWARE	
C3030	SAN JOAQUIN TRACTOR	4/10/2024	98834B	53.91	BOLTS	
C3030	SAN JOAQUIN TRACTOR	5/6/2024	99146B	750.22	12' BLADE	
C3082	SPARKLE UNIFORM & LINEN SERVICE	4/11/2024	969137	632.76	UNIFORMS	
C3082	SPARKLE UNIFORM & LINEN SERVICE	4/18/2024	970149	652.67	UNIFORMS	
C3082	SPARKLE UNIFORM & LINEN SERVICE	4/25/2024	0971177	609.30	UNIFORMS	
C3082	SPARKLE UNIFORM & LINEN SERVICE	5/2/2024	0972391	623.76	UNIFORMS	
C3082	SPARKLE UNIFORM & LINEN SERVICE	5/9/2024	973386	624.71	UNIFORMS	
C3084	SIERRA CIRCUIT BREAKERS LLC	4/16/2024	17945	14,763.75	BELL ALARM CIRCUIT BREAKER	14,763.75
C3100	SMART & FINAL	4/10/2024	146833	59.09	SUPPLIES	
C3100	SMART & FINAL	4/17/2024	04172024	35.25	SUPPLIES	
C3100	SMART & FINAL	5/1/2024	554444	102.48	SUPPLIES	
C3100	SMART & FINAL	5/8/2024	20240508	40.39	BREAK ROOM SUPPLIES	
C3120	SNIDERS	4/10/2024	294423	32.48	KEYS	
C3120	SNIDERS	5/7/2024	296789	233.19	KEYS & LOCKS	
C3170	SOUTHERN CALIFORNIA GAS COMPANY	4/23/2024	20240423	491.05	NATURAL GAS	
C3200	STINSON'S	4/11/2024	C257219-0	(82.58)	RETURN LEGAL SIZE PAPER	
C3200	STINSON'S	4/5/2024	278830-0	645.76	SUPPLIES	
C3200	STINSON'S	4/8/2024	278830-1	21.88	SUPPLIES	
C3200	STINSON'S	4/26/2024	281986-1	114.92	HAND SOAP	
C3200	STINSON'S	4/29/2024	281986-2	28.60	HAND SOAP	
C3200	STINSON'S	4/25/2024	281986-0	799.70	OFFICE SUPPLIES	
C3253	TECHNOFLO SYSTEMS	4/17/2024	44631	3,527.99	BUTTERFLY VALVES	
C3458	VANGUARD CLEANING SYSTEMS OF THE SO. VALLEY	5/1/2024	75570	1,565.00	WEEKLY CLEANING SERVICE	
C3459	VAST NETWORKS	5/1/2024	54154	1,450.00	INTERNET	
C3461	VERIZON WIRELESS	5/1/2024	MAY 2024	162.67	CELL PHONE, SIM CARDS	
C3461	VERIZON WIRELESS	5/1/2024	9962997822	276.28	IPAD DATA	
C3470	VULCAN MATERIALS	4/3/2024	73959610	1,990.93	3/4" CR / SAND	
C3549	WELLS FARGO - LOVELESS	5/3/2024	05032024	31.18	WORK LUNCH	
C3552	WELLS FARGO - OFFICE	5/3/2024	05032024	777.47	ANNUAL ADOBE (2), TONER	
C3555	WELLS FARGO - T SUGGS	5/3/2024	05032024	860.01	CORROSION SEMINAR, ADOBE	
C3558	WELLS FARGO - OFFICE #2	5/3/2024	05032024	1,998.63	KEY MACHINE, UV LAMPS, ETC	
C3559	WELLS FARGO - NICHOLAS	5/3/2024	05032024	4,051.61	COMPUTER SUPPLIES, RECRUITING	
C3562	WELLS FARGO - SMITH	5/3/2024	05032024	277.24	HOTEL AT JPIA MEETING	7,996.14
C3588	WESTERN EXTERMINATOR COMPANY	4/10/2024	59464894	225.65	PEST CONTROL	
C3588	WESTERN EXTERMINATOR COMPANY	5/8/2024	60601409	225.65	PEST CONTROL	
C3670	YOUNG WOOLDRIDGE	4/30/2024	20240430	30,937.32	LEGAL SERVICES	30,937.32
C3700	ZEP SALES AND SERVICE	4/22/2024	9009706813	632.35	CLEANING SUPPLIES	
D10028	BOOTH RANCHES, LLC	5/2/2024	20240502	1,368.91	KCWA RECONCILIATION REFUND	
D10152	MARICOPA ORCHARDS, LLC	5/2/2024	20240502	1,571.00	KCWA RECONCILIATION REFUND	
			SUB-TOTAL	1,423,496.14		
			MANUAL CHECKS ATTACHED	771.30		
			VOUCHER TOTAL	1,424,267.44		

WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT
 ACH AND MANUAL CHECKS PAYMENTS
 APRIL 2024

						<u>5.2</u>
APR	NAME	DATE	INVOICE #	AMOUNT	DESCRIPTION	5,000+
4/30/2024	AT&T	04/08/2024	4082024	771.30	FIRE ALARM	
			Total	771.30		

**WHEELER RIDGE-MARICOPA WSD
FISCAL AGENT FOR COMMITTEE FOR DELTA RELIABILITY
CUSTODIAL FUNDS-REPORT OF EXPENDITURES AND TRANSFERS
APRIL 2024 FOR THE MAY 14, 2024 BOARD MEETING**

NAME	INVOICE NUMBER	DESCRIPTION	AMOUNT
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TRANSFERS AUTHORIZED BY WRMWSD BOARD

APRIL 10, 2024 BOARD MEETING	APRIL	VOUCHER	67,351.94
VOUCHER TOTAL REQUESTED			67,351.94

EXPENDITURES AUTHORIZED BY COMMITTEE AND PAID BY WRMWSD MANUAL CHECK

Center for CA Water Resources	298	Hamilton - Feb 2024	8,601.80
Cramer Fish Sciences	SIN008583	Science Program - Mar 2024	9,831.25
Nossaman	560126	ESA/Water Quality Counseling - Feb 2024	36,522.77
Water & Land Solutions, LLC	3821	Representation - March 2024	7,293.42
West Coast Advisors	13937	Consulting - Apr 2024	5,000.00
West Coast Advisors	13925	Expenses - Feb 2024	102.70

TOTAL PAID 67,351.94

INVOICES AWAITING COMMITTEE APPROVAL

INVOICES APPROVED BY WRMWSD BOARD @ MAY 14, 2024 BOARD MEETING (VOUCHER)

Center for CA Water Resources	299	Assn Mgmt/Muphy/Hamilton/Ins	24,588.80
Cramer Fish Sciences	SIN008583	Science Program - Apr 2024	10,140.42
Nossaman	560126	ESA/Water Quality Counseling - Mar 2024	45,012.17
Water & Land Solutions, LLC	3877	Representation - April 2024	8,929.54
West Coast Advisors	13967	Consulting - May 2024	5,000.00
West Coast Advisors	13956	Expenses - Mar 2024	436.80
West Coast Advisors	13983	Expenses - Apr 2024	109.42

VOUCHER TOTAL REQUEST 94,217.15

**Wheeler Ridge-Maricopa Water Storage District
Revolving Account Check Listing**

APRIL 2024

Check	Date	Payee	Amount	Description
BALANCE AS OF 3/31/2024			7,000.00	
			7,000.00	
3393	4/2/2024	Johnny Tackett	59.22	CDL Renewal
ACH	4/18/2024	Dell Business Credit	50.00	Computer - Asst. Controller
Total Checks Issued			109.22	
Ending Balance			6,890.78	
Balance Limit			7,000.00	
Replenish Amount			109.22	

WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT
 BOARD OF DIRECTORS/MANAGEMENT **BENEFITS** BREAKDOWN
 APRIL 2024 FOR THE **May 14, 2024** BOARD MEETING

5.2.1

NAME	ACWA BLUE CROSS OF CA			DENTAL-HEALTHEDGE		HARTFORD	TOTAL
	MED	VISION	LIFE/AD &D	CLAIMS	ADM	DISABILITY	
ATKINSON	1,644.92	17.21	9.77	***	18.15	0.00	***
BLAINE	2,179.52	17.21	5.50	***	18.15	0.00	***
FRY	2,179.52	17.21	4.30	***	18.15	0.00	***
LYDA	1,644.92	17.21	9.50	***	18.15	0.00	***
MARIN	1,946.00	17.21	5.50	***	18.15	0.00	***
METTLER	1,644.92	17.21	5.50	***	18.15	0.00	***
REITER	822.46	17.21	3.60	***	18.15	0.00	***
RICHARDSON	2,179.52	17.21	2.80	***	18.15	0.00	***
VALPREDO	2,179.52	17.21	4.30	***	18.15	0.00	***
LOVELESS	2,179.92	17.21	26.00	***	18.15	71.51	***
MCDARIS	1,644.92	17.21	12.50	***	18.15	71.51	***
NICHOLAS	2,179.92	17.21	26.00	***	18.15	71.51	***
SMITH	2,179.92	17.21	78.50	***	18.15	71.51	***
SUGGS	2,179.92	17.21	78.50	***	18.15	71.51	***
<div style="display: flex; justify-content: space-between;"> 26,785.90 240.94 272.27 901.06 254.10 357.55 </div>							
TOTAL						BENEFITS	28,811.82

*** INDIVIDUAL CLAIM AMOUNTS ARE CONFIDENTIAL PER THE HEALTH INSURANCE PORTABILITY ACCOUNTABILITY ACT (HIPAA)
 THE HEALTH INSURANCE PORTABILITY ACCOUNTABILITY ACT (HIPAA)

WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT
 BOARD OF DIRECTORS/MANAGEMENT *COMPENSATION & EXPENSE* BREAKDOWN
 APRIL 2024 for the MAY 14, 2024 BOARD

NAME	DATE	TOTAL	PAYEE	MEMO
Atkinson	04/10/2024	129.00	Atkinson	Regular Board Meeting
Atkinson	04/04/2024	125.00	Atkinson	KCWA Meeting
Atkinson	04/14/2024	125.00	Atkinson	Land Meeting
Atkinson	04/22/2024	125.00	Atkinson	Call in for Sites
Blaine	04/10/2024	128.00	Blaine	Regular Board Meeting
Blaine	04/04/2024	125.00	Blaine	KRWA Board Meeting
Blaine	04/11/2024	125.00	Blaine	SOKR Executive Committee Meeting
Blaine	04/15/2024	125.00	Blaine	Kern SGMA CC Meeting
Blaine	04/23/2024	125.00	Blaine	Ad Hoc Committee - Discuss Land Options
Blaine	04/29/2024	125.00	Blaine	Kern SGMA CC Meeting
Fry	04/10/2024	125.00	Fry	Regular Board Meeting
Lyda	04/10/2024	129.00	Lyda	Special
Lyda	04/17/2024	125.00	Lyda	Ad Hoc Committee - Arvin Edison Overlap
Marin	04/10/2024	125.00	Marin	Regular Board Meeting
Mettler	04/10/2024	128.00	Mettler	Regular Board Meeting
Mettler	04/02/2024	125.00	Mettler	White Wolf Board Meeting
Reiter	04/10/2024	139.00	Reiter	Regular Board Meeting
Richardson	04/10/2024	128.00	Richardson	Regular Board Meeting
Valpredo	04/10/2024	129.00	Valpredo	Regular Board Meeting
DIRECTORS		2,410.00		

WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT
 BOARD OF DIRECTORS/MANAGEMENT **COMPENSATION & EXPENSE** BREAKDOWN
 APRIL 2024 for the MAY 14, 2024 BOARD

NAME	DATE	TOTAL	PAYEE	MEMO
Loveless	04/26/2024	15.59	Wells Fargo	District Business Meeting - meal
McDaris				
Nicholas	04/01/2024	77.27	Verizon	Communication - cell
Smith	04/26/2024	15.59	Wells Fargo	District Business Meeting - meal
Suggs				
MANAGEMENT		108.45		
Kunde	3/22/2024	429.77	Kunde	Sites Reservoir Project Committee - expenses
*** note: retired annuitant costs are expense reimbursements not compensation				
RETIRED ANNUITANT		429.77		
Board	3/19/2024	168.41	Wells Fargo	March 19, 2023 Special Board Meeting - refreshments
Board	3/13/2024	50.27	Wells Fargo	March 13, 2024 Board Meeting - refreshments
Board	4/8/2024	95.00	Montes	March 13, 2024 Board Meeting - burritos
BOARD		313.68		
TOTAL EXPENSE		3,261.90		

WHEELER RIDGE - MARICOPA WSD
 PAYROLL FUND
 APRIL 2024
 MAY 14, 2024 BOARD MEETING

	EMPLOYEES	DIRECTORS	RETIREES	COBRA	SUPPLEMENTAL	TOTALS
SALARIES Pay Period Ended: (Mar 30, 2024/ee)-(Mar 31, 2024/dir)	102,965.86	3,143.50				106,109.36
SALARIES Pay Period Ended:	0.00					0.00
SALARIES Pay Period Ended: (April 13, 2024)	100,751.95					100,751.95
PAYROLL PEOPLE Federal, SSI, Medicare Taxes	73,156.17	527.14				73,683.31
PAYROLL PEOPLE State Tax / SDI / SUI	14,047.04	93.06				14,140.10
PERS (EMPLOYEE PORTION) RETIREMENT	23,003.83					23,003.83
PERS (EMPLOYER PORTION) RETIREMENT	36,946.79					36,946.79
PERS (UAL,GASB 68 reports, SSSA fees) RETIREMENT	0.00					0.00
NATIONWIDE DEFERRED COMPENSATION Deferred Compensation #1 Deductions	20.00					20.00
LINCOLN LIFE Deferred Compensation #2 Deductions	4,490.00					4,490.00
WRM WSD EMPLOYEES' FUND Employees' Fund Deductions	420.00					420.00
ACWA-HEALTH BENEFITS Medical/Vision Insurance Premium (+cobra)	81,029.36	16,275.11	20,906.82	0.00		118,211.29
ACWA-LIFE/AD&D Life/supplemental Insurance Premium	1,422.40	52.67			101.40	1,576.47
HEALTH EDGE ADMINISTRATORS INC Dental Insurance Administrative Fees (+cobra)	798.60	163.35	490.05	0.00		1,452.00
HEALTH EDGE ADMINISTRATORS INC Dental Insurance Claims	491.77	436.00	681.99	0.00		1,609.76
THE HARTFORD GROUP Long Term Disability Insurance	3,146.53					3,146.53
IWO (income withholding orders)	2,856.12					2,856.12
PAYROLL PEOPLE P/R Processing Fees, monthly and w-2 fees	1,069.50	136.50				1,206.00
TOTAL PAYROLL FUND:	446,615.92	20,827.33	22,078.86	0.00	101.40	489,623.51

WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT
REIMBURSEMENTS AND TRANSFERS
MAY 14, 2024 BOARD MEETING
APRIL/MAY/JUNE 2024

GENERAL/REVOLVING ACCOUNT:

FUND #			
60710	WRM-WSD WELLS FARGO BANK GENERAL ACCOUNT TRANSFER TO PROVIDE FUNDS FOR: April 2024 Accounts Payable	1	\$ 1,424,267.44
60710	WRM-WSD WELLS FARGO BANK GENERAL ACCOUNT TRANSFER TO PROVIDE FUNDS FOR: Accounts Payable	1.1	\$ 0.00
60710	WRM-WSD WELLS FARGO BANK GENERAL ACCOUNT TRANSFER TO PROVIDE FUNDS FOR: April 2024 Accounts Payable		1,424,267.44 \$
60710	WRM-WSD WELLS FARGO BANK GENERAL ACCOUNT TRANSFER TO PROVIDE FUNDS FOR: Committee for Delta Reliability	2	\$ 94,217.15
60710	WRM-WSD WELLS FARGO BANK REVOLVING ACCOUNT TRANSFER TO PROVIDE FUNDS FOR: April 2024 Revolving Account	3	\$ 109.22
TOTAL GENERAL/REVOLVING ACCOUNT:			\$ 1,518,593.81

PAYROLL ACCOUNT:

FUND #			
60710	WRM-WSD WELLS FARGO BANK PAYROLL ACCOUNT TRANSFER TO PROVIDE FUNDS FOR PPE: May 25, 2024	4	163,000.00
60710	WRM-WSD WELLS FARGO BANK PAYROLL ACCOUNT TRANSFER TO PROVIDE FUNDS FOR PPE: June 08, 2024	5	281,000.00
60710	WRM-WSD WELLS FARGO BANK PAYROLL ACCOUNT TRANSFER TO PROVIDE FUNDS FOR PPE: June 22, 2024	6	0.00
TOTAL PAYROLL ACCOUNT:			\$ 444,000.00 444,000.00

KCWA COUNTY TRANSFERS: 0.00

TOTAL REIMBURSEMENTS AND TRANSFERS: \$ 1,962,593.81

WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT
 BUDGET EXPENDITURES REPORT
 PERIOD ENDING MARCH 2024
 (UNAUDITED)

BUDGET CLASS	ANNUAL BUDGET	ANTICIPATED TO DATE	ACTUAL SPENT TO DATE	UNDER/(OVER) BUDGET TO ACTUAL DIFFERENCE	% OF ANTICIPATED TO DATE
PAYROLL SALARIES	4,163,452	960,797	920,459	40,337	95.80%
PAYROLL TAX	313,368	72,316	76,378	(4,062)	105.62%
PAYROLL PERS	514,862	118,814	114,124	4,690	96.05%
PAYROLL HEALTH	1,113,269	278,317	272,557 (a)	5,760	97.93%
TOTAL PAYROLL & BENEFITS	6,104,951	1,430,244	1,383,518	46,726	96.73%
FUEL & OIL	494,792	123,698	60,778	62,920	49.13%
MATERIALS & SUPPLIES	1,244,220	311,055	346,500	(35,445)	111.40%
SMALL TOOLS & INSTRUMENTS	50,100	12,525	2,349	10,176	18.75%
WELL MAINTENANCE STANDBY POWER	30,000	7,500	781	6,719	10.41%
COMMUNICATIONS	65,034	16,259	14,191	2,068	87.28%
DIRECTORS FEES & EXPENSES	36,000	9,000	6,255	2,745	69.50%
DIRECTORS HEALTH	190,000	47,500	53,614 (a)	(6,114)	112.87%
INSURANCE & BONDS	286,400	71,600	23,746 (1)	47,854	33.16%
RETIREEES-OPEB	308,000	77,000	71,179 (a)	5,821	92.44%
MEMBERSHIPS	102,480	25,620	27,160	(1,540)	106.01%
MISC SERVICES & SUPPLIES	206,700	51,675	9,402	42,273	18.19%
OFFICE SERVICES & SUPPLIES	54,625	13,656	8,922	4,734	65.33%
COMPUTER SUPPLIES	53,865	13,466	22,526	(9,060)	167.28%
MAINT. & REPAIR BY OTHERS	215,614	53,904	66,459	(12,555)	123.29%
PROFESSIONAL & SPECIALIZED-LEGAL	125,000	31,250	25,306	5,944	80.98%
PROFESSIONAL & SPECIALIZED-ACCT:					
AUDIT	50,900	20,410	20,410	0	100.00%
WELLS FARGO FEES	1,200	300	0	300	0.00%
PROFESSIONAL & SPECIALIZED-OTHER	176,550	44,138	49,692	(5,555)	112.58%
SGMA - SOKR/KERN GW AUTHORITY	230,000	57,500	97,996	(40,496)	170.43%
SGMA - WHITE WOLF GSA	150,000	37,500	55,159	(17,659)	147.09%
LEGAL NOTICES & PUBLICATIONS	17,200	4,300	0	4,300	0.00%
RENTED EQUIPMENT	66,900	16,725	8,804	7,921	52.64%
SPECIAL DEPARTMENT EXPENSE	19,100	4,775	2,858	1,917	59.85%
TRANSP & TRAVEL EXPENSE	62,320	15,580	8,015	7,565	51.44%
UTILITIES	103,000	25,750	25,763	(13)	100.05%
JUDGEMENTS & CLAIMS EXPENSE	6,600	0	0	0	0.00%
CALPERS UNFUNDED LIABILITY	914,191	914,191	914,191	0	100.00%
CURRENTLY FUNDED ASSETS	1,381,000	152,685	152,685	0	100.00%
RESERVE FUNDED ASSETS	5,710,000	46,004	46,004	0	100.00%
TOTAL SERVICES AND SUPPLIES	12,351,791	2,205,565	2,120,745	84,820	96.15%
KCWA F.O.	41,392,439	41,392,439	41,392,439	0	100.00%
KCWA VARIABLE	10,512,990	10,512,990	10,512,990	0	100.00%
DISTRICT POWER-PUMPS	17,060,404	17,060,404	17,060,404	0	100.00%
TOTAL WATER COSTS	68,965,833	68,965,833	68,965,833	0	100.00%
GRAND TOTAL	87,422,575	72,601,642	72,470,096	131,546	99.82%
(a) Health Insurance combined	1,611,269	402,817	397,350	5,467	98.64%

CAPITAL EXPENDITURES BUDGET - PERIOD ENDING MARCH 2024										
		BUDGET				ACTUAL			# of ITEMS	
QTY	DESCRIPTION	BGT COST PER ITEM	TOTAL BUDGET	CURRENT FUNDED	RESERVE FUNDED	(net of trade or sale)	CURRENT FUNDED	RESERVE FUNDED	% OF BGT.	PURCH OF BUDGET
ADMINISTRATION 2023: (last year's Capital Budget)										
1	Server Replacement (remaining balance)	16,155	16,155	16,155		12,116	12,116		75%	
	SUBTOTAL		16,155	16,155	-	12,116	12,116	-		
ADMINISTRATION 2024:										
1	Screen and Projector for Board Room	25,000	25,000	25,000		3,137	3,137		13%	
	SUBTOTAL		25,000	25,000	-	3,137	3,137	-		
ENGINEERING:										
1	Capacity Improvement - 4P Lateral	50,000	50,000	50,000						
1	A5X/B5X Intertie Facilities	460,000	460,000		460,000	17,974		17,974	4%	(1)
1	Drilling Two Replacement Supply Wells	3,570,000	3,570,000		3,570,000	28,030		28,030	1%	(1) and (2)
8	WRM10 Large Pump Units, 17 & 44 CFS	210,000	1,680,000		1,680,000					
	SUBTOTAL		5,760,000	50,000	5,710,000	46,004	-	46,004		
OPERATIONS AND MAINTENANCE:										
1	4-door SUV	40,000	40,000	40,000		36,449	36,449		91%	1 of 1
1	1/2 Ton Crew Cab Pickup	40,000	40,000	40,000						
1	1/2 Ton Crew Cab 4X4 Pickup	50,000	50,000	50,000						
1	1/2 Ton Reg Cab Pickup	35,000	35,000	35,000		24,405	24,405		70%	1 of 1
1	Mid Size Crew Cab 4x4	35,000	35,000	35,000		29,610	29,610		85%	1 of 1
1	1 Ton Cab/Chassis Utility	50,000	50,000	50,000		46,968	46,968		94%	1 of 1
1	3/4 Ton Crew Cab 4X4 Pickup	50,000	50,000	50,000						
1	Portable Air Compressor	30,000	30,000	30,000						
1	Door Lock system for District Office	40,000	40,000	40,000						
1	Equipment Trailer	40,000	40,000	40,000						
1	SCADA System	866,000	866,000	866,000						
1	Security Measures	30,000	30,000	30,000		13,462	13,462		45%	
	SUBTOTAL		1,306,000	1,306,000	-	137,432	137,432	-		
TOTAL CAPITAL EXPENDITURES			7,107,155	1,397,155	5,710,000	198,689	152,685	46,004		
(1)	Work Order balance as of 12/31/2023									
(2)	Collected through water charges over multiple years									

BEFORE THE BOARD OF DIRECTORS OF THE
WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT

IN THE MATTER OF:

RESOLUTION NO. 2024-XX

DECLARING INTENTION TO FIX CHARGES AUTHORIZED BY WATER CODE SECTIONS 43006 AND 47180 FOR ADMINISTRATIVE SERVICE, GENERAL SERVICE, AND PROJECT SERVICE RENDERED BY THE WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT AND TO ORDER THAT THE SAME BE COLLECTED FROM ALL PERSONS RECEIVING THE BENEFIT OF SUCH SERVICES (CALENDAR YEAR 2024 - 2025)

WHEREAS, the Board of Directors of the District has determined that it will be necessary, in order to obtain funds to meet expenses of the District, incurred by reason of Administrative Service, General Service, and Project Service rendered by the District, to fix charges and order collection thereof for all persons receiving the benefit of such services, or any of them, all as provided in Sections 43006 and 47180 of the Water Code of the State of California.

NOW, THEREFORE, BE IT RESOLVED by this Board of Directors as follows:

1. Said Board does hereby declare its intention to fix charges to obtain funds in an amount sufficient to meet expenses of the District, incurred by reason of Administrative Service, General Service and Project Service rendered by the District and order that such charges be collected from all persons receiving the benefits of such services, which charges shall be proportional, as nearly as practicable, to the services rendered, all as provided in Sections 43006 and 47180 of the Water Code of the State of California.
2. That the hour of 9:45 A.M., June 12, 2024, at the office of the District on Maricopa Highway approximately six miles west of Mettler, California, is the time and place when the matter of fixing such charges will be considered an open meeting of the Board.
3. That a copy of this Resolution of Intention shall be published once a week for two successive weeks in the Bakersfield Californian, a newspaper of general circulation in Kern County, California.
4. That at the time and place so appointed, the Board shall meet in an open meeting and shall consider the matter of fixing such charges and ordering the collection thereof from all those persons receiving the benefits of said services, or any of them, and hear any objections thereto.
5. That the foregoing resolution is in compliance with the Rules and Regulations of the District establishing a procedure for fixing such charges.

ALL THE FOREGOING BEING on motion of Director seconded by Director, was authorized by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

I HEREBY CERTIFY that the foregoing resolution is the resolution of this District as duly passed and adopted by said Board of Directors on the 14th day of May 2024.

WITNESS my hand and seal of said Board of Directors this 14th day of May 2024.

(Seal)

Treasurer of the Board of Directors



**WHEELER RIDGE – MARICOPA
WATER STORAGE DISTRICT**

12109 Highway 166, Bakersfield, CA 93313-9630, 661-858-2281

MEMORANDUM

TO: BOARD OF DIRECTORS

FROM: SHERIDAN NICHOLAS

DATE: MAY 9, 2024

SUBJECT: ENGINEER-MANAGER’S MONTHLY REPORT FOR APRIL 2024

During the month of April, the District delivered 9,555 acre-feet of water consisting of the water types described below. Of the total quantity delivered, 148 acre-feet was delivered for industrial use, with the remainder being delivered for agricultural use. This is considerably less than the projected deliveries of approximately 17,700 acre-feet estimated in September 2023. The total quantities of water delivered during the month as well as the year-to-date water supply by source and type of water delivery are summarized in the following tabulation:

Quantities (Acre- Feet)

Source of Supply	Jan-Mar	Apr	YTD
2024 SWP Entitlement (a)	-	-	-
2023 Carryover (estimate) (b)	6,310	9,221	15,531
Pastoria/TRC	515	131	646
Granite/TRC	12	9	22
Kern Water Bank Recovery (c)	-	-	-
Kern Water Bank - 2nd Priority Recovery	-	-	-
Pioneer Project Recovery (c)	-	-	-
Berrenda Mesa Recovery (c)	-	-	-
Landowner Water Transfer	-	-	-
User Input-District Wells	-	-	-
User Input-Private	58	194	251
Type of Delivery			
Irrigation	6,362	9,407	15,768
Industrial Contract	527	140	667
Other Industrial	8	8	16
Deliveries Total	6,897	9,555	16,452

(a) Assumes a 2024 allocation of 200,818 acre-feet (100%)

(b) At 01/01/2024, an estimated 16,000 acre-feet of 2023-2024 Carryover was available; 8,041 acre-feet represents Water User Carryover. These figures are subject to further reconciliation as additional information becomes available.

(c) Estimates based on KCWA daily Summary of Deliveries

ENGINEER-MANAGER'S REPORT – S. NICHOLAS

APRIL 2024

Solar Update. The construction report for Wheeler #2 is attached.

New Employee. The District hired Jennifer Whitby as its new Assistant Controller. She has a wealth of financial experience and we welcome her to the District.

White Wolf GSA. There was no WWGSA Board Meeting in May.

South of Kern River GSP. Items of note include:

- **Coordination between SOKR districts**
Executive Committee Meeting in April - reviewed status of Kern GSP preparations
- **Basin Coordination** - Coordination Committee meeting every Monday and Managers meeting every Friday. Met with SWRCB Staff on April 23 to present information on water budgets and projects and management actions.

Meetings in addition to weekly Member Unit and Westside 5 calls, (held either in person or via teleconference):

Apr 01 Kern County Coordination Committee	Apr 17 Ad Hoc Committee Meeting
Apr 02 White Wolf GSA Board Meeting	Apr 17 SOKR Managers Meeting
Apr 02 CDR Executive Committee	Apr 19 Kern Subbasin Managers Meeting
Apr 02 Western Growers Annual Kern Meeting	Apr 22 California Farm Water Coalition Meeting
Apr 03 SWRCB Meeting w/Kern Subbasin	Apr 22 Tom McCarthy, Jason Gianquinto, Mark Gilkey
Apr 03 ACWA Region 6/7 Meeting	Apr 23 Ad Hoc Committee Meeting
Apr 04 Ted Page & Tom McCarthy	Apr 23 SWRCB Meeting w/Kern Subbasin
Apr 05 Kern Subbasin Managers Meeting	Apr 24 SOKR Managers Meeting
Apr 05 ACWA Board Meeting	Apr 25 South Valley Water Resources Authority Board Meeting
Apr 09 CDR Quarterly Meeting	Apr 25 Kern County Water Agency Board Meeting
Apr 09 KWB Board Meeting	Apr 26 Kern Subbasin Managers Meeting
Apr 10 WRMWSO Board Meeting	Apr 26 WhitePine Renewables
Apr 10 SOKR Managers Meeting	Apr 29 Kern County Coordination Committee Meeting
Apr 11 SOKR Executive Committee Meeting	Apr 29 San Joaquin River Exchange Contractors
Apr 11 Member Unit Managers Meeting	
Apr 12 Kern Subbasin Managers Meeting	
Apr 15 Kern County Coordination Committee	
Apr 16 SWRCB Hearing on Tulare Lake Basin	

RETIRED ANNUITANT REPORT (R. KUNDE)

Delta Conveyance Project (DCP) - DWR Updates. On April 19 and May 9, DWR issued updates on several DCP elements, including a description of the cost estimate methodology, as shown on the next four pages.

Delta Conveyance Project - Change in Point of Diversion Petition. (*Updated from the February Report.*) On February 22, DWR submitted said Petition to the State Water Resources Control Board. On February 29, the SWRCB issued a public notice that acknowledged receipt of the change petition and detailed the process to submit a protest against the petition. Protests against the change petition must be filed by May 13, 2024.

Approval of the SWRCB is required in order to divert water under the existing SWP water right at the new locations proposed for the DCP. DWR anticipates SWRCB action on the petition in 2026.

Delta Conveyance Project - Cost Estimate. On April 11, the Member Units received a status update on the DCP Level 4 cost estimate. It is believed the estimate will be completed and become publicly available in mid- to late-May.

Delta Conveyance Project - Schedule. (*Updated from the February Report.*) The schedule for DCP activities includes:

- 2024 Q2: preparation of a Class 4 cost estimate, *release anticipated in May*
- 2024 Q3-Q4: a call for funds (not bond debt) from the State Water Contractors and Member Units,
- 2024 Q4: issuance of the final federal Environmental Impact Statement,
- 2024 Q4: issuance of federal Biological Opinions and the state Incidental Take Permit,
- 2024-26: continuing engineering design,
- 2026 Q2: obtain approval of the Change in Point of Diversion, and
- 2026-27: obtain a Consistency Determination with the Delta Plan.

The construction period is estimated at 13 years from start of construction. Start of construction is to be determined based on progress on the activities described above including litigation.

Delta Conveyance Project - Short-Term Funding. (*No change from March Report.*) Member Unit and Kern County Water Agency discussion occurred in March. The DWR decision on the funding amount and timeline is expected in the second half of 2024; additional funding is needed in 2024 to continue DCP permit activities, engineering, water right activities and other matters.



Understanding Costs, Benefits, Funding and Financing for the Delta Conveyance Project

The Department of Water Resources' (DWR) Delta Conveyance Project will soon reach an important milestone with the release of an updated cost estimate and a benefit-cost analysis. The following FAQ covers common questions on how the project will be funded and how costs and benefits will be assessed.

How is the State Water Project funded?

Financing, construction, operation, and maintenance of the State Water Project (SWP) is administered by DWR. The SWP is funded by the 29 local public water agencies (PWAs) throughout California with long-term SWP water supply contracts. These water supply contracts were created in the 1960s and are central to financing SWP construction and operation.

How is the planning and conceptual design of the Delta Conveyance Project funded?

Eighteen of the PWAs are funding the planning and design of the Delta Conveyance Project through local sources. The planning and design of the project is not funded by California's general fund.

How would construction of the Delta Conveyance Project be funded?

DWR funds SWP capital projects by issuing revenue bonds. Revenue bonds are not liabilities of the State of California. These bonds are the sole obligation of the SWP and are repayable from SWP revenue. For the Delta Conveyance Project, that revenue will be provided only by the participating PWAs. The state's general fund is not responsible for any construction costs.

What is a revenue bond?

Revenue bonds are a common way for public agencies to raise capital for infrastructure projects (also known as "financing" a project). Investors purchase the revenue bonds, thereby providing money to the issuer of the bonds. In return, the issuer of the bonds promises to repay the bondholders' principle plus a specified rate of interest over the life of the bonds using revenue from the project that was financed by the bonds.

What is a benefit-cost analysis and why is it important?

A benefit-cost analysis is a systematic method to assess the economic viability of certain types of projects, such as the Delta Conveyance Project. This analysis estimates the ratio of a project's expected future benefits and costs, based on a variety of direct and indirect economic and environmental considerations. In conducting a benefit-cost analysis, the project's benefits and costs are compared to a scenario where the project is not undertaken, known as the no-project scenario. This comparison demonstrates the added value of the project relative to maintaining the status quo. A benefit-cost analysis is an important step in ensuring that the benefits of a project justify its costs.

What benefits will be identified in the benefit-cost analysis for the Delta Conveyance Project?

The benefit-cost analysis for the Delta Conveyance Project will evaluate several key benefits: improved water supply reliability (including climate change), enhanced water quality, and increased seismic reliability for the SWP's urban and agricultural contractors.

Some benefits of the Delta Conveyance Project will not be quantified in the benefit-cost analysis and yet are also compelling for decisions-makers, including:

- Increased operational flexibility: resolving regulatory conflicts in the south Delta to meet environmental requirements for the equal benefit for fish/water supply goals
- Community Benefits Program: investments in Delta communities for high-priority local projects, local business utilization, job training, and infrastructure improvements
- Job creation: the project will create over 5,000 total jobs, including supporting industries
- Groundwater supplies: protecting affordable surface water supplies relieves pressure on dwindling or constrained groundwater sources

How will costs be identified in a benefit-cost analysis for the Delta Conveyance Project?

A preliminary cost assessment was prepared in 2020, showing the project cost to be nearly \$16 billion. An updated cost estimate for the Delta Conveyance Project will provide the basis for the cost portion of the benefit-cost analysis in 2023 dollars and will include the anticipated costs of design, construction, and startup/commissioning of the facility. Additionally, the benefit-cost analysis will include the costs for long-term operations of the facility and for unmitigated environmental impacts identified in the Environmental Impact Report for the Delta Conveyance Project.

How is uncertainty accounted for in the early stages of design and cost estimating?

In the early stages of design, there are fewer absolutes, while later stages of design have more detail and fewer unknowns. To account for this, the Association for the Advancement of Cost Engineering (AACE) created guidelines using industry benchmarking and empirical data that provide ranges of expected accuracy based on the level of project definition, estimating methodology and effort. In addition, estimates typically include "contingency" funds for unknown or undefined aspects of a project, which tends to be larger during earlier phases of project development.

What makes a cost estimate reliable?

For the Delta Conveyance Project, the updated cost estimate will be prepared following AACE guidelines and will include construction costs (including materials and labor for all project features, and site access and logistics) and non-construction costs (like design, planning and permitting, land costs, mitigation, and power). The updated cost estimate for the Delta Conveyance Project will also include appropriate contingency to account for greater unknowns at this current conceptual stage. However, given the complexity and scale of the project, the estimate will be more rigorous than typical for concept-level designs, including:

- Using engineering documentation in drawings and technical reports
- Developing costs based on unit rates, quantities, and durations
- Replacing most cost "allowances" with actual estimates and material price quotes
- Better understanding of ground conditions, schedule, and risks

Will the cost estimate account for inflation?

The cost estimate will be presented in 2023 dollars. Estimating costs relative to a specific base year is a standard approach in cost estimation and ensures consistency and comparability, as it measures all costs against the same monetary standard, removing distortions from fluctuating inflation rates. This approach simplifies cost estimation and financial planning by eliminating the complexity of forecasting uncertain future inflation.

Delta Conveyance Project Funding and Financing

Funding, Planning, Permitting and Design

PWA funds come from local sources, not the state general fund

Public Water Agencies (PWAs) pay the Department of Water Resources (DWR) their share based on SWP contracts

DWR uses funds for:

Planning, permitting and design

Financing Construction with Revenue Bonds

Total includes previous expenditures for planning, permitting and design

Investors purchase bonds

DWR uses funds to:

Reimburse PWAs for previously spent planning, permitting and design

Build the project

Revenue Bond Repayment

Repayment begins upon issuance. Financing terms TBD (e.g. 30 year fixed plus interest)

Rate payers pay PWAs

PWAs pay DWR

DWR pays bondholders



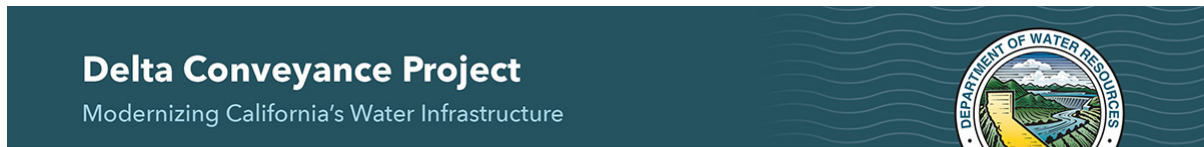
DWR Updates Delta Conveyance Project Schedule, Charts Permitting Pathway + Other Project Updates

Department of Water Resources <deltaconveyance@water.ca.gov>
via mailchimpapp.net

Fri 4/19/2024 3:18 PM

To: Rob Kunde <rkunde@wrmwsd.com>

You don't often get email from deltaconveyance@water.ca.gov. [Learn why this is important](#)



April 19, 2024

DWR Updates Delta Conveyance Project Schedule, Charts Permitting Pathway + Other Project Updates

DWR has updated the permitting schedule for the next several years of the Delta Conveyance Project planning process, creating a pathway for obtaining key permits by the end of 2026.

Read the blog post [here](#), view the Permitting Road Map [here](#), and see details for all permitting activities at the Permit Portal [here](#).

Delta Conveyance Project Planning Schedule

	2020	2021	2022	2023	2024	2025	2026
CEQA/NEPA							
Prepare Draft EIR and Draft EIS	█						
Public review period			█				
Final EIR, Final EIS, ROD, and NOD				Final EIR	Final EIS		
Other Environmental Processes							
Biological Assessment		█					
ITP Application		█					
Biological Opinion					█		
ITP					█		
Water Rights						█	
Delta Plan Consistency							█

New Informational Materials Available

Informational materials about the project, including a new Myth/Fact fact sheet, a new Q&A and an updated Fast Facts, can be found [here](#).

California Endangered Species Act (CESA) Compliance

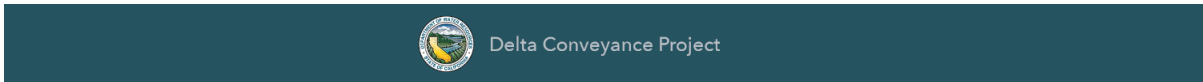
DWR applied to the California Department of Fish and Wildlife (CDFW) for an Incidental Take Permit (ITP) on April 9, 2024. Find the application documents [here](#). As CDFW reviews the information in the ITP application, it is expected that DWR will add supplemental materials to update the administrative record and will post periodic updates to the ITP application to reflect this supplemental material.

State Water Board Grants 2-Week Extension

The deadline to submit protests regarding the Delta Conveyance Project change petition has been extended to May 13, 2024. For more information, visit the State Water Board’s website [here](#), see their notification [here](#) and the notification letter [here](#).

ICYMI: Progress Report

In case you missed it, DWR updated the Progress Report for the Delta Conveyance Project to include all activities conducted and milestones reached in 2023. Find the document [here](#).



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Sites Reservoir - Litigation re: Final Environmental Impact Report. The schedule for this case in Yolo County Superior Court, Case No. CV2023-2626, was issued January 22. The Sites Opposition Brief was filed on April 5, and the Plaintiff Reply Brief was filed April 16.

The “Pre-Disposition Hearing on the Merits” was held on May 3, but Judge Samuel T. McAdam was substituted for original Judge David Rosenberg. The 2-1/2 hour Hearing focused on Plaintiffs arguments and Sites rebuttals to claims that Sites used an erroneous environmental baseline and did not consider a sufficient range of alternatives. Judge McAdam, being new to the case, said he may not issue his trial court decision by the original June 3 schedule. Any appeal must be filed within 5 days of the decision. SB149 requires expedited consideration of CEQA litigation, including appeals, “if feasible” for certified projects such as Sites Reservoir. October 26, 2024 would be the SB149 deadline for an appellate court decision on any appeal.

Sites Reservoir - Closing the Water Right Application Protest Resolution Period. *(Updated from the March Report.)* At the Sites Project’s February 16 meeting, the Reservoir Committee and Authority Board authorized “*the Executive Director to submit the protest resolution status report immediately following the end of the protest resolution period on February 28, 2024, requesting the State Water Resources Control Board (SWRCB) close the Sites Project water right application’s protest resolution period and implement their hearing process to achieve a Sites Water Right Permit and associated Order/Decision no later than February 1, 2025.*”

However, as of the April 19 Sites Project meeting, the protest resolution status report had not been submitted pending ongoing settlement discussions with some of the Protestants. Some, but not all, of the 15 Protests are expected to be resolved prior to the formal evidentiary hearing later this year.

Sites Reservoir - Water Right Hearing Schedule. On March 1, State Water Resources Control Board Presiding Hearing Officer Nicole Kuenzi issued the 42 page “*Notice of Public Hearing and Pre-Hearing Conference*” schedule and instructions. Some future adjustments to the schedule were expected.

On April 10, a Pre-Hearing Conference was held to hear various parties comments on the schedule. The expected 2 hour hearing lasted 7 hours as it turned into a complaint session by Project opponents. On April 18, Officer Kuenzi issued a new schedule with significant delays as

follows:

Deadlines/schedule	Original Dates	Revised Dates
deadline for submission of case-in-chief exhibits	May 24, 2024	will not be before July 1, 2024
hearings on policy statements, evidentiary submittals, case-in-chief and rebuttals	June 17 through October 10, 2024	not yet available
closing briefs	November 12, 2024	April 17, 2025
Hearing Officer recommendation to SWRCB	January/February 2025	June/July 2025
SWRCB Decision	February 2025	August-October 2025

The revised dates may be helpful to the Sites Project as the California Department of Fish and Wildlife is expected to issue an Incidental Take Project in fall 2024 which should be helpful to the SWRCB Hearing Officer and staff in evaluating endangered species permit compliance and environmental mitigation. The delay will be detrimental to the Project as the construction and operational dates will be delayed, and delays increase Project costs due to inflation.

Sites Reservoir - Joint Meeting of Sites Project Authority (SPA) and Reservoir Project Committee (RPC). At its April 19, 2024 meeting, the SPA and/or RPC took actions as follows:

1. approved the Consent Agenda (3 items); and
2. approved a task order amendment with CH2M Hill Engineers for additional modeling services in the amount of \$462,000; this modeling was necessary for additional water diversion modeling runs required by the California Department of Fish and Wildlife, and to transition the model from CalSIM2 to CalSIM3; funding was provided by reprioritizing other tasks within the existing budget.

Discussion items were as follows.

3. An update was provided on the state Incidental Take Permits for Construction and Operations required to comply with the state Endangered Species Act. Bi-weekly meetings will continue in order to work through complex technical, legal and policy matters. Issuance was anticipated for October 2024.
4. An update was provided on the two step process for obtaining federal Biological Opinions (BiOp) required to comply with the federal Endangered Species Act. Sites will be included in a “programmatic” BiOp in conjunction with the ongoing federal CVP/SWP consultation. Subsequently, Sites would be issued its project-specific BiOp with a May 2025 target date which, based on experience, is likely to slip. Bi-weekly meetings will continue in order to work through complex technical, legal and policy matters.

5. An update was provided on the updated Sites cost estimate. The 30% design required for the Level 3 cost estimate is done, and cost estimating in 2024\$ is in progress, The cost estimate will include financing costs, mitigation costs, soft (overhead) costs, and an independent review with presentation in 2024 Q3. The “Program Cost Forecast” including value engineering opportunities, power, wheeling costs, capital, O&M and financing options is forecast for completion by the end of 2024.
6. An update was provided on the Plan of Finance including funding of construction and interim financing in advance of the WIFIA loan. Financing options for consideration include capitalized interest, interest only during construction, and principal and interest during construction. Using capitalized interest through construction results in 25% higher overall costs compared to interest only. It is anticipated an Interim Financing package will be released by November 2024 with selection in January 2025 and initial borrowing in the second half of 2025. The exact timing will depend on when the water right permit is issued and the time required for Participants to execute Benefits and Obligations Contracts.
7. An update was provided on the development of the Benefits and Obligations Contract. Revisions to the existing draft (but not executions) will need to be done by September 2024 to coincide with the WIFIA loan timeline.

The Executive Director reported the water right permit schedule was revised as noted above. The six month delay will result in about \$50 million in additional overall project costs due to inflation and financing costs.

A closed session was held regarding the water right application, property acquisition and CEQA litigation.

The next regular joint Sites Project Authority/Reservoir Project Committee Meeting will be held on May 17, 2024.

Sites Reservoir - Communications. The Retired Annuitant provided the following information to District Water User Participants and others interested in the Project:

- Sites 2021 capital cost information to 3 parties,
- discussion of future Sites participation level with one Water User Participant,
- Sites collateral information with 2 Directors and General Counsel,
- an invitation to attend the Sites discussion meeting at ACWA Conference to Water User Participants and the District Board of Directors, and
- to the Water User Participants, the memorandum to the District Board of Directors, as revised April 8, 2024, entitled “*Sites Reservoir Project - Benefits and Obligations Contract Update*” including the Sites Project’s “*Draft Benefits & Obligations Contract and Governance Development - Frequently Asked Questions (FAQ) Related to these Subjects*”.

Meetings. The Retired Annuitant attended the following meetings during the month including 10 meetings for the Sites Project.

Apr 09 Committee for Delta Reliability

Apr 11 Delta Conveyance Project - Policy Briefing
Apr 23 Delta Conveyance Project - Policy Update
Apr 12 Sites Reservoir - Budget and Finance Committee
Apr 18 Sites Reservoir - Colusa County Flood Control and Water Conservation District
Zone 3 General Manager
Apr 18 Sites Reservoir - Construction Contractors Workshop
Apr 10 Sites Reservoir - Coordination Committee
Apr 02 Sites Reservoir - Governance Ad Hoc Committee
Apr 19 Sites Reservoir - Joint Sites Authority/Reservoir Committee Board of Directors
Apr 11 Sites Reservoir - Sites/DWR/Reclamation Operations Agreement Drafting
Committee
Apr 18 Sites Reservoir - Sites/DWR/Reclamation Operations Agreement Technical Team
Apr 04 Sites Reservoir - Water Right Briefing
Apr 08 Sites Reservoir - WIFIA Ad Hoc Joint Subcommittee
Apr 10 WRMWSD Board of Directors

DIRECTOR OF WATER RESOURCES REPORT (E. MCDARIS)

2024 State Water Project Allocation

DWR announced the initial 2024 State Water Project allocation of 10% on December 1, 2023; this allocation was subsequently increased to 15% and to 30% on January 21st, and March 22nd, respectively. On April 23rd, 2024, DWR announced an additional increase to the 2024 allocation, raising it to 40%, where it remains at this time. DWR’s allocation analysis considered several factors including existing storage in SWP conservation reservoirs, SWP operational constraints such as the conditions of the Biological Opinions for Delta Smelt and Salmonids, and the Longfin Smelt Incidental Take Permit, and the 2023 contractor demands. DWR may revise the initial and subsequent allocations if warranted by the year’s developing hydrologic and water supply conditions.

The 40% allocation is consistent with the 90% probability of exceedance study with moderate Old and Middle River (OMR) restrictions in DWR’s most recent “*Allocation Analysis for 2024*” (Analysis). The *Analysis* includes different ranges of impacts from the Delta Smelt and Salmon Biological Opinions as well as the Longfin Incidental Take Permit (the *Analysis* uses existing Delta Smelt Biological Opinion standards). Key points of the *Analysis* include:

The April 23rd DWR analysis results for 2024 are as follows (values in acre-feet).

Source/SVI	Above Normal	Above Normal	Above Normal	Above Normal
SWP Allocation	40%	40%	41%	47%
OMR Restriction [a]	Moderate	Moderate	Moderate	Moderate
Prob. Of Exceedance [b]	90%	75%	50%	25%
District Supply	78,835	78,835	80,806	92,631

[a] Average Old and Middle River reverse flow restrictions (cfs) from December 2023 to July 2024.

[b] Example: a 90% Probability of Exceedance means there is a 9 in 10 chance conditions will be wetter than assumed, and 1 in 10 chance conditions will be conditions will be drier than assumed.

Note that precipitation is not runoff, and runoff is not Delta export pumping for the District. Under normal conditions, an average precipitation year equates to a 65% to 75% SWP allocation depending on timing and proportions of snow and rain.

Water and Snowpack Conditions.

The “*Northern Sierra 8-Station Precipitation Tabulation*” index of rain and snow water content for the Sacramento, Feather, Yuba and American River Basins in April was 2.0 inches of the monthly average of 4.3 inches. *Accumulation* for the season is as follows:

Current Amount – October 1, 2023 – September 30, 2024,	45.0”
Seasonal Average to Date	48.6”
Seasonal Percent of Average to Date	92%
Average (historic) for the entire Water Year (Oct. 1 through Sep. 30)	53.2”

The “*San Joaquin 5-Station Precipitation Tabulation*” index for the month of April was 3.1 inches, which is 88% of historical average (3.5 inches). *Accumulation* for the season is 31.3 inches, which is 85% of the seasonal average of 36.5 inches.

Carryover and Spill Conditions.

The District continually reviews current San Luis Reservoir (SLR) storage levels (April 30th, -70% capacity, 85% of average) to determine optimum carryover amounts. End of month San Luis Reservoir conditions were as follows:

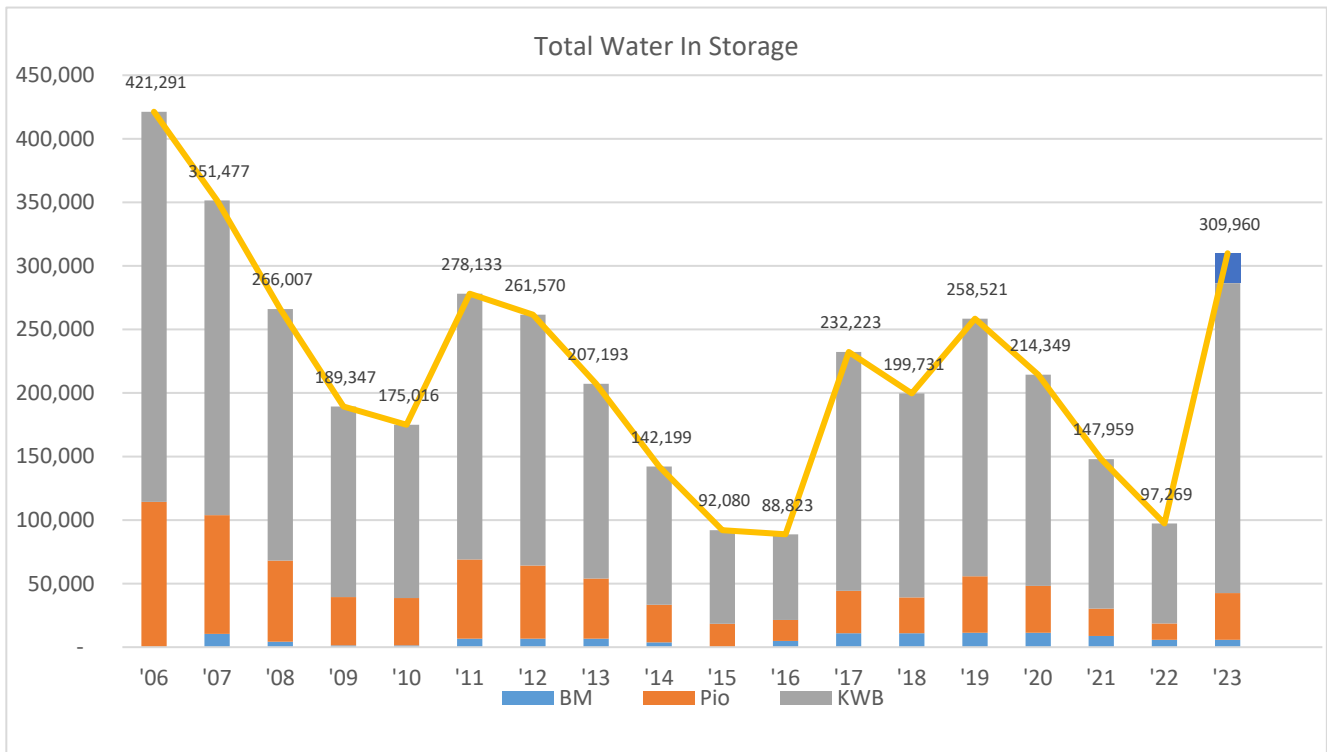
<u>Description</u>	<u>Million Acre-feet (MAF)</u>
SLR Capacity	
SWP Share	1.062
CVP Share	<u>0.966</u>
SWP + CVP subtotal	2.028
Actual December 31, 2014 storage	0.820
Actual December 31, 2015 storage	0.436
Actual December 31, 2016 storage	1.259
Actual December 31, 2017 storage	1.638
Actual December 31, 2018 storage	1.503
Actual December 31, 2019 storage	1.286
Actual December 31, 2020 storage	0.955
Actual December 31, 2021 storage	0.616
Actual December 31, 2022 storage	0.688
Actual December 31, 2023 storage	1.147
April 30, 2024, storage	
SWP Share	0.539
CVP Share	<u>0.891</u>
SWP + CVP subtotal	1.430

The amount of State Water Project water stored during the month of April increased approximately 16,686 acre-feet going from 522,481 acre-feet at the end of March to 539,167 acre-feet at the end of April. On April 30, 2024, SLR overall storage is approximately 598,041 acre-feet from full.

Carryover. At present, staff estimates total District carryover to be approximately 16,000 acre-feet. Approximately 8,041 acre-feet of which is Water User carryover, with the remainder being District carryover. These numbers are subject to reconciliation as more information is received.

Meetings. The Water Resources Manager attended the following meetings in-person or remotely during the month:

- 4/2, 4/9, 4/16, 4/22, 4/30 – KCWA Ops Call
- 4/2, 4/9, 4/16, 4/22, 4/30 – District supervisor meeting
- 4/3, 4/10, 4/17, 4/23 – Westside Weekly Call
- 4/5, 4/12, 4/19 – SGMA Coordination Committee Meeting
- 4/22– SWC Operations Call/Mid-month Check-in
- 4/8 – Overlap Discussion w/ AEWS



THE CONTRACT ADMINISTRATOR’S WORK INCLUDED:

Contract/ Water Allocation Work.

- Contract 86D, 86F, & 12107A
 - Verify APN Validity/Legal Descriptions
 - Started drafting Cover Letter and Assumption Agreements
- Contract 51
 - Grant Deed Review
 - Verifying APN/Post-LLA(*Pending confirmation from Landowner*)
- Contract 121
 - Received Assumption Agreements back from Landowner
 - Received Board Signatures
- Contract 86G, 124A08, and 124A14,
 - Received back from The Kern County’s Recorder’s Office
 - Ready for Post-Recording Procedures
- Other Contract work:
 - 01 Industrial Water Service Contract (Received back from the Recorder’s Office)
 - Completed 04 Farming Unit Agreement(s)

Landowner Assistance.

- Assisted Water Users with information regarding water ledger—YTD use, acre-feet remaining, carryover, user input agreement questions/balances, water allocations/costs, water returns, etc.
 - Assisted 01 Water User(s) with Low/Negative Water Balance due to usage.
 - Assisted 42 Water User(s) with Supplemental Supply Questions/2023 SWP Allocation
 - Assisted 02 Water User(s) with User Input or Sites Reservoir questions.
 - Assisted 05 Water User(s) with Carryover/Water/Usage Balance
 - Assisted 03 Water User(s) with 2023 Water Costs/Allocation/Other questions.
 - Assisted 02 Water User(s) with APN District verification (Appraiser Requests)

- Assisted 02 Non-contract User(s) with general allocation/cost associated with The District.
- Assisted 02 Water User(s) with Updating Contact Information/Distribution List
- Assisted 05 Water User(s) with Farming Unit Operation Agreement questions.
- Assisted 01 Water User(s) with Second Priority Sub-Account Program Agreements/Requests/Questions.
- Assisted 02 Potential Water User(s) with Water District Information/Water Allocations/Costs
- Processed 02 Water Transfer Agreement(s).
- Processed 05 Water Returns for Pool

Other Tasks.

- 2023 Supplemental 1 Water Supply Campaign
 - Began updating agreements and exhibit forms in preparation for District setting allocation at April's Board Meeting.
 - 4/18/23 Sent out 2023 Supplemental Water Supply notice with Service Agreements, Exhibit A Forms and Offer to Place Water in Pool Forms to Water Users
 - 4/24/23 Sent out a reminder to Water Users regarding the nonreceipt of Supplemental Forms
 - 4/26/23 Completed 2022 Supplemental 1 Water Supply Campaign
 - Received back and tracked the various order forms/returns.
- Submitted the District's Application for the purchase of the 2023 Kern County Assessment Roll
 - 4/21/23 Requested check from AP
 - 4/26/23 Submitted application to The Kern County Assessor's Office.
- Completed weekly water schedule updates, reconciling variances with Dispatch and Controller.
 - Worked with District Controller regarding installment payments and one delinquent account.
 - Drafted/Mailed Certified Letter
 - Worked with Controller & Operations on End of Month Water Reports & Non-Contract Accounts.
- Reviewed the monthly Accounts Payable and distributed Board and Annuitant payables.
- 4/12/23 Attended Board Meeting
- 4/20/23 District Mandatory Safety Meeting (Fire Extinguisher Training)
- 4/5/23, 4/20/23, 4/21/23 & 4/27/23 In-person and/or Zoom Landowner Meetings
- Prepared monthly report for Board Meeting packet.

ACCOUNTING ACTIVITIES – J. SMITH

APRIL 2024

Controller's Report:

2024 Water Allocations, Deliveries, and Billings. The April water reports were mailed on May 1. On December 1, 2023, DWR announced an initial SWP allocation of 10% of CAW. The DWR announced a revised allocation of 15% on February 21, 30% on March 22, and 40% on April 23. The District's current allocation is 100%. If as expected, the State and Supplemental allocation does not reach 100%, a lower revised water supply will be allotted later this year. Current allocations are:

	<u>Acre-Feet</u>
• SWP	200,818.00
• Supplemental	0.00
• User Input (Jan-Apr)	251.19
• Carry Over	8,041.07
• Transfers	-10.00
• Pooling net of pool purchase	<u>-1,620.00</u>
• Total Supply	207,480.26
• Deliveries (Jan-Apr)	<u>-15,768.40</u>
• Unused	<u>191,711.86</u>

- The fourth contract billing statements and the third non-contract billing statements were mailed on April 26.

Controller Report-Smith:

- Reviewed estimated revised 2024 water costs
- Reviewed estimated 2023 financial statements
- Continued job search for assistant controller.
- Assisted auditors with audit fieldwork March 19-21.
- **Meetings:**
- April 29-Assistant Controller Jennifer Whitby first day
- May 6- ACWA JPIA Employee Benefits and Executive Committee Meetings-Sacramento

The Assistant Controller's activities included:

Training to provide backup for:

- Water accounting
- Cash receipts
- Accounts payable
- Payroll

The Staff Accountant's activities included:

- Began training the new Assistant Controller
- Posted Water in Storage adjustments journal entry for the 2023 audit
- Prepared the final reserve account journal entries for 2023
- Continued to process Accounts Payable while the Jr. Accountant is on medical leave
- Prepared the diesel fuel sales tax return

- Prepared miscellaneous invoicing for industrial water contracts, water testing, and non-contract water deliveries
- Submitted a request to Provost & Pritchard for Prop 68 grant fund reimbursement
- Calculated labor and burden rates for welders for the Engineering department
- Responded to two industrial water requests
- Updated the documentation for making online payments to vendors
- Completed set up for online access with the Employment Development Department
- Responded to one water user request for statement copies
- Followed up on outstanding miscellaneous A/R invoices
- Processed incoming checks and wire transfer cash receipts
- Entered payroll burden checks into Wells Fargo fraud software
- Recapped YTD work order expenses and compiled backup invoices
- Entered journal entries in the general ledger
- Reconciled general ledger accounts
- Completed the Budget, Capital Expenditure, and Reserve Reports
- Prepared the financial report for the South of Kern River meeting
- Invoiced South of Kern River participants for shared expenses
- Prepared financial reports and accounts payable checks for Committee for Delta Reliability
- Attended the WRMWSO Board meeting and assisted with recording minutes
- Participated in weekly accounting department meetings
- Attended safety training for fire extinguishers

The Accountant's activities included:

- Accounting/Payroll:
 - Prepared and Posted Monthly Journal Entries.
 - Prepared/filed governmental compliance reports.
 - Assisted with office duties: Cash Receipts, Deposits, Mail
 - Notified Contract Administrator of WF Funds AP.
 - Prepared Monthly Bank Reconciliations Balance to General Ledger.
 - Attended Monthly Board Meeting Remotely.
 - Assisted employees with their traveling expenses.
 - Maintained District's Accounts Payable Fraud Protection Software.
 - Attended Weekly Accounting Meetings.
 - Reviewed Banking Client Analysis Statement for validity of charges.
 - Prepared Bi-Weekly Burden Rate/Register Fund Worksheet.
 - Calculated Payroll timesheets.
 - Assisted with April Payrolls, Burdens, Calculations, Submissions.
 - Assisted employees with payroll questions regarding portal.
 - Updated Payrates, Reconciliation, Worksheets.
 - Prepared ACWA 50K life worksheet.
 - Prepared Monthly Miscellaneous Invoices for Cattle, Short Run, and Industrial water.
 - Reviewed Daily Kern County and Wells Fargo Fund Activity.
 - Submitted Payroll Estimates to ACWA JPIA.
 - Submitted Hartford Long Term Disability Census.
 - Assisted Controller with OPEB Information.
- Board Preparations:
 - Prepared Board Bank Balances for Kern County, LAIF, Wells Fargo, CAMP.

- Prepared & Sent Board Vouchers for A/P, CDR, and Payroll.
- Prepared Monthly Board Certification.
- Prepared Treasurer's Report and Supporting schedules and Documents.
- Prepared Board A/P Reconciliation worksheet.
- Prepared Monthly Expenditure Report.
- Assisted with Board preparations and setup.
- Prepared Estimated PR voucher worksheet for board.
- Prepared Monthly Cell Tax Worksheet.
- Prepared Board Payroll Reconciliation worksheet.
- Prepared Monthly Payroll Fund Report.
- Maintained Burden Distribution by employee for Budget Expenditure Report.
- Assisted Operations Superintendent with Safety Incentives.
- Prepared schedule of Director and Retiree burden expenses for the Staff Accountant.
- Prepared Board Payroll Float Reconciliation Worksheet.
- CalPERS/Benefits/Miscellaneous:
 - Prepared CalPERS payroll data transmitted along with payments.
 - Reviewed CalPERS correspondence.
 - Updated CalPERS Fund History Worksheet.
 - Maintained Life Insurance Supplemental Worksheet.
 - Assisted employee with EDD SDI funds breakdown.

ENGINEERING ACTIVITIES (T. SUGGS)

April 2024

South of Kern River (SOKR) GSP:

- During April, water levels were recorded in 13 out of 14 monitoring wells and uploaded to a common SharePoint site accessible to EKI and AEWS. One survey well could not be sounded, because it was running.
- The Assistant Engineer continued to follow up with seven landowner representatives regarding access agreements at 14 monitoring well sites.
- A request for reimbursement for water level dataloggers (a.k.a. transducers) in the amount of \$18,002 was forwarded to the Proposition 68 grant administrator on April 4th.
- New steel well covers were designed for those SOKR monitoring wells that are soon to be equipped with water level dataloggers, as there was a need for covers that are both lockable and capable of suspending very long and heavy transducer cables. Plans were then forwarded to the O&M Department for fabrication and a request for reimbursement was forwarded to the Proposition 68 grant administrator.

White Wolf Basin GSA:

- Water levels were observed in nine out of 12 SGMA monitoring wells and uploaded to a common SharePoint site as a routine matter. Of the three wells not sounded, one was found to be running and two were known to be collapsed.

Groundwater Service Charges:

- An application was received from one landowner to use 18 well meters in lieu of remote sensing to calculate GWSCs. The application was reviewed and forwarded to Provost & Pritchard along with a request to schedule meter verification.
- Parcel and land use base maps were updated for 2024, crop types were updated, and Land IQ's estimates of monthly ET were compiled in database in preparation for computing January-March groundwater extraction amounts.

2024 User Input Program:

- All District wells remained off during the month; all were sounded for static level.
- Kern Fan pump-in to the California Aqueduct remained off during the month as maintenance on the Kern Water Bank Canal continued.

850A-850B System Interconnection:

- Draft easement documents were sent to landowner representatives for two parcels located in the path of the future interconnection pipeline.
- Communications continued with PG&E's consultant with a view toward submitting a proposal for on-bill financing of the interconnection.

2024 Crop Survey: Field checks continued during April as part of the 2024 crop survey, requiring about 10 man-days of effort.

3-D Geologic Model for Planning Future Groundwater Recharge: EKI was provided with several maps of historical perched water areas and 2022 water use intensity, per their request, as they continued their work on developing a computer model of geologic structures and layers.

Underground Facilities and Turnouts: The following field activities and/or research were conducted related to underground facilities:

- Engineering Department staff responded to 120 underground services alerts (USAs) during the month, eventually marking a total of 4.1 miles of District pipelines.

- As-built record drawings were updated to reflect a new filter station flush line that was constructed in parallel with, but 10 feet distant from, a portion of the 14G-1 Lateral.
- A deep ripping firm was advised about its obligation to notify the District before making any changes to its ripping plans and to stay out of marked pipeline areas.
- Engineering design support was provided to the O&M Department during their replacement of the A9 turnout.

Corrosion Protection: The following field activities took place in support of corrosion protection:

- The Corrosion Technician shadowed seasoned DWR personnel while they monitored rectifiers and test stations in Lost Hills and Coastal Branch of the California Aqueduct.
- The Corrosion Technician also worked together with a DWR expert to collect and interpret pipeline potential readings at several stations along the District’s 7P Main Lateral. Pipe-to-soil potentials provide clues for locating corrosion hot spots in steel and steel-reinforced concrete pipe.
- Cathodic potentials were measured at three rectifier stations and minor adjustments were made to rectifier voltage as needed as part of an ongoing program.

Energy: The following took place related to energy costs, electrical usage, or solar generation:

- The District’s right-of-ways at certain pumping plants bordering the California Aqueduct were researched, scanned, and provided to WhitePine Renewables at their request to help with siting future batteries at the sites.
- A proposal was received from TerraVerde Energy for solar generation tracking services and ongoing cost savings reviews. This was approved by the Board in its regular April meeting and a contract agreement was pursued.









Staff Continuing Education:

- The Engineering Technician began an online multi-week class on cartography.
- The Engineering Technician completed a pipeline safety class on April 30th.
- The Corrosion Technician completed a class entitled *Ethics for the Corrosion Professional*.
- The Corrosion Technician also attended a webinar on the theory behind cathodic potentials.
- The Assistant Engineer completed two multi-week online courses: *Managing the Project Team* and *Project Procurement and Quality Management*.

Meetings Attended:










- April 2 Public Records Act Request Meeting
- April 2 White Wolf GSA Board Meeting
- April 9 KCWA Operations Conference Call
- April 9 Water Budget Discussion with Todd Groundwater
- April 11 ACWA SGMA Implementation Subcommittee
- April 23 KCWA Operations Conference Call
- April 26 Battery Discussions with WhitePine
- April 30 KCWA Operations Conference Call

District Well Status Summary As of May 1, 2024

Well Name	Status / Description of the Problem	Most Recent Activity	Next Planned Activity
Not in Running Condition			
	<p>#C3 Off line for vandalism; wires were stolen in summer 2023 and again some time during November 2023. SWL was 579' on 4/26/2024. A decision was made to not replace wires until User Input begins as they can be restored on short notice.</p>	<p>Electrical wires were stolen in summer 2023, replaced in October 2023, and stolen again in November 2023. Tested 11/1/2023 and found to run very smoothly, producing 840 gpm with 9' of drawdown at good (71%) pump efficiency. L.O. Lynch completed installation of Goulds-made 12CLC, 13-stage pump assembly rated at 775 gpm 10/12/2023.</p>	<p>The O&M Department has collected required parts and materials. They plan to begin pulling new wires on 5/13/2024 and expect to be complete by 5/17/2024.</p>
	<p>#A1 Off line for vandalism; wires were stolen in Spring 2024. Currently off. SWL was 669' on 4/26/2024. As above, a decision was made to not replace wires until User Input begins as they can be restored on short notice.</p>	<p>Tested 2/29/2024 and found to produce 1480 gpm with 62' of drawdown at 76% efficiency. Motor was repaired and placed back in service 7/7/2021.</p>	<p>The O&M Department has collected required parts and materials. They plan to begin pulling new wires on 5/13/2024 and expect to be complete by 5/17/2024.</p>
Currently in Running Condition			
	<p>WRM7 Currently off. SWL was 489' on 4/26/2024.</p>	<p>Tested 2/27/2024 and found to produce 1060 gpm with 288' of drawdown at 71% efficiency. Redeveloped in Feb 2023. FPI completed installing a new Flowise-made pump unit rated 950 gpm at 910' TDH 3/17/2023.</p>	
	<p>PA-1 Currently off. SWL was 704' on 4/26/2024.</p>	<p>Tested 3/29/2024; found to produce 960 gpm with 23' of drawdown at good efficiency. New pump assembly rated 1007 gpm at 887' TDH was installed 6/28/2021.</p>	
	<p>#A2 Currently off. Returned to service 11/14/2023. Known to have a dogleg in the borehole at about 760' of depth. SWL was 629' on 4/26/2024.</p>	<p>Tested 2/29/2024 and found to produce 420 gpm with 70' of drawdown at 72% efficiency. L.O. Lynch completed installation of a new submersible electric pump and motor unit on 10/12/2023 (Goulds 7CHC, 8-stage pump plus 150-hp, 3600-rpm electric motor).</p>	
	<p>#A4 Currently off. SWL was 587' on 4/26/2024.</p>	<p>Tested 3/12/2024; found to produce 650 gpm at 23' of drawdown but at relatively low (57%) efficiency. New bowl assembly rated 800 gpm was installed 2/22/2021. Placed back in service 4/13/2021.</p>	
	<p>#B1 Currently off. SWL was 736' on 4/26/2024.</p>	<p>Tested 3/11/2024 and found to produce 890 gpm with 25' of drawdown at 68% efficiency. New pump assembly (rated 1005 gpm at 868') installed 6/17/2021.</p>	
	<p>#B2 Currently off. SWL was 774' on 4/26/2023.</p>	<p>Tested 3/19/2024 and found to produce 1080 gpm with 95' of drawdown at 71% efficiency. Redevelopment was completed 2/2/2023. On 3/2/2023 FPI completed installing a new Simflo-made pump unit rated at 950 gpm at 900' TDH.</p>	

District Well Status Summary

As of May 1, 2024

Well Name	Status / Description of the Problem	Most Recent Activity	Next Planned Activity
Currently in Running Condition			
 #C1	Currently off. SWL was 641' on 4/26/2024.	Tested 3/5/2024 and found to produce 1480 gpm with 26' of drawdown at 63% efficiency. Shock treated with chlorine 7/25/2022.	
 #C2	Currently off. SWL was 585' on 4/26/2024.	Tested 3/5/2024 and found to run at 800 gpm with 18' of drawdown at 65% efficiency.	
 #C5	Currently off. SWL was 566' on 4/26/2024.	Tested 3/22/2024; found to produce 1,540 gpm with 43' of drawdown at excellent (74%) overall plant efficiency. PG&E energized the transformer 9/2/2022.	
 #C6	Currently off. SWL was 726' on 4/26/2024.	Tested 3/14/2024; found to produce 1504 gpm with 167' of drawdown at excellent (75%) efficiency. A long-standing phase imbalance issue (i.e., low amperage on one leg) was partly resolved by PG&E in late July 2021.	
Out of Service			
 6P-P2	Off line for excessive drawdown. Appears to be even more clogged than it was in 2018. Has a new Simflo SR10C-20-stage pump ass'bly, but found to draw down to 1000' at 100-200 gpm 3/15/2021. SWL was 490' on 10/9/2023.	Listed in the SOKR GSP as a SGMA water level monitoring well.	Should probably remain unequipped until a substitute monitoring well can be found. It is likely that any viable option to improve the well will involve significant expense for little water.
 7P-P2	Currently unequipped. Shut down 7/9/2018 for vibration and low PWL (926') and a sudden loss of flow rate. Pump removed 8/13/2018. Upon inspection, impellers showed clear signs of cavitation. SWL was 609' on 10/12/2023.	Listed in the SOKR GSP as a SGMA water level monitoring well.	Should probably remain unequipped until a substitute monitoring well can be found.
 PB-1	All of the old column pipe was removed 3/23/2022. Part of the old pump assembly was also removed, but the bottom eight pump stages broke off and the hole remains full of sand fill below 785' of depth. SWL was 687' on 4/27/22.	Kaweah Pump air lifted approx. 2-3 feet of sand on 10/22/2022 before encountering a hard obstruction at 785'. Video logged 10/26/2022, revealing only a sandy bottom; nothing could be seen sticking up.	The chances of removing the stuck bowls are very small. Nevertheless, the site location is very favorable and it is recommended that the well be properly abandoned by grouting and that a replacement well be drilled in 2024.
 #A3	Began pumping sand and gravel on 4/21/2016. Video logged on 7/27/2016 and again 11/2/2016. A large casing split measuring up to 5" wide x 20' long was seen at 613' of depth together with 240' of sand fill.	Per advice of the GW Committee, staff began pursuing replacement of this well in June 2021. GEI Consultants was retained to assist in August 2021. So far, GEI has focused work on investigating local conditions, drafting bid documents, and developing a well design.	It is recommended that this well be converted to a monitoring well and that a replacement well be drilled in 2024.
 #C4	Failed 4/17/04. Equipment stuck down hole. Suspect collapsed casing at about 120'.	Same as above.	The hole should be properly abandoned by grouting. It is believed that it may not be economic to replace this well due to the limited pumping season in C Reach of the 850 Canal. Moreover, the site is located within one half mile of two active District wells.

CLIMATOLOGICAL DATA FOR GREENLEE'S PASTURE

Parameter	April 2024	Since 10/01/2023	Days Occurred in April
Maximum Temperature	90°	101°	23rd
Minimum Temperature	34°	38°	8th
No. Days at or over 100° F	0	1	N/A
No. Days at or under 32° F	0	13	N/A
Precipitation (inches)	0.95	8.2	4th, 13th
Evaporation (inches)	6.00	23.98	----
Wind Run	1,994	12,270	----

**STORAGE IN MAJOR RESERVOIRS
(Acre-Feet)**

Reservoir	Capacity	Storage at End of April	
		2023	2024
Shasta	4,552,000	4,430,136	4,364,082
Oroville	3,538,000	3,229,988	3,460,888
San Luis (Total)	2,028,000	2,013,748	1,429,794
San Luis (State Share)	1,062,000	(a) 1,056,169	539,167
Folsom	977,000	804,616	848,874
Isabella	361,250	(b) 349,477	321,140
Millerton	520,000	168,417	512,276
TOTALS	11,976,250	10,996,382	10,937,054

(a) The San Luis (State Share) is included in San Luis (Total) but not included in total capacity or storage.

(b) US Army Corps Of Engineers' authorized capacity = 568,075 AF on May 1, 170,000 AF November 1 - January 1
NR Not reported as of this publication

Operations and Maintenance Activities – G. Loveless

April 2024

Safety/Administrative Training

- Safety meeting on Code of Safe Practices *Fire Extinguisher Safety*.
- O&M staff members attended the 2024 Pipeline Safety Program in Bakersfield, Ca.

Field/System Maintenance

- Cleared tumbleweeds from 850 Canal and repaired washouts along canal banks.
- Replaced railing around new catwalk at End of Canal travelling water screen.
- Cleaned canal debris pit and disced spill basin.
- Spot sprayed non-aquatic herbicide on 850 canal banks.
- Began grading at B1W well site for fence installation.
- Initiated air valve checklist.
- Disced pasture at weather station.
- Cleaned and box scraped District equipment yard.
- Began fabricating wrought iron enclosures for SCADA communication towers at WRM-2, WRM-3, WRM-4.
- Spread gravel at 15G-P2 yard.

Pipeline Repair

4/10/24, 1015 hours - Reported leak B-4 lateral. Repair was completed and service resumed 4/17/24.

Power Outage

4/01/24, 0400 hours - Power outage WRM-7. Service restored 0730 hours.

4/05/24, 2020 hours - Power outage WRM-9. Service restored 4/06/24, 1020 hours.

4/13/24, 1645 hours - WRM-9 Power outage. Service restored 2215 hours.

4/13/24, 1100 hours - 104A gate power disconnected by PG&E due to downed power pole. Repair completed and service restored 4/25/24, 1025 hours.

SCADA Communication Failure

4/1/24, 1100 hours - Radio reset WRM-4.

4/3/24, 1630 hours - Radio reset PB-1, PB-2.

4/3/24, 0800 hours - Radio reset WRM-7, 7P-P2, 7P-P3.

4/4/24, 1400 hours - SCADA comm fail 104A gate. Communication restored 1445 hours.

4/4/24, 1700 hours - SCADA comm fail 104A gate. Communication restored 1800 hours.

4/5/24, 0515 hours - WRM-7 comm fail / system shutdown. Service restored 0930 hours.

4/5/24, 1900 hours - Radio reset WRM-7.

4/6/24, 1545 hours - Radio reset WRM-4.

4/10/24, 2300 hours - Radio reset PB-1, PB-2.

4/10/24, 0430 hours - Radio reset 3P-P2.

4/11/24, 0845 hours - Radio reset 104A gate.

4/11/24, 0900 hours - Radio reset PB-1, PB-2.

4/12/24, 0530 hours - Radio reset 3P-P2.

4/14/24, 1900 hours - Radio reset WRM-10.

4/16/24, 1300 hours - Radio reset PB-1, PB-2.

4/16/24, 0645 hours - Radio reset WRM-10.

4/18/24, 0545 hours - Radio reset 7PP-3.

4/18/24, 1740 hours - Radio reset WRM-7.

4/24/24, 0615 hours - Radio reset WRM-3, 3P-P2.

Pump/Electrical

- Assisted vendor in relocating radio antenna to top of tower at District office.
- 5P-P2 - Replaced high level float switch in canister on HP tank.
- WRM-6 - Flushed float switch canisters on HP tank and returned air compressor to service.
- WRM-7 unit #4 - Replaced leaking air valve assembly.
- 7P-P3 - Installed ball valve for cleanout on transducer bourdon tube.
- WRM-8 - Installed LED light fixtures and replaced all photocells.
- WRM-9A unit #3 - Replaced motor due to oil leak. Delivered old motor for repair.
- WRM-10 - units #1 and #3 pump fails. Faults were cleared, units were tested and returned to service.
- PC-1 - unit #1 pump fail. Repaired starter wire and returned to service.
- C3W - Vandalized well motor pulled and delivered for repair.
- 15G-P2 - Pulled new wiring from MC building to the top of the stand tank for cathodic anodes.
- Power pole was replaced and new wiring and conduit installed at 104A gate.
- Replaced relay, transducer, and recalibrated PLC at 104A gate.
- Recalibrated PLC at 185B gate.
- Installed new hose from water pump to spray bar on End of Canal travelling water screen.

Equipment Maintenance

8 regular vehicle services.

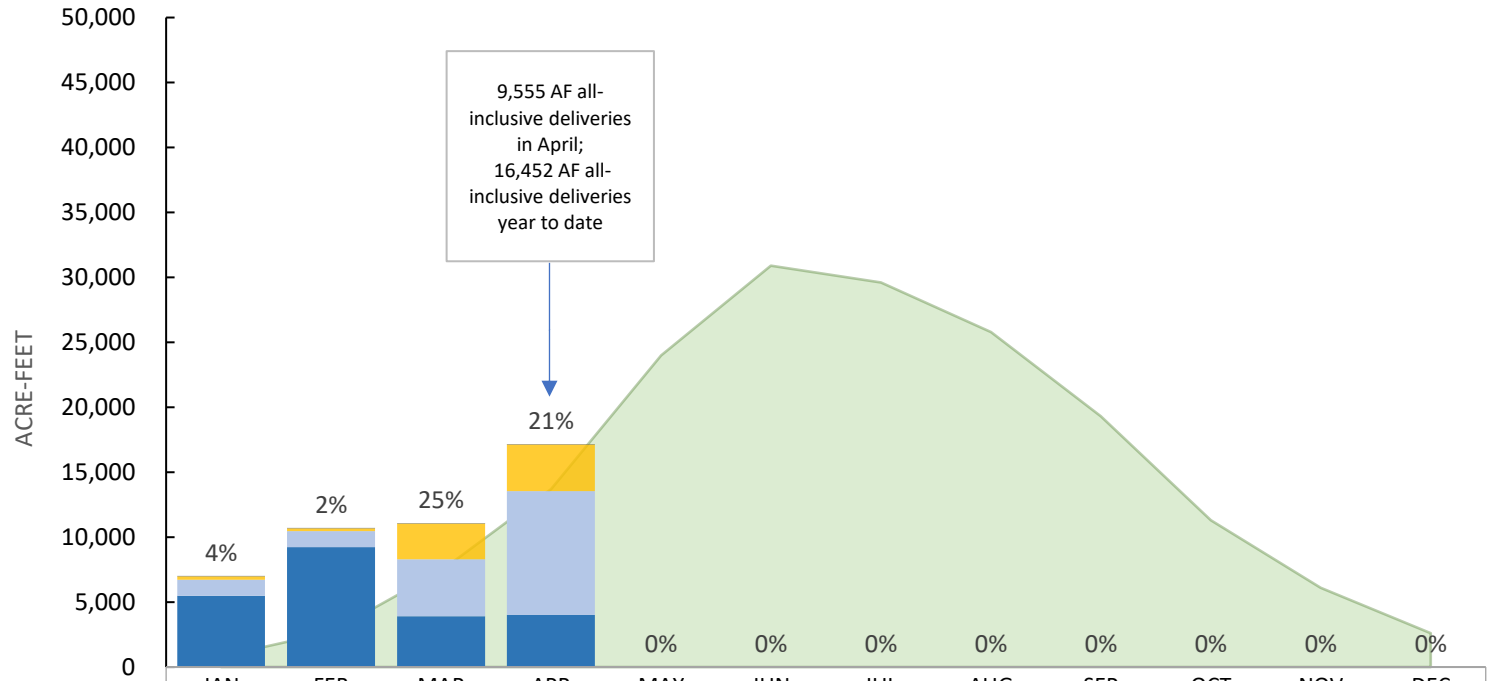
Unit #148 had right head lamp replaced.

Unit #144 had 4 tires replaced.

Unit #151 Repaired taillight wiring harness.

Current gasoline bulk purchase prices for the District are \$4.87 per gallon for gasoline and \$3.76 per gallon for diesel.

IN-DISTRICT WATER DEMANDS AND SURFACE WATER DELIVERIES THROUGH April 2024



	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
■ Typical average SW demand (AF)	800	2,700	7,400	13,700	24,000	30,900	29,600	25,800	19,300	11,300	6,100	2,600
■ Est. % of crop water dem. from GW	4%	2%	25%	21%	0%	0%	0%	0%	0%	0%	0%	0%
■ Est. add'l landowner GW pumping (AF)	257	217	2,748	3,593				0				
■ User Input GW Incl. District Wells (AF)	0	0	0	0	0	0	0	0	0	0	0	0
■ District Non-GW Deliveries (AF)	1,227	1,243	4,376	9,555	0	0	0	0	0	0	0	0
■ Effective Precipitation (AF)	5,500	9,232	3,923	4,000								

Notes and Assumptions:

- a. April crop water use estimated by analogy to 2023, because Land IQ shapefiles were not available
- b. April precipitation calculated from District weather stations average (0.78 inches)
- c. January-April effective precipitation estimated from total precipitation assuming that much rainfall went to evaporation and soil storage (Jan 4000 AF, Feb 6800 AF, Mar 6300 AF, and Apr 1000 AF).

Wheeler Ridge-Maricopa Water Storage District

(Includes water from the State Water Project, banking projects, District wells, and User input.)

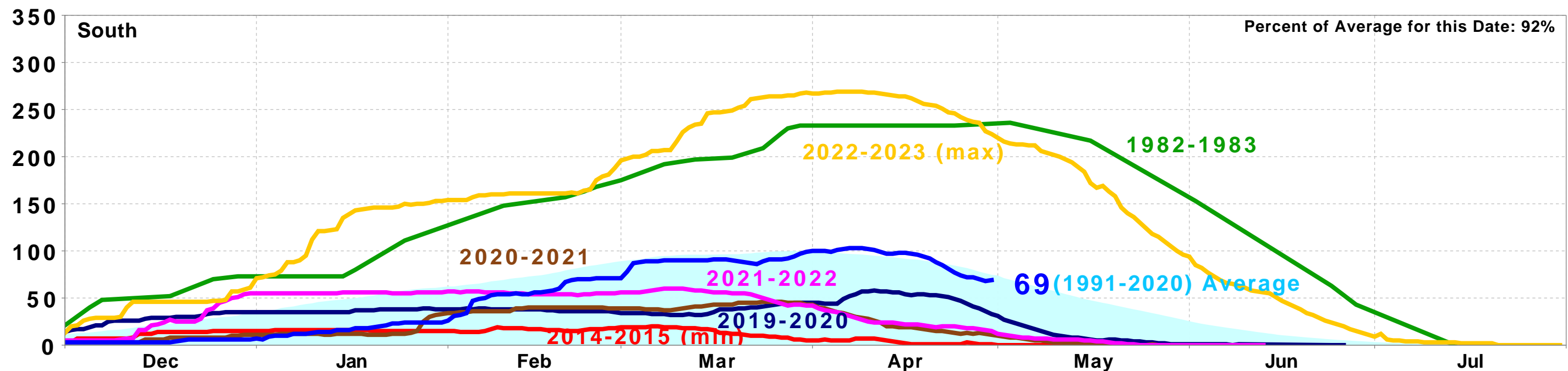
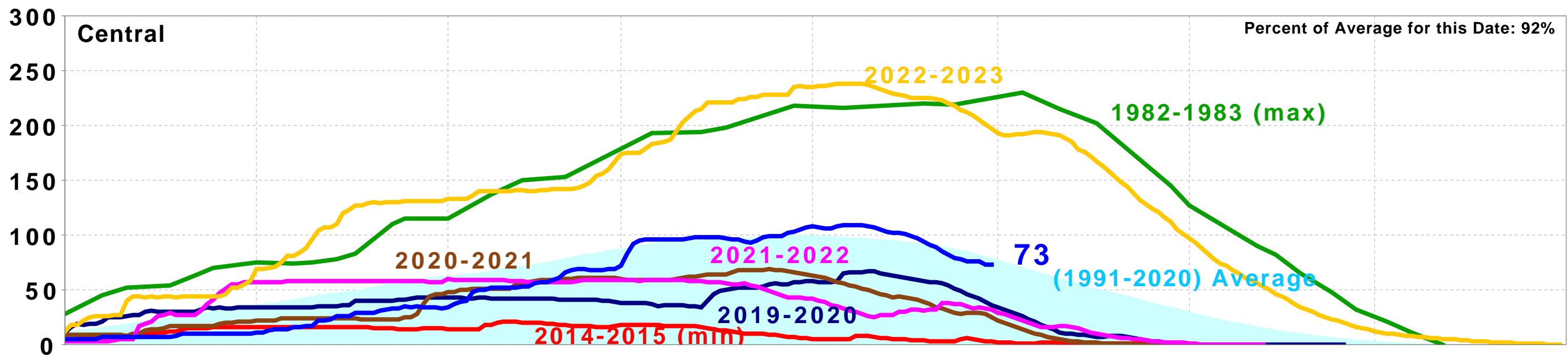
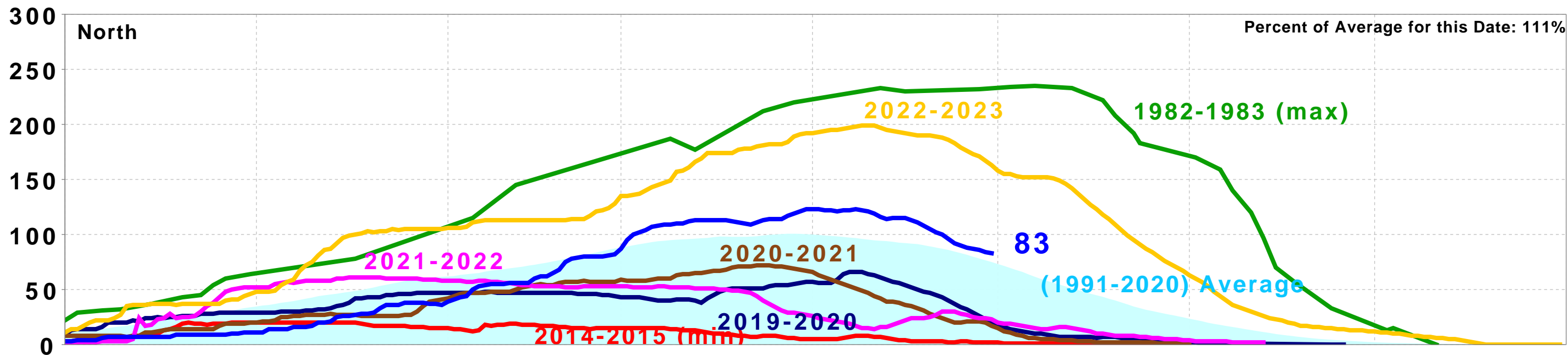
Monthly Deliveries in Acre-Feet

Month	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017*	2018	2019	2020	2021	2022	2023	2024
January	1,962	5,258	1,615	1,265	894	1,613	6,108	2,213	3,367	2,210	1,223	2,425	1,785	3,055	1,386	1,785	1,094	1,357	1,277
February	7,588	7,269	6,933	2,952	3,440	5,333	8,128	6,387	6,380	4,666	3,077	1,454	7,704	1,667	4,641	4,188	4,131	2,204	1,243
March	9,315	12,557	12,392	10,151	8,440	7,938	10,696	10,695	9,627	10,157	10,218	8,184	3,174	5,494	5,170	6,838	6,387	2,572	4,377
April	10,572	15,665	17,770	17,717	12,966	13,935	10,521	16,999	13,994	17,102	13,133	14,731	13,500	14,824	7,084	13,797	11,546	8,606	9,555
May	20,700	25,488	24,384	24,151	20,664	21,545	23,320	25,754	23,317	20,936	21,496	25,759	21,858	16,441	20,278	19,202	17,606	21,338	
June	26,542	29,940	27,348	26,379	29,411	27,534	29,261	29,894	25,128	24,540	29,390	32,629	28,802	27,146	24,279	26,995	23,445	25,453	
July	29,107	28,394	29,661	30,156	32,124	29,719	28,259	28,599	23,476	21,401	29,546	33,290	28,233	30,633	26,042	26,560	23,709	32,167	
August	25,078	21,817	22,680	22,153	23,873	24,461	25,027	24,554	17,490	18,220	26,948	26,639	26,029	27,793	22,464	18,539	17,855	23,440	
September	16,897	13,924	16,050	17,453	18,335	17,923	16,678	17,090	15,244	14,908	15,452	17,376	17,705	18,343	15,043	13,169	12,837	16,813	
October	9,033	9,385	10,797	11,953	8,156	12,343	13,075	13,440	13,394	10,715	11,135	14,974	13,896	12,444	10,551	7,351	7,179	11,992	
November	5,438	5,609	6,093	5,669	5,872	4,699	4,895	6,485	5,412	4,862	4,957	5,351	5,867	6,300	5,171	2,689	3,190	6,035	
December	4,788	7,424	3,245	2,739	2,515	6,315	3,354	6,615	4,231	3,055	2,520	4,449	4,626	5,266	3,796	1,569	1,557	5,155	

Accumulated Monthly Deliveries in Acre-Feet

Month	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
January	1,962	5,258	1,615	1,265	894	1,613	6,108	2,213	3,367	2,210	1,223	2,534	1,785	3,055	1,386	1,785	1,094	1,357	1,277
February	9,550	12,527	8,548	4,217	4,334	6,946	14,236	8,600	9,747	6,876	4,300	3,879	9,489	4,722	6,027	5,973	5,225	3,561	2,520
March	18,865	25,084	20,940	14,368	12,774	14,884	24,932	19,295	19,373	18,191	14,518	12,063	12,663	10,216	11,197	12,811	11,612	6,132	6,897
April	29,437	40,749	38,710	32,085	25,740	28,819	35,453	36,294	33,367	35,293	27,651	26,794	26,163	25,040	18,281	26,608	23,158	14,738	16,452
May	50,137	66,237	63,094	56,236	46,404	50,364	58,773	62,048	56,684	55,071	49,147	52,553	48,021	41,481	38,559	45,810	40,764	36,076	
June	76,679	96,177	90,442	82,615	75,815	63,014	88,034	91,942	81,812	79,611	78,537	85,182	76,823	68,627	62,838	72,805	64,209	61,529	
July	105,786	124,571	120,103	112,771	107,939	107,617	116,293	120,541	105,288	101,012	108,082	118,472	105,056	99,260	88,880	99,365	87,918	93,696	
August	130,864	146,388	142,783	134,924	131,812	132,078	141,320	145,096	122,778	119,232	135,030	145,111	131,085	127,053	111,344	117,904	105,773	117,136	
September	147,761	160,312	158,833	152,377	150,147	150,001	157,998	162,186	138,022	134,140	150,482	162,487	148,790	145,396	126,387	131,073	118,610	133,950	
October	156,794	169,697	169,630	164,330	158,303	162,344	171,073	175,626	151,416	144,855	161,617	177,461	162,686	157,840	136,938	138,424	125,789	145,941	
November	162,232	175,306	175,723	169,999	164,175	167,043	175,968	182,111	156,828	149,717	166,574	182,812	168,553	164,140	142,109	141,113	128,979	151,976	
December	167,020	182,730	178,968	172,738	166,690	173,358	179,322	188,726	161,059	152,772	169,094	187,261	173,179	169,406	145,905	142,682	130,536	157,131	
SWP Allocation%	100%	60%	35%	40%	50%	80%	65%	35%	5%	20%	60%	85%	35%	75%	20%	5%	5%	100%	30%
SWP Allocation (AF)	197,088	118,253	68,981	78,835	98,544	157,670	128,107	68,981	9,854	39,418	118,253	167,525	68,981	147,816	39,418	9,854	9,854	197,088	59,126

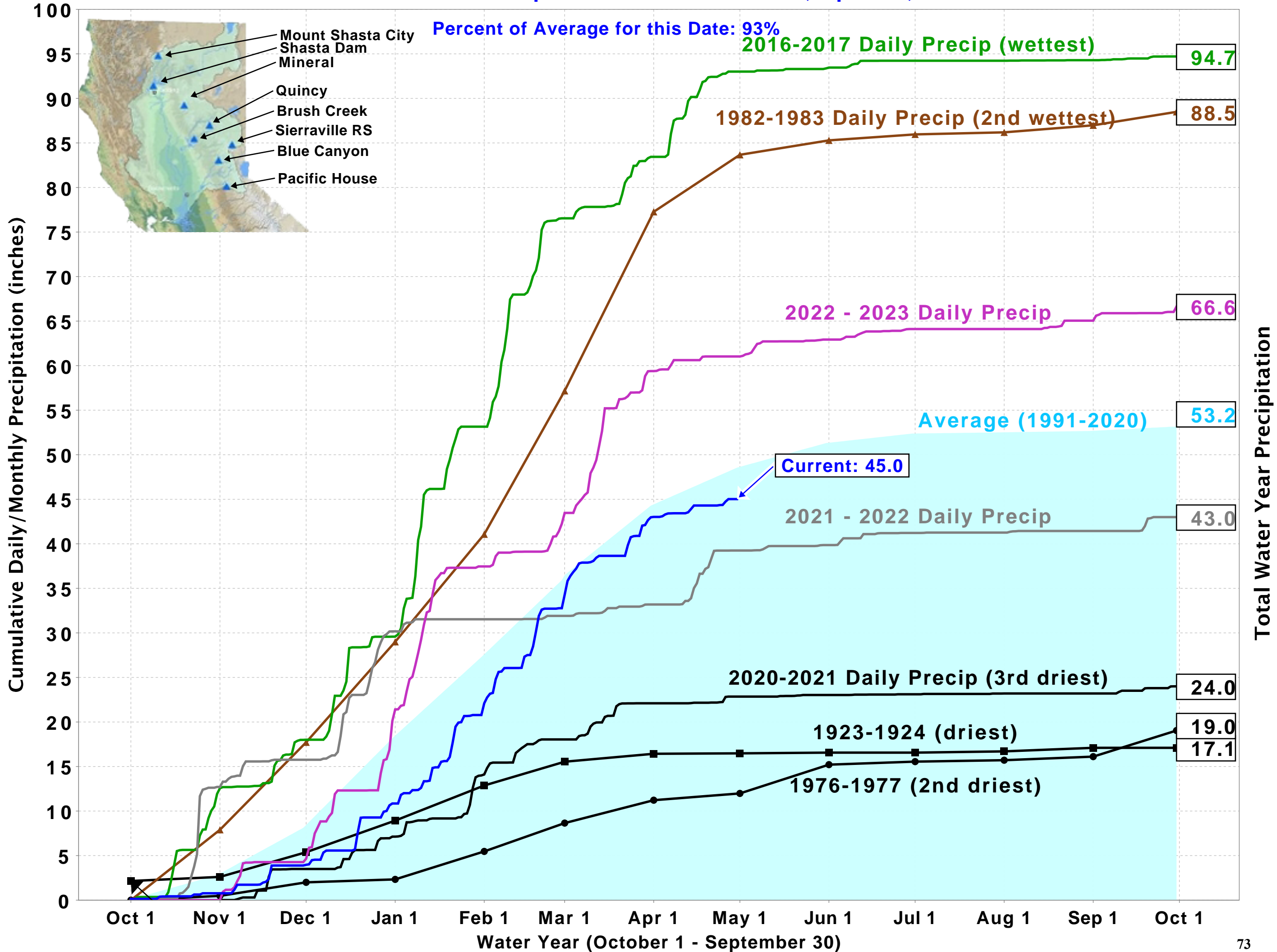
California Snow Water Content, April 30, 2024, Percent of April 1 Average



Statewide Percent of April 1: 75%

Statewide Percent of Average for Date: 97%

Northern Sierra Precipitation: 8-Station Index, April 30, 2024



WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT
2024 WATER SUPPLY/DEMAND ESTIMATE
 As of May 01, 2024

		Rationing Policy		Allocation by CAW	
		40% SWP ALLOCATION		40% SWP ALLOCATION	
		Supply	Shortage	Supply	Shortage
		or (Excess)		or (Excess)	
Capacity		Above Normal		Above Normal	
Values in acre-feet		90% P.O.E.	90% P.O.E.	90% P.O.E.	90% P.O.E.
		40% Allocation		40% Allocation	
[1]	Sacramento Valley Water Year Index (40-30-30)				
[2]	Probability of Exceedance				
[3]	Assumptions				
[4]	Estimated Demand				
[5]	-- WRMWSD in-District deliveries (b)		181,200		181,200
[6]	-- less demands over the CAW		-		-
[7]	Total Estimated Demand		181,200		181,200
[8]	Surface Supplies				
[9]	SWP Table A Entitlement	197,088	78,835 102,365	78,835 102,365	78,835 102,365
[10]	SWP Supply		78,835 40%	78,835 40%	
[11]	Lyndal Water	-	- 102,365	- 102,365	
[12]	Supplemental 1 Supplies - District				
[13]	District Carryover (estimate)	8,002	8,002 94,363	8,002 94,363	
[14]	Long Term- Butte County **	4,375	1,180 93,183	1,180 93,183	
[15]	Long Term- Western Hills Water District**	2,973	1,189 91,994	1,189 91,994	
[16]	Long Term- Mojave Water Agency**	8,091	5,394 86,600	5,394 86,600	
[17]	Long Term- Palmdale Water District **	2,158	- 86,600	- 86,600	
[18]	Two Year- Exchange Contractors**	1,888	1,888 84,712	1,888 84,712	
[19]	Kern Water Bank - estimate to date (c)	-	- 84,712	- 84,712	
[20]	Kern Water Bank - estimated through end of year	37,500	12,347 72,365	35,000 49,712	
[21]	Pioneer Project - estimate to date (c)	-	- 72,365	- 49,712	
[22]	Pioneer Project - estimated through end of year	8,387	- 72,365	7,675 42,037	
[23]	District & BRID Wells - actual	-	- 72,365	- 42,037	
[24]	District & BRID Wells - estimated through EOY	5,000	5,000 67,365	5,000 37,037	
[25]	Supplemental 1 Water Capacity	80,873			
[26]	DISTRICT ALLOCATION		113,835 56.69%	144,163 71.79%	
[27]			1.603 AF/Ac	2.000 AF/Ac	
[28]	<i>Supplemental Supplies In Progress **</i>	<i>11,462</i>	<i>11,462 55,903</i>	<i>11,462 25,575</i>	
[29]	Optionally Melded Supplemental Supplies	3,371	125,297 62.39%	155,625 77.50%	
[30]			1.764 AF/Ac	2.159 AF/Ac	
[31]	Supplemental Supplies - Water User				
[32]	Water User - Carryover from 2023 (estimate)	8,041	8,041 56,824	8,041 26,496	
[33]	Kern Water Bank Second Priority - estimate to date (Recharge)/Recover	-	- 56,824	- 26,496	
[34]	Kern Water Bank Second Priority - estimated through EOY	4,465	4,465 52,359	4,465 22,031	
[35]	User Input - actual	251	251 52,108	251 21,780	
[36]	User Input - estimated through EOY	10,000	9,749 42,359	9,749 12,031	
[37]	Landowner Transfer	-	- 42,359	- 12,031	
[38]	Available Supply		136,341	166,669	
[39]	Estimated Demand		181,200	181,200	
[40]	Shortage (Excess)		44,859	14,531	

** WS5 Deal
 (b) Based upon estimated average deliveries. Lyndal Water not yet calculated.
 (c) Based on KCWA daily Summary of Water Supply Rights

NOTICE TO STATE WATER PROJECT CONTRACTORS**Date: April 23, 2024****Number: 24-04****Subject: Increase of State Water Project 2024 Allocation to 40 Percent**

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

With continued accumulation of precipitation and snowpack through the winter and early spring, 2024 water supply and snowpack conditions throughout California remain around historical averages. After considering the updated improved water supply forecast along with an estimate of increased summer export capabilities, the Department of Water Resources (DWR) is increasing the State Water Project (SWP) allocation from 30 to 40 percent of SWP contractors' requested Table A amounts for 2024 for most contractors, as shown in Attachment A – 2024 SWP Allocation, updated April 23, 2024.

Although water year 2024 is currently classified as an Above Normal year, the ability to move water supply south through the system this spring continues to be impacted by the presence of threatened and endangered fish species near SWP pumping facilities in the south Delta. The presence of these fish species has triggered state and federal regulations that significantly reduce the pumping from the Delta into the California Aqueduct, which limits the SWP's ability to move and store water in San Luis Reservoir. This reduced pumping is expected to continue into late spring. The SWP is prepared to increase pumping as soon as the fishery conditions and state and federal operating permits allow.

To determine the available SWP water supplies, DWR considers several factors including SWP contractors' 2023 carryover supplies into 2024, projected 2024 demands, existing storage in SWP conservation facilities, estimates of future runoff, SWP operational and regulatory requirements under the Federal Endangered Species Act and California Endangered Species Act, and water rights obligations under the

State Water Resources Control Board's authority. This allocation increase takes into account snow survey measurements and data through April 1 as reflected in the runoff forecasts outlined in Bulletin 120. DWR may revise the SWP allocation if hydrologic conditions change.

To schedule SWP water deliveries under this allocation, DWR will develop the 40-percent water delivery schedules by prorating schedules submitted by SWP contractors in October 2023 (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.

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 (916) 574-2722.

Attachment A: 2024 SWP Allocation, updated April 23, 2024

Attachment A
2024 STATE WATER PROJECT ALLOCATION
Updated
April 23, 2024

SWP Contractors	Maximum Table A Amount (Acre-Feet)	Initial Table A Request Amount (Acre-Feet)	Approved Table A Allocation (Acre-Feet)	Approved Allocation as a Percentage of Initial Request
	(1)	(2)	(3)	(4) = (3)/(2)
<u>FEATHER RIVER</u>				
County of Butte	27,500	27,500	19,250	70%
Plumas County FC&WCD	2,700	2,700	1,080	40%
City of Yuba City	9,600	9,600	6,240	65%
Subtotal	39,800	39,800	26,570	
<u>NORTH BAY</u>				
Napa County FC&WCD	29,025	29,025	18,867	65%
Solano County WA	47,756	47,756	31,042	65%
Subtotal	76,781	76,781	49,909	
<u>SOUTH BAY</u>				
Alameda County FC&WCD, Zone 7	80,619	80,619	32,248	40%
Alameda County WD	42,000	42,000	16,800	40%
Santa Clara Valley WD	100,000	100,000	40,000	40%
Subtotal	222,619	222,619	89,048	
<u>SAN JOAQUIN VALLEY</u>				
Oak Flat WD	5,700	5,700	2,280	40%
County of Kings	9,305	9,305	3,722	40%
Dudley Ridge WD	41,350	41,350	16,540	40%
Empire West Side ID	3,000	3,000	1,200	40%
Kern County WA	982,730	982,730	393,092	40%
Tulare Lake Basin WSD	87,471	87,471	34,989	40%
Subtotal	1,129,556	1,129,556	451,823	
<u>CENTRAL COASTAL</u>				
San Luis Obispo County FC&WCD	25,000	25,000	10,000	40%
Santa Barbara County FC&WCD	45,486	45,486	18,195	40%
Subtotal	70,486	70,486	28,195	
<u>SOUTHERN CALIFORNIA</u>				
Antelope Valley-East Kern WA	144,844	144,844	57,938	40%
Santa Clarita Valley WA	95,200	95,200	38,080	40%
Coachella Valley WD	138,350	138,350	55,340	40%
Crestline-Lake Arrowhead WA	5,800	5,800	2,320	40%
Desert WA	55,750	55,750	22,300	40%
Littlerock Creek ID	2,300	2,300	920	40%
Metropolitan WDSC	1,911,500	1,911,500	764,600	40%
Mojave WA	89,800	89,800	35,920	40%
Palmdale WD	21,300	21,300	8,520	40%
San Bernardino Valley MWD	102,600	102,600	41,040	40%
San Gabriel Valley MWD	28,800	28,800	11,520	40%
San Geronio Pass WA	17,300	17,300	6,920	40%
Ventura County WPD	20,000	20,000	8,000	40%
Subtotal	2,633,544	2,633,544	1,053,418	
TOTAL	4,172,786	4,172,786	1,698,963	~40%

WHEANDLER RIDGE-MARICOPA WATER STORAGE DISTRICT

MEMORANDUM

TO: Board of Directors

FROM: Eric McDaris

DATE: Friday, May 10, 2024

SUBJECT: **Allocation of Water Supplies**
2024 SWP and Supplemental Water Program
– **F.O. Equivalent SWP and Supplemental Water Rates**
– **User Input Administration Charge**
– **Supplemental Water Agreements**

Rules and Regulations.

Rule 3.h. of the District Rules and Regulations provides as follows:

*“**Supplemental Water:** Supplemental water means the water supplies acquired in addition to the water supply available under the Agency contract and includes district wells, Banking programs and water purchases. Supplemental water will be allocated pursuant to these Rules and Regulations up to the Contract Amount of Water in Water Users Water Service Contract. The quantities of Supplemental Water allocated to Water User shall only be available after Water User has submitted a signed order in a form provided by the District for such purposes in which the Water User agrees to the terms and conditions of delivery and payment for Supplemental Water.”*

Rule 5.e. of the District Rules and Regulations provides in part as follows:

*“**Supplemental Water:** Payments for Supplemental Water shall be made at the rate or rates established therefore by the Board. Payment for Supplemental Water, either allocated as part of the Contract Amount of Water or in addition thereto, for Water User and ordered by Water User shall be spread over the remaining regular monthly payments set forth in the Water Service Contract. Payment for Supplemental Water shall be subject to and a part of a final accounting of costs in the same manner as set forth in paragraph 5(a) of these Rules and Regulations. Water User shall be entitled to any credit due for overpayment and shall be responsible for any additional payment obligation as a result of underpayment identified in said final accounting adjustment.”*

Revised SWP Fixed Obligation. The current budgeted SWP F.O. rate is \$206.12 per acre-foot. This budget rate was based on a 100% SWP allocation.

When the 100% budget rate of \$206.12 per acre-foot is adjusted for the anticipated SWP allocation of 40%, the new SWP F.O. budget rate is \$482.66 per acre-foot.

Rate Stabilization Reserve Fund. There are currently no funds within this reserve as they were previously exhausted in 2013.

Supplemental Fixed Obligation. Attached find “Table 1 - Melded Cost of 2024 SWP and Supplemental Water” and “Table 1A - Melded Cost of 2024 SWP and Supplemental Water,” which summarize the estimated cost and quantity of 2024 Supplemental Water supplies from various non-

SWP sources and shows the melded Fixed Obligation (F.O.) for SWP and combined SWP + Supplemental water supplies. *Table 1* summarizes these costs under near maximum recovery from the banking programs and results in a 71.79% District allocation, at 2.0 acre-feet per contract acre. *Table 1A* summarizes these costs with recovery from the banking programs consistent with the District rationing policy and results in a 56.69% District allocation, at 1.58 acre-feet per allocation acre.

If the SWP F.O. is lower than the Supplemental F.O., which is not the case for 2024, then the Water Service Contracts require the SWP allocation and F.O. to stand alone, i.e. not be melded with other supplies. However, if the Supplemental F.O. is lower than the SWP F.O., the effect of melding Supplemental supplies with the SWP supplies lowers the melded F.O. to the benefit of all Water Users.

Table 1 estimates the cost of 2024 Supplemental Water from all sources melded into a single Supplemental F.O. equivalent rate of \$416.42 per acre-foot (line 34 column 10). *Table 1A* estimates the cost of 2024 Supplemental Water from all sources melded into a single Supplemental F.O. equivalent rate of \$431.39 per acre-foot (line 34 column 9). F.O. equivalent means the water is priced as though it is available in the Delta, and SWP firm variable charges are assessed to deliver it into the District. This provides a common base of reference and billing with SWP water.

Both *Table 1* and *Table 1A* evaluate whether the SWP and Supplemental F.O. rates should be combined or separated. Because the estimated Supplemental F.O. rate is lower than the SWP F.O. rate of \$482.66, both *Table 1* and *Table 1A* support the combination of these supplies. Under the combined scenario in *Table 1*, the melded SWP F.O. and the Supplemental Water F.O. rate would be \$452.64 per acre-foot (line 38, column 10). The combined scenario in *Table 1A* shows the melded SWP F.O. and the Supplemental Water F.O. rate would be \$466.90 per acre-foot (line 38, column 9).

Neither *Table 1* nor *Table 1A* show sufficient Supplemental Water from the various sources listed to meet Water User demands over the Contract Amount of Water. As identified in Rule 3.h. however, Supplemental Water “...will be allocated... up to the Contract Amount of Water...” (emphasis added).

Table 1 estimates the available supplies for allocation are:

Initial SWP Allocation	40% of CAW
<u>Initial Suppl. Allocation</u>	<u>31.79% of CAW</u>
Total Initial Allocation	71.79% of CAW

Table 1A estimates the available supplies for allocation are:

Initial SWP Allocation	40% of CAW
<u>Initial Suppl. Allocation</u>	<u>16.69% of CAW</u>
Total Initial Allocation	56.69% of CAW

Water Allocation. The District allocation of SWP and Supplemental water supplies to Water Users will be made in accordance with the provisions of the Rules and Regulations and as authorized by the Board today through previous board action. Allocations will be made in time for the May water contract installment charge in quantities as authorized. Staff may adjust the quantities for allocation prior to that time if justified by credible new information. For example, if the SWP allocation were increased, the District water allocation for both SWP and Supplemental water may be adjusted as explained above.

Groundwater Service Charge. Rule 7.a. of the District Rules and Regulations provides in part that the GWSC “*shall be set by the Board...at any time and by the same procedures as the rates for the Water Service Charges under the Water Service Contracts.*” The table below outlines the maximum

GWSC rates for 2024-2028; beginning January 1, 2024, the GWSC shall not exceed \$248.53 per acre-foot. The Board has expressed the intent to keep the GWSC rate comparable to the Water Service Charges when appropriate, but like the District Water Service Charges, the GWSC can be revised by the Board at any time to better reflect hydrologic conditions and State Water Project costs.

Effective Date	1/1/2024	1/1/2025	1/1/2026	1/1/2027	1/1/2028
Max GWSC (\$/AF)	\$248.53	\$261.84	\$274.26	\$287.23	\$299.36

User Input Administration Charge. See attached Memorandum from Thomas Suggs wherein he outlines, with details, the recommended adjustments to the User Input related Budget Rates, including the O&M Component. These rates are included within *Table 1* and *Table 1A*, and therefore, appropriately, related Recommendations to the Board are within this memorandum, specifically items g., h., and i.

Supplemental Water Agreements. Attached is the “2024 Supplemental Water Service Agreement” between the District and Water Users describing the terms and conditions for delivery and payment of Supplemental Water. The Water Rates and amounts therein will be updated to conform to the 2024 budget rates adopted by the Board; any reference to the District Rules and Regulations will be updated as necessary and the Exhibit A will be revised to allow orders under the Supplemental allocation.

Recommendation. It is recommended the Board authorize the following water rates supported by the attached *Table 1 - Melded Cost of 2024 SWP and Supplemental Water*:

- a) Amend the 2024 budget SWP Fixed Obligation, recognizing a 40% SWP Allocation resulting in a SWP F.O. rate of \$482.66 per acre foot.
- b) Establish a District allocation of 71.79% supplementing the SWP Allocation with a 31.79% Supplemental water supply.
- c) Establish the 2024 Supplemental Fixed Obligation Equivalent at \$416.42 per acre-foot per *Table 1*.
- d) Establish the 2024 melded SWP F.O. and the Supplemental Water F.O. at \$452.64 per acre-foot per *Table 1*.
- e) Amend the 2024 Groundwater Service Charge to the maximum of \$248.53 per acre-foot, and set the time for paying the charge at 30 days after the date of each invoice.
- f) Finalize 2024 Supplemental Water Service Agreements accommodating multiple supplemental water types and rates as applicable and, upon approval as to form and content by Counsel, provide to Water Users for completion and return to enable participation in the 2024 Supplemental Water Service Program.
- g) Set the 2024 budget User Input Administration rate at \$10.00 per acre-foot, subject to adjustment in Final Accounting, and collect said charges in Final Accounting rather than through the regular water charges installments.
- h) Set the 2024 budget pumping energy rate at \$430 per acre-foot at the well head, subject to adjustment in Final Accounting.
- i) Set the 2024 District wells O&M component at \$75 per acre-foot.

Attachments: 2024 Budget Water Rate Revisions – District Wells Memorandum
Table 1 Melded Cost of 2024 Supplemental and SWP Water
Table 1A Melded Cost of 2024 Supplemental and SWP Water
2024 Supplemental Water Service Agreement
Filename: 8.3.a. 8.3.b. 8.3.c. 2024 FO Supp Wtr Rates

TABLE 1
Wheeler Ridge-Maricopa Water Storage District
Melded Cost of 2024 Supplemental and SWP Water
by Source of Water Supply
Table contains hidden rows and columns

-1	-2	-3	-4	-5	-6	-7	-8	-9	-10
Description	State Water	Western Hills	Carryover 2023	Butte County	Kern Water	Pioneer Project	Exchange Cont.	District Wells	Mojave Water
Delivery Location	Project Delta	WD R12	SW Delta	Long-Term Delta	Bank R12	GW R12	Lont-Term R12	GW R15	Long-Term Delta
Equivalent Fixed Obligation (F.O.-Equip)									
Cost of Water in the Delta	\$ 196.50	\$ 196.50	\$ 201.57	\$ 248.06	\$ 380.90	\$ 453.00	\$ 487.00	\$ 658.53	\$ 686.70
Production & Cost									
Total Available after conveyance losses	197,088	3,200	8,002	4,375	35,000	7,657	7,000	5,000	20,000
WRM Share	40.00%	37.16%	100.00%	26.97%	100.00%	100.00%	26.97%	100.00%	26.97%
Quantity Produced (preliminary) (AF)	78,835	1,189	8,002	1,180	35,000	7,657	1,888	5,000	5,394
Total Cost	\$ 38,050,464	\$ 573,939	\$ 1,612,965	\$ 292,699	\$ 13,331,500	\$ 3,468,621	\$ 919,407	\$ 3,292,650	\$ 3,704,060
Melded Costs: Supplemental									
Accum Cost of Water in the Delta (\$)		\$ 573,939	\$2,186,903	\$2,479,603	\$15,811,103	\$19,279,724	\$20,199,131	\$23,491,781	\$27,195,841
Accum Quantity (AF)		1,189	9,191	10,371	45,371	53,028	54,916	59,916	65,310
Accum Unit Cost (\$/AF)		\$ 482.66	\$ 237.94	\$ 239.09	\$ 348.48	\$ 363.58	\$ 367.82	\$ 392.08	\$ 416.41
Melded Costs: SWP + Supplemental									
Accum Cost of Water in the Delta (\$)	\$38,050,464	\$38,624,402	\$40,237,367	\$40,530,066	\$53,861,566	\$57,330,187	\$58,249,594	\$61,542,244	\$65,246,304
Accum Quantity (AF)	78,835	80,024	88,026	89,206	124,206	131,863	133,751	138,751	144,145
Accum Unit Cost (\$/AF)	\$ 482.66	\$ 482.66	\$ 457.11	\$ 454.34	\$ 433.65	\$ 434.77	\$ 435.51	\$ 443.54	\$ 452.64
Allocation									
SWP Allocation	78,835	78,835	78,835	78,835	78,835	78,835	78,835	78,835	78,835
Supplemental Allocation		1,189	9,191	10,371	45,371	53,028	54,916	59,916	65,310
Total Initial Allocation	78,835	80,024	88,026	89,206	124,206	131,863	133,751	138,751	144,145
Overall % of CAW	39.26%	39.85%	43.83%	44.42%	61.85%	65.66%	66.60%	69.09%	71.78%
Allocation, acre-feet per contract acre	1.094	1.110	1.221	1.238	1.723	1.829	1.856	1.925	2.000

(a) District wells subject to the same User Input Administration Charge as Water Users; \$10.00/AF as recommended 5/14/2024.

(b) O-A in variable rate is estimated at 90% of 2022 July bill.

(c) District wells subject to the same Groundwater Service Charge as Water Users; \$248.53/AF as recommended 5/14/2024.

(d) Based on KCWA Preliminary Estimate of 2024 State Water Project Costs 7/12/22.

All supplies subject to reconciliation.

TABLE 1A
Wheeler Ridge-Maricopa Water Storage District
Melded Cost of 2024 Supplemental and SWP Water
by Source of Water Supply
Table contains hidden rows and columns

	-1	-2	-3	-4	-5	-6	-8	-9	-10
		State	Western	Carryover	Butte	Kern	Exchange	District	Mojave
Description		Water	Hills	2023	County	Water	Cont.	Wells	Water
		Project	WD	SW	Long-Term	Bank	Lont-Term	GW	Long-Term
1 Delivery Location		Delta	R12	Delta	Delta	R12	R12	R15	Delta
24 Equivalent Fixed Obligation (F.O.-Equip)									
25 Cost of Water in the Delta		\$ 196.50	\$ 196.50	\$ 201.57	\$ 248.06	\$ 380.90	\$ 487.00	\$ 658.53	\$ 686.70
26 Production & Cost									
27 Total Available after conveyance losses		197,088	3,200	8,002	4,375	12,347	7,000	5,000	20,000
28 WRM Share		40.00%	37.16%	100.00%	26.97%	100.00%	26.97%	100.00%	26.97%
29 Quantity Produced (preliminary) (AF)		78,835	1,189	8,002	1,180	12,347	1,888	5,000	5,394
30 Total Cost		\$ 38,050,464	\$ 573,939	\$ 1,612,965	\$ 292,699	\$ 4,702,972	\$ 919,407	\$ 3,292,650	\$ 3,704,060
31 Melded Costs: Supplemental									
32 Accum Cost of Water in the Delta (\$)			\$ 573,939	\$2,186,903	\$2,479,603	\$7,182,575	\$8,101,982	\$11,394,632	\$15,098,692
33 Accum Quantity (AF)			1,189	9,191	10,371	22,718	24,606	29,606	35,000
34 Accum Unit Cost (\$/AF)			\$ 482.66	\$ 237.94	\$ 239.09	\$ 316.16	\$ 329.27	\$ 384.88	\$ 431.39
35 Melded Costs: SWP + Supplemental									
36 Accum Cost of Water in the Delta (\$)		\$38,050,464	\$38,624,402	\$40,237,367	\$40,530,066	\$45,233,038	\$46,152,446	\$49,445,096	\$53,149,156
37 Accum Quantity (AF)		78,835	80,024	88,026	89,206	101,553	103,441	108,441	113,835
38 Accum Unit Cost (\$/AF)		\$ 482.66	\$ 482.66	\$ 457.11	\$ 454.34	\$ 445.41	\$ 446.17	\$ 455.96	\$ 466.90
39 Allocation									
40 SWP Allocation		78,835	78,835	78,835	78,835	78,835	78,835	78,835	78,835
41 Supplemental Allocation			1,189	9,191	10,371	22,718	24,606	29,606	35,000
42 Total Initial Allocation		78,835	80,024	88,026	89,206	101,553	103,441	108,441	113,835
43 Overall % of CAW		39.26%	39.85%	43.83%	44.42%	50.57%	51.51%	54.00%	56.69%
44 Allocation, acre-feet per contract acre		1.094	1.110	1.221	1.238	1.409	1.435	1.504	1.579

(a) District wells subject to the same User Input Administration Charge as Water Users; \$10.00/AF as recommended 5/14/2024.

(b) O-A in variable rate is estimated at 90% of 2022 July bill.

(c) District wells subject to the same Groundwater Service Charge as Water Users; \$248.53/AF as recommended 5/14/2024.

(d) Based on KCWA Preliminary Estimate of 2024 State Water Project Costs 7/12/22.

All supplies subject to reconciliation.

(WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT)

MEMORANDUM

TO: Eric McDaris

CC: Sheridan Nicholas

FROM: Thomas Suggs

DATE: April 23, 2024

SUBJECT: 2024 Budget Water Rate Revisions – District Wells

- **User Input Administration Charge**
- **Pumping Energy Component**
- **O&M Component**

The purpose of this memorandum is to review the cost components that apply when District well water is utilized as a Supplemental Water source. The values developed herein typically feed into *Table 1, Melded Cost of 2024 Supplemental and SWP Water*.

Charges for pumping District wells together with well maintenance are sometimes referred to as the “District well variable” portion of the Supplemental Water Charges (not to be confused with the District Variable component of the Water Use Charge).

User Input Administration Charge: In any year that there is a User Input program, there will be costs associated with administering the program, whether the water is produced by Water Users for their own accounts or whether the water is produced by District wells for the benefit of all Water Users. In 2022, the last year for which there is a final adjusted figure, the User Input administration charge was \$9.06 per acre-foot. In this memo, it will be assumed that roughly 7,000 acre-feet¹ of landowner User Input water will be produced in 2024 and that User Input program expenses will amount to approximately \$60,000 including any double pumping of WMR 10 spill that may be needed^{2,3,4}. On that basis, 2024 User Input Admin charges should be about $\$60,000/7,000 = \$8.57/\text{acre-foot}$, but for budgeting purposes, I recommend rounding this number up to \$10.00 per acre-foot.

Pumping Energy Component: Based on the latest PG&E rates⁵, expected well flow rates, and pumping lifts, it is estimated that the average cost of power for pumping District wells will be \$430 per acre-foot at the well head in 2024⁶.

O&M Component: O&M charges are intended to recover all maintenance and repair costs of the facilities that produce the water. In its May 2011 meeting, the Board directed staff to spread the cost of District well repairs over three years for purposes of setting the District Well Variable component of the Supplemental Water Charges, and adjust the rate from year to year to maintain a rough balance between expenses and collections. For the three-year period 2021-2023, average wells O&M expenses were $\$2,652,592/14,938 \text{ acre-feet} = \$177.57/\text{acre-foot}$. However, an unusually large number of District wells were repaired during the 2021-2023 period while User Input was minimal in 2023, and it is believed that a rate of \$75.00 per acre-foot is more representative of average current maintenance and repair costs.

Summary: The following rates should be applied District well water in *Table 1, Melded Cost of 2024 Supplemental and SWP Water*:

Cost to Recover Water (\$/AF) - District Wells

Pumping energy component	\$430.00 per acre-foot
District Wells O&M component	\$75.00 per acre-foot
User Input Administration charge rate	\$10.00 per acre-foot

Subtotal	\$515.00 per acre-foot
Less budget SWP Variable (O-A in min) to R14 ⁷	<\$45.00> per acre-foot
Less District Variable (typical) ⁸	<\$69.00> per acre-foot

F.O. Equivalent Cost of Water in the Delta	\$401.00 per acre-foot

Endnotes

1. Based on past history, a 40 percent SWP allocation could be expected to lead to about 20,000 acre-feet of private User input pumping, but several factors work to reduce that amount in 2024: First, the 2024 pumping season is getting off to a late start, reducing that potential amount by about a third. Second, much Table A water was historically transferred from the White Wolf Basin to the west side of the District and then backfilled with User Input groundwater produced in the White Wolf Basin, but this year large swaths of west side trees and vines have been replaced by fallow fields. Third, it is suspected that the new GWSC will tend to depress landowner demand for local groundwater overall, although the size of that influence is unknown.
2. Assume \$5,000 in miscellaneous lab charges.
3. At night, demands tend to drop off in the 850 Service Area while User Input wells remain running, causing excess canal water to spill into Reach 15 of the California Aqueduct through intertie 10P1X. Eventually, this “spilled” water must be pumped through the WRM10 Pumping Plant and delivered to customers when demands are present. Because there is no way to tell whose water got spilled, the associated WRM10 pumping charges (typically \$65,000-369,000/year) are spread across all User Input water and recovered through the User Input Admin Charge.
4. It was assumed that the KCWA will *not* assess a charges for “extraordinary seepage losses in the KWB Canal associated with prolonging Kern Fan recovery” as it did in 2018 when the District was the only recovery participant from mid-summer onward; instead, it was assumed that Kern Fan recovery will continue through nearly the end of the year.
5. PG&E large agricultural rates increased about 25% between January 2023 and March 2024.
6. Compared to \$385/acre-foot in 2023
7. 2024 Budget Table 7
8. Weighted average of District Variable rates in charge codes 1401 and 1508

**WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT
2024 SUPPLEMENTAL WATER SERVICE AGREEMENT**

This 2024 Supplemental Water Service Agreement (“Agreement”) is made for the 2024 Supplemental Water Program of the District. The quantities of supplemental water applied for are as shown on submitted and accepted District authorized forms entitled ‘2024 Supplemental Water Order Form’ (“Order Form”) as shown in Exhibit A of this Agreement. The Exhibit A Order Form contents will be amended from time to time, if additional supplemental supplies become available, indicating the budgeted unit F.O. rate and any special terms and conditions for each type of Supplemental Water supply. The Exhibit A Order Form for the Initial Estimate as well as all subsequent Exhibit A Order Forms for varying F.O. rates and water types, completed by Water User and accepted by District, are herewith deemed included and incorporated into this Agreement. **A completed Exhibit A Order Form will be necessary for each type and quantity of supplemental water ordered by Water User and shall be timely delivered to the District prior to delivery of any supplemental water to Water User.** Water User understands and agrees that:

- a. the current State Water Project Contract Allocation of Water (SWP) is 40% for 2024. It is possible, but not certain, that the SWP Allocation will be increased or decreased as 2024 develops.
- b. Water User will be responsible for the payment of all costs associated with the production and delivery of Supplemental Water ordered by Water User;
- c. delivery of Supplemental Water is subject to the additional “Conditions of 2024 Supplemental Water Service” which is attached and hereby made part of this Agreement,
- d. to the extent that current or subsequent allocations of Supplemental Water exceed the actual quantities of water ordered, or deemed to be ordered by Water User, such excesses will be IRREVOCABLY removed and no longer available to Water User;
- e. all activities and agreements necessary to obtain Supplemental Water have not been completed, and by accepting this Agreement, the District makes no guarantee as to its availability, cost, or condition of delivery;
- f. the District reserves the right to change the total quantity, monthly or seasonal quantity, and cost of Supplemental Water available; and
- g. Water User holds District and its Directors, employees and consultants harmless in the event the District changes the quantities and/or costs of Supplemental Water provided hereunder.

WATER USER

**WHEELER RIDGE-MARICOPA
WATER STORAGE DISTRICT**

(Date Submitted)

(Date Accepted By District)

(Signature)

(Signature)

(Printed Name & Title)

(Printed Name & Title)

CONDITIONS OF 2024 SUPPLEMENTAL WATER SERVICE

Supplemental Water supplied by Wheeler Ridge-Maricopa Water Storage District ("District") to the Water User requesting service pursuant to the 2024 Supplemental Water Service Agreement ("Agreement") shall be subject to the following terms and conditions:

1. The total amount of supplemental water to be made available to Water User in 2024 by the District from the Supplemental Water program is currently unknown.
2. The quantity to be delivered shall not exceed the quantity which Water User has ordered as shown on submitted and accepted Exhibit A Order Forms supplied by the District or as otherwise deemed to be ordered by default. The quantities of water allocated to Water User are District's best estimate of the quantities which can be produced by District for Water User and, in the event of shortage, the District will reapportion the quantities of water among water users in the manner set forth in the water service contracts.
3. Water Users who do not timely return their signed 2024 Supplemental Water Agreement and their signed 2024 Supplemental Water Exhibit A Order Form(s) or otherwise do not notify the District in a timely manner accepted by the District of their intended 2024 Supplemental Water requests, the quantity of Supplemental Water will be deemed DECLINED, by default. Further, such declination of the Initial Estimate of supplemental water allows the District to otherwise allocate your supply. In this likelihood, there is no guarantee of water availability from District sources for the 2024 water year.
4. 2024 Supplemental Water Exhibit A Order Form submissions received at the District after the final acceptance date may or may not be accepted depending on the then current circumstances which may cause the District to cease, or continue to allow, water order adjustments. Adjustments, if accepted, will be made to both the Annual Charges Bills as well as the Statements for the remaining unpaid installments.
5. Water User shall pay for Supplemental Water in installments, together with the Contract water charges, as provided in Rule 5e. of the District Rules and Regulations for the Distribution of Water, to wit:

"Payments for Water - Supplemental Water: Payments for Supplemental Water shall be made at the rate or rates established therefore by the Board. Payment for Supplemental Water, either allocated as part of the Contract Amount of Water or in addition thereto, for Water User and ordered by Water User shall be spread over the remaining regular monthly payments set forth in the Water Service Contract. Payment for Supplemental Water shall be subject to and a part of a final accounting of costs in the same manner as set forth in paragraph 5(a) of these Rules and Regulations. Water User shall be entitled to any credit due for overpayment and shall be responsible for any additional payment obligation as a result of underpayment identified in said final accounting adjustment."

6. Water User shall be responsible to pay the District for the quantity ordered as shown on the 2024 Supplemental Water Exhibit A Order Form, even if Water User does not take delivery of the full quantity ordered or deemed to be ordered.

**EXHIBIT A
WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT
2024 SUPPLEMENTAL WATER SERVICE AGREEMENT**

In order to receive all or part of your Supplemental Water, including your initial estimated allocation and/or subsequent supplemental supplies if made available by the District, you must order your total requested amount on an Order Form. **If you do not order this supplemental water on this Order Form, it will be removed from your account and there is no guarantee of water availability from District sources for the 2024 water year.**

**THE BUDGET F.O. RATE IS \$ 452.64 /AF
FOR THE SUPPLEMENTAL WATER TYPE "SUPP 1"**

WATER LEDGER CORRELATION:	NET ENTIT	TOTAL AF SUPL	TOTAL AF C/O	TOTAL AF AVAILABLE
	40%	31.79%		71.79%
<u>WATER USER</u>	<u>SWP ENTITLEMENT</u>	<u>MAXIMUM SUPPLEMENTAL 1 ALLOCATION (AF)</u>	<u>2023-2024 CARRYOVER (AF)</u>	<u>TOTAL 2024 DISTRICT ALLOCATION (AF)</u>

** All supplies subject to change, including reconciliation of carryover and spill**

PLEASE CHECK ONE OF THE FOLLOWING CHOICES AND COMPLETE THE AF QUANTITY BELOW:

LESS THAN my maximum Supplemental 1 allocation

EQUAL TO my maximum supplemental 1 allocation of _____ - _____ acre-feet.

The undersigned Water User hereby ORDERS	
_____	Acre-Feet of "Supp 1" Water
at an F.O. Rate	\$ 452.64 /AF

ADDITIONAL DEMAND- the below declaration apprises the District of User demand beyond what is being offered in the above Supplemental availability. This is not a water order and is not guaranteed to be fulfilled, nor is it binding. It is for informational purposes only and informs the District of total demand.

I have demand for additional supplemental supplies beyond the maximum ordered above.

_____ acre-feet.

Signature Date

Name Title

WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT

MEMORANDUM

TO: Board of Directors

FROM: Eric McDaris, Water Resources Manager

DATE: May 9, 2024

SUBJECT: Carryover Policy into 2025

Background. Rule 11 of the District’s Rules and Regulations allows water users to carryover undelivered State Warter Project water and other eligible supplies derived from the District supplemental water programs. This rule was reinforced by provisions established in 2011 that limit water user carryover to 5% of their CAW. There were other provisions included in the 2011 carryover policy, but those have since been modified or permanently eliminated; e.g. the provision reducing a water user allocation of supplemental water by the quantity of water carried over by the water user.

The Board has the discretion to modify the 5% limitation provision, and has done so in the past to increase flexibility to water users in certain year types or specific circumstances. These amendments have been temporary and non-precedent setting, with each year defaulting to the 5% CAW carryover limit.

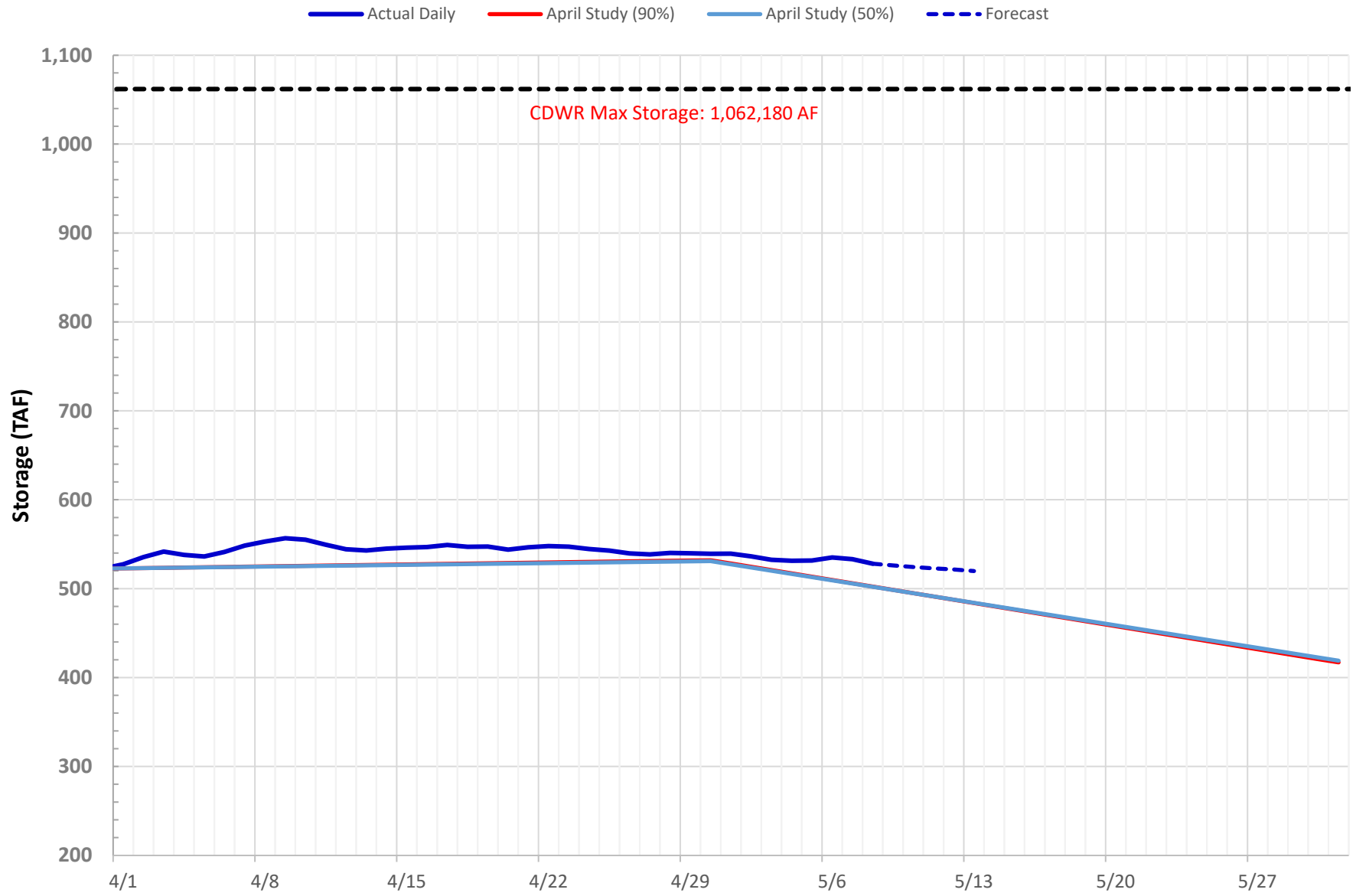
Staff have received inquiries from water users requesting an exception for the 2024-2025 carryover limit. Water users have expressed concerns regarding the potential for dry hydrology, and the importance of being able to maximize carryover of supplies currently available on the market.

The District continually monitors storage levels at San Luis Reservoir and hydrology forecasts to determine optimum carryover amounts. As of May 5th, 2024, SWP supplies in SLR were approximately 531,660 acre-feet, or 50% of capacity. DWR’s most recent *Allocation Analysis for 2024* projects end of year SWP storage to be 420,000 acre-feet in the 50% probability of exceedance. By comparison, the Board last made an exception to the carryover policy on July 14th, 2022, when the SWP supplies in SLR totaled approximately 489,000 acre-feet. The attached graph depicts DWR’s current SWP projections for 2024 storage.

Recommendation. Staff recommends the Board increase the water user carryover limit from 5% CAW to 15% CAW for the 2024-2025 carryover period, on a one-time, non-precedent setting basis, and authorize District staff to monitor and limit total water user carryover as needed to minimize San Luis reservoir spill risk. Further management of the 2024-2025 carryover will be fully consistent with the District’s most recently adopted Rules and Regulations for the Distribution of Water.

Attachments: SWP Share of San Luis Storage Forecast vs Actual
 Filename: 8.4 Carryover into 2025

SWP Share of San Luis Storage Forecast vs Actual



◀ WHEELER RIDGE - MARICOPA WATER STORAGE DISTRICT ▶

MEMORANDUM

TO: Board of Directors

FROM: Sheridan Nicholas & Greg Loveless

DATE: May 10, 2024

SUBJECT: Ratification of Revised Contract for SCADA Services for District System

In February, the Board approved the staff recommendation to “enter into another contract with Avadine, substantially similar to the 5 System contract, to provide SCADA services for the entire District system at a cost of \$884,100, subject to final approval of the Engineer-Manager and District Counsel” (See attached memorandum from February).

Subsequent to the approval, staff realized that the amount of \$884,100 approved by the Board did not match the contract amount (\$1,095,000); but matched the revised budget amount for 2024 needed for the full contract amount, as portions of the contract would be paid by funds from 2023. As such, the Engineer-Manager entered into a contract with Avadine at the \$1,095,000 to ensure work would continue (please see the attached February memorandum for further explanation).

Recommendation: It is recommended the Board ratify the Engineer-Manager’s action to enter into another contract with Avadine, substantially similar to the 5 System contract, to provide SCADA services for the entire District system at a cost of \$1,095,000.

C:\Users\druth\OneDrive - Wheeler Ridge Maricopa Water SD\Documents - WRMWSD Shared\Management\Shared_AA\Board Mailing May 14, 2024\Prep Docs\8.5 WRM_Memo_2024_SCADA_Contract_District_System_Ratify.wpd

◀ WHEELER RIDGE - MARICOPA WATER STORAGE DISTRICT ▶

MEMORANDUM

TO: Board of Directors

FROM: Sheridan Nicholas & Greg Loveless

DATE: February 12, 2024

SUBJECT: Approval of Contract for SCADA Services for District System

In April 2023, the Board of Directors approved a contract with Avadine to provide SCADA services in the 5 system at a cost of \$210,000, as a precursor and trial for an entire District SCADA project. As noted in the attached April 10, 2023 memorandum to the Board entitled *Approval of Contract for SCADA Services for 5 System* - "It is anticipated that if/when the 5 System project proves satisfactory staff will bring the remaining portion to the Board for authorization."

The completed 5 System project has fulfilled the expectations and requirements of staff. In fact, some of the features the new Avadine SCADA system provides are above and beyond what was originally anticipated.

In 2023, the District spent \$239,400, a cost overrun of \$5,135 over the 2023 budget amount of \$234,265. Anticipated costs for 2024 are \$884,100, which is \$18,100 over the 2024 budget amount of \$866,000. The total two year cost of the project will be \$1,123,500, compared to the original project estimate of \$1,095,000.

Recommendation: It is recommended the Board authorize the Engineer-Manager to enter into another contract with Avadine, substantially similar to the 5 System contract, to provide SCADA services for the entire District 5 system at a cost of \$884,100, subject to final approval of the Engineer-Manager and District Counsel.

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WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT
MEMORANDUM

TO: Board of Directors

FROM: Eric McDaris

DATE: March 11, 2024

SUBJECT: Revised Add/Exclude for Materra Farming

In March 2024, the Board adopted Resolution 2024-04, authorizing a contract amendment on behalf of Materra Farming. The proposed amendment included assigning 156.94 contract acres to turnout 5G97. This turnout is one that is very rarely used, and has exclusively served non-contract land through its service. Turnout 5G97 is unique in that the physical location of the turnout is approximately 2 miles south of the land that it serves. The pipeline used to convey water from the District’s distribution system to the turnout passes through various lands of non-contiguous ownership; essentially the turnout was installed on APN A, but was actually used to serve neighboring APN B, then owned by Chevron. This was done strictly through landowner agreement and the District was not involved.

At one time there was a pipeline easement executed between the landowners, granting easement from the turnout to the served lands, and this easement is referenced and described in prior legal documents. However, staff noted that the legal description and support regarding this easement was not adequately included in the most recent grant deed of current ownership. The legal description has degraded over time as the property has transferred ownership and new documents have been drafted.

As the District does not have an easement from the turnout location to the physical delivery location, and without a more affirmative description of an easement in the current deed, staff feels there is a potential risk to leave contract land ‘stranded’, should this land change ownership in the future. Staff have therefore identified turnout 7G55 as an effective alternative for the proposed contract transfer as noted below. This proposed modification to the contract amendment has no impact on water users, and Materra Farming is amendable to this alternative.

~~*(a) 156.94 acres of contract land comprising the Southwest 1/4 of Section 21, T32S/R26E, SBM, more or less; the land is currently served by noncontract turnout 5G97.*~~

(a) 156.94 acres of contract land comprising the Southeast 1/4 of Section 26, T32S/R26E, MDM, more or less; the land is currently served by noncontract turnout 7G55.

Recommendation. It is therefore recommended that the Board adopt the attached draft Resolution, Amending and Restating Board Resolution 2024-04 Authorizing Amendments To Water Service Contracts No. 12102 To Enable Changes In Surface Water Service Area, subject to review by Counsel as to form and final approval of the Engineer-Manager.

Attachments: None
Filename: 8.4 Proposed Add/Exclude for Materra Farming

BEFORE THE BOARD OF DIRECTORS
WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT

RESOLUTION NO. 2024-XX

IN THE MATTER OF:

**AMENDED AND RESTATED RESOLUTION 2024-04
AUTHORIZING AMENDMENTS TO
WATER SERVICE CONTRACTS NO. 12102 TO ENABLE CHANGES
IN SURFACE WATER SERVICE AREA**

SECTION A. WHEREAS this Board of Directors finds and determines as follows:

1. The District has entered into numerous Water Service Contracts with certain landowners within the District. Said contracts provide at Section 3(b) that water will be delivered through the District's distribution system in accordance with the District's Rules and Regulations for Distribution of Water ("Rules and Regulations").

2. Pursuant to Water Code Section 43003, by Resolution 70-89 adopted July 8, 1970, the District adopted Rules and Regulations for Distribution of Water, which have been amended from time to time. Said Rules and Regulations at Sections 3.b. and 3.c. authorized the Board of Directors to make additions to and/or exclusions from the Surface Water Service Area.

3. This Board of Directors adopted a Surface Water Service Area of the District by Resolution No. 349 on July 2, 1968, which Surface Water Service Area has been amended from time to time by the Board of Directors.

4. The District has received a request from Brent Grizzle, on behalf of Materra Farming Company, LLC., to exclude from the Surface Water Service Area certain lands totaling 627.88 acres (hereafter "Excluded Land"):

(a) 156.94 acres of contract land comprising the North 1/2 of Section 11, T11N/R23W, SBM, lying northerly of Maricopa Highway 166; the land is currently served by turnout 4P17, per Water Service Contract No. 12102

(b) 156.94 acres of contract land comprising the South 1/2 of Section 11, T11N/R23W, SBM, lying southerly of Maricopa Highway 166; the land is currently served by turnout 4P19, per Water Service Contract No. 12102

(c) 157.00 acres of contract land comprising the Southwest 1/4 of Section 11, T11N/R23W, SBM, lying northerly of Maricopa Highway 166; the land is currently served by turnout 4P21, per Water Service Contract No. 12102

(d) 157.00 acres of contract land comprising the Southeast 1/4 of Section 11, T11N/R23W, SBM, lying northerly of Maricopa Highway 166; the land is currently served by turnout 4P22, per Water Service Contract No. 12102

5. Said request further proposes to add to the Surface Water Service Area the

following lands totaling 627.88 contract acres (hereafter “Added Land”):

~~(a) 156.94 acres of contract land comprising the Southeast 1/4 of Section 26, T32S/R26E, MDM, more or less; the land is currently served by non-contract turnout 7G55.~~

~~(a) 156.94 acres of contract land comprising the Southwest 1/4 of Section 21, T32S/R26E, SBM, more or less; the land is currently served by non-contract turnout 5G97.~~

(b) 156.94 acres of contract land comprising the Southeast 1/4 of Section 23, T32S/R26E, MDM, more or less; the land is currently served by non-contract turnout 7G57.

(c) 157.00 acres of contract land comprising the Northwest 1/4 of Section 25, T32S/R26E, MDM, more or less; the land is currently served by non-contract turnout 7G48.

(d) 157.00 acres of contract land comprising the Northeast 1/4 of Section 26, T32S/R26E, MDM, more or less; the land is currently served by non-contract turnout 7G47.

6. This Board of Directors has considered and evaluated said request as more fully described in the memoranda to the Board dated March 2, 2022, and entitled “*Materra Farming – Request for Water Service Contract Amendments: Exclusions From the SWSA Affecting Contract 12102; Additions to the SWSA Affecting Turnouts 7G55, 7G57, 7G48, 7G47*”. Said memorandum concludes that all conditions for approval can be met, and recommends that Materra’s requested equal area addition/exclusion be approved by the Board of Directors.

7. Changing the Surface Water Service Area by excluding the Excluded Land, and substituting an equivalent acreage within the Added Land, is feasible and in the best interests of the District and its landowners. The criteria originally established by Resolution No. 349 is generally applicable to this proposed reallocation of the District's water supplies, except that water will not be reallocated only to those lands for which the owner submitted an application for water service in 1968, recognizing that conditions and the requirements of the District's landowners have changed considerably over time. The proposed changes in the Surface Water Service Area are consistent with the District's project purposes.

SECTION B. NOW, THEREFORE, IT IS HEREBY RESOLVED by this Board of Directors as follows:

1. The foregoing recitals are true and correct.
2. District staff are authorized to prepare and tender appropriate amendments to the applicable Water Service Contracts after approval of Counsel as to form. The District officers are hereafter authorized to execute such amendments. Upon such execution, the Excluded Land shall be excluded to the Surface Water Service Area and the Added Land shall be added to the same.
3. The amended Water Service Contract shall be in the form approved by Resolution No. 69-60, except as provided below.
4. The following matters shall apply to the Excluded Land which is to be excluded

from the Surface Water Service Area:

(a) Said lands shall remain subject to the original project assessment until such time as it may be modified by a reassessment.

(b) Recognizing that said lands will no longer be entitled to receive surface water from the District and are not developed upon reliance of ground water, said lands shall no longer be subject to the Administrative and General Service Charges levied after said lands are excluded from the Surface Water Service Area; provided, however, there shall be no refunds due upon such charges, including Project Service Charges, levied prior to said exclusion; provided further, however, that if, subsequent to their exclusion from the Surface Water Service Area, said lands receive surface water deliveries or are developed in reliance on groundwater, said lands shall again become subject to the Administrative and General Service Charges.

5. The following matters shall apply to the Added Land which is to be added to the Surface Water Service Area:

(a) Charges shall be computed in the same manner as charges for other lands under contract water service with the District, except that the debt service component and the operation, maintenance, and repair component of the Water Availability Charge shall be equal to said components for the category of service formerly applicable to the excluded land.

(b) While a \$4.00 per acre per year charge would normally be levied on Added Land for the first ten years of water service and applied to the Operating Reserve Fund, in this case the same landowner has equivalent exclusions upon which lands the Operating Reserve Fund charge has already been paid (i.e. the Excluded Land), so no Operating Reserve Fund charge shall apply.

(c) In the event a call were made on the original project assessment and until such time as the project may be reassessed in accordance with law, the water user of the Added Land shall pay a special charge in lieu of a call on the original project assessment on said lands, which charge shall be the same amount as the amount which would have been due if the lands subject hereto had received an original project assessment, as determined by the Board of Directors.

(d) Where appropriate, Exhibit A of the respective Water Service Contracts will differ from the standard format based upon the District's adopted design criteria to provide for delivery at different delivery points and at different rates of flow among other things.

(e) Where appropriate, in order to provide insofar as possible that existing contract water users not be detrimentally affected by deliveries to the Added Land, the Water Service Contract (or amendment thereto) shall contain a provision providing that the service to the Added Land may be reduced or curtailed to the extent that there is insufficient capacity to deliver water to the Added Land.

(f) Because the Added Land is already developed in reliance on surface water from the District, said Land shall continue to be subject to the Administrative

and General Service Charges as provided in the Water Service Contracts.

6. It is this Board's intent to cause a reassessment of the original project assessment prior to making any call on said assessment.

ALL OF THE FOREGOING being on motion of Director _____, seconded by Director _____, and adopted by the following vote, to wit:

AYES:

NOES:

ABSENT:

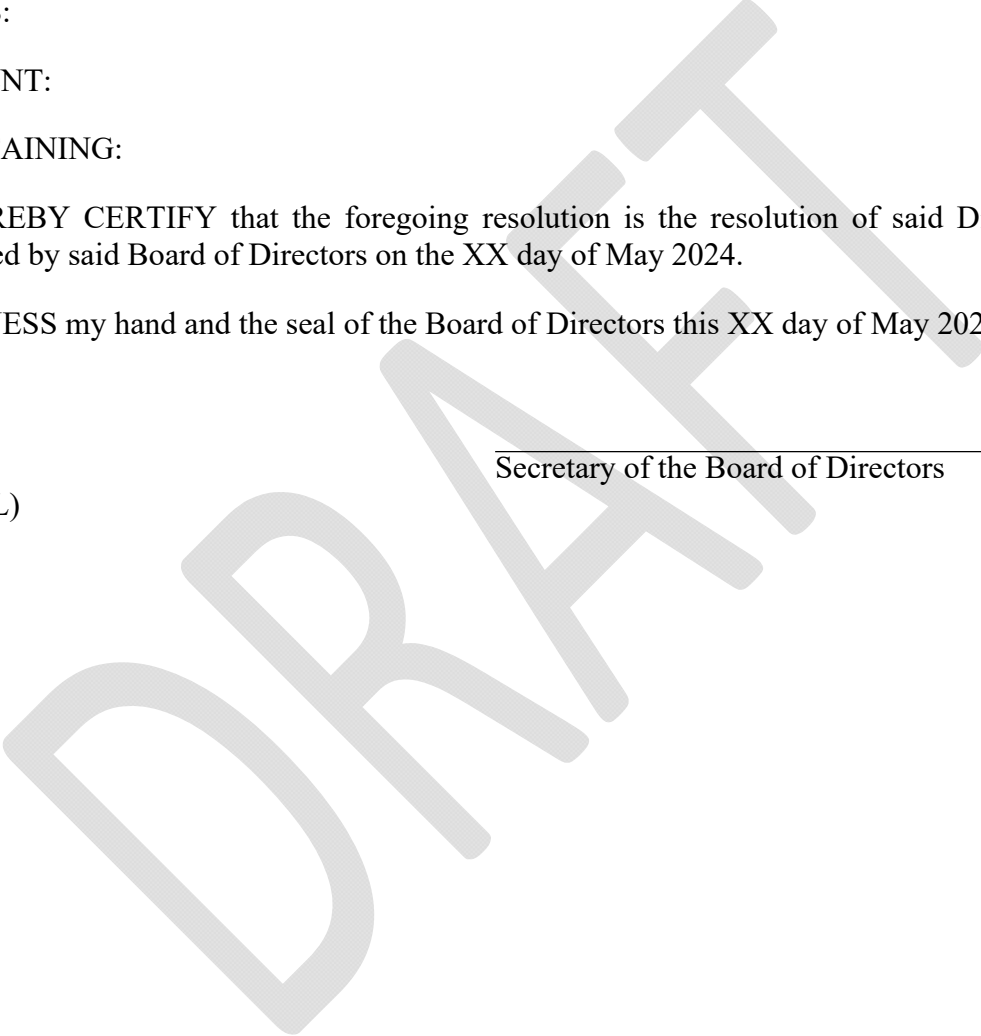
ABSTAINING:

I HEREBY CERTIFY that the foregoing resolution is the resolution of said District as duly adopted by said Board of Directors on the XX day of May 2024.

WITNESS my hand and the seal of the Board of Directors this XX day of May 2024.

Secretary of the Board of Directors

(SEAL)



◀ WHEELER RIDGE - MARICOPA WATER STORAGE DISTRICT ▶
◀ WHEELER RIDGE - MARICOPA GSA ▶

MEMORANDUM

TO: Board of Directors

FROM: Sheridan Nicholas

DATE: May 10, 2024

SUBJECT: WRMGSA - Approval of Amended GSP and Related Documents

Background: In March 2023, DWR determined the Kern Subbasin Plan, originally submitted in 2020 and revised and resubmitted in 2022, was inadequate under SGMA. It concurrently referred the Kern Subbasin to the State Water Resources Control Board (SWRCB) for further procedures, including potential designation of the Subbasin as probationary following a public hearing. The SWRCB has tentatively scheduled the Kern Subbasin probationary hearing for January 2025.

Shortly after receiving the inadequate determination, the Kern Subbasin GSAs began working together to develop GSP amendments intended to remedy the DWR-identified deficiencies and avoid a probationary designation. After several months of dedicated work, largely undertaken by the Technical Working Group, the Subbasin GSAs are preparing to release those amendments for SWRCB staff and public review. The Subbasin GSAs are also preparing to notice their intent to adopt those amendments, as may be revised based on comments received, following public hearings to be held no sooner than 90 days after the final draft amendments are released for public review.

Along with that plan, a majority of Kern subbasin GSA's are considering entering into a number agreements/documents related to groundwater management within the Subbasin. Each of these items will be described separately below, and please note the South of Kern River GSP Executive Committee recommended approval of all items.

a. Amended Kern Subbasin GSP

The proposed, amended Subbasin Plan includes organizational changes from the 2022 Subbasin Plan. The proposed, amended Subbasin Plan is comprised of 7 GSPs, but they are not the same GSPs that were included in the 2022 Subbasin Plan. Of relevance here, the SOKR districts' management areas will now be covered by the amended "Kern Subbasin GSP," rather than a separate "SOKR GSP." The amended Kern Subbasin GSP will include a majority of the Subbasin GSAs and cover most lands overlying the Subbasin. Buena Vista WSD GSA, Henry Miller GSA, Kern-Tulare Water District (WD) GSA, Olcese WD GSA, Westside District Water Authority GSA, and Semitropic WSD GSA will *each* adopt a separate GSP. Those six satellite GSPs will cover the minority of the Subbasin.

Although the Subbasin Plan will continue to be covered by multiple GSPs, rather than a single

Subbasin-wide GSP, the Subbasin GSAs intend that each GSP will rely on substantially the same technical information. Under the “Second Amended Kern County Subbasin Coordination Agreement” (Coordination Agreement), discussed below, the Subbasin GSAs have used and will continue to use common data and methodologies for (1) groundwater elevation data; (2) groundwater extraction data; (3) surface water supply; (4) total water use; (5) change in groundwater storage; (6) water budget; and (7) sustainable yield. The use of common data and methodologies will facilitate the GSAs’ coordinated implementation of a consistent sustainable groundwater management program throughout the entire Subbasin.

The Kern Subbasin GSP describes Project and Management Actions (P/MAs), some general to the Subbasin and others specific to a management area, that the Subbasin GSAs will collectively implement to address the Subbasin’s projected water budget deficit. Each GSA’s unique portfolio of P/MAs is included as an appendix to the Kern Subbasin Plan.

The final draft amended Kern Subbasin GSP will be posted to each SOKR district’s website and the joint SOKR website, <https://sokrgsp.com/>, before May 29, 2024.

Recommendation: It is recommended that the Board (a) approve final draft amendments to Kern Subbasin Groundwater Sustainability Plan and supporting appendix of projects and management actions for the Wheeler Ridge-Maricopa Groundwater Sustainability Agency, (b) authorize their submission by the Kern County Subbasin Point of Contact to the State Water Resources Control Board before May 29 for review by SWRCB staff, and (c) authorize their release for public review and comment.

b. Amended Coordination Agreement

Under SGMA, multiple GSPs implemented by multiple GSAs to cover a subbasin must be coordinated pursuant to a single coordination agreement. Because the Kern Subbasin will continue to be covered by multiple GSPs, the Subbasin GSAs have developed the attached “Second Amended Kern County Subbasin Coordination Agreement,” to supersede and replace the coordination agreements that accompanied the original 2020 and revised 2022 Kern Subbasin Plans. The technical content of the Second Amended Coordination Agreement has been streamlined, with the specific descriptions of data and methodologies being moved to the multiple GSPs. It also broadens membership in the Basin Coordination Committee to include the 21 GSAs in the Subbasin, rather than 1 representative per GSP.

Recommendation: It is recommended the Board authorize execution of the the Second Amended Kern County Subbasin Coordination Agreement among the Subbasin GSAs.

c. Non-districted Lands Joint Powers Agreement

SGMA requires that the entire Subbasin be covered by a GSP. Thus, unless the entire Subbasin is covered by a GSP, the Kern Subbasin will likely not be able to (a) avoid a probationary hearing, (b) avoid having an interim plan imposed by the SWRCB following any potential future probationary designation, or (c) exit state intervention.

There are thousands of non-districted lands in the Kern Subbasin. There was a presumption under SGMA that Kern County would serve as the GSA for these non-districted lands; however, Kern County previously declined to assume that responsibility. Following that decision, the Subbasin GSAs collectively sought to ensure those non-districted lands would be covered by a GSP prior to the initial deadline for GSP submittals to DWR. For example, Arvin and Wheeler-Ridge Maricopa GSAs agreed to cover non-districted lands adjacent to their district boundaries, relying on individual landowner agreements and the cooperation of the County to provide authority for GSP implementation, as needed. The Kern Groundwater Authority (KGA) accepted greater responsibility for non-districted lands, agreeing to serve as the exclusive GSA for 20,410 non-contiguous acres located throughout Kern County. The KGA was best placed to accept this responsibility because it was already a Joint Powers Authority and one of its members, the Kern County Water Authority, had county-wide jurisdiction.

In 2023, the remaining KGA members notified the other Subbasin GSAs that they were unwilling to continue under the existing governance structure and were considering dissolution. In response, the Subbasin GSAs began discussing alternatives to ensure that KGA functions that provided a Subbasin-wide benefit could be continued, including GSP coverage for non-districted lands.

Those discussions resulted in development of the proposed and attached “Third Amended and Restated Joint Exercise of Powers Agreement for the Kern Non-Districted Land Authority” (Non-districted Lands JPA). The Non-districted Lands JPA ensures continued GSP coverage for non-districted lands, but includes several significant changes from the prior agreement, including the following:

1. The new Authority will serve a single purpose: “to provide regulatory authority for Non-districted Land so those lands are able to be regulated under a GSP by SGMA;”
2. The majority of the Subbasin GSAs (collectively covering $\geq 90\%$ of the Subbasin) will participate as members in the new Authority;
3. Non-districted Landowners will have a right to representation on the Board of Directors for the Authority;
4. There is a set 2-year term, which may only be amended by the concurrence of 75% of the Members;
5. There is an express intention that management of Non-districted lands will be transitioned to the Non-districted landowners, Kern County, or other appropriate agency prior to expiration of the 2-year term;
6. The JPA does *not* provide a right to withdraw from the Authority during the initial 2-year term;

Recommendation: It is recommended that the Board of Directors take action to authorize execution of Third Amended and Restated Joint Powers Agreement for Kern Non-Districted Land Authority (formerly Kern Groundwater Authority).

d. Updated Notice of Intent to Adopt or Amend a GSP

SGMA requires each GSA that is adopting or amending a GSP to provide 90-days' notice to any city or county within the area of the proposed or amended GSP. The SOKR districts provided joint notice of their intent to adopt an amended GSP to Kern County and the City of Arvin on September 14, 2023, see <https://sokrgsp.com/>. In light of the additional time it has taken SOKR districts to develop the amended Kern Subbasin GSP, described above, it is proposed that the SOKR districts issue an updated notice to Kern County and City of Arvin that includes supplemental information about the proposed amendments and the SOKR districts' plans to adopt those amendments, and extend again the invitation to meet with the County and City to discuss.

Recommendation: Staff is recommending the Board of Directors take action to authorize issuing an updated notice of intent to adopt a new or amended GSP to Kern County and City of Arvin.

e. Memorandum of Understanding between Kern Water Collaborative and Groundwater Sustainability Agencies in the Kern Subbasin

As part of their efforts to avoid, minimize, and/or mitigate potential impacts of groundwater extractions on beneficial uses and users in the Kern Subbasin, the Kern Subbasin GSAs proposing to enter into a Memorandum of Understanding with the Kern Water Collaborative (KWC) (attached). The KWC is a non-profit, public benefit corporation created to improve quality of life by providing groundwater testing and free drinking water for Kern residents impacted by nitrate contamination. Under the MOU, the Kern Subbasin GSAs and KWC would coordinate activities related to monitoring groundwater quality and providing substitute water supplies to increase or otherwise improve benefits to residents and avoid duplication of efforts.

Recommendation: It is recommended that the Board authorize the Engineer-Manager to execute the Memorandum of Understanding between Kern Water Collaborative and Groundwater Sustainability Agencies in the Kern Subbasin, subject to final review of the Engineer-Manager and District Counsel.

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Second Amended Kern County Subbasin Coordination Agreement

This Second Amended Kern County Subbasin Coordination Agreement (the “Agreement”) is made effective as of _____ by and among the Groundwater Sustainability Agencies (“GSA”) within the Kern County Subbasin that are developing multiple Groundwater Sustainability Plans (“GSPs”) (each a “Party” and collectively the “Parties”), each of which is identified in Appendix 1 and is made with reference to the following facts:

WHEREAS, on September 16, 2014, Governor Jerry Brown signed into law Senate Bills 1168 and 1319 and Assembly Bill 1739, known collectively as the Sustainable Groundwater Management Act (“SGMA”); and

WHEREAS, SGMA requires all groundwater basins designated as high or medium priority by the Department of Water Resources (“DWR”) to manage groundwater in a sustainable manner; and

WHEREAS, the Kern County Subbasin (Basin Number 5-22. 14, DWR Bulletin 118) (“Subbasin”) which lies within the San Joaquin Valley Groundwater Basin, has been designated as a high-priority basin by DWR; and

WHEREAS, the Subbasin includes twenty-one (21) GSAs that are managing the Subbasin through multiple GSPs; and

WHEREAS, SGMA allows local agencies to engage in the sustainable management of groundwater, but requires GSAs intending to develop and implement multiple GSPs within a subbasin to enter into a coordination agreement; and

WHEREAS, the Agreement does not prevent any Party from providing comments on a GSP, or otherwise coordinating among parties with regard to specific items in a GSP outside this Agreement, on issues including but not limited to specific border conditions between GSPs and/or the timing and/or effect of projects and management actions contained within another GSP; and

WHEREAS, nothing in this Agreement represents or should be construed as the determination of any claim or assertion of a groundwater right; specifically, the coordinated water budget information or data does not amount to an allocation, or otherwise represent a determination, validation, or denial of any claimed or asserted groundwater right;

WHEREAS, this Agreement shall supersede and replace all prior agreements, promises, and understandings, oral or written, related to the coordination of GSPs in the Subbasin, including the Coordination Agreement effective January 20, 2020, and First Amended Coordination Agreement effective July 22, 2022.

THEREFORE, in consideration of the facts recited above and of the covenants, terms and conditions set forth herein, the Parties agree as follows:

Section 1 Purpose

The purpose of this Agreement is to comply with SGMA coordination agreement requirements and ensure that the multiple GSPs within the Subbasin are developed and implemented utilizing the same data and methodologies as required under SGMA and Title 23 of the California Code of Regulations (“CCR”), and that the elements of the GSPs are appropriately coordinated to support sustainable management.

The Parties intend for this Agreement to describe how the Parties will work together to ensure coordinated implementation of the multiple GSPs covering the Subbasin to satisfy the requirements of SGMA. In particular, it documents the Parties’ agreement to rely upon or otherwise include identical language, content, and form for the GSP Chapters described in Attachment 2 of the Agreement, and to require any future amendment to those GSP Chapters be approved by unanimous consent of the Parties, unless a change is specific to an individual GSA’s data or information and required to comply with SGMA regulations and would not otherwise impact the language, content, and form of the collective GSPs approved through the governance process described in Section 3 herein. This Agreement shall be incorporated into each of the GSPs that is adopted to cover a portion of the Subbasin.

Section 2 General Guidelines

Responsibilities of the Parties

The Parties shall work collaboratively to comply with SGMA and this Agreement. Each Party to this Agreement is a GSA and acknowledges it is bound by the terms of the Agreement. This Agreement does not otherwise affect each Party’s responsibility to implement the terms of the GSP it has adopted pursuant to SGMA. Rather, this Agreement is the mechanism through which the Parties will coordinate portions of the multiple GSPs to ensure such GSP coordination complies with SGMA.

No Adjudication or Alternative Plans in the Subbasin

As of the date of this Agreement, there are no portions of the Subbasin that have been adjudicated or have submitted for DWR approval an alternative to a GSP pursuant to Water Code section 10733.6.

Section 3 Governance

Subbasin Coordination Committee

The Subbasin Coordination Committee will oversee Coordination Activities (defined below). The Subbasin Coordination Committee will consist of one representative appointed from each GSA.

Each Subbasin Coordination Committee member’s compensation for service on the Subbasin Coordination Committee, if any, is the responsibility of the appointing Party.

Each Subbasin Coordination Committee member shall serve at the pleasure of the appointing GSA and may be removed or substituted from the Subbasin Coordination Committee by the appointing GSA at any time.

3..1 The Subbasin Coordination Committee will meet periodically as it deems necessary to carry out the activities described in this Agreement.

3..2 The Subbasin Coordination Committee may suggest subcommittees, workgroups, or otherwise request staff and/or consultants of the Parties develop technical data, supporting information and/or recommendations.

The purposes of the Subbasin Coordination Committee are to (1) recommend to the Parties the appointment of a Plan Manager who will act in accordance with this Agreement, and (2) provide a forum wherein the Parties may discuss Subbasin coordination activities, which may include the development, planning, financing, environmental review, permitting, implementation, and long-term monitoring of the multiple GSPs in the Subbasin, pursuant to SGMA requirements (“Coordination Activities”).

Plan Manager

The Plan Manager shall be appointed by unanimous agreement by the Parties for a term of one calendar year, and annually thereafter, and may be removed by unanimous agreement of the Parties with or without cause. The Plan Manager shall serve as the point of contact for DWR, as specified in 23 CCR § 357.4, subd. (b)(1), and State Water Resources Control Board (SWRCB), as appropriate. The Plan Manager shall submit or assist with the submittal of all GSPs, plan amendments, supporting information, monitoring data and other pertinent information, Annual Reports, and periodic evaluations to DWR or SWRCB when required. The Plan Manager has no authority to take any action or represent the Subbasin Coordination Committee or a particular Party without the specific direction and authority of the Subbasin Coordination Committee or the particular Party, respectively. The Plan Manager is obligated to immediately disclose all communications he/she receives in his/her capacity as Plan Manager to the Subbasin Coordination Committee and the GSA(s) particularly affected, as appropriate under the circumstances.

Section 4 Exchange of Data and Information

Procedure for Exchange of Information

4..1 The Parties may exchange information through collaboration and/or informal requests made at the Subbasin Coordination Committee level or through subcommittees suggested by the Subbasin Coordination Committee. However, to the extent it is necessary to make a written request for information to another Party, each Party shall designate a representative to respond to information requests and provide the name and contact information of the designee to the Subbasin Coordination Committee. Requests may be communicated in writing and transmitted in person or by mail, facsimile machine or other electronic means to the appropriate representative as named in this Agreement.

4..2 Nothing in this Agreement shall be construed to prohibit any Party from voluntarily exchanging information with any other Party by any other mechanism separate from the Subbasin Coordination Committee.

Non-Disclosure of Confidential Information

Pursuant to Section 4.1 of this Agreement, a Party may provide one or more of the other Parties with confidential information. To ensure the protection of such confidential information and

in consideration of the agreement to exchange said information, appropriate arrangements may be made to restrict or prevent further disclosure.

SECTION 5 GSP Methodologies

Pursuant to Water Code section 10727.6 and 23 CCR § 357.4, the Parties have agreed to the same data and methodologies used in their respective GSPs for the following : 1) groundwater elevation data; 2) groundwater extraction data; 3) surface water supply; 4) total water use; 5) change in groundwater storage; 6) water budget; and 7) sustainable yield, and that such methodologies will continue to be used in the future development and implementation of such GSPs, except to the extent modified by the Parties in the future in compliance with SGMA regulations and the GSP Chapters described in Attachment 2.

Coordinated Monitoring Networks

The Parties agree to rely upon the Subbasin Monitoring Networks and Subbasin Monitoring Networks Objectives, developed in compliance with 23 CCR §§ 354.32 - 354.40, for all of the areas within the boundaries of the defined Subbasin. The Parties further agree that such methodologies will continue to be used in the development and implementation of the GSPs that cover the Subbasin in the future, except to the extent the Parties mutually agree to modifications in compliance with SGMA regulations and GSP Chapter 16 described in Attachment 2. The infrastructure (wells, extensometers, etc.) that comprises the Monitoring Network was strategically selected to represent baseline groundwater conditions and potential impacts of SGMA implementation.

The Parties agree to rely upon the methodology applied to identify specific infrastructure for the Subbasin Monitoring Networks and the objectives that were developed in compliance with 23 CCR, §§ 354.32 - 354.40 for all management areas within the boundaries of the defined Subbasin. As such, future changes to the Monitoring Networks must employ the same methodologies applied to selecting infrastructure and establishing Sustainable Management Criteria, except to the extent the Parties mutually agree to modifications in the future in compliance with SGMA regulations and the protocols in GSP Chapter 16 described in Attachment 2.

Monitoring Networks Protocols

The Parties agree to rely upon the Monitoring Networks Protocols, developed in compliance with 23 CCR §§ 354.32 - 354.40, for all of the areas within the boundaries of the defined Subbasin. The Parties further agree that such methodologies will continue to be used development and implementation of GSPs that cover the Subbasin in the future, except to the extent the Parties mutually agree to modifications in the future in compliance with SGMA regulations and the protocols in GSP Chapter 16 described in Attachment 2.

Party Changes to Subbasin Monitoring Networks

Should changes to the Subbasin Monitoring Networks be necessary, the Parties agree to comply with the protocols established in the GSP Chapter 16 and as follows.

To initiate a change to the Subbasin Monitoring Networks, a Party shall submit a request to the Plan Manager and notify the Subbasin Coordination Committee. The request shall contain the

necessary details and data as described in Chapter 16 and as required by DWR. At a minimum, the request should provide following information:

1. Reason for change (i.e., collapsed well, dedicated monitoring station constructed, additional monitoring to represent recently constructed project, etc.).
2. Type of monitoring point, construction information (i.e., well depth, use type, etc.), description of conditions being represented and documentation of how the monitoring point is representative of those conditions, and latitude/longitude coordinates.
3. Applicable sustainability indicators (groundwater levels, water quality, subsidence, groundwater in storage), SMCs and documentation of data and methodology used to establish each SMC.

The Plan Manager shall prepare a coordinated request memorandum for Subbasin Monitoring Networks Changes biannually on June 1st and January 1st for submittal to the Subbasin Coordination Committee and DWR. The Plan Manager shall report receipt of DWR confirmation and/or collect additional data or information as requested by DWR following submittal of the request. Following DWR processes, the Plan Manager shall confirm the changes with the individual Party(ies) and Subbasin Coordination Committee, in compliance with SGMA and SGMA regulations.

Coordinated Water Budgets

The Parties agree to rely on the coordinated Water Budgets, developed in compliance with 23 CCR § 357.4 subd. (b), for all of the areas within the boundaries of the defined Subbasin. The Parties further agree that such methodologies will continue to be used in the development and implementation of GSPs that cover the Subbasin in the future, except to the extent the Parties mutually agree to modifications in compliance with SGMA regulations and GSP Chapter 8 described in Attachment 2.

Coordinated Data Management System

The Parties have developed and will maintain a data management system that is capable of storing and reporting information relevant to the development and/or implementation of the GSPs and Monitoring Network of the Subbasin as required by SGMA and SGMA regulations.

Adoption and Use of the Coordination Agreement

Cooperative Implementation of GSPs

The Parties intend that their individual GSPs will be implemented together in order to satisfy the requirements of SGMA. To facilitate cooperative and coordinated plan implementation, the Parties have agreed to utilize the same groundwater models, descriptions of the physical setting and characteristics of the separate aquifer systems within the Subbasin, methodologies as specified in Water Code section 10727.6, definitions of undesirable results, minimum thresholds, measurable objectives, and monitoring protocols that together provide a description of the sustainable yield of the entire Subbasin and how it will be sustainably managed.

GSP and Coordination Agreement Submission

The Parties shall submit their respective GSPs to DWR or SWRCB through the Plan Manager in accordance with SGMA and SGMA Regulations. The Parties intend for this Agreement to demonstrate compliance with the requirements of providing an explanation of how the GSPs implemented together satisfy Water Code sections 10727.2, 10727.4 and 10727.6 for the entire Subbasin.

Reporting Coordination

Annual Reports

The Parties intend to submit their collective report to DWR through the Plan Manager on April 1 annually. The annual report shall contain information about the Subbasin managed in the GSPs to satisfy the requirements under Water Code section 10728 and SGMA regulations, including: (a) groundwater elevation data, (b) annual aggregated data identifying groundwater extraction for the preceding water year, (c) surface water supply used for or available for use for groundwater recharge or in-lieu use, (d) total water use, (e) change in groundwater storage.

Annual Data Collection and Reporting

The Parties intend to submit their collective data for Representative Monitoring Wells, as described in the Monitoring Network detailed in GSP Chapter 16, to DWR through the Plan Manager to satisfy SGMA regulations, as described in Section 5 Monitoring Networks and Protocols. Each Party shall provide groundwater level data for their Representative Monitoring Wells in the Subbasin Monitoring Network as follows:

- Collection of data between the approved timeframes only
- Spring Measurements: January 15th to March 30th
- Fall Measurements: September 15th to November 15th.

The Plan Manager shall submit the collective data to DWR after obtaining data from each Party within the Subbasin as follows:

- Spring Measurements: July 1st
- Fall Measurements: January 1st

In Event Entire Subbasin Not Covered by GSP

In the event it appears that the entire Subbasin may not be covered by one or more GSPs as of January 31, 2020, each Party may take such action as deemed necessary or appropriate by such Party with respect to filing its GSP and/or other documents with DWR.

Duration of Coordination Agreement

This Coordination Agreement shall be reopened for amendment at the at the submission of the next round of GSPs covering the Subbasin (no later than 5 years from January 31, 2020). Unless amended at that time, the Coordination Agreement shall be automatically renewed every 5 years. This Agreement may be amended at any time by unanimous agreement of the Parties.

Modification and Termination of the Agreement

Modification

This Agreement shall be reviewed as part of each five-year GSP assessment as specified in 23 CCR § 356.4 and may be supplemented, amended, or modified only by the written agreement of all the Parties. No supplement, amendment, or modification of this Agreement shall be binding unless it is in writing and signed by all Parties.

Withdrawal, Termination, Adding Parties

A Party may unilaterally withdraw from this Agreement without causing or requiring termination of this Agreement, effective upon 30 days' notice to the other Parties.

A new GSA or group of GSAs may be added as a Party to this Agreement if such entity or entities is submitting a GSP that will cover a portion of the Subbasin.

This Agreement may be terminated by unanimous written consent of all the Parties. Nothing in this Agreement shall prevent the Parties from entering into another coordination agreement.

Dispute Resolution

Procedures for Resolving Conflicts

In the event that any dispute arises among the Parties relating to the rights and obligations arising from this Agreement, the aggrieved Party or Parties shall provide written notice to the other Parties of the dispute. Within thirty {30} days after such written notice, the Parties shall attempt in good faith to resolve the dispute through informal means. If the Parties cannot agree upon a resolution of the dispute within thirty (30) days from the providing of written notice specified above, the dispute will be elevated to the Subbasin Coordination Committee for consideration, along with the notice of dispute and any other relevant supporting documentation produced and shared by the disputing parties pursuant to their informal meet and confer process. The Subbasin Coordination Committee may issue a recommendation concerning resolution of the dispute. If the Parties cannot agree upon a resolution of the dispute following the input of the Subbasin Coordination Committee, the disputing Parties will meet and confer to determine if other alternative dispute resolution methods are agreeable, including voluntary non-binding mediation, which may include the DWR or SWRCB dispute resolution process, arbitration, or appointment of a panel of technical experts prior to commencement of any legal action. The cost of alternative dispute resolution shall be paid in equal proportion among the Parties to the dispute, otherwise the Parties shall bear their own costs. Upon completion of alternative dispute resolution, if any, and if the controversy has not been resolved, any Party may exercise any and all rights to bring a legal action relating to the dispute.

Litigation

In the event a dispute or claim is not resolved by a mutually agreeable settlement through informal negotiation or voluntary mediation, the aggrieved Party may file suit in a County Superior Court with jurisdiction to provide a binding decision on the matter.

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Name, Title

Date

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Date

Appendix 1

[Insert All GSAs]

Appendix 2

[Insert GSP common chapters]

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**THIRD AMENDED AND RESTATED
JOINT EXERCISE OF POWERS AGREEMENT**

KERN NON-DISTRICTED LAND AUTHORITY

THIS THIRD AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT (**Agreement**) is made and effective on the last date executed (**Effective Date**) pursuant to the California Joint Exercise of Powers Act (Govt. Code, §§ 6500 *et seq.*) by and among the public agencies listed on the attached **Exhibit A** (each, a **Member** and collectively, **Members**) providing for the Kern Non-Districted Land Authority (**Authority**) and setting the terms pursuant to which the Authority will operate.

RECITALS

A. Some of the Members previously entered into a Joint Exercise of Powers Agreement to form the Kern Groundwater Authority under the California Joint Exercise of Powers Act (Govt. Code, §§ 6500 *et seq.*). The member agencies of the Kern Groundwater Authority, as they existed from time to time, have twice amended and restated their Joint Exercise of Powers Agreement. The Members now want to again amend and restate that agreement by this Agreement for the purposes described below as well as change the name of the joint powers authority to more accurately reflect its singular purpose.

B. Each of the General Members is a local agency, as defined by the Sustainable Groundwater Management Act of 2014 (**SGMA**), duly organized and existing under and by virtue of the laws of the State of California, or an approved groundwater sustainability agency under SGMA, able to exercise powers related to groundwater management within its boundaries.

C. The Members, individually and collectively, have the goal of cost-effective, sustainable groundwater management in the Kern County Subbasin considering the interests and concerns of the Members and other stakeholders. As used in this Agreement, “**Kern County Subbasin**” means that basin as defined in Department of Water Resources Bulletin 118, as its boundaries may be modified from time to time through the procedures described in California Water Code section 10722. The Kern County Subbasin is designated as a high-priority basin by the Department of Water Resources (**DWR**).

D. Water Code section 10735.2(a)(2) provides that the State Water Resources Control Board (**State Board**) may designate the Kern County Subbasin as a probationary basin if after January 31, 2020 none of the following have occurred:

1. A groundwater sustainability agency (**GSA**) has adopted a groundwater sustainability plan (**GSP**) for the entire Kern County Subbasin;

2. A collection of local agencies has adopted GSPs that collectively serve as a GSP for the entire Kern County Subbasin; or
3. DWR has approved an alternative pursuant to Water Code section 10733.6.

E. No GSA within the Kern County Subbasin has adopted a GSP for the entire Kern County Subbasin nor has DWR approved an alternative pursuant to Water Code section 10733.6. However, the Members have, either individually or with others, adopted GSPs collectively serving as a GSP for the entire Kern County Subbasin.

F. Water Code section 10724(a) provides that, “[i]n the event that there is an area within a high- or medium-priority basin that is not within the management area of a [GSA], the county within which that unmanaged area lies will be presumed to be the [GSA] for that area.” The County of Kern declined to serve as the GSA for the unmanaged areas within the Kern County Subbasin.

G. The Kern County Water Agency (**KCWA**), having water management and supply responsibilities within the entire Kern County Subbasin, has previously agreed to provide the Authority, then known as the Kern Groundwater Authority (**KGA**), with KCWA’s jurisdictional authority over the Kern County Subbasin for the unmanaged areas lying outside the boundaries of any public agency with the required water management and supply responsibilities (**Non-districted Land**). The KGA or, in some cases, the County of Kern then entered into agreements with certain Members to enable those Members to include some Non-districted Land within their GSP or GSP chapter, as the case may be (**Outside Member Land**).

H. The intent of the Members is that the Authority will offer GSP coverage for Non-districted Land and, in some cases, offer regulatory authority to certain Members for Outside Member Land, through a grant of jurisdiction from KCWA, to maintain GSA and GSP coverage of the entire Kern County Subbasin and to avoid a probationary determination for the Kern County Subbasin by the State Board due to an adverse finding under Water Code section 10735.2(a)(2). The Members expressly intend that the Authority will *not* have the authority to limit or interfere with a Member’s rights and authorities under its GSP, what lands are included in a Member’s GSA or GSP, or over a Member’s own internal matters, including, but not limited to, a Member’s surface water supplies, groundwater supplies, projects, facilities, operations, and water management.

THEREFORE, in consideration of the mutual promises, covenants and conditions herein set forth, the Members agree as follows:

ARTICLE 1 DEFINITIONS

1.1 “Associate Members” means those Members of the Authority identified on the attached

Exhibit A as an Associate Member or later admitted as an Associate Member in accordance with the terms and provisions of this Agreement and consistent with SGMA that are not General Members. The Board of Directors may from time to time admit Associate Members on terms and conditions consistent with SGMA and as determined by the Board. Representatives of Associate Members may not serve on the Board and/or Board Committees. Likewise, while the Board of Directors welcomes their input, the representatives of Associate Members shall be non-voting, their presence shall not be counted in determining whether a quorum is present, and they shall not be permitted in closed sessions of the Board of Directors, unless directed otherwise by the Board of Directors.

1.2 “Board of Directors” or “Board” means the governing body of the Authority as established by Section 3.01 below.

1.3 “General Member” means those Members of the Authority identified as General Members on the attached **Exhibit A** or later admitted as a General Member in accordance with the terms and provisions of this Agreement. A local agency as defined by SGMA may participate as a General Member on its own behalf or join with one or more agencies as a single General Member. Multiple agencies which elect to coordinate their representation as one General Member shall, for purposes of this Agreement, be treated as one General Member.

1.4 “Jurisdictional Member” means the Kern County Water Agency. The Jurisdictional Member is not a General Member or an Associate Member of the Authority. The sole purpose of the Jurisdictional Member within the Authority is to provide the Authority with regulatory authority under SGMA for Non-districted Land, including Outside Member Land. The Jurisdictional Member will not have any obligation to fund the Authority or otherwise pay money to the Authority under Article 5 of this Agreement. The Jurisdictional Member has no seat or voting rights on the Board of Directors, no responsibility to draft a GSP or GSP chapter covering any Non-districted Land or Outside Member Land, or any other responsibility under this Agreement unless otherwise agreed in writing by the Jurisdictional Member.

1.5 “Members” means the General Members, Associate Members, and Jurisdictional Member.

1.6 “Special Activities” means activities that are consistent with the purpose of this Agreement, but undertaken by all or fewer than all the Members in the name of the Authority pursuant to Section 4.9 below.

ARTICLE 2 CREATION OF AUTHORITY

2.1 **Creation of Authority.** There is hereby created under the provisions of Government Code sections 6500 *et seq.*, a joint powers authority, which will be a public entity separate from the Members and shall be known as the Kern Non-Districted Land Authority. Within 30 days after the

Effective Date and after any amendment, the Authority shall cause a notice of this Agreement or amendment to be prepared and filed with the office of the California Secretary of State containing the information required by Government Code section 6503.5. Within 70 days after the Effective Date, the Authority shall cause a statement of the information concerning the Authority required by Government Code section 53051 to be filed with the office of the California Secretary of State and with the County Clerk for the County of Kern setting forth the facts required to be stated under Government Code section 53051(a).

2.2 Purpose of the Authority. The Authority intends, among other things, to adopt and implement a GSP or GSP chapter for Non-districted Land, and enter into agreements, as necessary and requested, with General Members to provide them with the required regulatory authority to include Outside Member Land in a General Member's GSP or GSP chapter. The sole purpose of the Authority is to provide regulatory authority for Non-districted Land so those lands are able to be regulated under a GSP as required by SGMA.

2.3 Term. This Agreement will become effective upon execution by all of the Members and will remain in effect for a period of two years following the Effective Date unless earlier terminated by agreement of a 75 percent majority of then participating Members. Unless and until terminated, this Agreement shall remain in effect and be binding upon the Members, and upon all future Members, except as to any party which is terminated from its participation in the Authority in accordance with this Agreement. The Members are committed to transitioning, prior to the termination of this Agreement, SGMA implementation over Non-districted Land to the owners of those lands who have historically extracted groundwater for use on those lands, the County of Kern, or another appropriate agency. Notwithstanding the foregoing, this Agreement will terminate upon the County of Kern becoming the GSA for all Non-districted Land. In the event the State Board designates the Kern Subbasin as a probationary basin, this Agreement will remain in effect for the remainder of its term, but all actions of the Authority related to the Authority's purpose, as described in Section 2.2 above, following that probationary designation must be taken as Special Activities.

ARTICLE 3

POWERS

The Authority shall possess the power in its own name to exercise any and all common powers of its General Members reasonably related to the purpose of the Authority, including (1) making and entering into contracts with the Jurisdictional Member, General Member(s), Associate Member(s), and others as necessary to accomplish the Authority's purpose, (2) serving as a GSA, as well as developing, adopting and implementing a GSP or GSP chapter, for Non-districted Land, except Outside Member Land for which a General Member serves as a GSA, and (3) such other powers as are expressly set forth in the Joint Exercise of Powers Act (Govt. Code, §§ 6500 *et seq.*), and may be exercised consistent with the purpose of the

Authority. In the development and adoption of a GSP or GSP chapter, the Authority must reasonably consider the interests of owners of Non-districted Land who have historically extracted groundwater for use on those lands. The Authority will not oppose the inclusion of any Non-districted Lands in the GSA/GSP of any Member, as may be agreed upon a Member and Non-districted Landowner. For purposes of Government Code section 6509, and unless the Authority has adopted applicable rules, regulations, policies, bylaws and procedures, the powers of the Authority shall be exercised subject to the restrictions upon the manner of exercising such powers as are imposed on Cawelo Water District or, if Cawelo Water District ceases to be a General Member, another California water district that is a General Member of the Authority.

ARTICLE 4 INTERNAL ORGANIZATION

4.1 Governing Body. The Authority will be governed by a Board of Directors which is hereby established, and which shall be initially composed of representatives for each of the General Members and two representatives for owners of Non-districted Land. The Non-districted Land representatives will be appointed by the Board following recommendations(s) from Members or owners of Non-districted Land. There will not be a representative for any Associate Member on the Board of Directors, although a person affiliated with an Associate Member may be appointed to serve on the Board as a representative for owners of Non-districted Land. Without amending this Agreement, the Board of Directors composition will be altered from time to time to reflect the termination and/or admission of any new General Members.

4.2 Directors. Each General Member's governing board shall select a representative to serve as its representative on the Board. A Member may designate a representative to serve as its alternate Director. The role of each alternate Director is to assume the duties of the Director appointed by his/her Member agency in the event of the absence or unavailability of such Director, including the Director's duties as a member of any Committee established pursuant to Section 4.4 below. A Director and any alternate Director so named will continue to serve until his or her respective successor is appointed.

4.3 Officers. The Board shall select a Chair from among the Board of Directors who shall be the presiding officer of the Board meetings. The Board shall also select a Vice Chair from among the Board of Directors who shall serve as the presiding officer in the absence of the Chair. The Board shall also select a Secretary, who need not be a member of the Board of Directors. The terms of such Officers shall be established by the Board of Directors from time to time and as necessary.

4.4 Committees. The Board of Directors may from time to time appoint one or more ad hoc or standing committees to assist in carrying out the purposes and objectives of the Authority. The Board shall determine the purpose and need for such committees. No committee or participant on such committee will have any authority to act on behalf of the

Authority.

4.5 Quorum. Directors holding two-thirds of the voting power on the entire Board of Directors on a matter shall constitute a quorum for the transaction of Authority business, including any committee meetings. Any Board member abstaining from a vote shall be counted for purposes of determining the existence of a quorum, but shall not be deemed to be voting.

4.6 Voting. Voting by the Board of Directors shall be made on the basis of one vote for each Director. A Director may vote on all matters of Authority business unless disqualified because of a conflict of interest pursuant to California law or the local conflict of interest code adopted by the Board of Directors. A Director (including a Director serving as a member of a committee) may vote on any matter or action even if (a) that would affect the Member represented by such Director, or (b) that would impact any land or landowners within the boundaries of the Member represented by such Director or Outside Member Land managed in whole or in part by such Member.

4.7 Affirmative Decisions of the Board of Directors. Except as otherwise provided in this Agreement, all decisions of the Board of Directors require the affirmative vote of 75 percent of the total number of Directors on the Board present and voting. Notwithstanding the foregoing, any approval or amendment to the Authority's GSP shall require the affirmative vote of 100 percent of the Directors on the Board.

4.8 Meetings. Meetings of the Board of Directors and any committee (to the extent applicable) shall be conducted in accordance with the Ralph M. Brown Act (Govt. Code, §§ 54950, *et seq.*)

4.9 Special Activities. With the prior approval of 100 percent of the Board of Directors, Members may undertake Special Activities in the name of the Authority. All Members shall be given the opportunity to participate in each Special Activity of the Authority. Prior to undertaking a Special Activity, the Members electing to participate in the Special Activity shall enter into an activity agreement. Such activity agreement shall provide that (a) no Special Activity undertaken pursuant to such agreement shall conflict with the terms of this Agreement and (B) the Members to the activity agreement shall indemnify, defend and hold the Authority, and the Authority's other Members, harmless from and against any liabilities, costs or expenses of any kind arising as a result of the Special Activity described in the activity agreement. All assets, rights, benefits, debts, liabilities and obligations attributable to a Special Activity shall be assets, rights, benefits debts, liabilities and obligations solely of the Members that have entered into the activity agreement for that Special Activity, in accordance with the terms of the activity agreement, and shall not be the assets, rights, benefits, debts, liabilities and obligations of those Members that have not executed the activity agreement. Members not electing to participate in the Special Activity shall have no rights, benefits, debts, liabilities, or obligations attributable to such Special Activity.

(a) Continued Administration of Existing Grants. As a first Special Activity, which will not be subject to approval by the Board of Directors, the

Members agree the Authority may continue to administer grants awarded to the Authority prior to the Effective Date in the same fashion as those grants have historically been administered by the Authority. However, this agreed Special Activity for administration of existing grants may not serve as a precedent for administration by the Authority of any future grants as those must be the subject of an additional Special Activity and Board approval.

4.10 Admission and Termination of Members.

(a) Additional parties may join in this Agreement and become Members or Associate Members upon the approval of the entire Board of Directors, subject to terms and conditions as may be established by the Board of Directors. Prior to being admitted as a new Member, an entity shall execute an agreement to be bound by the terms of this Agreement and any other terms and conditions established by the Board of Directors.

(b) A Member may be terminated by a 75 percent vote of the Directors representing Members not subject to the termination vote if such Member is then in breach of this Agreement and the breach is identified in the vote of the Board of Directors. Upon termination, the breaching Member shall no longer be a Member of the Authority; provided, that such termination shall become effective no earlier than 90 days after such vote of the Board of Directors and shall only be effective if the breach identified in the vote of the Board of Directors has not been cured by the effective date for the termination.

(c) The terminated Member will also be entitled to copies of all non-confidential documents, information, and material developed by the Authority and paid for in whole or in part by the Member prior to the Member's termination.

ARTICLE 5 FINANCIAL PROVISIONS

5.1 Fiscal Year. The fiscal year of the Authority shall be from January 1 through December 31 of each calendar year (**Fiscal Year**).

5.2 Funds; Accounts. An outside certified public accountant shall serve as the fiscal agent and Treasurer of the Authority unless otherwise determined by the entire Board. The fiscal agent shall be responsible for all money of the Authority from whatever source. The Board may compensate the fiscal agent for services rendered.

(a) All funds of the Authority shall be strictly and separately accounted for and

regular reports shall be rendered of all receipts and disbursements at least quarterly during the Fiscal Year. The books and records of the Authority shall be open to inspection by the Members.

(b) The Authority shall contract with a certified public accountant to make an audit or review of the accounts and records of the Authority which shall be conducted in compliance with Section 6505 of the California Government Code. All costs associated with this Audit will be the full responsibility of the Authority.

5.3 Property; Bonds. The Board of Directors shall from time to time designate the officers and persons, in addition to those specified in Section 5.3 above, who shall have charge of, handle, or have access to any property of the Authority. Each such officer and person shall file a bond in an amount designated by the Board of Directors.

5.4 Budget. By a date set by the Board of Directors each Fiscal Year, the Board of Directors shall adopt a budget for the Authority for the ensuing Fiscal Year; provided, that except as provided in Section 5.5 below, the Authority shall not impose assessments or other charges on Members. Notwithstanding the foregoing, by its execution of this Agreement, each Member confirms that it has authorized its Director and any alternate Director to approve or disapprove actions and expenditures by the Authority over and above the approved annual budget of the Authority for a Fiscal Year that do not create a fiscal obligation greater than \$5,000 on such Member without further action of such Member.

5.5 Payments to the Authority.

(a) Except as otherwise provided, all fees, costs and expenses incurred by the Authority for general administrative services, such as legal, preparation of audits, and other general administrative functions, and activities related to development and implementation of a GSP for Non-districted Land covered by the Authority's GSP or GSP chapter shall be funded (i) from permissible contributions from or charges to third parties, including landowners within the Non-districted Land covered by the Authority's GSP or GSP chapter and (ii) assessments on the Members and Associate Members, levied from time to time by the Board of Directors to carry out the activities of the Authority generally applicable to all General Members and Associate Members, as shown on the attached **Exhibit A**. Members that were not Members of the Authority prior to the Effective Date (i.e., Members joining the Authority through execution of this Agreement) shall not be obligated to pay assessments to the Authority for any of the debts, liabilities or obligations of the Authority incurred prior to the Effective Date, unless expressly assumed in writing.

(b) No Member or Associate Member shall be bound, financially or otherwise,

by any obligation, contract or activity undertaken by the Authority unless and except to the extent agreed upon by the Member, except that each Member shall be obligated to fund its then current annual share of the annual budget (i.e., general administrative services, such as legal, preparation of audits, and other general administrative functions) of the Authority, provided such budgets are otherwise approved as provided herein. Funding of other matters shall be through Special Activity agreements or as otherwise agreed to by the Members in writing.

5.6 Liability For Debts. The Members do not intend to be obligated either jointly or severally for the debts, liabilities or obligations of the Authority, except as may be specifically provided for in under Government Code section 895.2, as amended or supplemented. Provided, however, if any Member(s) of the Authority are, under such applicable law, held liable for the acts or omissions of the Authority caused by negligent or wrongful act or omission occurring in the performance of this Agreement, such parties shall be entitled to contribution from the other Members so that after said contributions each Member shall bear an equal share of such liability, as shown on the then-current attached **Exhibit A**.

5.7 SGMA-Related Expenses Incurred by Members. Expenses incurred by a Member or Associate Member, or group of Members, for SGMA implementation within its or their boundaries shall be borne solely by that Member, Associate Member, or group of Members. Neither the Authority nor its other Members shall be liable for those expenses.

5.8 Separate Entity; Property. In accordance with Government Code sections 6506 and 6507, the Authority shall be a public entity separate and apart from the parties to this Agreement. Unless, and to the extent otherwise agreed herein, the debts, liabilities and obligations of the Authority shall not be debts, liabilities or obligations of the Member entities. The Authority shall own and hold title to all funds, property and works acquired by it during the term of this Agreement.

5.9 Disposition of Property Upon Termination or Determination by Board of Directors of Surplus.

(a) Upon termination of this Agreement or upon determination by the Board of Directors that any surplus funds on hand, such surplus money shall be returned to the payors of the subject surplus funds. The distribution of said surplus to Members and Associate Members shall be proportionate to the current year percentages as shown in the attached **Exhibit A**, or as modified after the inclusion of new Members.

(b) The Board of Directors shall first offer any surplus properties, works, rights and interests of the Authority for sale to the Members and the sale shall

be at the Authority's actual cost unless otherwise required by law. If no such sale is consummated, then the Board of Directors shall offer the surplus properties, works, rights and interests of the Authority for sale in accordance with applicable law to any governmental agency, private entity or persons for good and adequate consideration.

ARTICLE 6 MANAGEMENT

The Authority may, by contract, hire for management services to the Authority. In lieu of that hiring, the Authority may engage one or more staff members from the Members, with the consent of that Member, to manage any or all of the business of the Authority on terms and conditions acceptable to the Board of Directors. Any staff member so engaged shall remain the employee of the Member employing him or her, and that Member shall be solely responsible for the staff member's compensation.

ARTICLE 7 MISCELLANEOUS PROVISIONS

7.1 Amendment. This Agreement may be amended from time to time by the concurrence of 75 percent of the General Members. To provide non-concurring parties an opportunity to withdraw from the Authority, an amendment shall be binding on all parties 60 days after the required concurrence has been obtained. Any amendment to extend the term of this Agreement shall provide a non-concurring party a 90 day period to withdraw with no continuing financial obligation required.

7.2 Severability and Validity of Agreement. If the participation of any party to this Agreement, or any part, term or provision of this Agreement is decided by a Court or the Legislature to be illegal, in excess of that party's authority, in conflict with any law of the State of California, or otherwise rendered unenforceable or ineffectual, the validity of the remaining portions, terms or provisions of this Agreement shall not be affected thereby and each party hereby agrees it would have entered into this Agreement upon the remaining terms and provisions.

7.3 Assignment. Except as otherwise provided in this Agreement, the rights and duties of the parties to this Agreement may not be assigned or delegated without the advance written consent of the Authority (as evidenced by a majority vote of the Board of Directors), and any attempt to assign or delegate such rights or duties in contravention of this section shall be null and void. Any assignment or delegation permitted under the terms of this Agreement shall be consistent with the terms of any contracts, resolutions or indentures of the Authority then in effect, including any Special Activity agreement to which the assigning or delegating Member is a party. This Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto. This section does not prohibit a party from entering into an independent agreement

with another agency regarding the financing of that party's contributions to the Authority or the disposition of proceeds which that party receives under this Agreement so long as such independent agreement does not affect, or purport to affect, the rights and duties of the Authority or the parties under this Agreement.

7.4 Execution in Parts or Counterparts. This Agreement may be executed in parts or counterparts, each part or counterpart being an exact duplicate of all other parts or counterparts, and all parts or counterparts shall be considered as constituting one complete original and may be attached together when executed by the parties hereto. Facsimile or electronic signatures shall be binding.

7.5 Notices. Notices authorized or required to be given pursuant to this Agreement shall be in writing and shall be deemed to have been given when mailed, postage prepaid, or delivered during working hours to the addresses set forth for each of the parties hereto on the attached **Exhibit A**, or to such other changed addresses communicated to the Authority and the Members in writing, and to such other entities that become Members.

7.6 Entire Agreement. This Agreement represents the entire agreement of the parties with respect to the subject matter hereof. All understandings and agreements heretofore had between the parties respecting this transaction, including without limitation, any offers, counteroffers or letters of intent, are merged in this Agreement, which fully and completely expresses the agreement of the parties. There are no representations, warranties, covenants or agreements except as specifically and expressly set forth herein and in the exhibits annexed hereto.

7.7 Interpretation. The words and phrases defined in Article 1 will, in addition to the definitions contained in the Preamble and Recitals as indicated with bold font, govern interpretation of this Agreement. When a reference is made in this Agreement to Articles, sections, or Exhibits, such reference shall be to an Article, section of or exhibit to this Agreement unless otherwise indicated. All attached exhibits are incorporated herein by reference. The headings contained in this Agreement are for reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement. Whenever the words "include," "includes," and "including" are used in this Agreement, they shall be deemed to be followed by the words "without limitation." No provision of this Agreement shall be construed to require any person to take any action that would violate any applicable law, rule, or regulation.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year set forth on the attached **Exhibit A**.

SOKR Letterheads

May 10, 2024

Kathleen Krause
 Clerk of the Board of Supervisors
 County of Kern
 1115 Truxtun Ave., 5th Ave.
 Bakersfield, CA 93301
clerkofboard@kerncounty.com

Jeff Jones
 City Manager
 City of Arvin
 200 Campus Drive
 Arvin, CA 93203
jeffjones@arvin.org

Re: Updated Notice of Intent to Amend the GSP for the South of Kern River Pursuant to Water Code Section 10728.4

Dear Ms. Krause and Mr. Jones,

The Sustainable Groundwater Management Act (SGMA) requires each groundwater sustainability agency (GSA) that is adopting or amending a groundwater sustainability plan (GSP) to provide notice of such adoption or amendment to any city or county within the area of the proposed or amended GSP. *See* Water Code § 10728.4. Accordingly, on September 14, 2023, the Arvin Groundwater Sustainability Agency (GSA), Wheeler-Ridge Maricopa GSA, and Tejon-Castac Water District GSA (collectively, South of Kern River GSAs), in coordination with the Arvin Community Service District, provided notice of our intent to amend the GSP for areas of the Kern Subbasin located within our GSA boundaries. This updated notice provides supplemental information about the proposed, amended Kern Subbasin GSP that the South of Kern River GSAs intend to adopt no earlier than 90-days from today.

In July 2022, we adopted the South of Kern River GSP, which was one of six GSPs developed pursuant to SGMA to cover the Kern Subbasin. In January 2023, the Department of Water Resources (DWR) determined the six GSPs submitted for the Kern Subbasin were, collectively, inadequate. In the ensuing months, we have worked with other GSAs and stakeholders in the Subbasin to develop an amended Kern Subbasin GSP that corrects the deficiencies identified by DWR and includes other improvements based on feedback from State Water Resources Control Board staff.

The public review draft of the amended Kern Subbasin GSP will be available for download on May 2^X, 2024 at the South of Kern River's website, www.sokrgsp.com, and each individual GSA's website. We will review and consider comments from the County of Kern and City of Arvin (and other interested parties) and, upon request, consult with the County and/or City within

Updated Notice of Intent to Amend GSP
 1 of 2

30 days of receipt of this updated notice. Please direct comments and requests for additional information regarding the proposed, amended GSP to:

Jeevan Muhar, South of Kern River Plan Manager
P.O. Box 175
Arvin, CA 93203
jmuhar@aeusd.org
661-854-5573.

We look forward to continued cooperation with the County and City in implementing SGMA throughout the Subbasin, and within our management areas specifically.

Regards,

Signature block(s)

cc:

**MEMORANDUM OF UNDERSTANDING BETWEEN KERN WATER COLLABORATIVE AND
GROUNDWATER SUSTAINABILITY AGENCIES IN THE KERN SUBBASIN**

RECITALS

WHEREAS, the Kern Water Collaborative (KWC) is a nonprofit public benefit corporation created to maintain and improve the quality of life within the Kern County Subbasin, which includes the subbasins of Westside South, Poso and Kern River¹ (hereafter referred to as Kern County Subbasin) by providing groundwater testing and free drinking water for residents in the Subbasin who are impacted by nitrate contamination;

WHEREAS, the KWC also seeks to improve the quality of life in the Kern County Subbasin by identifying long-term drinking water needs for those in the Region that are impacted by nitrate contamination;

WHEREAS, starting on or about February 28, 2025, KWC will implement an Early Action Plan that conducts outreach to residents in the Kern County Subbasin that rely on domestic wells for their source of drinking water;

WHEREAS, the KWC's Early Action Plan will offer free domestic well testing to measure nitrate levels in such wells and will provide replacement water to those whose wells exceed the state's primary maximum contaminant level for nitrate at no cost to the resident;

WHEREAS, the KWC may seek grants from the State Water Resources Control Board's (State Water Board) Safe and Affordable Funding for Equity and Resilience (SAFER) to provide groundwater testing and free drinking water for residents in the Subbasin who are impacted by other contaminants besides nitrate;

WHEREAS, in the Kern County Subbasin, there are XX individual Groundwater Sustainability Agencies² formed under and pursuant to the provisions of the Sustainable Groundwater Management Act (SGMA) (Wat. Code, § 10720 et seq.) that are required to prepare and implement Groundwater Sustainability Plans that meet the requirements of SGMA;

WHEREAS, the individual GSAs have worked in cooperative groups to prepare multiple GSPs that collectively cover the entirety of the Kern County Subbasin;

WHEREAS, on or about March 2, 2023, the California Department of Water Resources (DWR) issued Inadequate Determinations for the GSPs that collectively cover the entirety of the Kern County Subbasin;

¹ The KWC also looks to maintain the quality of life within a small portion of Kings County's Tulare Lake Basin that is located within the Dudley Ridge Water District Boundaries and that also exists within the boundaries of the Westside Water Quality Coalition's boundaries.

² The XX GSAs include the following agencies: XX.

WHEREAS, DWR's determination of inadequacy results in transferring primary jurisdiction for review of revised GSPs to the State Water Board and creates the need for additional amendments to the GSPs;

WHEREAS, the 22 GSAs have a shared interest in revising the multiple GSPs covering the Kern County Subbasin to satisfy the requirements of SGMA and the State Water Board's potentially alleged deficiencies regarding GSP implementation and potential impacts that may result in degraded groundwater quality;

WHEREAS, the GSAs, as part of GSP implementation, will need to mitigate groundwater quality impacts caused by GSP implementation and that result in degradation of groundwater quality above certain levels identified in the amended GSPs;

WHEREAS, the GSAs endeavor to enter into a Letter of Intent with Self-Help Enterprises to enter into a proposed partnership between the Kern County Subbasin and Self-Help Enterprises for the administration of the Kern County Subbasin Groundwater Sustainability Plan(s) Well Mitigation Program;

WHEREAS, the KWC and its contributing members need to prepare a long-term plan for monitoring of nitrate groundwater quality throughout its designated area of interest;

WHEREAS, the GSPs under SGMA must have a groundwater monitoring program; and,

WHEREAS, the KWC and the XX GSAs desire to coordinate efforts related to monitoring groundwater quality and for providing replacement water;

NOW, THEREFORE, the KWC and the XX GSAs agree as follows:

AGREEMENT TERMS

1. KWC and the XX GSAs agree to work collaboratively to avoid duplication of efforts in their respective administration of their programs, including but not limited to: 1) compilation and assessment of groundwater data; 2) groundwater monitoring; 3) testing domestic wells for drinking water constituents of concern; 4) mitigating dry wells; and, 5) providing replacement drinking water.
2. The KWC and the XX GSAs agree that it is in their mutual interest that all residents in the Kern County Subbasin have access to an adequate supply of safe and affordable drinking water.
3. KWC agrees, consistent with its Early Action Plan once approved by the Central Valley Regional Water Quality Control Board (Central Valley Water Board), to conduct outreach to residents within the Kern County Subbasin to offer free domestic well testing for nitrate and

will provide replacement water to residents if the domestic well exceeds the primary contaminate level for nitrate.

4. KWC agrees that as part of its Early Action Plan outreach efforts, KWC will provide residents throughout the Kern County Subbasin with information regarding XX GSAs well mitigation program, as long as such information is provided to the KWC for dissemination.
5. The XX GSAs agree to identify a single point of contact for the KWC for cooperation and collaboration associated with its well mitigation program.
6. KWC agrees that if KWC, during the normal course of implementing its Early Action Plan, encounters a dry well that may be eligible for the XX GSAs well mitigation program, KWC will notify the contact person identified by the XX GSAs of the dry well and will provide the resident with referral information from the XX GSAs of the resident's options for seeking mitigation under the GSAs well mitigation program.
7. The XX GSAs agree that if a domestic well is eligible for their well mitigation program, the XX GSAs will take all reasonable efforts to install a replacement well that is sealed at a level where groundwater meets primary drinking water standards.
8. The XX GSAs agree that if a replacement well is provided through the well mitigation program, the GSAs will test water from the well to determine if it exceeds drinking water standards. If the well exceeds the nitrate drinking water standard, the identified single point of contact will work with the KWC to ensure that replacement water is provided to the residents that rely on the well in question.
9. The KWC and the XX GSAs agree that it is their intent to develop a future agreement, or amendments to this agreement, whereby the XX GSAs will contribute annually to the KWC to provide funding to the KWC to cover costs for well testing and replacement water that may be associated with implementation of the GSPs.
10. The XX GSAs agree to provide the KWC with groundwater well data and information compiled by the GSAs to assist the KWC in its development of a Preliminary Management Zone Implementation Plan, and future plans as appropriate and applicable.
11. The KWC and the XX GSAs agree to work collaboratively in the development of their monitoring well networks to ensure that there are not duplicative monitoring efforts and to share monitoring results of wells monitored so that each program enhances the other's well monitoring program rather than duplicating such programs.

WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT

MEMORANDUM

TO: Board of Directors

FROM: Eric McDaris

DATE: May 10, 2024

SUBJECT: Proposed Resolution Authorizing Imposition of WRMGSA Administration Charge, Directing Notice, and Setting Hearing Regarding Same

Consistent with previous direction given by the Board to fund SGMA-related costs in the District’s portion of the Kern County Subbasin through a standalone WRMGSA Administration Charge, staff present the attached draft resolution, authorizing the imposition of such a charge and setting the procedures for doing so. As provided in the resolution, notice of a hearing to be conducted at the June board meeting will be published once a week for two consecutive weeks in the Bakersfield Californian newspaper as required by Water Code section 10730 and Government Code section 6066. No later than 20 days prior to the June board meeting, the staff will make available to the public the data upon which the fee is based. At the June board meeting, staff will present a resolution establishing the rates for 2024-2028, concurrent with the annual establishment of the District Special Service Charges. Thereafter, the Board would only need to adopt a new resolution should the administration charge need to be increased, at which time the above process would be repeated with an increased fee schedule.

As reported prior, SGMA related expenses total \$1.9 million for the years 2017-2023, \$1.3 million of which was for exclusively WRMGSA/SOKR related expenses, with an additional \$230,000 budgeted for 2024. An additional \$900,000 has been budgeted for the years 2025-2028, but it should be noted that all projected costs shown in the attachment are only estimates. There is considerable variability in forecasting SGMA expenses. The WRMGSA plan will require its first update in 2025, and actual costs related to future implementation and administration are unknown. Because there is no need for an election to establish this charge, the Board does have the flexibility to adjust the administration charge annually to better reflect the actual expenses of administering the GSA.

The proposed rate schedule below assumes a total expense of \$1.1 million over the next five years, at an average annual cost of \$2.47/acre. Staff recommends that the WRMGSA Administration Charge also recoup the \$1.3 million in costs that have already been incurred through GSA/GSP development and administration, but that those costs be recouped over time. The proposed rate schedule amortizes these previous costs over a period of four years, at a cost of \$3.79/acre.

	2024	2025*	2026	2027	2028
SGMA Budget: \$	230,000	\$ 300,000	\$ 200,000	\$ 200,000	\$ 200,000
\$/Acre: \$	2.52	\$ 3.28	\$ 2.19	\$ 2.19	\$ 2.19
Amortization of prior costs: \$	3.79	\$ 3.79	\$ 3.79	\$ 3.79	\$ -
Total \$/Acre: \$	6.30	\$ 7.07	\$ 5.97	\$ 5.97	\$ 2.19

WRM GSA Acres 91,430

Agenda Item 8.9.f

Recommendation. Staff recommends the Board adopt the attached draft resolution, Authorizing Imposition Of WRGMSA Administration Charge, Directing Notice, And Setting Hearing Regarding Same, subject to review by counsel as to form, and final approval of the Engineer-Manager.

Attachments: 2192_001 SGMA Expenses
Draft Resolution 2024-XX Authorizing Imposition Of WRGMSA Administration Charge, Directing Notice, And Setting Hearing Regarding Same

Filename: 8.9.f Proposed Resolution Authorizing Imposition of WRMGSA Administration Charge, Directing Notice, and Setting Hearing Regarding Same

Account	Description	2017	2018	2019	2020	2021	2022	2023	TOTALS
SOKR/KERN:									
707-01-00-00	SOKR/KERN GWA LABOR		25,748.76	31,729.26	7,979.02	10,430.54	9,672.54	11,533.53	97,093.65
707-02-00-00	SOKR/KERN GWA LABOR (W/O)		2,023.81	715.79					2,739.60
707-03-00-00	SOKR/KERN GWA LABOR (BURDEN)							5,935.27	5,935.27
707-33-00-00	SOKR/KERN GWA MAT & SUPPLIES						2,158.34		2,158.34
707-51-00-00	SOKR/KERN GWA BY OTHERS	9,724.20					78,654.32	14,230.85	102,609.37
707-52-00-00	SOKR/KERN GWA PROF SERVICES/SOKR	29,756.95	435,589.77	340,904.26	5,956.20	52,664.47	159,499.23	149,536.96	1,173,907.84
	TOTAL SOKR/KERN:	39,481.15	463,362.34	373,349.31	13,935.22	63,095.01	249,984.43	181,236.61	1,384,444.07
WHITE WOLF:									
708-01-00-00	WHITE WOLF GSA LABOR			89.24	3,540.82	5,397.64	7,983.70	5,317.61	22,329.01
708-03-00-00	WHITE WOLF GSA LABOR (BURDEN)							2,693.34	2,693.34
708-33-00-00	WHITE WOLF GSA MAT & SUPPLIES								-
708-51-00-00	WHITE WOLF GSA BY OTHERS		59,881.00	81,379.00	28,802.83	28,673.34	129,592.36	-	328,328.53
708-52-00-00	WHITE WOLF GSA PROF SERVICES	3,083.10				12,442.17	20,763.14	124,594.25	160,882.66
	TOTAL WHITE WOLF:	3,083.10	59,881.00	81,468.24	32,343.65	46,513.15	158,339.20	132,605.20	514,233.54
WIND WOLVES:									
	Work Order 19-01-21, 20-01-14			6,861.00					6,861.00
	TOTAL WIND WOLVES:	-	-	6,861.00	-	-	-	-	6,861.00
	TOTALS (as of 1/31/2024)	42,564.25	523,243.34	461,678.55	46,278.87	109,608.16	408,323.63	313,841.81	1,905,538.61

**BEFORE THE BOARD OF DIRECTORS OF
THE WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT
ACTING AS THE WHEELER RIDGE-MARICOPA GSA**

IN THE MATTER OF: RESOLUTION NO. 2024-XX

**AUTHORIZING IMPOSITION OF WRMGSA ADMINISTRATION CHARGE,
DIRECTING NOTICE, AND SETTING HEARING REGARDING SAME**

WHEREAS, Wheeler Ridge-Maricopa Water Storage District (“District”) is a California Water Storage District formed and existing under the California Water Storage District Law (Wat. Code, §§ 39000 *et seq.*).

WHEREAS, under the Sustainable Groundwater Management Act (“SGMA”), the District is the exclusive Groundwater Sustainability Agency (“GSA”) for the portion of the Kern County Subbasin within its boundaries (excluding the area overlapping with the boundaries of Arvin-Edison Water Storage District), known as the Wheeler Ridge-Maricopa GSA (“WRMGSA”).

WHEREAS, from 2017 to 2023 the District, acting as WRMGSA, has incurred \$1,384,444.07 in costs in the preparation and administration of Groundwater Sustainability Plans (“GSPs”) for its area of the Kern County Subbasin, approximately 91,430 acres.

WHEREAS, the District anticipates spending an additional \$1,130,000, acting as the WRMGSA, from 2024 to 2028.

WHEREAS, the District proposes a WRMGSA Administration Charge to be imposed on a per-acre basis on the area of the Kern County Subbasin for which it is the GSA.

NOW, THEREFORE, IT IS RESOLVED by the Board of Directors that:

1. **Recitals.** The Board finds that each of the above recitals is true and correct.
2. **Statement of Legislative Intent.** The Board’s intent, in adopting this Resolution, is to schedule a hearing on adopting the WRMGSA Administration Charge (“GSA Charge”). The GSA Charge is to be imposed under Water Code section 10730, and it is the Board’s intent that the District comply with the requirements of that section.
3. **Proposed WRMGSA Administration Charge.** The proposed GSA Charge will be a per-acre charge levied on all lands within the portion of the District in the Kern County Subbasin, excluding the overlap with Arvin-Edison Water Storage District.
 - (a) The proposed rates for the GSA Charge for 2024 through 2028 are as follows:
 - 2024: \$6.30
 - 2025: \$7.07
 - 2026: \$5.97
 - 2027: \$5.97
 - 2028: \$2.19
 - (b) Funds collected through the GSA Charge will be use only as provided in Water Code section 10730, i.e. to “fund the costs of a groundwater sustainability program, including, but not limited to, preparation, adoption, and amendment of a groundwater sustainability plan, and investigations, inspections, compliance assistance, enforcement, and program administration, including a prudent reserve.”

4. **Hearing.** As required by Water Code section 10730, the Board will hold a public hearing with respect to the proposed GSA Charge, to be held on **June 12, 2024 at 10:15 a.m., at the District's office located at 12109 Highway 166, Bakersfield, CA 93313**, or as soon thereafter as the matter may be heard, at which time and place any person interested, including all persons owning land subject to the proposed charge, may present any comments and make any written or oral presentations regarding the proposed GSA Charge.
5. **Public Notice.** Notice will be given as required by Water Code section 10730, as follows:
 - (a) A notice in substantially the form attached to this resolution as Exhibit A will be published once a week for two successive weeks in the *Bakersfield Californian* in the manner required by Government Code section 6066.
 - (b) The same notice shall be posted on the District website.
 - (c) The same notice shall be mailed to any interested party who has filed a written request with the agency for mailed notice of the meeting on new or increased fees
 - (d) No later than 20 days before the hearing, the data upon which the proposed GSA Charge is based will be made available to the public on the District's website.
 - (e) Failure of any person to receive notice shall not invalidate the Proceedings.

All the foregoing, being on motion of Director _____, seconded by Director _____, is authorized by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

I HEREBY CERTIFY that the foregoing resolution is the resolution of said District as duly passed and adopted by said Board of Directors on the 14th day of May, 2024

WITNESS my hand and seal of the Board of Directors this 14th day of May, 2024.

(District Seal)

Secretary of the Board of Directors

Exhibit A: Form of Notice

WHEELER RIDGE-MARICOPA GROUNDWATER SUSTAINABILITY AGENCY NOTICE OF PROPOSED WRMGSA ADMINISTRATION CHARGE

In compliance with Water Code section 10730, a **public hearing will be held on June 12, 2024 at 10:15 a.m., at the office of Wheeler Ridge-Maricopa Water Storage District (“District”), located at 12109 Highway 166, Bakersfield, CA 93313**, or as soon thereafter as the matter may be heard, to consider a proposed **WRMGSA Administration Charge (“GSA Charge”)** to be charged on each acre within the District and within the Kern County Subbasin, excluding the overlap with Arvin-Edison Water Storage District. At that hearing, any person interested, including all persons owning land subject to the proposed charge, may present any comments and make any written or oral presentations regarding the proposed GSA Charge. The proposed rates for this charge from 2024 to 2028 are as follows:

2024: \$6.30

2025: \$7.07

2026: \$5.97

2027: \$5.97

2028: \$2.19

The proposed GSA Charge would raise funds to be used to “fund the costs of a groundwater sustainability program, including, but not limited to, preparation, adoption, and amendment of a groundwater sustainability plan, and investigations, inspections, compliance assistance, enforcement, and program administration, including a prudent reserve.”

A copy of the Resolution authorizing this hearing is available on the District’s website:

<https://www.wrmwsd.com/>

No later than 20 days prior to the hearing, the data upon which the proposed GSA Charge is based will be made available to the public on the District’s website.



KERN COUNTY WATER AGENCY

Stuart T. Pyle Water Resources Center
3200 Rio Mirada Drive
Bakersfield, California 93308

Notice of BOARD OF DIRECTORS MEETING

April 25, 2024

Conference Line: [+1 \(571\) 317-3122](tel:+15713173122)
Access Code: 863-465-805#
<https://global.gotomeeting.com/join/863465805>

AGENDA

- I. Call to order – 12:00 p.m.
- II. Report of the General Counsel
 - A. Authorization for Closed Session regarding:
 1. Conference with Legal Counsel – Existing Litigation (Government Code section 54956.9, subdivision (a)):
 - a. Applications Filed for Kern River Water
 - b. California Department of Water Resources v. All Persons Interested in the Matter of the Contract Extension Amendments
 - c. North Coast Rivers Alliance, et al. v. California Department of Water Resources (COA CEQA)
 - d. California Department of Water Resources v. All Persons Interested in the Matter of the Authorization of Delta Program Revenue Bonds
 - e. Rosedale-Rio Bravo Water Storage District, *et al.* v. Kern County Water Agency, *et al.* (CVC Issues)
 - f. Kern Delta Water District, *et al.* v. Rosedale-Rio Bravo Water Storage District (Onyx CEQA)
 - g. Rosedale-Rio Bravo Water Storage District v. Buena Vista Water Storage District, *et al.* (Onyx Water Rights)
 - h. California Sportfishing Protection Alliance, *et al.* v. California State Water Resources Control Board, *et al.*, Sacramento County Superior Court, Case No. 34-2021-80003761 (2021 Order Re Temporary Urgency Change Petition)

- i. California Sportfishing Protection Alliance, *et al.* v. State Water Resources Control Board, *et al.*, Sacramento County Superior Court, Case No. 34-2021-80003763 (2021 Order Re Shasta Temporary Management Plan)
 - j. California Water Impact Network v. Department of Water Resources, Sacramento County Superior Court Case No. 34-2020-80003492; North Coast Rivers Alliance v. Department of Water Resources, Sacramento County Superior Court Case No. 34-2020-80003491 (Water Management Tools)
 - k. Pacific Coast Federation of Fishermen’s Associations, *et al.* v. Ross,, E.D. Cal., Case No. 1:20-cv-00431 & California Natural Resources Agency, *et al.* v. Ross, *et al.*, E.D. Cal., Case No. 1:20-cv-00426 (Long-term Operations)
 - l. State Water Board Cases, Sacramento County Superior Court Case No. JCCP 5013 (Water Quality Control Plan Phase 1 Litigation)
 - m. Oroville Dam Cases, Sacramento County Superior Court Case No. JCCP 4974
 - n. Long-term State Water Project Operations Cases, Sacramento County Superior Court Case No. JCCP 5117
 - o. Temporary Applications Filed for Kern River Water
 - p. Bring Back the Kern, *et al.* v. City of Bakersfield, *et al.*, Kern County Superior Court Case No. BCV-22-103220
2. Conference with Legal Counsel – Initiation of Litigation (Government Code section 54956.9, subdivision (d)(2)):
 - a. Two potential suits
 3. Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation: (Government Code section 54956.9, subdivision (d)(2)):
 - a. Two potential suits
 4. Conference with Real Property Negotiator (Government Code section 54956.8):
 - a. Negotiator: Water Resources Manager
 Property: State Water Project Water
 Parties: California Department of Water Resources and State Water Project Contractors
 Under Negotiation: Price & Terms
- III. Directors’ Forum
- IV. Public Comment
 Anyone may comment on any subject within Agency jurisdiction whether or not it is on the agenda. Time for such comment may be limited.
- V. Minutes of Board Meetings and Committee Meetings –
- | | |
|-----------------------|----------------|
| Special Board Meeting | March 28, 2024 |
| Regular Board Meeting | March 28, 2024 |

VI. Report of the General Manager

VII. Advisory Committee Reports

- A. Cross Valley Canal Advisory Committee
- B. Improvement District No. 3 Advisory Committee
- C. Urban Bakersfield Advisory Committee

VIII. Board Committee Reports

The following items will be discussed in detail at the meeting and may result in appropriate action being taken relating to the subject matter (such action may or may not conform to any staff recommended action):

A. **ADMINISTRATIVE COMMITTEE – Director Cattani, Chair**

- 1. Report of the Administrative Operations Manager
- 2. Payment of the Bills
- 3. Financial Report
- 4. Treasury Report
- 5. Authorization to Publish a Notice of Public Hearing for the Fiscal Year 2024-25 Budget
- 6. Authorization to Execute Amendment No. 1 to the Kern County Water Agency Contract for Heating, Ventilating and Air Conditioning Service for the Stuart T. Pyle Water Resources Center
- 7. Update on Adoption of Rules and Regulations for the Government of the Affairs and Proceedings of the Board of Directors of the Kern County Water Agency

B. **POLICY COMMITTEE – Director Milobar, Chair**

- 1. Update on Delta Conveyance Activities
- 2. Update on Legislative Activities

C. **WATER RESOURCES COMMITTEE – Director Fast, Chair**

- 1. Report of the Water Resources Manager
- 2. Report on the State Water Contractors Board Meeting
- 3. Report on 2024 State Water Project and Central Valley Project Allocations and Operations

4. Water Delivery Operations
 - a. Report on Kern County Water Agency California Aqueduct Deliveries
 - b. Update on Water Transfers, Exchanges and Purchases
 - c. Authorization to Execute an Agreement Among the Department of Water Resources of the State of California, Kern County Water Agency, San Geronio Pass Water Agency, and Antelope Valley-East Kern Water Agency for Conveyance of Non-Project Water, SWP #24009
 - d. Authorization to Execute an Article 55 Agreement Between the Department of Water Resources of the State of California and Kern County Water Agency for Conveyance of San Joaquin River Exchange Contractors Water Authority's 2024 Central Valley Project Water, SWP #24012
5. Report on the Kern Groundwater Authority Meeting
6. Report on the Kern River

D. WATER MANAGEMENT COMMITTEE – Director Averett, Chair

1. Report of the Engineering and Groundwater Services Manager
 - a. Update on Groundwater Banking Construction/Maintenance Projects
 - b. Update on Pioneer Project Recharge Facilities – Basin 11
2. Report on 2024 Water Operations
3. Report on Kern Water Bank Activities
4. Authorization to Execute a Letter of Intent Between the Kern County Subbasin and Self-Help Enterprises, on behalf of the Pioneer Groundwater Sustainability Agency, for a Proposed Partnership for the Administration of the Kern County Subbasin Amended Groundwater Sustainability Plan(s) Well Mitigation Program

E. CROSS VALLEY CANAL COMMITTEE – Director Lundquist, Chair

1. Report of the Water Resources Manager
 - a. Update on Cross Valley Canal Construction/Maintenance Projects
2. Report on Cross Valley Canal Operations and Deliveries

F. URBAN BAKERSFIELD COMMITTEE – Director Wulff, Chair

1. Report of the Improvement District No. 4 Manager
 - a. Update on Improvement District No. 4 Construction/Maintenance Projects
 - b. Report on the Kern River Groundwater Sustainability Agency Meeting
2. Report on the Improvement District No. 4 2024 Water Supply and Management Plan
3. Report on the Henry C. Garnett Water Purification Plant
 - a. Authorization to Execute a Contract for the Improvement District No. 4 Removal of Precipitated Solids from Drying Bed Nos. 8 and 9

IX. Correspondence

X. Brief Report on Potential New Business

XI. Adjournment

DECLARATION OF POSTING: I declare under penalty of perjury, that I am employed by the Kern County Water Agency and that I posted the foregoing Agenda at the Agency Office on April 19, 2024.



Stephanie N. Pirce, Board Secretary

Requests for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Secretary in advance of the meeting to ensure availability of the requested service or accommodation.

KERN WATER BANK AUTHORITY

Regular Meeting of Board of Directors
Tuesday, May 14, 2024, 3:30 P.M. ⁱ
Kern Water Bank Authority Conference Room
1620 Mill Rock Way, Suite 500, Bakersfield, California

This meeting is held in accordance with the Brown Act pursuant to Section 54950, et seq. of the California Government Code and the Kern Water Bank Authority Joint Powers Agreement.

- 1. Roll Call**
- 2. Appoint Treasurer**
- 3. Approval of Minutes**
April 9, 2024, Regular Board of Directors Meeting.
- 4. Treasurer's Report**
Submission of the April 2024 Treasurer's Report for approval.
- 5. Authorization to Pay Expenses of Authority**
Submission of April 2024 accounts payable for approval to pay.
- 6. Reports**
 - A. Staff Report**
Review and possibly act on previously submitted Staff Report and staff recommendations regarding:
 - (1) Water Bank Operations
 - (2) 3rd Party Facilities on Kern Water Bank
 - (3) Adjacent Properties
 - (4) KWBA HCP/NCCP and Land Management
 - (5) Capital Improvements and Funding Status
 - (6) Power Update
 - (7) Data Management Change
 - (8) AB2079 [Well Permitting] Discussion/Direction
 - (9) 3rd Party License Agreements
 - B. Directors, Counsel, and Committee Reports**
The Board of Directors will hear and possibly act on reports and recommendations:
 - (1) Kern Fan Monitoring Committee
 - (2) Kern Groundwater Authority
 - (3) Engineering Committee

8. Old Business

This portion of the meeting is set aside for the discussion of matters which have been addressed at previous Board meetings.

9. New Business

This portion of the meeting is set aside to provide the Board an opportunity to bring to the attention of the other Board members and the public, matters which have come to their attention, subject to certain exceptions. No action can be taken on any matter discussed during this portion of the meeting; however, a Board member may request that a subject be placed on any future agenda.

10. Public Input

This portion of the meeting is set aside to provide the public an opportunity to bring to the attention of the Board members, matters of which the Board may not be aware, subject to certain exceptions. No action can be taken on any matter discussed during this portion of the meeting; however, a Board member may request that a subject be placed on any future agenda.

11. Closed Session

The Board will meet in a closed session and possibly act on the following:

- A) Conference with Legal Counsel - Pending Litigation (Gov't. Code section 54956.9(d)(1)).
 - 1) Various Applications to appropriate Kern River water, complaint, and related proceedings before the State Water Resources Control Board.
 - 2) KWBA v. Kern LAFCo (Kern County Sup. Ct., Case No. BCV-21-101310-GP, Fifth Appellate Dist., Case No. F085669).
- B) Conference with Legal Counsel - Anticipated Litigation: Initiation of litigation pursuant to Gov't. Code section 54956.9(d)(4). Two potential litigations.
- C) Conference with Legal Counsel - Anticipated Litigation: Significant exposure to litigation pursuant to Gov't Code section 54956.9(d)(2). Two potential litigations.
- D) Conference with Real Property Negotiator – Gov't. Code section 54956.8.

KWBA Representative: General Manager
Under Negotiation: Price and Terms of Payment
Negotiating Parties: Kern County Water Agency (KCWA) and KWBA
Property: Basin 11 and KCWA Pioneer Project Easement and Joint Use Agreement

- E) Conference with Real Property Negotiator – Gov't. Code section 54956.8.

KWBA Representative: Assistant General Manager
Under Negotiation: Price and Terms of Payment

Negotiating Parties: KWBA and Chevron
Properties: APN #'s 160-060-22, 160-060-23, and 160-060-24

F) Public Employment – Gov't Code section 54957
Personnel: General Manager; Office Manager; GIS Analyst; Facilities and Operations
Manager.

17. Reconvene and Report from Closed Session (Gov't. Code section 54957.1)

18. Adjourn

ⁱ Requests for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Secretary in advance of the meeting to ensure availability of the requested service or accommodation.

Kern Water Bank Groundwater Sustainability Agency



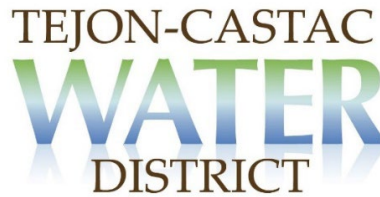
**Regular Meeting of Board of Directors
Tuesday, May 14, 2024, 3:00 P.M.
Kern Water Bank Authority Conference Room¹
1620 Mill Rock Way, Suite 500, Bakersfield, California**

This meeting is held in accordance with the Brown Act pursuant to Section 54950, et seq. of the California Government Code.

1. **Roll Call**
2. **Approval of Minutes**
April 9, 2024, Board of Directors Meeting
3. **Appointment of Treasurer**
4. **Consider Adoption of Resolution No. 2024-03**
Approving and Adopting Conflict of Interest Code
5. **Groundwater Sustainability Plan Amendments**
Discussion and possible action to (a) approve final draft amendments to Groundwater Sustainability Plan and supporting appendix of projects and management actions for the Groundwater Sustainability Agency, (b) authorize their submission by the Kern County Subbasin Point of Contact to the State Water Resources Control Board before May 29, 2024, for review by SWRCB staff, and (c) authorize their release for public review and comment.
6. **Amended and Restated Coordination Agreement**
Discussion and possible action to authorize execution of amended and restated Kern County Subbasin Coordination Agreement among subbasin Groundwater Sustainability Agencies.
7. **Third Amended and Restated Joint Powers Agreement**
Discussion and possible action to authorize execution of Third Amended and Restated Joint Powers Agreement for Kern Non-Districted Land Authority (formerly Kern Groundwater Authority).
8. **GSP Notification Letter**
Discussion and possible action to authorize updated notification to cities and counties of intention to adopt new or amended Groundwater Sustainability Plan.

¹ Requests for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Secretary in advance of the meeting to ensure availability of the requested service or accommodation.

9. **Letter of Intent Self Help Enterprises**
Discussion and possible action to authorize execution of a Letter of Intent with Self Help Enterprises for developing an subbasin mitigation program.
10. **Reports**
 - a. Bank Account
 - b. Insurance
 - c. SGMA Compliance
 - d. JPA Agreement
 - f. Other
11. **New Business**
12. **Public Comment**
13. **Closed Session Item Descriptions (Gov. Code, § 54956.8):**
 - a. Conference with Legal Counsel
 1. Anticipated Litigation
 - i. Gov. Code § 54956.9(d)(2): Two Items
14. **Reconvene and Report from Closed Session (Gov't. Code section 54957.1)**
15. **Adjourn**



**South of Kern River Executive Committee
Regular Meeting**

Thursday, May 9, 2024
9:00 a.m. to 11:00 a.m.

Meeting Information Posted:

www.sokrgsp.com

<http://www.aewsd.org> * <http://www.wrmwsd.com>

<http://www.tejoncastacwd.com> * <https://www.arvincsd.com>

In Person: Arvin-Edison Water Storage District Headquarters
20401 E. Bear Mountain Blvd. Arvin, CA 93203

Via Remote (**Microsoft Teams**): <https://www.microsoft.com/microsoft-teams/join-a-meeting>

Click here to join the meeting

Meeting Number: **289 619 843 830**

Meeting Password: **ko5K35**

Phone: **1.213.437.9052**

Phone Meeting Number (access code): **276 512 496#**

NOTICE: Members of the public interested in participating by teleconference may do so using the call-in information above or by following [this link](#). Please note that this teleconference option is provided as a courtesy and at the participant's own risk. The Committee cannot guarantee that there will be no loss of connectivity or other technological obstacle to full participation through teleconferencing. By participating in this way, participants confirm that they understand this risk and that the Committee is not obliged to delay any portion of the meeting due to such technological obstacles and thus that teleconference participants may be unable to participate.

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF THE AGENDA
5. APPROVAL OF APRIL 11, 2024 MEETING MINUTES
6. PUBLIC COMMENT
7. REPORT ITEMS
 - a. GSP Manager Report (*Muhar*)
 - i. Basin Coordination
 - b. Technical Consultant Report (*EKI*)
 - i. Final Draft Revised Groundwater Sustainability Plan
 - ii. SGMA Monitoring Network performance and sustainable management criteria (SMC) compliance
 - c. Finance Report (*Nicholas*)

d. California Aqueduct Subsidence Program (CASP) update (*Nicholas*)

e. Management Area updates (*Muhar, Nicholas, Martin, Barraza*)

8. CLOSED SESSION

a. Potential Litigation (Government Code §54956.9(d)(2), (e)(1); 1 item).

9. ACTION ITEM(S)

a. Discussion and possible action to recommend each GSA home board (a) approve final draft amendments to the Kern Subbasin Groundwater Sustainability Plan and supporting appendix of projects and management actions for its GSA, (b) authorize their submission by the Kern County Subbasin Point of Contact to the State Water Resources Control Board before May 29 for review by SWRCB staff, and (c) authorize their release for public review and comment.

b. Discussion and possible action to recommend each GSA home board authorize execution of amended and restated Kern County Subbasin Coordination Agreement among Subbasin GSAs.

c. Discussion and possible action to recommend each GSA home board authorize execution of Third Amended and Restated Joint Powers Agreement for Kern Non-Districted Land Authority (formerly Kern Groundwater Authority).

d. Discussion and possible action to recommend each GSA home board authorize updated notification to cities and counties of intention to adopt a new or amended GSP.

10. CORRESPONDENCE

a. Letter from Basin Point-of-Contact to Friant Water Authority

b. Response letter from Friant Water Authority to Basin Point-of-Contact

11. ADJOURNMENT

April 16, 2024

Jason R. Phillips, CEO
Friant Water Authority
856 North Harvard Avenue
Lindsay, CA 93247
Via email: jphillips@friantwater.org

Subject: Kern Subbasin Progress Report on Friant-Kern Canal Lower Reach Subsidence Mitigation Studies and Request for Letter of Support from Friant Water Authority

Dear Mr. Phillips:

As you may be aware, the Kern Subbasin (Subbasin) Groundwater Sustainability Plans (GSPs) were deemed incomplete by the Department of Water Resources (DWR) in 2020 and inadequate in 2022. Since the receipt of the Inadequate Determination, the Subbasin Groundwater Sustainability Agencies (GSAs) have been diligently working to address the DWR-identified deficiencies in the Inadequate Determination, so as to avoid entering probation under the State Water Resources Control Board (SWRCB). At a very high level, the Subbasin GSAs need to address issues related to coordination and consistency of methodologies and set Sustainable Management Criteria that are consistent with SGMA regulations – including subsidence. The Subbasin has been making significant progress in addressing the issues in the Inadequate Determination, and the current schedule indicates the submittal of revised GSPs to the SWRCB in May 2024.

Regarding subsidence, the Subbasin has greatly appreciated the numerous meetings held with the staff and consultants of the Friant Water Authority (FWA). During those meetings, FWA staff has made it very clear that “any unmitigated subsidence beyond 2020 is unacceptable”. Analysis has shown that our proposed groundwater level Minimum Thresholds (MTs) will lead to some amount of subsidence in the future along the lower reach of the Friant-Kern Canal (FKC), which is that portion that is covered by Kern Subbasin GSAs. As such, the Subbasin has been conducting analyses hand-in-hand with FWA staff and consultants to estimate the amount of potential future subsidence and estimate the cost to mitigate that potential subsidence. Through that work, the Subbasin has conservatively estimated a potential of up to 3 feet of subsidence along the aforementioned lower reach of the FKC, and a preliminary cost estimate of \$40M attributable to Kern County GSAs.

Three tasks need to take place to move forward on this analysis and ultimately begin mitigating subsidence on the FKC:

1. Finalize the estimated amount of future potential subsidence caused by groundwater management in the Subbasin
2. Finalize the cost estimate to mitigate the potential subsidence, and determine how it will interact with the capacity correction projections FWA is currently working on
3. Conduct an attribution analysis to determine how mitigation costs may be split between Kern County GSAs

Unfortunately, none of the three tasks above will be completed prior to the May 2024 submittal of the revised GSPs to the SWRCB.

This letter has two goals: Firstly, the Subbasin GSAs wish to clearly state to FWA that the Subbasin GSAs are committed to working with FWA to expeditiously complete the above three tasks and mitigate post-2020 potential subsidence. Secondly, the Subbasin GSAs are requesting a letter of support from FWA for the Subbasin to include within their GSPs with regards to how the Subbasin is handling potential subsidence along the FKC. Since the above three tasks cannot be completed prior to submitting revised GSPs to the SWRCB, the hope is that the work the Subbasin has done to date with

FWA (several technical meetings, cost estimates, impacts analyses, installation of an extensometer along the FKC at Kimberlina Road) combined with the proposed path forward will be sufficient to assure FWA that post-2020 subsidence along the FKC will be mitigated.

To emphasize the Subbasin's commitment to this process, please find attached a scope of work and a cost-share agreement between most Subbasin GSAs to fund the model calibration necessary to complete tasks 1 and 3 above. The aim is to complete this work in 2024, and the Subbasin GSAs look forward to working with FWA to determine how mitigation will fit into the grand scheme of FKC Capacity Correction projects.

Please don't hesitate to contact Kristin Pittack if you have any questions or concerns.

Sincerely,



Kristin Pittack, MS
Kern County Subbasin Plan Manager/Point-of-Contact
kpittack@rinconconsultants.com
(760) 223-5602

CC:

Johnny Amaral, COO/Chief of External Affairs
jamaral@friantwater.org

Attachments

Attachment 1 INTERA Scope of Work

Proposal for Additional Data Collection and Modeling to Support Subsidence Mitigation Cost Analysis for the Friant Kern Canal

Additional data-collection, analysis, and modeling is necessary to evaluate future impacts on water levels and subsidence along the Friant Kern Canal (FKC) from groundwater pumping in different GSAs within the Kern Subbasin. This data collection and analysis was not included in the original scope and budget to support GSP revisions, as the previous sustainable management criteria for the FKC had not accounted for conveyance loss from future subsidence. Any unmitigated conveyance loss due to subsidence along the FKC has been deemed an “undesirable result” under SGMA by the Friant Water Authority (FWA). Hence, mitigation alternatives to raise the liner (and associated infrastructure) along the sagging sections of the canal are being evaluated currently. A cost-sharing framework is being developed to fund these future mitigation efforts. The cost-sharing framework will entail attributing costs based on future impacts on water levels and subsidence along sagging sections of the FKC from groundwater pumping in different GSAs. This proposal outlines the approach and cost involved with the data-collection, analysis, and modeling for this effort.

Task 1. Recover and survey elevations at selected benchmarks

Perform GPS RTK survey methods at eight benchmark sites near the FKC to obtain ellipsoid and orthometric elevations processed through NOAA's Online Positioning User Service (OPUS). For benchmarks located in areas where direct GPS observations are not possible, a nearby reference mark will be established, and conventional leveling will be used to determine the elevation of the benchmark.

Estimated Cost: \$12,000

Task 2. Analyze and prepare long-term groundwater level and subsidence time series data and figures

Evaluate water-level data from the current period and historical water-level data near the FKC to provide a time series of data for the 1D model (Task 3) and to determine the pre-consolidation head and current critical head at eight selected locations of geodetic control (benchmarks). A time series of leveling data from benchmarks monumented by the National Geodetic Survey, U.S. Geological Survey, U.S. Bureau of Reclamation, and California Department of Transportation will be constructed from blue-booked leveled elevations and recoveries. Data compiled from the CASGEM, DWR water data library, and USGS will be used near the benchmark sites to construct a time series of water level data at various depth intervals. Approximately 75% of this data has already been collected as part of the development of the subsidence sustainable management criteria (SMCs). The cost below is for *additional* data collection and analysis to support the 1D modeling under Task 3.

Estimated Cost: \$10,000

Task 3. Subsidence analysis using the Stanford 1D model

Use the Stanford 1D model to forecast subsidence through 2040 or other desired planning timeframe to connect water levels and subsidence along the Friant Kern Canal (FKC). The model will be calibrated to the long-term subsidence and groundwater level data from Task 2. Well-log data will be compiled for each of the 8 sites to estimate the number and thickness of clay interbeds.

Estimated Cost: \$35,000

Task 4. Updated model analysis of water level changes by GSA

Use updated IWFM-Kern model (currently being updated by Todd Groundwater to support the GSP revisions) to evaluate change in groundwater levels through 2040 or other desired planning timeframes to simulate future change in water levels under a range of different scenarios with GSAs within the Kern subbasin pumping at different rates to assess impacts on future water levels along the Friant Kern Canal. INTERA will work with Todd Groundwater to perform the water level scenarios. Water level results from the scenarios will be linked to the 1D subsidence model (Task 3) to translate water level impacts to subsidence impacts along the FKC. The 1D subsidence model is necessary since the IWFM-Kern model has not been calibrated to subsidence. This task assumes multiple iterations to support the determination of potential attribution of water level and subsidence impacts along the FKC. Relative contribution to future water level declines and subsidence along the most vulnerable reaches of the FKC would be the basis for the cost-sharing framework between the GSAs determined to be contributing to water level declines and subsidence along the FKC.

Estimated Cost: \$60,000

Task 5. Meetings and Presentations

Results from the evaluation will be presented to the Kern Subbasin subsidence sub-committee, GSA managers, and coordination committee. The analysis will also be presented to the Friant Water Authority to get their buy-in on the approach and results. The analysis will be documented in a technical memorandum that may be used as an attachment to the Kern Subbasin revised GSP to document the FKC mitigation alternative.

Estimated Cost: \$3,000

Total Cost and Schedule

The total cost for the scope above is estimated to be **\$120,000**. Tasks 1-3 can be completed within 3 months of notice to proceed. Task 4 and 5 will require 3 additional months (including the time for presentation at various committee meetings) from receiving revised IWFM-Kern model files from Todd Groundwater. It is anticipated that the IWFM-Kern model will be ready for the modeling analysis by the late summer (August, 2024) timeframe.



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Madera I.D.
Chairman of the Board

Rick Borges
Tulare I.D.
Vice Chairman

Josh Pitigliano
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Craig Fulwyler
Shafter-Wasco I.D.

Matt Leider
Tea Pot Dome W.D.

Kurt Parsons
Terra Bella I.D.

Jason R. Phillips
Chief Executive Officer

854 N. Harvard Ave.
Lindsay, CA 93247
(559) 562-6305

April 30, 2024

Kristin Pittack, MS Kern County Subbasin Plan Manager
Rincon Consultants
4825 J St Ste 200
Sacramento, CA 95819

**Subject: Kern Subbasin Progress Report on Friant-Kern Canal Lower Reach
Subsidence Mitigation Studies and Request for Letter of Support from Friant
Water Authority**

Dear Ms. Pittack and Kern Subbasin GSPs:

We are in receipt of your letter dated April 16, 2024. The letter accurately outlined the history of coordination and communication between Kern Subbasin GSAs and Friant Water Authority (FWA) with regards to subsidence along the lower reach of the Friant-Kern Canal (FKC). As the letter stated, numerous meetings have been held with the goal of estimating projected future subsidence and estimating the cost to mitigate that subsidence.

As you recalled, one of the common points made during the meetings between the Kern Subbasin GSAs and FWA was related to FWAs “zero-tolerance absent proper mitigation” position for future subsidence that impacts the carrying capacity of the Friant-Kern Canal. Given the severity of the carrying capacity impacts as well as the harm done to contractors and communities whose livelihoods depend on a fully functioning canal, FWA has no other choice than to rigorously adhere to this policy, by any means necessary.

With that said, we very much appreciate the candor and transparency of those meetings and that the Kern Subbasin GSAs are committed to adhering to FWA’s policy. We also understand that more time is needed to further analyze and finalize subsidence projections, finalize cost amounts, and conduct an attribution analysis to ultimately determine a cost allocation between the Kern GSAs. Given the coordination thus far, we have confidence that this additional work will be completed expeditiously and that the GSPs in the Kern Subbasin will properly mitigate impacts to the FKC.

Sincerely,

Jason Phillips, CEO
Friant Water Authority

BOARD OF DIRECTORS MEETING

Date: Thursday, May 2, 2024
Time: 1:30 P.M.
Location: Rosedale-Rio Bravo WSD, 849 Allen Road, Bakersfield, CA 93314

AGENDA

1. CALL TO ORDER
 2. ANNOUNCEMENT OF QUORUM
 3. INTRODUCTIONS
 4. PUBLIC COMMENT
 5. APPROVAL of April 4, 2024, Board Meeting Minutes*
 6. TREASURER/FINANCIAL REPORT
 - a. April 2024 Accounts Payable/Receivable Ratification*
 7. KRWCA MANAGER REPORT/ILRP PROGRAM UPDATE
 8. NITRATE CONTROL PROGRAM MANAGEMENT ZONE
 - a. Kern Water Collaborative (KWC) Update:
 - b. Draft Coordination Agreement between SGMA and KWC
 9. REPORT OF PROVOST & PRITCHARD CONSULTING GROUP
 - a. SW Update:
 - b. GTM Update:
 - c. Groundwater Protection Targets (GWPT):
 - d. CGQMP Report Update:
 10. CV-SALTS <http://www.cvsalinity.org>
Manager Bell and Land IQ represent KRWCA at the Monthly CV-SALTS Meetings. Information related to CVSALTS is available at www.cvsalinity.org .
 11. OLD OR NEW BUSINESS
 12. ATTORNEYS REPORT
 13. CLOSED SESSION
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Posted pursuant to Government Code § 54954.2(a) at least 72 hours prior to said meeting.

By: Nicole M. Bell Date: April 29, 2024

Per Govt. Code § 54953.2 and § 54961, requests for a disability-related modification or accommodation, including auxiliary aids or services, to attend or participate in this meeting should be made to Nicole Bell (phone 661-616-6500) in advance of the meeting to ensure availability of the requested service or accommodation.



- a. Conference with Legal Counsel - Pending Litigation - Government Code Section 54956.9(d)(1)
 - i. Petitions filed by the Kern River Watershed Coalition Authority, et al. with the State Water Resources Control Board (SWRCB) regarding the Tulare Lake Basin General Order.
 - ii. Environmental Law Foundation v. SWRCB, et al., Sac. County Sup. Ct., Case No. Case No. 34-2018-80002851
 - iii. Protectores Del Aqua Subterranea v. SWRCB, et al., Sac. County Sup. Ct., Case No. 34-2018-80002852
 - iv. Monterey Coastkeeper, et al. v. Central Valley Regional Water Quality Control Board, et al., Sac. County Sup. Ct., Case No. 34-2018-80002853
 - v. Petition for Review by Protectores Del Aqua Subterranea with the SWRCB in Re CVRWQCB Order R5-2019-001 Amending General Orders for Grower Members of a Third-Party Group: Tulare Lake Basin Area R5-2013-0120-06, etc.
 - b. Conference with Legal Counsel – Anticipated Litigation/Significant exposure to litigation – Government Code Section 54956.9(d)(2). One item.
 - c. **Public Employment - Government Code Section 54957 (b)(1)*:**
 - i. **Position: KWC Program Director**
14. RECONVENE and REPORT from CLOSED SESSION - Gov't. Code section 54957.1.
15. KRWCA MEETING ATTENDANCE HIGHLIGHTS – INFORMATION ITEM
- a. 4/5, Kern Water Collaborative Board Meeting
 - b. 4/8, CVGMC Meeting
 - c. 4/10, MZ Leaders Coordination Meeting
 - d. 4/11, CVSALTS, Sacramento
 - e. 4/15, NCP KWC Technical Data Request Meeting
 - f. 4/19, CVRWQCB MZIP Hearing
 - g. 4/25, KWC Ad-Hoc Selection Committee Meeting
 - h. 4/26, PEOC Meeting
 - i. 5/1, SSJV MPEP Meeting
 - j. 5/1, KWC Ad-Hoc Selection Committee Candidate Interview
16. NEXT MEETING
The next regular KRWCA Board Meeting is scheduled for June 6, 2024.
17. ADJOURN

“*” Notates and action item (Approval/Ratification)

Article misses the mark in describing impacts of California water project operations on protected salmon and steelhead

Written by [Paul S. Weiland](#) Posted on [April 22, 2024](#)

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The Sacramento Bee offers its readers a series of articles presented under the moniker “Reality Check,” which the editors describe as “holding officials and organizations accountable and shining a light on their decisions.” That certainly is a laudable and much needed endeavor in this era when partisanship has infected a number of the major outlets that Americans turn to for news and where citizen journalists produce content absent editorial oversight. Unfortunately, the Bee’s reality check article [“California water agencies broke own rules, possibly killing thousands of endangered fish”](#) damages the paper’s credibility by misstating and distorting the facts of the matter. The article is rife with mischaracterizations; a few of the more egregious examples of the article’s false and misleading content need to be called out.

The article begins with the claim that an “estimated 3,030 winter-run Chinook and 2,919 Steelhead were caught by water pumps that capture supplies for farms and cities from the delta between December and March.” The author fails to explain that a significant proportion of winter-run Chinook salmon and Central Valley steelhead captured at the pumps – actually appropriately referred to as salvaged – survive and are transported downstream where they are released to continue their migration to the Pacific Ocean. Scientific research indicates that salmon and steelhead salvaged at the pumps and released downstream are more likely to survive as they emigrate to the ocean than those that approach the intake facilities but are not entrained there and must then brave a gauntlet of invasive predatory fishes and swim through

greatly degraded Sacramento-San Joaquin Delta habitat. Arguably worse than the reporter's failure to acknowledge the relatively high survival rates of salmon and steelhead salvaged at the pumps and released downstream is her outright false statement in the lead sentence of the article that those fish are "severely harmed or killed." Reality check? Not really. The false assertion is more akin to the work of a media relations spin doctor taking aim at the federal and state resource agencies, than a Woodward-and-Bernstein-style investigation turning up lawbreaking in government.

The claim that more than 3,000 winter-run Chinook salmon were captured at the federal and state pumps this past winter itself is untrue. In fact, the federal and state agencies have been using genetic testing for more than a decade to identify the number of winter-run Chinook salvaged at the pumps. This year those data indicate that [fewer than 130 winter-run were caught between December 1 and March 31](#). The number reported by the Bee then is more than 20 times higher than the actual number of winter-run Chinook salmon salvaged at the pumps. The Bee's vastly over-inflated estimate of 3,030 is based on a 30-year-old practice of guesstimating the number of winter-run salmon – as opposed to fall-run and spring-run salmon – using "length-at-date" criteria.

Length-at-date assigns Chinook salmon to one of four runs (fall run, late-fall run, winter run, or spring run) based on the tail fork length of the fish and the date at which it is captured. [Peer-reviewed research published in 2021](#), comparing genetic sampling with use of length-at-date criteria, establishes that that technique for guesstimating the identification of Chinook salmon is wholly unreliable. The data reported this past winter certainly reinforce that research finding. Data derived from genetic testing and length-at-date criteria both are reported by the federal and state agencies on publicly accessible websites. The only reason for the reporter to use the latter data was a frankly deceitful effort to amplify the supposed basis for the "reality check" criticism

directed at the federal and state agencies operating federal and state water-export pumps in the south Delta.

The article goes on to state that the number of winter-run Chinook salmon and Central Valley steelhead captured at the pumps is “well beyond the agencies’ own ceiling for permissible fish harm under the Endangered Species Act.” The reporter then references the National Marine Fisheries Service biological opinion and incidental take statement authorizing operation of the project pumps. The biological opinion and incidental take statement do not establish a “ceiling” as the reporter contends; rather [they establish an “anticipated level of take” or “maximum anticipated annual incidental take level.”](#) If the number of fish captured at the project pumps exceeds the anticipated level of take in the incidental take statement, [additional consultation under section 7 of the Act is triggered.](#) This is consistent with [regulations implementing the federal Endangered Species Act](#), which require an incidental take statement to specify the amount or extent of incidental take of protected species. Despite the reporter’s statements to the contrary, the federal and state agencies are not breaking their own rules in instances where the number of fish captured exceeds the anticipated level of take in the biological opinion and incidental take statement.

While the reporter correctly points out that capture of steelhead at the project pumps is greater than usual this year – in fact, it’s greater than that in any of the past several years – she fails to acknowledge that some of those steelhead appear to be fish produced at hatcheries rather than wild steelhead that are protected under the Endangered Species Act. To date, there is a dearth of information about the proportion of steelhead salvaged that are hatchery versus wild fish. It is possible that the vast majority of the salvaged steelhead are wild, but it is not known at this time. And the reporter does not make any mention of the possibility that hatchery steelhead may account for a significant share of the unclipped fish included in the data.

The reporter also does not acknowledge the prevailing view among fish biologists, including those at the federal and state agencies, that ["higher fish abundance is the likely reason for elevated salvage."](#) If the proportion of the steelhead population salvaged is unchanged, but the total number of steelhead salvaged is higher due to strong recruitment, this is in many respects a positive rather than negative outcome. In any event, ignoring this context for the number of steelhead captured at the project pumps is irresponsible. Its absence from the article is further evidence that reporter was more interested in taking the federal and state agencies to task than presenting facts pertinent in conservation efforts targeting California's imperiled salmonids.

Responsible news coverage of California water policy by the Sacramento Bee and other outlets is in the public interest and can be a valuable source of information for policymakers at all levels of government, as well as interested parties and the public at large. For the same reason that accurate coverage can be so valuable, false and misleading coverage is irresponsible. Furthermore, after-the-fact corrections cannot fully repair the damage done by such inaccurate reporting. Hopefully we can expect better of our capitol's flagship paper in the future. Californians certainly deserve better than a reality check that does not reflect reality.