

**Wheeler Ridge-Maricopa Water Storage District**  
**Wheeler Ridge-Maricopa GSA**  
**Regular Board of Directors' Meeting**  
**Wednesday January 14, 2026 @ 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/WRMWSD>

**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.

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

**8:00**    **1.    Call to Order**

**2.    Closed Session**

***Conference with Legal Counsel Re: Existing Litigation (Gov. Code, § 54956.9(a)):***

1.    *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<sup>rd</sup> Appellate Dist., Case No. C100552*
2.    *CDWR Environmental Impact [WaterFix] Cases, Sacramento County Sup. Ct., Case No. JCCP No. 4942, 3<sup>rd</sup> Appellate Dist., Case No. C100302*
3.    *Rosedale-Rio Bravo Water Storage District v. Kern County Water Agency, et al., Kern County Superior Court, Case No. BCV-21-100418*
4.    *Sierra Club, et al., v. DWR, Sacramento County Sup. Ct., Case No. 24WM000008, and related cases, challenging DCP EIR*
5.    *State Water Resources Control Bd. Administrative Hearing Office (AHO) Proceeding Re Sites Project Authority Water Rights Applications*
6.    *DWR v. All Persons Interested in the Matter of the Authorization of Delta Conveyance Program Bonds, etc., Sacramento County Sup. Ct., Case No. 25CV000704*

***Conference with Real Property Negotiator: (Gov. Code, § 54956.8)***

7.    *District's Designated Representative: Engineer-Manager*  
      *Under Negotiation: Price and Terms of Payments*  
      *Property: State Water Project Water Supply*  
      *Negotiation with: Kern County Water Agency*

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

8.    *Two Matters*

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

9.    *Two Matters*

**9:30**    **Open Session** Pledge of Allegiance

**3.    Attorney's Report**

***Torigiani*** (10 mins)

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

**4.    Minutes**

1.    Approval of the Regular Board Meeting Minutes of December 10, 2025

***Atkinson*** (2 mins)

**5.    Financial Reports**

***Mettler*** (10 mins)

1.    Filing of Treasurer's Report
2.    Approval of Accounts Payable
- 2.1    Director Compensation and Expense
3.    Consider Approval of Annual Investment Policy – ***Resolution Required***

***Smith*** (5 mins)

**6. Controller's Report**

1. Delinquent Accounts Report *Smith* (10 mins)
2. Budget Expenditures Report for December 2025 *Whitby* (5 mins)
3. Consider Authorizing Signatures for Tri Counties Bank – **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 – **2026 SWP Allocation of 10%** *McDaris* (30 mins)
  - a. 2026 Water Supply/Demand Estimate
  - b. Consider Approval of General Authorization for Water Purchases
  - c. Other Purchases/Exchanges
  - d. 2025-26 San Luis Reservoir Carryover Update
3. Consider Approval of KCWA Indemnification Agreement *McDaris* (5 mins)
4. Consider Establishing 2026 Groundwater Service Charge Rate *McDaris* (10 mins)
5. State Water Project / Delta Conveyance Project (DCP) *Nicholas* (10 mins)
6. Sites Reservoir *Kunde* (5 mins)
7. Wheeler Ridge-Maricopa GSA *Nicholas* (15 mins)
  - a. Consider Approval of 2026 Kern Subbasin Expenses

**9. Reports**

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

**10. Unfinished and New Business**

1. Ethics Training – AB1234 *Nicholas* (2 mins)
2. Statement of Economic Interest (SEI/Form 700) FPPC Online Filing Requirement for GSA Board Members and Executive Directors and District Public Officials who Manage Public Investments (SB852)
3. Water Summit – Thursday, March 5, 2026

**11. Public Comments**

**12. Adjournment**


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### GOVERNMENT CODE - GOV

**TITLE 5. LOCAL AGENCIES [50001 - 57607]** ( Title 5 added by Stats. 1949, Ch. 81. )

**DIVISION 2. CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 55821]** ( Division 2 added by Stats. 1949, Ch. 81. )

**PART 1. POWERS AND DUTIES COMMON TO CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 54999.7]** ( Part 1 added by Stats. 1949, Ch. 81. )

**CHAPTER 9. Meetings [54950 - 54963]** ( Chapter 9 added by Stats. 1953, Ch. 1588. )

**54950.** In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.

The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

(Added by Stats. 1953, Ch. 1588.)

**54950.5.** This chapter shall be known as the Ralph M. Brown Act.

(Added by Stats. 1961, Ch. 115.)

**54951.** As used in this chapter, "local agency" means a county, city, whether general law or chartered, city and county, town, school district, municipal corporation, district, political subdivision, or any board, commission or agency thereof, or other local public agency.

(Amended by Stats. 1959, Ch. 1417.)

**54952.** As used in this chapter, "legislative body" means:

- (a) The governing body of a local agency or any other local body created by state or federal statute.
- (b) A commission, committee, board, or other body of a local agency, whether permanent or temporary, decisionmaking or advisory, created by charter, ordinance, resolution, or formal action of a legislative body. However, advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body are not legislative bodies, except that standing committees of a legislative body, irrespective of their composition, which have a continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body are legislative bodies for purposes of this chapter.
- (c) (1) A board, commission, committee, or other multimember body that governs a private corporation, limited liability company, or other entity that either:
  - (A) Is created by the elected legislative body in order to exercise authority that may lawfully be delegated by the elected governing body to a private corporation, limited liability company, or other entity.
  - (B) Receives funds from a local agency and the membership of whose governing body includes a member of the legislative body of the local agency appointed to that governing body as a full voting member by the legislative body of the local agency.

(2) Notwithstanding subparagraph (B) of paragraph (1), no board, commission, committee, or other multimember body that governs a private corporation, limited liability company, or other entity that receives funds from a local agency and, as of February 9, 1996, has a member of the legislative body of the local agency as a full voting

member of the governing body of that private corporation, limited liability company, or other entity shall be relieved from the public meeting requirements of this chapter by virtue of a change in status of the full voting member to a nonvoting member.

(d) The lessee of any hospital the whole or part of which is first leased pursuant to subdivision (p) of Section 32121 of the Health and Safety Code after January 1, 1994, where the lessee exercises any material authority of a legislative body of a local agency delegated to it by that legislative body whether the lessee is organized and operated by the local agency or by a delegated authority.

*(Amended by Stats. 2002, Ch. 1073, Sec. 2. Effective January 1, 2003.)*

**54952.1.** Any person elected to serve as a member of a legislative body who has not yet assumed the duties of office shall conform his or her conduct to the requirements of this chapter and shall be treated for purposes of enforcement of this chapter as if he or she has already assumed office.

*(Amended by Stats. 1994, Ch. 32, Sec. 2. Effective March 30, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 32.)*

**54952.2.** (a) As used in this chapter, "meeting" means any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.

(b) (1) A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

(2) Paragraph (1) shall not be construed as preventing an employee or official of a local agency, from engaging in separate conversations or communications outside of a meeting authorized by this chapter with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body.

(3) (A) Paragraph (1) shall not be construed as preventing a member of the legislative body from engaging in separate conversations or communications on an internet-based social media platform to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body provided that a majority of the members of the legislative body do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body. A member of the legislative body shall not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body.

(B) For purposes of this paragraph, all of the following definitions shall apply:

(i) "Discuss among themselves" means communications made, posted, or shared on an internet-based social media platform between members of a legislative body, including comments or use of digital icons that express reactions to communications made by other members of the legislative body.

(ii) "Internet-based social media platform" means an online service that is open and accessible to the public.

(iii) "Open and accessible to the public" means that members of the general public have the ability to access and participate, free of charge, in the social media platform without the approval by the social media platform or a person or entity other than the social media platform, including any forum and chatroom, and cannot be blocked from doing so, except when the internet-based social media platform determines that an individual violated its protocols or rules.

(c) Nothing in this section shall impose the requirements of this chapter upon any of the following:

(1) Individual contacts or conversations between a member of a legislative body and any other person that do not violate subdivision (b).



(2) The attendance of a majority of the members of a legislative body at a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or to public agencies of the type represented by the legislative body, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the subject matter jurisdiction of the local agency. Nothing in this paragraph is intended to allow members of the public free admission to a conference or similar gathering at which the organizers have required other participants or registrants to pay fees or charges as a condition of attendance.

(3) The attendance of a majority of the members of a legislative body at an open and publicized meeting organized to address a topic of local community concern by a person or organization other than the local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(4) The attendance of a majority of the members of a legislative body at an open and noticed meeting of another body of the local agency, or at an open and noticed meeting of a legislative body of another local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled meeting, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(5) The attendance of a majority of the members of a legislative body at a purely social or ceremonial occasion, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(6) The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers.

*(Amended (as amended by Stats. 2020, Ch. 89, Sec. 1) by Stats. 2025, Ch. 327, Sec. 1. (SB 707) Effective January 1, 2026.)*

**54952.3.** (a) A legislative body that has convened a meeting and whose membership constitutes a quorum of any other legislative body may convene a meeting of that other legislative body, simultaneously or in serial order, only if a clerk or a member of the convened legislative body verbally announces, prior to convening any simultaneous or serial order meeting of that subsequent legislative body, the amount of compensation or stipend, if any, that each member will be entitled to receive as a result of convening the simultaneous or serial meeting of the subsequent legislative body and identifies that the compensation or stipend shall be provided as a result of convening a meeting for which each member is entitled to collect compensation or a stipend. However, the clerk or member of the legislative body shall not be required to announce the amount of compensation if the amount of compensation is prescribed in statute and no additional compensation has been authorized by a local agency.

(b) For purposes of this section, compensation and stipend shall not include amounts reimbursed for actual and necessary expenses incurred by a member in the performance of the member's official duties, including, but not limited to, reimbursement of expenses relating to travel, meals, and lodging.

*(Added by Stats. 2011, Ch. 91, Sec. 1. (AB 23) Effective January 1, 2012.)*

**54952.6.** As used in this chapter, "action taken" means a collective decision made by a majority of the members of a legislative body, a collective commitment or promise by a majority of the members of a legislative body to make a positive or a negative decision, or an actual vote by a majority of the members of a legislative body when sitting as a body or entity, upon a motion, proposal, resolution, order or ordinance.

*(Added by Stats. 1961, Ch. 1671.)*

**54952.7.** A local agency shall provide a copy of this chapter to any person elected or appointed to serve as a member of a legislative body of the local agency.

*(Amended by Stats. 2025, Ch. 327, Sec. 3. (SB 707) Effective January 1, 2026.)*

**54953.** (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding

authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:

(A) All votes taken during a teleconferenced meeting shall be by rollcall.

(B) The teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.

(C) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(D) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as expressly provided in this chapter.

(4) The teleconferencing requirements of this subdivision shall not apply to remote participation described in subdivision (c).

(c) (1) Nothing in this chapter shall be construed to prohibit a member of a legislative body with a disability from participating in any meeting of the legislative body by remote participation as a reasonable accommodation pursuant to any applicable law.

(2) A member of a legislative body participating in a meeting by remote participation pursuant to this subdivision shall do both of the following:

(A) The member shall participate through both audio and visual technology, except that any member with a disability, as defined in Section 12102 of Title 42 of the United States Code, may participate only through audio technology if a physical condition related to their disability results in a need to participate off camera.

(B) The member shall disclose at the meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any of those individuals.

(3) Remote participation under this subdivision shall be treated as in-person attendance at the physical meeting location for all purposes, including any requirement that a quorum of the legislative body participate from any particular location. The provisions of subdivision (b) and Sections 54953.8 to 54953.8.7, inclusive, shall not apply to remote participation under this subdivision.

(d) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) (A) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of either of the following during the open meeting in which the final action is to be taken:

(i) A local agency executive, as defined in subdivision (d) of Section 3511.1.

(ii) A department head or other similar administrative officer of the local agency.

(B) This paragraph shall not affect the public's right under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(e) For purposes of this section, both of the following definitions apply:

(1) "Disability" means a physical disability or a mental disability as those terms are defined in Section 12926 and used in Section 12926.1, or a disability as defined in Section 12102 of Title 42 of the United States Code.

(2) (A) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

(B) Notwithstanding subparagraph (A), "teleconference" does not include one or more members watching or listening to a meeting via webcasting or any other similar electronic medium that does not permit members to interactively speak, discuss, or deliberate on matters.

(3) "Remote participation" means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting.

*(Amended (as amended by Stats. 2023, Ch. 534, Sec. 2) by Stats. 2025, Ch. 327, Sec. 4. (SB 707) Effective January 1, 2026.)*

**54953.1.** The provisions of this chapter shall not be construed to prohibit the members of the legislative body of a local agency from giving testimony in private before a grand jury, either as individuals or as a body.

*(Added by Stats. 1979, Ch. 950.)*

**54953.2.** All meetings of a legislative body of a local agency that are open and public shall meet the protections and prohibitions contained in Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

*(Added by Stats. 2002, Ch. 300, Sec. 5. Effective January 1, 2003.)*

**54953.3.** A member of the public shall not be required, as a condition to attendance at a meeting of a legislative body of a local agency, to register his or her name, to provide other information, to complete a questionnaire, or otherwise to fulfill any condition precedent to his or her attendance.

If an attendance list, register, questionnaire, or other similar document is posted at or near the entrance to the room where the meeting is to be held, or is circulated to the persons present during the meeting, it shall state clearly that the signing, registering, or completion of the document is voluntary, and that all persons may attend the meeting regardless of whether a person signs, registers, or completes the document.

*(Amended by Stats. 1981, Ch. 968, Sec. 28.)*

**54953.4.** (a) The Legislature finds and declares that public access, including through translation of agendas as required by this section, is necessary for an informed populace. The Legislature encourages local agencies to adopt public access requirements that exceed the requirements of this chapter by translating additional languages, employing human translators, and conducting additional outreach.

(b) (1) In addition to any other applicable requirements of this chapter, a meeting held by a eligible legislative body pursuant to this chapter shall comply with both of the following requirements:

(A) (i) (I) (ia) All open and public meetings shall include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform, except if adequate telephonic or internet service is not operational at the meeting location. If adequate telephonic or internet service is operational at the meeting location during only a portion of the meeting, the legislative body shall include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform during that portion of the meeting.

(ib) (Ia) On or before July 1, 2026, an eligible legislative body shall approve at a noticed public meeting in open session, not on the consent calendar, a policy regarding disruption of telephonic or internet service occurring during meetings subject to this sub-subclause. The policy shall address the procedures for recessing and reconvening a meeting in the event of disruption and the efforts that the eligible legislative body shall make to attempt to restore the service.

(Ib) If a disruption of telephonic or internet service that prevents members of the public from attending or observing the meeting via the two-way telephonic service or two-way audiovisual platform occurs during the meeting, the eligible legislative body shall recess the open session of the meeting for at least one hour and make a good faith attempt to restore the service. The eligible legislative body may meet in closed session during this period. The eligible legislative body

shall not reconvene the open session of the meeting until at least one hour following the disruption, or until telephonic or internet service is restored, whichever is earlier.

(Ic) Upon reconvening the open session, if telephonic or internet service has not been restored, the eligible legislative body shall adopt a finding by rollcall vote that good faith efforts to restore the telephonic or internet service have been made in accordance with the policy adopted pursuant to sub-sub-subclause (Ia) and that the public interest in continuing the meeting outweighs the public interest in remote public access.

(II) Subclause (I) does not apply to a meeting that is held to do any of the following:

(ia) Attend a judicial or administrative proceeding to which the local agency is a party.

(ib) Inspect real or personal property provided that the topic of the meeting is limited to items directly related to the real or personal property.

(ic) Meet with elected or appointed officials of the United States or the State of California, solely to discuss a legislative or regulatory issue affecting the local agency and over which the federal or state officials have jurisdiction.

(id) Meet in or nearby a facility owned by the agency, provided that the topic of the meeting is limited to items directly related to the facility.

(ie) Meet in an emergency situation pursuant to Section 54956.5.

(ii) If an eligible legislative body elects to provide a two-way audiovisual platform, the eligible legislative body shall publicly post and provide a call-in option, and activate any automatic captioning function during the meeting if an automatic captioning function is included with the two-way audiovisual platform. If an eligible legislative body does not elect to provide a two-way audiovisual platform, the eligible legislative body shall provide a two-way telephonic service for the public to participate in the meeting, pursuant to subclause (I).

(B) (i) All open and public meetings for which attendance via a two-way telephonic service or a two-way audiovisual platform is provided in accordance with paragraph (1) shall provide the public with an opportunity to provide public comment in accordance with Section 54954.3 via the two-way telephonic or two-way audiovisual platform, and ensure the opportunity for the members of the public participating via a two-way telephonic or two-way audiovisual platform to provide public comment with the same time allotment as a person attending a meeting in person.

(2) (A) An eligible legislative body shall reasonably assist members of the public who wish to translate a public meeting into any language or wish to receive interpretation provided by another member of the public, so long as the interpretation is not disrupting to the meeting, as defined in Section 54957.95. The eligible legislative body shall publicize instructions on how to request assistance under this subdivision. Assistance may include any of the following, as determined by the eligible legislative body:

(i) Arranging space for one or more interpreters at the meeting location.

(ii) Allowing extra time during the meeting for interpretation to occur.

(iii) Ensuring participants may utilize their personal equipment or reasonably access facilities for participants to access commercially available interpretation services.

(B) This section does not require an eligible legislative body to provide interpretation of any public meeting, however, an eligible legislative body may elect to provide interpretation of any public meeting.

(C) The eligible legislative body is not responsible for the content or accuracy of any interpretation facilitated, assisted with, or provided under this subdivision. An action shall not be commenced or maintained against the eligible legislative body arising from the content or accuracy of any interpretation facilitated, assisted with, or provided under this subdivision.

(3) An eligible legislative body shall take the following actions to encourage residents, including those in underrepresented communities and non-English-speaking communities, to participate in public meetings:

(A) Have in place a system for electronically accepting and fulfilling requests for meeting agendas and documents pursuant to Section 54954.1 through email or through an integrated agenda management

platform. Information about how to make a request using this system shall be accessible through a prominent direct link posted on the primary internet website home page of the eligible legislative body.

(B) (i) Create and maintain an accessible internet webpage dedicated to public meetings that includes, or provides a link to, all of the following information:

(I) A general explanation of the public meeting process for the eligible legislative body.

(II) An explanation of the procedures for a member of the public to provide in-person or remote oral public comment during a public meeting or to submit written public comment.

(III) A calendar of all public meeting dates with calendar listings that include the date, time, and location of each public meeting.

(IV) The agenda posted online pursuant to paragraph (2) of subdivision (a) of Section 54954.2.

(ii) The eligible legislative body shall include a link to the webpage required by subparagraph (A) on the home page of the eligible legislative body's internet website.

(C) (i) Make reasonable efforts, as determined by the legislative body, to invite groups that do not traditionally participate in public meetings to attend those meetings, which may include, but are not limited to, all the following:

(I) Media organizations that provide news coverage in the jurisdiction of the eligible legislative body, including media organizations that serve non-English-speaking communities.

(II) Good government, civil rights, civic engagement, neighborhood, and community group organizations, or similar organizations that are active in the jurisdiction of the eligible legislative body, including organizations active in non-English-speaking communities.

(ii) Legislative bodies shall have broad discretion in the choice of reasonable efforts they make under this subparagraph. No action shall be commenced or maintained against an eligible legislative body arising from failing to provide public meeting information to any specific group pursuant to this subparagraph.

(c) (1) (A) The agenda for each meeting of an eligible legislative body shall be translated into all applicable languages, and each translation shall be posted in accordance with Section 54954.2. Each translation shall include instructions in the applicable language describing how to join the meeting by the telephonic or internet-based service option, including any requirements for registration for public comment.

(B) The accessible internet webpage provided under subparagraph (B) of paragraph (3) of subdivision (b) shall be translated into all applicable languages, and each translation shall be accessible through a prominent direct link posted on the primary internet website home page of the eligible legislative body.

(2) A translation made using a digital translation service shall satisfy the requirements of paragraph (1).

(3) The eligible legislative body shall make available a physical location that is freely accessible to the public in reasonable proximity to the physical location in which the agenda and translations are posted as described in paragraph (1), and shall allow members of the public to post additional translations of the agenda in that location.

(4) The eligible legislative body is not responsible for the content or accuracy of any translation provided pursuant to this subdivision. No action shall be commenced or maintained against an eligible legislative body arising from the content, accuracy, posting, or removal of any translation provided by the eligible legislative body or posted by any person pursuant to this subdivision.

(5) For the purposes of this section, the agenda does not include the entire agenda packet.

(d) This section shall not be construed to affect or supersede any other applicable civil rights, nondiscrimination, or public access laws.

(e) For purposes of this section, all of the following definitions apply:

(1) (A) "Applicable languages" means languages, according to data from the most recent American Community Survey, spoken jointly by 20 percent or more of the applicable population, provided that 20 percent or more of the population that speaks that language in that city or county speaks English less than "very well."

(B) For the purposes of subparagraph (A), the applicable population shall be determined as follows:

(i) For an eligible legislative body that is a city council or county board of supervisors, the applicable population shall be the population of the city or county.

(ii) For an eligible legislative body of a special district, the applicable population shall be either of the following, at the discretion of the board of directors of the special district:

(I) The population of the county with the greatest population within the boundaries of the special district.

(II) The population of the service area of the special district, if the special district has the data to determine what languages spoken by the population within its service area meet the requirements of paragraph (A).

(C) If more than three languages meet the criteria set forth in subparagraph (A), "applicable languages" shall mean the three languages described in subparagraph (A) that are spoken by the largest percentage of the population.

(D) An eligible legislative body may elect to determine the applicable languages based upon a source other than the most recent American Community Survey if it makes a finding, based upon substantial evidence, that the other source provides equally or more reliable data for the territory over which the eligible legislative body exercises jurisdiction.

(2) "Eligible legislative body" means any of the following:

(A) A city council of a city with a population of 30,000 or more.

(B) A county board of supervisors of a county, or city and county, with a population of 30,000 or more.

(C) A city council of a city located in a county with a population of 600,000 or more.

(D) The board of directors of a special district that has an internet website and meets any of the following conditions:

(i) The boundaries of the special district include the entirety of a county with a population of 600,000 or more, and the special district has over 200 full-time equivalent employees.

(ii) The special district has over 1,000 full-time equivalent employees.

(iii) The special district has annual revenues, based on the most recent Financial Transaction Report data published by the California State Controller, that exceed four hundred million dollars (\$400,000,000), adjusted annually for inflation commencing January 1, 2027, as measured by the percentage change in the California Consumer Price Index from January 1 of the prior year to January 1 of the current year, and the special district employs over 200 full-time equivalent employees.

(3) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service.

(4) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

(f) This section shall become operative on July 1, 2026.

(g) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

*(Added by Stats. 2025, Ch. 327, Sec. 5. (SB 707) Effective January 1, 2026. Operative July 1, 2026, by its own provisions. Repealed as of January 1, 2030, by its own provisions.)*

**54953.5.** (a) Any person attending an open and public meeting of a legislative body of a local agency shall have the right to record the proceedings in the absence of a reasonable finding by the legislative body of the local agency that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the proceedings.

(b) Any recording of an open and public meeting made for whatever purpose by or at the direction of the local agency shall be subject to inspection pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), but, notwithstanding Section 34090, may be erased or destroyed 30 days after the recording. Any inspection of an audio or video recording shall be provided without charge on equipment made available by the local agency.



*(Amended by Stats. 2025, Ch. 327, Sec. 6. (SB 707) Effective January 1, 2026.)*

**54953.6.** No legislative body of a local agency shall prohibit or otherwise restrict the broadcast of its open and public meetings in the absence of a reasonable finding that the broadcast cannot be accomplished without noise, illumination, or obstruction of view that would constitute a persistent disruption of the proceedings.

*(Amended by Stats. 1994, Ch. 32, Sec. 6. Effective March 30, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 32.)*

**54953.7.** Notwithstanding any other provision of law, legislative bodies of local agencies may impose requirements upon themselves which allow greater access to their meetings than prescribed by the minimal standards set forth in this chapter. In addition thereto, an elected legislative body of a local agency may impose those requirements on appointed legislative bodies of the local agency.

*(Amended by Stats. 2025, Ch. 327, Sec. 7. (SB 707) Effective January 1, 2026.)*

**54953.8.** (a) The legislative body of a local agency may use teleconferencing as authorized by subdivision (b) of Section 54953 without complying with the requirements of paragraph (3) of subdivision (b) of Section 54953 in any of the circumstances described in Sections 54953.8.1 to 54953.8.7, inclusive.

(b) A legislative body that holds a teleconference meeting pursuant to this section shall, in addition to any other applicable requirements of this chapter, comply with all of the following:

(1) The legislative body shall provide at least one of the following as a means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body:

(A) A two-way audiovisual platform.

(B) A two-way telephonic service and a live webcasting of the meeting.

(2) In each instance in which notice of the time of the teleconference meeting held pursuant to this section is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.

(3) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(4) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.

(5) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(6) (A) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to paragraph (5), to provide public comment until that timed public comment period has elapsed.

(B) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to paragraph (5), or otherwise be recognized for the purpose of providing public comment.

(C) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to

paragraph (5), until the timed general public comment period has elapsed.

(7) Any member of the legislative body who participates in a teleconference meeting from a remote location pursuant to this section and the specific provision of law that the member relied upon to permit their participation by teleconferencing shall be listed in the minutes of the meeting.

(8) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.

(9) The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws.

(c) A local agency shall identify and make available to legislative bodies a list of one or more meeting locations that may be available for use by the legislative bodies to conduct their meetings.

(d) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.

(2) Nothing in this section shall prohibit a legislative body from providing the public with additional physical locations in which the public may observe and address the legislative body by electronic means.

(e) A member of a legislative body who participates in a teleconference meeting from a remote location pursuant to this section shall publicly disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with those individuals.

(f) The teleconferencing provisions described in Section 54953 and Sections 54953.8.1 to 54953.8.7, inclusive, are cumulative. A legislative body may elect to use any teleconferencing provisions that are applicable to a meeting, regardless of whether any other teleconferencing provisions would also be applicable to that meeting.

(g) For purposes of this section, the following definitions apply:

(1) "Remote location" means a location from which a member of a legislative body participates in a meeting pursuant to paragraph (7) of subdivision (b), other than any physical meeting location designated in the notice of the meeting. Remote locations need not be accessible to the public.

(2) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

(3) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service. A two-way audiovisual platform may be structured to disable the use of video for the public participants.

(4) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

(5) "Webcasting" means a streaming video broadcast online or on television, using streaming media technology to distribute a single content source to many simultaneous listeners and viewers.

*(Added by Stats. 2025, Ch. 327, Sec. 8. (SB 707) Effective January 1, 2026.)*

**54953.8.1.** (a) A health authority may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section.

(b) Nothing in this section or Section 54953.8 shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority.

(c) For purposes of this section, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

*(Added by Stats. 2025, Ch. 327, Sec. 9. (SB 707) Effective January 1, 2026.)*

**54953.8.2.** (a) A legislative body of a local agency may conduct a teleconference meeting pursuant to Section 54953.8 during a proclaimed state of emergency or local emergency, provided that it complies with the requirements of that section and the teleconferencing is used in either of the following circumstances:

(1) For the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) After a determination described in paragraph (1) is made that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(b) If the state of emergency or local emergency remains active, in order to continue to teleconference pursuant to this section, the legislative body shall, no later than 45 days after teleconferencing for the first time pursuant to this section, and every 45 days thereafter, make the following findings by majority vote:

(1) The legislative body has reconsidered the circumstances of the state of emergency or local emergency.

(2) The state of emergency or local emergency continues to directly impact the ability of the members to meet safely in person.

(c) This section shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(d) Notwithstanding paragraph (1) of subdivision (b) of Section 54953.8, a legislative body conducting a teleconference meeting pursuant to this section may elect to use a two-way telephonic service without a live webcasting of the meeting.

(e) For purposes of this section, the following definitions apply:

(1) "Local emergency" means a condition of extreme peril to persons or property proclaimed by the governing body of the local agency affected, in accordance with Section 8630 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2), as defined in Section 8680.9, or a local health emergency declared pursuant to Section 101080 of the Health and Safety Code. Local emergency, as used in this section, refers only to local emergencies in the boundaries of the territory over which the local agency exercises jurisdiction.

(2) "State of emergency" means state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2).

*(Added by Stats. 2025, Ch. 327, Sec. 10. (SB 707) Effective January 1, 2026.)*

**54953.8.3.** (a) A legislative body of a local agency may conduct a teleconference meeting pursuant to Section 54953.8 if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, provided that the legislative body complies with the requirements of Section 54953.8 and all of the following additional requirements:

(1) A member of the legislative body notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting.

(2) The member shall participate through both audio and visual technology.

(3) (A) The provisions of this subdivision shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for just cause for more than the following number of meetings, as applicable:

(i) Two meetings per year, if the legislative body regularly meets once per month or less.

(ii) Five meetings per year, if the legislative body regularly meets twice per month.

(iii) Seven meetings per year, if the legislative body regularly meets three or more times per month.

(B) For the purpose of counting meetings attended by teleconference under this paragraph, a "meeting" shall be defined as any number of meetings of the legislative body of a local agency that begin on the same calendar day.

(b) The minutes for the meeting shall identify the specific provision in subdivision (c) that each member relied upon to participate remotely. This subdivision shall not be construed to require the member to disclose any medical diagnosis or disability, or any personal medical information that is otherwise exempt under existing law, including, but not limited to, the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code).

(c) For purposes of this section, "just cause" means any of the following:

(1) Childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. "Child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms do in Section 12945.2.

(2) A contagious illness that prevents a member from attending in person.

(3) A need related to a physical or mental condition that is not subject to subdivision (c) of Section 54953.

(4) Travel while on official business of the legislative body or another state or local agency.

(5) An immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of the member that requires the member to participate remotely.

(6) A physical or family medical emergency that prevents a member from attending in person.

(7) Military service obligations that result in a member being unable to attend in person because they are serving under official written orders for active duty, drill, annual training, or any other duty required as a member of the California National Guard or a United States Military Reserve organization that requires the member to be at least 50 miles outside the boundaries of the local agency.

(d) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

*(Added by Stats. 2025, Ch. 327, Sec. 11. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)*

**54953.8.4.** (a) An eligible neighborhood council may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following have occurred:

(1) (A) The city council for a city described in paragraph (2) of subdivision (b) considers whether to adopt a resolution to authorize eligible neighborhood councils to use teleconferencing as described in this section at an open and regular meeting.

(B) If the city council adopts a resolution described in subparagraph (A), an eligible neighborhood council may elect to use teleconferencing pursuant to this section if a majority of the eligible neighborhood council votes to do so. The eligible neighborhood council shall notify the city council if it elects to use teleconferencing pursuant to this section and its justification for doing so.

(C) Upon receiving notification from an eligible neighborhood council described in subparagraph (B), the city council may adopt a resolution to prohibit the eligible neighborhood council from using teleconferencing pursuant to this section.

(2) After completing the requirements of subparagraph (A) of paragraph (1), an eligible neighborhood council that holds a meeting pursuant to this subdivision shall do all of the following:

(A) At least a quorum of the members of the eligible neighborhood council shall participate from locations within the boundaries of the city in which the eligible neighborhood council is established.

(B) At least once per year, at least a quorum of the members of the eligible neighborhood council shall participate in person from a singular physical location that is open to the public and within the boundaries of the eligible neighborhood council.

(3) If the meeting is during regular business hours of the offices of the city council member that represents the area that includes the eligible neighborhood council, the eligible neighborhood council shall provide a publicly accessible physical location from which the public may attend or comment, which shall be the offices of the city council member who represents the area where the eligible neighborhood council is located, unless the eligible neighborhood council identifies an alternative location.

(4) If the meeting is outside regular business hours, the eligible neighborhood council shall make reasonable efforts to accommodate any member of the public that requests an accommodation to participate in the meeting.

(b) For purposes of this section, the following definitions apply:

(1) "Accommodation" means providing a publicly accessible physical location for the member of the public to participate from, providing access to technology necessary to participate in the meeting, or identifying locations or resources available that could provide the member of the public with an opportunity to participate in the meeting.

(2) "Eligible neighborhood council" means a neighborhood council that is an advisory body with the purpose to promote more citizen participation in government and make government more responsive to local needs that is established pursuant to the charter of a city with a population of more than 3,000,000 people that is subject to this chapter.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

*(Added by Stats. 2025, Ch. 327, Sec. 12. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)*

**54953.8.5.** (a) An eligible community college student organization may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) An eligible community college student organization may only use teleconferencing as described in Section 54953.8 after all the following have occurred:

(A) The board of trustees for a community college district considers whether to adopt a resolution to authorize eligible community college student organizations to use teleconferencing as described in this section at an open and regular meeting.

(B) If the board of trustees for a community college district adopts a resolution described in subparagraph (A), an eligible community college student organization may elect to use teleconferencing pursuant to this section if a majority of the eligible community college student organization votes to do so. The eligible community college student organization shall notify the board of trustees if it elects to use teleconferencing pursuant to this section and its justification for doing so.

(C) Upon receiving notification from an eligible community college student organization as described in subparagraph (B), the board of trustees may adopt a resolution to prohibit the eligible community college student organization from using teleconferencing pursuant to this section.

(D) (i) Except as specified in clause (ii), at least a quorum of the members of the eligible community college student organization shall participate from a singular physical location that is accessible to the public and is within the community college district in which the eligible community college student organization is established.

(ii) The requirements described in clause (i) shall not apply to the California Online Community College.

(iii) Notwithstanding the requirements of clause (i), a person may count toward the establishment of a quorum pursuant to clause (i) regardless of whether the person is participating at the in-person location of the meeting or remotely if the person meets any of the following criteria:

(I) The person is under 18 years of age.

(II) The person is incarcerated.

(III) The person is unable to disclose the location that they are participating from because of either of the following circumstances:

(ia) The person has been issued a protective court order, including, but not limited to, a domestic violence restraining order.

(ib) The person is participating in a program that has to remain confidential, including, but not limited to, an independent living program.

(IV) The person provides childcare or caregiving to a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. For purposes of this subclause, "child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms are defined in Section 12945.2.

(2) An eligible community college student organization that holds a meeting by teleconference as described in Section 54953.8 shall do the following, as applicable:

(A) (i) Except as specified in subparagraph (B), if the meeting is during regular business hours of the offices of the board of trustees of the community college district, the eligible community college student organization shall provide a publicly accessible physical location from which the public may attend or comment, which shall be the offices of the board of trustees of the community college district, unless the eligible community college student organization identifies an alternative location.

(ii) Except as specified in subparagraph (B), if the meeting is outside regular business hours, the eligible community college student organization shall make reasonable efforts to accommodate any member of the public that requests an accommodation to participate in the meeting. For the purposes of this subparagraph, "accommodation" means providing a publicly accessible physical location for the member of the public to participate from, providing access to technology necessary to participate in the meeting, or identifying locations or resources available that could provide the member of the public with an opportunity to participate in the meeting.

(B) The requirements described in subparagraph (A) shall not apply to the California Online Community College.

(b) For purposes of this section, "eligible community college student organization" means a student body association organized pursuant to Section 76060 of the Education Code, or any other student-run community college organization that is required to comply with the meeting requirements of this chapter, that is in any community college recognized within the California Community Colleges system and includes the Student Senate for California Community Colleges.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

*(Added by Stats. 2025, Ch. 327, Sec. 13. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)*

**54953.8.6.** (a) An eligible subsidiary body may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) The eligible subsidiary body shall designate one physical meeting location within the boundaries of the legislative body that created the eligible subsidiary body where members of the subsidiary body who are not participating remotely shall be present and members of the public may physically attend, observe, hear, and participate in the meeting. At least one staff member of the eligible subsidiary body or the legislative body that created the eligible subsidiary body shall be present at the physical meeting location during the meeting. The eligible subsidiary body shall post the agenda at the physical meeting location, but need not post the agenda at a remote location.

(2) (A) A member of the eligible subsidiary body shall visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, except if the member has a physical or mental condition not subject to subdivision (c) of Section 54953 that results in a need to participate off camera.

(B) The visual appearance of a member of the eligible subsidiary body on camera may cease only when the appearance would be technologically infeasible, including, but not limited to, when the member experiences a lack of reliable broadband or internet connectivity that would be remedied by joining without video.



(C) If a member of the eligible subsidiary body does not appear on camera due to challenges with internet connectivity, the member shall announce the reason for their nonappearance prior to turning off their camera.

(3) An elected official serving as a member of an eligible subsidiary body in their official capacity shall not participate in a meeting of the eligible subsidiary body by teleconferencing pursuant to this section unless the use of teleconferencing complies with the requirements of paragraph (3) of subdivision (b) of Section 54953.

(4) (A) In order to use teleconferencing pursuant to this section, the legislative body that established the eligible subsidiary body by charter, ordinance, resolution, or other formal action shall make the following findings by majority vote before the eligible subsidiary body uses teleconferencing pursuant to this section for the first time, and every six months thereafter:

(i) The legislative body has considered the circumstances of the eligible subsidiary body.

(ii) Teleconference meetings of the eligible subsidiary body would enhance public access to meetings of the eligible subsidiary body, and the public has been made aware of the type of remote participation, including audio-visual or telephonic, that will be made available at a regularly scheduled meeting and has been provided the opportunity to comment at an in-person meeting of the legislative body authorizing the subsidiary body to meet entirely remotely.

(iii) Teleconference meetings of the eligible subsidiary body would promote the attraction, retention, and diversity of eligible subsidiary body members.

(B) (i) An eligible subsidiary body authorized to use teleconferencing pursuant to this section may request to present any recommendations it develops to the legislative body that created it.

(ii) Upon receiving a request described in clause (i), the legislative body that created the subsidiary body shall hold a discussion at a regular meeting held within 60 days after the legislative body receives the request, or if the legislative body does not have another regular meeting scheduled within 60 days after the legislative body receives the request, at the next regular meeting after the request is received.

(iii) The discussion required by clause (ii) shall not be placed on a consent calendar, but may be combined with the legislative body's subsequent consideration of the findings described in subparagraph (A) for the following 12 months.

(iv) The legislative body shall not take any action on any recommendations included in the report of a subsidiary body until the next regular meeting of the legislative body following the discussion described in clause (ii).

(C) After the legislative body makes the findings described in subparagraph (A), the eligible subsidiary body shall approve the use of teleconferencing by majority vote before using teleconference pursuant to this section.

(D) The legislative body that created the eligible subsidiary body may elect to prohibit the eligible subsidiary body from using teleconferencing pursuant to this section at any time.

(b) (1) For purposes of this section, "eligible subsidiary body" means a legislative body that meets all of the following:

(A) Is described in subdivision (b) of Section 54952.

(B) Serves exclusively in an advisory capacity.

(C) Is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements, grants, or allocations of funds.

(D) Does not have primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals.

(2) An eligible subsidiary body may include members who are elected officials, members who are not elected officials, or any combination thereof.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

*(Added by Stats. 2025, Ch. 327, Sec. 14. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)*

**54953.8.7.** (a) An eligible multijurisdictional body may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) The eligible multijurisdictional body has adopted a resolution that authorizes the eligible multijurisdictional body to use teleconferencing pursuant to this section at a regular meeting in open session.

(2) At least a quorum of the members of the eligible multijurisdictional body shall participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction.

(3) A member of the eligible multijurisdictional body who receives compensation for their service on the eligible multijurisdictional body shall participate from a physical location that is open to the public. For purposes of this paragraph, "compensation" does not include reimbursement for actual and necessary expenses.

(4) A member of the eligible multijurisdictional body may participate from a remote location provided that:

(A) The eligible multijurisdictional body identifies each member of the eligible multijurisdictional body who plans to participate remotely in the agenda.

(B) The member shall participate through both audio and visual technology.

(5) A member of the eligible multijurisdictional body shall not participate in a meeting remotely pursuant to this section, unless the location from which the member participates is more than 20 miles each way from any physical location of the meeting described in paragraph (2).

(6) The provisions of this section shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for more than the following number of meetings, as applicable:

(A) Two meetings per year, if the legislative body regularly meets once per month or less.

(B) Five meetings per year, if the legislative body regularly meets twice per month.

(C) Seven meetings per year, if the legislative body regularly meets three or more times per month.

(D) For the purpose of counting meetings attended by teleconference under this paragraph, a "meeting" shall be defined as any number of meetings of the legislative body of a local agency that begin on the same calendar day.

(b) For the purposes of this section, both of the following definitions apply:

(1) "Eligible multijurisdictional body" means a multijurisdictional board, commission, or advisory body of a multijurisdictional, cross-county agency, the membership of which board, commission, or advisory body is appointed, and the board, commission, or advisory body is otherwise subject to this chapter.

(2) "Multijurisdictional" means either of the following:

(A) A legislative body that includes representatives from more than one county, city, city and county, or special district.

(B) A legislative body of a joint powers entity formed pursuant to an agreement entered into in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

*(Added by Stats. 2025, Ch. 327, Sec. 15. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)*

**54954.** (a) Each legislative body of a local agency, except for advisory committees or standing committees, shall provide, by ordinance, resolution, bylaws, or by whatever other rule is required for the conduct of business by that body, the time and place for holding regular meetings. Meetings of advisory committees or standing committees, for which an agenda is posted at least 72 hours in advance of the meeting pursuant to subdivision (a) of Section 54954.2, shall be considered for purposes of this chapter as regular meetings of the legislative body.

(b) Regular and special meetings of the legislative body shall be held within the boundaries of the territory over which the local agency exercises jurisdiction, except to do any of the following:

(1) Comply with state or federal law or court order, or attend a judicial or administrative proceeding to which the local agency is a party.

(2) Inspect real or personal property which cannot be conveniently brought within the boundaries of the territory over which the local agency exercises jurisdiction provided that the topic of the meeting is limited to items directly related to the real or personal property.

(3) Participate in meetings or discussions of multiagency significance that are outside the boundaries of a local agency's jurisdiction. However, any meeting or discussion held pursuant to this subdivision shall take place within the jurisdiction of one of the participating local agencies and be noticed by all participating agencies as provided for in this chapter.

(4) Meet in the closest meeting facility if the local agency has no meeting facility within the boundaries of the territory over which the local agency exercises jurisdiction, or at the principal office of the local agency if that office is located outside the territory over which the agency exercises jurisdiction.

(5) Meet outside their immediate jurisdiction with elected or appointed officials of the United States or the State of California when a local meeting would be impractical, solely to discuss a legislative or regulatory issue affecting the local agency and over which the federal or state officials have jurisdiction.

(6) Meet outside their immediate jurisdiction if the meeting takes place in or nearby a facility owned by the agency, provided that the topic of the meeting is limited to items directly related to the facility.

(7) Visit the office of the local agency's legal counsel for a closed session on pending litigation held pursuant to Section 54956.9, when to do so would reduce legal fees or costs.

(c) Meetings of the governing board of a school district shall be held within the district, except under the circumstances enumerated in subdivision (b), or to do any of the following:

(1) Attend a conference on nonadversarial collective bargaining techniques.

(2) Interview members of the public residing in another district with reference to the trustees' potential employment of an applicant for the position of the superintendent of the district.

(3) Interview a potential employee from another district.

(d) Meetings of a joint powers authority shall occur within the territory of at least one of its member agencies, or as provided in subdivision (b). However, a joint powers authority which has members throughout the state may meet at any facility in the state which complies with the requirements of Section 54961.

(e) If, by reason of fire, flood, earthquake, or other emergency, it shall be unsafe to meet in the place designated, the meetings shall be held for the duration of the emergency at the place designated by the presiding officer of the legislative body or his or her designee in a notice to the local media that have requested notice pursuant to Section 54956, by the most rapid means of communication available at the time.

*(Amended by Stats. 2004, Ch. 257, Sec. 1. Effective January 1, 2005.)*

**54954.1.** Any person may request that a copy of the agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. If a local agency has an internet website, the legislative body or its designee shall email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the item or items be delivered by email. If the local agency determines it is technologically infeasible to send a copy of all documents constituting the agenda packet or

a link to a website that contains the documents by email or by other electronic means, the legislative body or its designee shall send by mail a copy of the agenda or a website link to the agenda and mail a copy of all other documents constituting the agenda packet in accordance with the mailing requirements established pursuant to this section. If requested, the agenda and documents in the agenda packet shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Upon receipt of the written request, the legislative body or its designee shall cause the requested materials to be mailed at the time the agenda is posted pursuant to Section 54954.2 and 54956 or upon distribution to all, or a majority of all, of the members of a legislative body, whichever occurs first. Any request for mailed copies of agendas or agenda packets shall be valid for the calendar year in which it is filed, and must be renewed following January 1 of each year. The legislative body may establish a fee for mailing the agenda or agenda packet, which fee shall not exceed the cost of providing the service. Failure of the requesting person to receive the agenda or agenda packet pursuant to this section shall not constitute grounds for invalidation of the actions of the legislative body taken at the meeting for which the agenda or agenda packet was not received.

*(Amended by Stats. 2021, Ch. 763, Sec. 1. (SB 274) Effective January 1, 2022.)*

**54954.2.** (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda that meets all of the following requirements:

(A) The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words.

(B) The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's internet website, if the local agency has one.

(C) (i) If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(ii) The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda, including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

(i) A direct link to the integrated agenda management platform shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state. The direct link to the integrated agenda management platform shall not be in a contextual menu. When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an internet website with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.

(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.

(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.

(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).

(D) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.

(E) For purposes of this paragraph, both of the following definitions apply:

(1) "Integrated agenda management platform" means an internet website of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.

(2) "Legislative body" means a legislative body that meets the definition of subdivision (a) of Section 54952.

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's internet website, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(1) A legislative body as that term is defined by subdivision (a) of Section 54952.

(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

*(Amended (as amended by Stats. 2023, Ch. 131, Sec. 92) by Stats. 2025, Ch. 327, Sec. 16. (SB 707) Effective January 1, 2026.)*

**54954.3.** (a) (1) Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of Section 54954.2.

(2) (A) Notwithstanding paragraph (1), the agenda need not provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, composed exclusively of members of the legislative body, at a public meeting wherein all interested members of the public were afforded the opportunity to address the committee on the item, before or during the committee's consideration of the item.

(B) Subparagraph (A) shall not apply if any of the following conditions are met:

(i) The item has been substantially changed since the committee heard the item, as determined by the legislative body.

(ii) When considering the item, a quorum of the committee members did not participate from a singular physical location, that was clearly identified on the agenda, open to the public, and situated within the boundaries of the territory over which the local agency exercises jurisdiction.

(iii) The committee has primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals. This clause shall not apply to an item if the local agency has adopted a law applicable to the meeting of the committee at which the item that was considered prohibits the committee from placing a limit on the total amount of time for public comment on the item.

(3) Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.

(b) (1) The legislative body of a local agency may adopt reasonable regulations to ensure that the intent of subdivision (a) is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.

(2) Notwithstanding paragraph (1), when the legislative body of a local agency limits time for public comment, the legislative body of a local agency shall provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the legislative body of a local agency.

(3) Paragraph (2) shall not apply if the legislative body of a local agency utilizes simultaneous translation equipment in a manner that allows the legislative body of a local agency to hear the translated public testimony simultaneously.

(c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.

*(Amended by Stats. 2025, Ch. 327, Sec. 17. (SB 707) Effective January 1, 2026.)*

**54954.4.** (a) The Legislature hereby finds and declares that Section 12 of Chapter 641 of the Statutes of 1986, authorizing reimbursement to local agencies and school districts for costs mandated by the state pursuant to that act, shall be interpreted strictly. The intent of the Legislature is to provide reimbursement for only those costs



which are clearly and unequivocally incurred as the direct and necessary result of compliance with Chapter 641 of the Statutes of 1986.

(b) In this regard, the Legislature directs all state employees and officials involved in reviewing or authorizing claims for reimbursement, or otherwise participating in the reimbursement process, to rigorously review each claim and authorize only those claims, or parts thereof, which represent costs which are clearly and unequivocally incurred as the direct and necessary result of compliance with Chapter 641 of the Statutes of 1986 and for which complete documentation exists. For purposes of Section 54954.2, costs eligible for reimbursement shall only include the actual cost to post a single agenda for any one meeting.

(c) The Legislature hereby finds and declares that complete, faithful, and uninterrupted compliance with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code) is a matter of overriding public importance. Unless specifically stated, no future Budget Act, or related budget enactments, shall, in any manner, be interpreted to suspend, eliminate, or otherwise modify the legal obligation and duty of local agencies to fully comply with Chapter 641 of the Statutes of 1986 in a complete, faithful, and uninterrupted manner.

*(Added by Stats. 1991, Ch. 238, Sec. 1.)*

**54954.5.** For purposes of describing closed session items pursuant to Section 54954.2, the agenda may describe closed sessions as provided below. No legislative body or elected official shall be in violation of Section 54954.2 or 54956 if the closed session items were described in substantial compliance with this section. Substantial compliance is satisfied by including the information provided below, irrespective of its format.

(a) With respect to a closed session held pursuant to Section 54956.7:

#### LICENSE/PERMIT DETERMINATION

Applicant(s): (Specify number of applicants)

(b) With respect to every item of business to be discussed in closed session pursuant to Section 54956.8:

#### CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: (Specify street address, or if no street address, the parcel number or other unique reference, of the real property under negotiation)

Agency negotiator: (Specify names of negotiators attending the closed session) (If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator so long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Negotiating parties: (Specify name of party (not agent))

Under negotiation: (Specify whether instruction to negotiator will concern price, terms of payment, or both)

(c) With respect to every item of business to be discussed in closed session pursuant to Section 54956.9:

#### CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: (Specify by reference to claimant's name, names of parties, case or claim numbers)

or

Case name unspecified: (Specify whether disclosure would jeopardize service of process or existing settlement negotiations)

#### CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (Specify number of potential cases)

(In addition to the information noticed above, the agency may be required to provide additional information on the agenda or in an oral statement prior to the closed session pursuant to paragraphs (2) to (5), inclusive, of subdivision (e) of Section 54956.9.)

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (Specify number of potential cases)

(d) With respect to every item of business to be discussed in closed session pursuant to Section 54956.95:

#### LIABILITY CLAIMS

Claimant: (Specify name unless unspecified pursuant to Section 54961)

Agency claimed against: (Specify name)

(e) With respect to every item of business to be discussed in closed session pursuant to Section 54957:

THREAT TO PUBLIC SERVICES OR FACILITIES

Consultation with: (Specify name of law enforcement agency and title of officer, or name of applicable agency representative and title)

PUBLIC EMPLOYEE APPOINTMENT

Title: (Specify description of position to be filled)

PUBLIC EMPLOYMENT

Title: (Specify description of position to be filled)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: (Specify position title of employee being reviewed)

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

(No additional information is required in connection with a closed session to consider discipline, dismissal, or release of a public employee. Discipline includes potential reduction of compensation.)

(f) With respect to every item of business to be discussed in closed session pursuant to Section 54957.6:

CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: (Specify names of designated representatives attending the closed session) (If circumstances necessitate the absence of a specified designated representative, an agent or designee may participate in place of the absent representative so long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Employee organization: (Specify name of organization representing employee or employees in question)

or

Unrepresented employee: (Specify position title of unrepresented employee who is the subject of the negotiations)

(g) With respect to closed sessions called pursuant to Section 54957.8:

CASE REVIEW/PLANNING

(No additional information is required in connection with a closed session to consider case review or planning.)

(h) With respect to every item of business to be discussed in closed session pursuant to Sections 1461, 32106, and 32155 of the Health and Safety Code or Sections 37606 and 37624.3 of the Government Code:

REPORT INVOLVING TRADE SECRET

Discussion will concern: (Specify whether discussion will concern proposed new service, program, or facility)

Estimated date of public disclosure: (Specify month and year)

HEARINGS

Subject matter: (Specify whether testimony/deliberation will concern staff privileges, report of medical audit committee, or report of quality assurance committee)

(i) With respect to every item of business to be discussed in closed session pursuant to Section 54956.86:

CHARGE OR COMPLAINT INVOLVING INFORMATION PROTECTED BY FEDERAL LAW

(No additional information is required in connection with a closed session to discuss a charge or complaint pursuant to Section 54956.86.)

(j) With respect to every item of business to be discussed in closed session pursuant to Section 54956.96:

CONFERENCE INVOLVING A JOINT POWERS AGENCY (Specify by name)

Discussion will concern: (Specify closed session description used by the joint powers agency)

Name of local agency representative on joint powers agency board: (Specify name)

(Additional information listing the names of agencies or titles of representatives attending the closed session as consultants or other representatives.)

(k) With respect to every item of business to be discussed in closed session pursuant to Section 54956.75:

AUDIT BY CALIFORNIA STATE AUDITOR'S OFFICE

(Amended by Stats. 2012, Ch. 759, Sec. 6.1. (AB 2690) Effective January 1, 2013.)

**54954.6.** (a) (1) Before adopting any new or increased general tax or any new or increased assessment, the legislative body of a local agency shall conduct at least one public meeting at which local officials shall allow public testimony regarding the proposed new or increased general tax or new or increased assessment in addition to the noticed public hearing at which the legislative body proposes to enact or increase the general tax or assessment.

For purposes of this section, the term "new or increased assessment" does not include any of the following:

(A) A fee that does not exceed the reasonable cost of providing the services, facilities, or regulatory activity for which the fee is charged.

(B) A service charge, rate, or charge, unless a special district's principal act requires the service charge, rate, or charge to conform to the requirements of this section.

(C) An ongoing annual assessment if it is imposed at the same or lower amount as any previous year.

(D) An assessment that does not exceed an assessment formula or range of assessments previously specified in the notice given to the public pursuant to subparagraph (G) of paragraph (2) of subdivision (c) and that was previously adopted by the agency or approved by the voters in the area where the assessment is imposed.

(E) Standby or immediate availability charges.

(2) The legislative body shall provide at least 45 days' public notice of the public hearing at which the legislative body proposes to enact or increase the general tax or assessment. The legislative body shall provide notice for the public meeting at the same time and in the same document as the notice for the public hearing, but the meeting shall occur prior to the hearing.

(b) (1) The joint notice of both the public meeting and the public hearing required by subdivision (a) with respect to a proposal for a new or increased general tax shall be accomplished by placing a display advertisement of at least one-eighth page in a newspaper of general circulation for three weeks pursuant to Section 6063 and by a first-class mailing to those interested parties who have filed a written request with the local agency for mailed notice of public meetings or hearings on new or increased general taxes. The public meeting pursuant to subdivision (a) shall take place no earlier than 10 days after the first publication of the joint notice pursuant to this subdivision. The public hearing shall take place no earlier than seven days after the public meeting pursuant to this subdivision. Notwithstanding paragraph (2) of subdivision (a), the joint notice need not include notice of the public meeting after the meeting has taken place. The public hearing pursuant to subdivision (a) shall take place no earlier than 45 days after the first publication of the joint notice pursuant to this subdivision. Any written request for mailed notices shall be effective for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for mailed notices shall be filed on or before April 1 of each year. The legislative body may establish a reasonable annual charge for sending notices based on the estimated cost of providing the service.

(2) The notice required by paragraph (1) of this subdivision shall include, but not be limited to, the following:

(A) The amount or rate of the tax. If the tax is proposed to be increased from any previous year, the joint notice shall separately state both the existing tax rate and the proposed tax rate increase.

(B) The activity to be taxed.

(C) The estimated amount of revenue to be raised by the tax annually.

(D) The method and frequency for collecting the tax.

(E) The dates, times, and locations of the public meeting and hearing described in subdivision (a).

(F) The telephone number and address of an individual, office, or organization that interested persons may contact to receive additional information about the tax.

(c) (1) The joint notice of both the public meeting and the public hearing required by subdivision (a) with respect to a proposal for a new or increased assessment on real property or businesses shall be accomplished through a mailing, postage prepaid, in the United States mail and shall be deemed given when so deposited. The public meeting pursuant to subdivision (a) shall take place no earlier than 10 days after the joint mailing pursuant to this subdivision. The public hearing shall take place no earlier than seven days after the public meeting pursuant to this

subdivision. The envelope or the cover of the mailing shall include the name of the local agency and the return address of the sender. This mailed notice shall be in at least 10-point type and shall be given to all property owners or business owners proposed to be subject to the new or increased assessment by a mailing by name to those persons whose names and addresses appear on the last equalized county assessment roll, the State Board of Equalization assessment roll, or the local agency's records pertaining to business ownership, as the case may be.

(2) The joint notice required by paragraph (1) of this subdivision shall include, but not be limited to, the following:

(A) In the case of an assessment proposed to be levied on property, the estimated amount of the assessment per parcel. In the case of an assessment proposed to be levied on businesses, the proposed method and basis of levying the assessment in sufficient detail to allow each business owner to calculate the amount of assessment to be levied against each business. If the assessment is proposed to be increased from any previous year, the joint notice shall separately state both the amount of the existing assessment and the proposed assessment increase.

(B) A general description of the purpose or improvements that the assessment will fund.

(C) The address to which property owners may mail a protest against the assessment.

(D) The telephone number and address of an individual, office, or organization that interested persons may contact to receive additional information about the assessment.

(E) A statement that a majority protest will cause the assessment to be abandoned if the assessment act used to levy the assessment so provides. Notice shall also state the percentage of protests required to trigger an election, if applicable.

(F) The dates, times, and locations of the public meeting and hearing described in subdivision (a).

(G) A proposed assessment formula or range as described in subparagraph (D) of paragraph (1) of subdivision (a) if applicable and that is noticed pursuant to this section.

(3) Notwithstanding paragraph (1), in the case of an assessment that is proposed exclusively for operation and maintenance expenses imposed throughout the entire local agency, or exclusively for operation and maintenance assessments proposed to be levied on 50,000 parcels or more, notice may be provided pursuant to this subdivision or pursuant to paragraph (1) of subdivision (b) and shall include the estimated amount of the assessment of various types, amounts, or uses of property and the information required by subparagraphs (B) to (G), inclusive, of paragraph (2) of subdivision (c).

(4) Notwithstanding paragraph (1), in the case of an assessment proposed to be levied pursuant to Part 2 (commencing with Section 22500) of Division 2 of the Streets and Highways Code by a regional park district, regional park and open-space district, or regional open-space district formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3 of Division 5 of, or pursuant to Division 26 (commencing with Section 35100) of, the Public Resources Code, notice may be provided pursuant to paragraph (1) of subdivision (b).

(d) The notice requirements imposed by this section shall be construed as additional to, and not to supersede, existing provisions of law, and shall be applied concurrently with the existing provisions so as to not delay or prolong the governmental decisionmaking process.

(e) This section shall not apply to any new or increased general tax or any new or increased assessment that requires an election of either of the following:

(1) The property owners subject to the assessment.

(2) The voters within the local agency imposing the tax or assessment.

(f) Nothing in this section shall prohibit a local agency from holding a consolidated meeting or hearing at which the legislative body discusses multiple tax or assessment proposals.

(g) The local agency may recover the reasonable costs of public meetings, public hearings, and notice required by this section from the proceeds of the tax or assessment. The costs recovered for these purposes, whether recovered pursuant to this subdivision or any other provision of law, shall not exceed the reasonable costs of the public meetings, public hearings, and notice.

(h) Any new or increased assessment that is subject to the notice and hearing provisions of Article XIII C or XIII D of the California Constitution is not subject to the notice and hearing requirements of this section.

(Amended by Stats. 2011, Ch. 382, Sec. 3.5. (SB 194) Effective January 1, 2012.)

**54955.** The legislative body of a local agency may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting the clerk or secretary of the legislative body may declare the meeting adjourned to a stated time and place and he shall cause a written notice of the adjournment to be given in the same manner as provided in Section 54956 for special meetings, unless such notice is waived as provided for special meetings. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within 24 hours after the time of the adjournment. When a regular or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings by ordinance, resolution, bylaw, or other rule.

(Amended by Stats. 1959, Ch. 647.)

**54955.1.** Any hearing being held, or noticed or ordered to be held, by a legislative body of a local agency at any meeting may by order or notice of continuance be continued or recontinued to any subsequent meeting of the legislative body in the same manner and to the same extent set forth in Section 54955 for the adjournment of meetings; provided, that if the hearing is continued to a time less than 24 hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be posted immediately following the meeting at which the order or declaration of continuance was adopted or made.

(Added by Stats. 1965, Ch. 469.)

**54956.** (a) (1) A special meeting may be called at any time by the presiding officer of the legislative body of a local agency, or by a majority of the members of the legislative body, by delivering written notice to each member of the legislative body and to each local newspaper of general circulation and radio or television station requesting notice in writing and posting a notice on the local agency's internet website, if the local agency has one. The notice shall be delivered personally or by any other means and shall be received at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings by the legislative body. The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the legislative body a written waiver of notice. The waiver may be given by telephone or electronic mail. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.

(2) The call and notice shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public.

(b) Notwithstanding any other law, a legislative body shall not call a special meeting regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits, of the legislative body or of a local agency executive, as defined in subdivision (d) of Section 3511.1. However, this subdivision does not apply to a local agency calling a special meeting to discuss the local agency's budget.

(Amended by Stats. 2025, Ch. 327, Sec. 18. (SB 707) Effective January 1, 2026.)

**54956.5.** (a) For purposes of this section, "emergency situation" means both of the following:

(1) An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body.

(2) A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring a legislative body to provide one-hour notice before holding an emergency meeting under this section may endanger the public health, safety, or both, as determined by a majority of the members of the legislative body.

(b) (1) Subject to paragraph (2), in the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, a legislative body may hold an emergency meeting without complying with either the 24-hour notice requirement or the 24-hour posting requirement of Section 54956 or both of the notice and posting requirements.

(2) Each local newspaper of general circulation and radio or television station that has requested notice of special meetings pursuant to Section 54956 shall be notified by the presiding officer of the legislative body, or designee thereof, one hour prior to the emergency meeting, or, in the case of a dire emergency, at or near the time that the presiding officer or designee notifies the members of the legislative body of the emergency meeting.

(A) Except as provided in subparagraph (B), the notice required by this paragraph shall be given by telephone and all telephone numbers provided in the most recent request of a newspaper or station for notification of special meetings shall be exhausted. In the event that telephone services are not functioning, the notice requirements of this paragraph shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

(B) For an emergency meeting held pursuant to this section, the presiding officer of the legislative body, or designee thereof, may send the notifications required by this paragraph by email instead of by telephone, as provided in subparagraph (A), to all local newspapers of general circulation, and radio or television stations, that have requested those notifications by email, and all email addresses provided by representatives of those newspapers or stations shall be exhausted. In the event that internet services and telephone services are not functioning, the notice requirements of this paragraph shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

(c) During a meeting held pursuant to this section, the legislative body may meet in closed session pursuant to Section 54957 if agreed to by a two-thirds vote of the members of the legislative body present, or, if less than two-thirds of the members are present, by a unanimous vote of the members present.

(d) All special meeting requirements, as prescribed in Section 54956 shall be applicable to a meeting called pursuant to this section, with the exception of the 24-hour notice requirement.

(e) The minutes of a meeting called pursuant to this section, a list of persons who the presiding officer of the legislative body, or designee of the legislative body, notified or attempted to notify, a copy of the rollcall vote, and any actions taken at the meeting shall be posted for a minimum of 10 days in a public place as soon after the meeting as possible.

*(Amended by Stats. 2025, Ch. 327, Sec. 19. (SB 707) Effective January 1, 2026.)*

**54956.6.** No fees may be charged by the legislative body of a local agency for carrying out any provision of this chapter, except as specifically authorized by this chapter.

*(Added by Stats. 1980, Ch. 1284.)*

**54956.7.** Whenever a legislative body of a local agency determines that it is necessary to discuss and determine whether an applicant for a license or license renewal, who has a criminal record, is sufficiently rehabilitated to obtain the license, the legislative body may hold a closed session with the applicant and the applicant's attorney, if any, for the purpose of holding the discussion and making the determination. If the legislative body determines, as a result of the closed session, that the issuance or renewal of the license should be denied, the applicant shall be offered the opportunity to withdraw the application. If the applicant withdraws the application, no record shall be kept of the discussions or decisions made at the closed session and all matters relating to the closed session shall be confidential. If the applicant does not withdraw the application, the legislative body shall take action at the public meeting during which the closed session is held or at its next public meeting denying the application for the license but all matters relating to the closed session are confidential and shall not be disclosed without the consent of the applicant, except in an action by an applicant who has been denied a license challenging the denial of the license.

*(Added by Stats. 1982, Ch. 298, Sec. 1.)*

**54956.75.** (a) Nothing contained in this chapter shall be construed to prevent the legislative body of a local agency that has received a confidential final draft audit report from the Bureau of State Audits from holding closed sessions to discuss its response to that report.

(b) After the public release of an audit report by the Bureau of State Audits, if a legislative body of a local agency meets to discuss the audit report, it shall do so in an open session unless exempted from that requirement by some other provision of law.



*(Added by Stats. 2004, Ch. 576, Sec. 4. Effective January 1, 2005.)*

**54956.8.** Notwithstanding any other provision of this chapter, a legislative body of a local agency may hold a closed session with its negotiator prior to the purchase, sale, exchange, or lease of real property by or for the local agency to grant authority to its negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease.

However, prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies its negotiators, the real property or real properties which the negotiations may concern, and the person or persons with whom its negotiators may negotiate.

For purposes of this section, negotiators may be members of the legislative body of the local agency.

For purposes of this section, "lease" includes renewal or renegotiation of a lease.

Nothing in this section shall preclude a local agency from holding a closed session for discussions regarding eminent domain proceedings pursuant to Section 54956.9.

*(Amended by Stats. 1998, Ch. 260, Sec. 3. Effective January 1, 1999.)*

**54956.81.** Notwithstanding any other provision of this chapter, a legislative body of a local agency that invests pension funds may hold a closed session to consider the purchase or sale of particular, specific pension fund investments. All investment transaction decisions made during the closed session shall be made by rollcall vote entered into the minutes of the closed session as provided in subdivision (a) of Section 54957.2.

*(Added by Stats. 2004, Ch. 533, Sec. 20. Effective January 1, 2005.)*

**54956.86.** Notwithstanding any other provision of this chapter, a legislative body of a local agency which provides services pursuant to Section 14087.3 of the Welfare and Institutions Code may hold a closed session to hear a charge or complaint from a member enrolled in its health plan if the member does not wish to have his or her name, medical status, or other information that is protected by federal law publicly disclosed. Prior to holding a closed session pursuant to this section, the legislative body shall inform the member, in writing, of his or her right to have the charge or complaint heard in an open session rather than a closed session.

*(Added by Stats. 1996, Ch. 182, Sec. 2. Effective January 1, 1997.)*

**54956.87.** (a) Notwithstanding any other provision of this chapter, the records of a health plan that is licensed pursuant to the Knox-Keene Health Care Service Plan Act of 1975 (Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code) and that is governed by a county board of supervisors, whether paper records, records maintained in the management information system, or records in any other form, that relate to provider rate or payment determinations, allocation or distribution methodologies for provider payments, formulas or calculations for these payments, and contract negotiations with providers of health care for alternative rates are exempt from disclosure for a period of three years after the contract is fully executed. The transmission of the records, or the information contained therein in an alternative form, to the board of supervisors shall not constitute a waiver of exemption from disclosure, and the records and information once transmitted to the board of supervisors shall be subject to this same exemption.

(b) Notwithstanding any other provision of law, the governing board of a health plan that is licensed pursuant to the Knox-Keene Health Care Service Plan Act of 1975 (Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code) and that is governed by a county board of supervisors may order that a meeting held solely for the purpose of discussion or taking action on health plan trade secrets, as defined in subdivision (f), shall be held in closed session. The requirements of making a public report of action taken in closed session, and the vote or abstention of every member present, may be limited to a brief general description without the information constituting the trade secret.

(c) Notwithstanding any other provision of law, the governing board of a health plan may meet in closed session to consider and take action on matters pertaining to contracts and contract negotiations by the health plan with providers of health care services concerning all matters related to rates of payment. The governing board may delete the portion or portions containing trade secrets from any documents that were finally approved in the closed session held pursuant to subdivision (b) that are provided to persons who have made the timely or standing request.

(d) Nothing in this section shall be construed as preventing the governing board from meeting in closed session as otherwise provided by law.

(e) The provisions of this section shall not prevent access to any records by the Joint Legislative Audit Committee in the exercise of its powers pursuant to Article 1 (commencing with Section 10500) of Chapter 4 of Part 2 of Division 2 of Title 2. The provisions of this section also shall not prevent access to any records by the Department of Managed Health Care in the exercise of its powers pursuant to Article 1 (commencing with Section 1340) of Chapter 2.2 of Division 2 of the Health and Safety Code.

(f) For purposes of this section, "health plan trade secret" means a trade secret, as defined in subdivision (d) of Section 3426.1 of the Civil Code, that also meets both of the following criteria:

- (1) The secrecy of the information is necessary for the health plan to initiate a new service, program, marketing strategy, business plan, or technology, or to add a benefit or product.
- (2) Premature disclosure of the trade secret would create a substantial probability of depriving the health plan of a substantial economic benefit or opportunity.

*(Amended by Stats. 2015, Ch. 190, Sec. 65. (AB 1517) Effective January 1, 2016.)*

**54956.9.** (a) Nothing in this chapter shall be construed to prevent a legislative body of a local agency, based on advice of its legal counsel, from holding a closed session to confer with, or receive advice from, its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the local agency in the litigation.

(b) For purposes of this chapter, all expressions of the lawyer-client privilege other than those provided in this section are hereby abrogated. This section is the exclusive expression of the lawyer-client privilege for purposes of conducting closed-session meetings pursuant to this chapter.

(c) For purposes of this section, "litigation" includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator.

(d) For purposes of this section, litigation shall be considered pending when any of the following circumstances exist:

- (1) Litigation, to which the local agency is a party, has been initiated formally.
- (2) A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.
- (3) Based on existing facts and circumstances, the legislative body of the local agency is meeting only to decide whether a closed session is authorized pursuant to paragraph (2).
- (4) Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation.

(e) For purposes of paragraphs (2) and (3) of subdivision (d), "existing facts and circumstances" shall consist only of one of the following:

- (1) Facts and circumstances that might result in litigation against the local agency but which the local agency believes are not yet known to a potential plaintiff or plaintiffs, which facts and circumstances need not be disclosed.
- (2) Facts and circumstances, including, but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the agency and that are known to a potential plaintiff or plaintiffs, which facts or circumstances shall be publicly stated on the agenda or announced.
- (3) The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5.
- (4) A statement made by a person in an open and public meeting threatening litigation on a specific matter within the responsibility of the legislative body.
- (5) A statement threatening litigation made by a person outside an open and public meeting on a specific matter within the responsibility of the legislative body so long as the official or employee of the local agency receiving knowledge of the threat makes a contemporaneous or other record of the statement prior to the meeting, which

record shall be available for public inspection pursuant to Section 54957.5. The records so created need not identify the alleged victim of unlawful or tortious sexual conduct or anyone making the threat on their behalf, or identify a public employee who is the alleged perpetrator of any unlawful or tortious conduct upon which a threat of litigation is based, unless the identity of the person has been publicly disclosed.

(f) Nothing in this section shall require disclosure of written communications that are privileged and not subject to disclosure pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1).

(g) Prior to holding a closed session pursuant to this section, the legislative body of the local agency shall state on the agenda or publicly announce the paragraph of subdivision (d) that authorizes the closed session. If the session is closed pursuant to paragraph (1) of subdivision (d), the body shall state the title of or otherwise specifically identify the litigation to be discussed, unless the body states that to do so would jeopardize the agency's ability to effectuate service of process upon one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

(h) A local agency shall be considered to be a "party" or to have a "significant exposure to litigation" if an officer or employee of the local agency is a party or has significant exposure to litigation concerning prior or prospective activities or alleged activities during the course and scope of that office or employment, including litigation in which it is an issue whether an activity is outside the course and scope of the office or employment.

*(Amended by Stats. 2021, Ch. 615, Sec. 206. (AB 474) Effective January 1, 2022. Operative January 1, 2023, pursuant to Sec. 463 of Stats. 2021, Ch. 615.)*

**54956.95.** (a) Nothing in this chapter shall be construed to prevent a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, for purposes of insurance pooling, or a local agency member of the joint powers agency, from holding a closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by the joint powers agency or a local agency member of the joint powers agency.

(b) Nothing in this chapter shall be construed to prevent the Local Agency Self-Insurance Authority formed pursuant to Chapter 5.5 (commencing with Section 6599.01) of Division 7 of Title 1, or a local agency member of the authority, from holding a closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by the authority or a local agency member of the authority.

(c) Nothing in this section shall be construed to affect Section 54956.9 with respect to any other local agency.

*(Added by Stats. 1989, Ch. 882, Sec. 3.)*

**54956.96.** (a) Nothing in this chapter shall be construed to prevent the legislative body of a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, from adopting a policy or a bylaw or including in its joint powers agreement provisions that authorize either or both of the following:

(1) All information received by the legislative body of the local agency member in a closed session related to the information presented to the joint powers agency in closed session shall be confidential. However, a member of the legislative body of a local agency member may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

(A) Legal counsel of that local agency member for purposes of obtaining advice on whether the matter has direct financial or liability implications for that local agency member.

(B) Other members of the legislative body of the local agency present in a closed session of that local agency member.

(2) Any designated alternate member of the legislative body of the joint powers agency who is also a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the joint powers agency in lieu of a local agency member's regularly appointed member to attend closed sessions of the joint powers agency.

(b) (1) In addition to the authority described in subdivision (a), the Clean Power Alliance of Southern California, or its successor entity, may adopt a policy or a bylaw or include in its joint powers agreement a provision that authorizes both of the following:

(A) A designated alternate member of the legislative body of the Clean Power Alliance of Southern California, or its successor entity, who is not a member of the legislative body of a local agency member and who is

attending a properly noticed meeting of the Clean Power Alliance of Southern California, or its successor entity, in lieu of a local agency member's regularly appointed member, to attend closed sessions of the Clean Power Alliance of Southern California, or its successor entity.

(B) All information that is received by a designated alternate member of the legislative body of the Clean Power Alliance of Southern California, or its successor entity, who is not a member of the legislative body of a local agency member, and that is presented to the Clean Power Alliance of Southern California, or its successor entity, in closed session, shall be confidential. However, the designated alternate member may disclose information obtained in a closed session that has direct financial or liability implications for the local agency member for which the designated alternate member attended the closed session, to the following individuals:

- (i) Legal counsel of that local agency member for purposes of obtaining advice on whether the matter has direct financial or liability implications for that local agency member.
- (ii) Members of the legislative body of the local agency present in a closed session of that local agency member.

(2) If the Clean Power Alliance of Southern California, or its successor entity, adopts a policy or bylaw or includes in its joint powers agreement a provision authorized pursuant to paragraph (1), the Clean Power Alliance of Southern California, or its successor entity, shall establish policies to prevent conflicts of interest and to address breaches of confidentiality that apply to a designated alternate member who is not a member of the legislative body of a local agency member who attends a closed session of the Clean Power Alliance of Southern California, or its successor entity.

(c) If the legislative body of a joint powers agency adopts a policy or a bylaw or includes provisions in its joint powers agreement pursuant to subdivision (a) or (b), then the legislative body of the local agency member, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the joint powers agency pursuant to paragraph (1) of subdivision (a) or paragraph (1) of subdivision (b).

(d) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

*(Amended (as amended by Stats. 2019, Ch. 248, Sec. 1) by Stats. 2024, Ch. 24, Sec. 1. (AB 1852) Effective January 1, 2025. Repealed as of January 1, 2030, by its own provisions. See later operative version, as amended by Sec. 2 of Stats. 2024, Ch. 24.)*

**54956.96.** (a) Nothing in this chapter shall be construed to prevent the legislative body of a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, from adopting a policy or a bylaw or including in its joint powers agreement provisions that authorize either or both of the following:

(1) All information received by the legislative body of the local agency member in a closed session related to the information presented to the joint powers agency in closed session shall be confidential. However, a member of the legislative body of a local agency member may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

(A) Legal counsel of that local agency member for purposes of obtaining advice on whether the matter has direct financial or liability implications for that local agency member.

(B) Other members of the legislative body of the local agency present in a closed session of that local agency member.

(2) A designated alternate member of the legislative body of the joint powers agency who is also a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the joint powers agency in lieu of a local agency member's regularly appointed member to attend closed sessions of the joint powers agency.

(b) If the legislative body of a joint powers agency adopts a policy or a bylaw or includes provisions in its joint powers agreement pursuant to subdivision (a), then the legislative body of the local agency member, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the joint powers agency pursuant to paragraph (1) of subdivision (a).

(c) This section shall become operative on January 1, 2030.

*(Amended (as added by Stats. 2019, Ch. 248, Sec. 2) by Stats. 2024, Ch. 24, Sec. 2. (AB 1852) Effective January 1, 2025. Section operative January 1, 2030, by its own provisions.)*

**54956.97.** Notwithstanding any provision of law, the governing board, or a committee of the governing board, of a public bank, as defined in Section 57600 of the Government Code, may meet in closed session to consider and take action on matters pertaining to all of the following:

- (a) A loan or investment decision.
- (b) A decision of the internal audit committee, the compliance committee, or the governance committee.
- (c) A meeting with a state or federal regulator.

*(Added by Stats. 2019, Ch. 442, Sec. 14. (AB 857) Effective January 1, 2020.)*

**54956.98.** (a) For purposes of this section, the following definitions shall apply:

(1) "Shareholder, member, or owner local agency" or "shareholder, member, or owner" means a local agency that is a shareholder of a public bank.

(2) "Public bank" has the same meaning as defined in Section 57600.

(b) The governing board of a public bank may adopt a policy or a bylaw or include in its governing documents provisions that authorize any of the following:

(1) All information received by a shareholder, member, or owner of the public bank in a closed session related to the information presented to the governing board of a public bank in closed session shall be confidential. However, a member of the governing board of a shareholder, member, or owner local agency may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

(A) Legal counsel of that shareholder, member, or owner local agency for purposes of obtaining advice on whether the matter has direct financial or liability implications for that shareholder local agency.

(B) Other members of the governing board of the local agency present in a closed session of that shareholder, member, or owner local agency.

(2) A designated alternate member of the governing board of the public bank who is also a member of the governing board of a shareholder, member, or owner local agency and who is attending a properly noticed meeting of the public bank governing board in lieu of a shareholder, member, or owner local agency's regularly appointed member may attend a closed session of the public bank governing board.

(c) If the governing board of a public bank adopts a policy or a bylaw or includes provisions in its governing documents pursuant to subdivision (b), then the governing board of the shareholder, member, or owner local agency, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the public bank governing board pursuant to paragraph (1) of subdivision (b).

*(Added by Stats. 2019, Ch. 442, Sec. 15. (AB 857) Effective January 1, 2020.)*

**54957.** (a) (1) This chapter does not prevent the legislative body of a local agency from holding closed sessions with the Governor, Attorney General, district attorney, agency counsel, sheriff, or chief of police, or other law enforcement or security personnel, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings, a threat to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, a threat to the public's right of access to public services or public facilities, or a threat to critical infrastructure controls or critical infrastructure information relating to cybersecurity.

(2) For purposes of this subdivision, the following definitions apply:

(A) "Critical infrastructure controls" means networks and systems controlling assets so vital to the local agency that the incapacity or destruction of those networks, systems, or assets would have a debilitating impact on public health, safety, economic security, or any combination thereof.

(B) "Critical infrastructure information" means information not customarily in the public domain pertaining to any of the following:

(i) Actual, potential, or threatened interference with, or an attack on, compromise of, or incapacitation of critical infrastructure controls by either physical or computer-based attack or other similar conduct, including, but not limited to, the misuse of, or unauthorized access to, all types of communications and data transmission systems, that violates federal, state, or local law or harms public health, safety, or economic security, or any combination thereof.

(ii) The ability of critical infrastructure controls to resist any interference, compromise, or incapacitation, including, but not limited to, any planned or past assessment or estimate of the vulnerability of critical infrastructure.

(iii) Any planned or past operational problem or solution regarding critical infrastructure controls, including, but not limited to, repair, recovery, reconstruction, insurance, or continuity, to the extent it is related to interference, compromise, or incapacitation of critical infrastructure controls.

(b) (1) Subject to paragraph (2), this chapter does not prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session.

(2) As a condition to holding a closed session on specific complaints or charges brought against an employee by another person or employee, the employee shall be given written notice of their right to have the complaints or charges heard in an open session rather than a closed session, which notice shall be delivered to the employee personally or by mail at least 24 hours before the time for holding the session. If notice is not given, any disciplinary or other action taken by the legislative body against the employee based on the specific complaints or charges in the closed session shall be null and void.

(3) The legislative body also may exclude from the public or closed meeting, during the examination of a witness, any or all other witnesses in the matter being investigated by the legislative body.

(4) For the purposes of this subdivision, the term "employee" shall include an officer or an independent contractor who functions as an officer or an employee but shall not include any elected official, member of a legislative body or other independent contractors. This subdivision shall not limit local officials' ability to hold closed session meetings pursuant to Sections 1461, 32106, and 32155 of the Health and Safety Code or Sections 37606 and 37624.3 of the Government Code. Closed sessions held pursuant to this subdivision shall not include discussion or action on proposed compensation except for a reduction of compensation that results from the imposition of discipline.

*(Amended by Stats. 2024, Ch. 243, Sec. 1. (AB 2715) Effective January 1, 2025.)*

**54957.1.** (a) The legislative body of any local agency shall publicly report any action taken in closed session and the vote or abstention on that action of every member present, as follows:

(1) Approval of an agreement concluding real estate negotiations pursuant to Section 54956.8 shall be reported after the agreement is final, as follows:

(A) If its own approval renders the agreement final, the body shall report that approval and the substance of the agreement in open session at the public meeting during which the closed session is held.

(B) If final approval rests with the other party to the negotiations, the local agency shall disclose the fact of that approval and the substance of the agreement upon inquiry by any person, as soon as the other party or its agent has informed the local agency of its approval.

(2) Approval given to its legal counsel to defend, or seek or refrain from seeking appellate review or relief, or to enter as an amicus curiae in any form of litigation as the result of a consultation under Section 54956.9 shall be reported in open session at the public meeting during which the closed session is held. The report shall identify, if known, the adverse party or parties and the substance of the litigation. In the case of approval given to initiate or intervene in an action, the announcement need not identify the action, the defendants, or other particulars, but shall specify that the direction to initiate or intervene in an action has been given and that the action, the defendants, and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the agency's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.



(3) Approval given to its legal counsel of a settlement of pending litigation, as defined in Section 54956.9, at any stage prior to or during a judicial or quasi-judicial proceeding shall be reported after the settlement is final, as follows:

(A) If the legislative body accepts a settlement offer signed by the opposing party, the body shall report its acceptance and identify the substance of the agreement in open session at the public meeting during which the closed session is held.

(B) If final approval rests with some other party to the litigation or with the court, then as soon as the settlement becomes final, and upon inquiry by any person, the local agency shall disclose the fact of that approval, and identify the substance of the agreement.

(4) Disposition reached as to claims discussed in closed session pursuant to Section 54956.95 shall be reported as soon as reached in a manner that identifies the name of the claimant, the name of the local agency claimed against, the substance of the claim, and any monetary amount approved for payment and agreed upon by the claimant.

(5) Action taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a public employee in closed session pursuant to Section 54957 shall be reported at the public meeting during which the closed session is held. Any report required by this paragraph shall identify the title of the position. The general requirement of this paragraph notwithstanding, the report of a dismissal or of the nonrenewal of an employment contract shall be deferred until the first public meeting following the exhaustion of administrative remedies, if any.

(6) Approval of an agreement concluding labor negotiations with represented employees pursuant to Section 54957.6 shall be reported after the agreement is final and has been accepted or ratified by the other party. The report shall identify the item approved and the other party or parties to the negotiation.

(7) Pension fund investment transaction decisions made pursuant to Section 54956.81 shall be disclosed at the first open meeting of the legislative body held after the earlier of the close of the investment transaction or the transfer of pension fund assets for the investment transaction.

(b) Reports that are required to be made pursuant to this section may be made orally or in writing. The legislative body shall provide to any person who has submitted a written request to the legislative body within 24 hours of the posting of the agenda, or to any person who has made a standing request for all documentation as part of a request for notice of meetings pursuant to Section 54954.1 or 54956, if the requester is present at the time the closed session ends, copies of any contracts, settlement agreements, or other documents that were finally approved or adopted in the closed session. If the action taken results in one or more substantive amendments to the related documents requiring retyping, the documents need not be released until the retyping is completed during normal business hours, provided that the presiding officer of the legislative body or his or her designee orally summarizes the substance of the amendments for the benefit of the document requester or any other person present and requesting the information.

(c) The documentation referred to in subdivision (b) shall be available to any person on the next business day following the meeting in which the action referred to is taken or, in the case of substantial amendments, when any necessary retyping is complete.

(d) Nothing in this section shall be construed to require that the legislative body approve actions not otherwise subject to legislative body approval.

(e) No action for injury to a reputational, liberty, or other personal interest may be commenced by or on behalf of any employee or former employee with respect to whom a disclosure is made by a legislative body in an effort to comply with this section.

(f) This section is necessary to implement, and reasonably within the scope of, paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

*(Amended by Stats. 2006, Ch. 538, Sec. 311. Effective January 1, 2007.)*

**54957.2.** (a) The legislative body of a local agency may, by ordinance or resolution, designate a clerk or other officer or employee of the local agency who shall then attend each closed session of the legislative body and keep and enter in a minute book a record of topics discussed and decisions made at the meeting. The minute book made pursuant to this section is not a public record subject to inspection pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), and shall be kept confidential. The minute book shall be available only to members of the legislative body or, if a violation of this chapter is alleged to have occurred at a



closed session, to a court of general jurisdiction wherein the local agency lies. The minute book may, but need not, consist of a recording of the closed session.

(b) An elected legislative body of a local agency may require that each legislative body all or a majority of whose members are appointed by or under the authority of the elected legislative body keep a minute book as prescribed under subdivision (a).

*(Amended by Stats. 2021, Ch. 615, Sec. 207. (AB 474) Effective January 1, 2022. Operative January 1, 2023, pursuant to Sec. 463 of Stats. 2021, Ch. 615.)*

**54957.5.** (a) Agendas of public meetings are disclosable public records under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), and shall be made available upon request without delay and in compliance with Section 54954.2 or Section 54956, as applicable. However, this section shall not apply to a writing, or portion thereof, that is exempt from public disclosure.

(b) (1) If a writing is a public record related to an agenda item for an open session of a regular meeting of the legislative body of a local agency and is distributed to all, or a majority of all, of the members of a legislative body of a local agency by a person in connection with a matter subject to discussion or consideration at an open meeting of the body less than 72 hours before that meeting, the writing shall be made available for public inspection pursuant to paragraph (2) at the time the writing is distributed to all, or a majority of all, of the members of the body.

(2) (A) Except as provided in subparagraph (B), a local agency shall comply with both of the following requirements:

(i) A local agency shall make any writing described in paragraph (1) available for public inspection at a public office or location that the agency shall designate for this purpose.

(ii) A local agency shall list the address of the office or location designated pursuant to clause (i) on the agendas for all meetings of the legislative body of that agency.

(B) A local agency shall not be required to comply with the requirements of subparagraph (A) if all of the following requirements are met:

(i) An initial staff report or similar document containing an executive summary and the staff recommendation, if any, relating to that agenda item is made available for public inspection at the office or location designated pursuant to clause (i) of subparagraph (A) at least 72 hours before the meeting.

(ii) The local agency immediately posts any writing described in paragraph (1) on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

(iii) The local agency lists the web address of the local agency's internet website on the agendas for all meetings of the legislative body of that agency.

(iv) (I) Subject to subclause (II), the local agency makes physical copies available for public inspection, beginning the next regular business hours for the local agency, at the office or location designated pursuant to clause (i) of subparagraph (A).

(II) This clause is satisfied only if the next regular business hours of the local agency commence at least 24 hours before that meeting.

(c) Writings that are public records described in subdivision (b) and distributed during a public meeting shall be made available for public inspection at the meeting if prepared by the local agency or a member of its legislative body, or after the meeting if prepared by some other person. These writings shall be made available in appropriate alternative formats upon request by a person with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(d) This chapter shall not be construed to prevent the legislative body of a local agency from charging a fee or deposit for a copy of a public record pursuant to Section 7922.530, except that a surcharge shall not be imposed on persons with disabilities in violation of Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(e) This section shall not be construed to limit or delay the public's right to inspect or obtain a copy of any record required to be disclosed under the requirements of the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), including, but not limited to, the ability of the public to inspect public records pursuant to Section 7922.525 and obtain copies of public records pursuant to either subdivision (b) of Section 7922.530 or Section 7922.535. This chapter shall not be construed to require a legislative body of a local agency to place any paid advertisement or any other paid notice in any publication.

*(Amended (as amended by Stats. 2021, Ch. 615, Sec. 208) by Stats. 2022, Ch. 971, Sec. 1. (AB 2647) Effective January 1, 2023.)*

**54957.6.** (a) Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation, subject to all of the following conditions:

(1) Prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies its designated representatives.

(2) The closed session shall be for the purpose of reviewing its position and instructing the local agency's designated representatives.

(3) The closed session may take place prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees.

(4) Any closed session with the local agency's designated representative regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits may include discussion of an agency's available funds and funding priorities, but only insofar as these discussions relate to providing instructions to the local agency's designated representative.

(5) The closed session shall not include final action on the proposed compensation of one or more unrepresented employees.

(6) For the purposes enumerated in this section, a legislative body of a local agency may also meet with a state conciliator who has intervened in the proceedings.

(b) For the purposes of this section, the term "employee" shall include an officer or an independent contractor who functions as an officer or an employee, but shall not include any elected official, member of a legislative body, or other independent contractors.

*(Amended by Stats. 2025, Ch. 327, Sec. 20. (SB 707) Effective January 1, 2026.)*

**54957.7.** (a) Prior to holding any closed session, the legislative body of the local agency shall disclose, in an open meeting, the item or items to be discussed in the closed session. The disclosure may take the form of a reference to the item or items as they are listed by number or letter on the agenda. In the closed session, the legislative body may consider only those matters covered in its statement. Nothing in this section shall require or authorize a disclosure of information prohibited by state or federal law.

(b) After any closed session, the legislative body shall reconvene into open session prior to adjournment and shall make any disclosures required by Section 54957.1 of action taken in the closed session.

(c) The announcements required to be made in open session pursuant to this section may be made at the location announced in the agenda for the closed session, as long as the public is allowed to be present at that location for the purpose of hearing the announcements.

*(Amended by Stats. 1993, Ch. 1137, Sec. 15. Effective January 1, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 1137.)*

**54957.8.** (a) For purposes of this section, "multijurisdictional law enforcement agency" means a joint powers entity formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 that provides law enforcement services for the parties to the joint powers agreement for the purpose of investigating criminal activity involving drugs; gangs; sex crimes; firearms trafficking or felony possession of a firearm; high technology, computer, or identity theft; human trafficking; or vehicle theft.

(b) Nothing contained in this chapter shall be construed to prevent the legislative body of a multijurisdictional law enforcement agency, or an advisory body of a multijurisdictional law enforcement agency, from holding closed sessions to discuss the case records of any ongoing criminal investigation of the multijurisdictional law enforcement agency or of any party to the joint powers agreement, to hear testimony from persons involved in the investigation, and to discuss courses of action in particular cases.

*(Amended by Stats. 2006, Ch. 427, Sec. 1. Effective September 22, 2006.)*

**54957.9.** In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of the meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the legislative body conducting the meeting may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the legislative body from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

*(Amended by Stats. 2025, Ch. 327, Sec. 21. (SB 707) Effective January 1, 2026.)*

**54957.95.** (a) (1) In addition to authority exercised pursuant to Sections 54954.3 and 54957.9, the presiding member of the legislative body conducting a meeting or their designee may remove, or cause the removal of, an individual for disrupting the meeting, including any teleconferenced meeting.

(2) Prior to removing an individual, the presiding member or their designee shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding member or their designee may then remove the individual if they do not promptly cease their disruptive behavior. This paragraph does not apply to any behavior described in subparagraph (B) of paragraph (1) of subdivision (b).

(b) As used in this section:

(1) "Disrupting" means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, one of the following:

(A) A failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to Section 54954.3 or any other law.

(B) Engaging in behavior that constitutes use of force or a true threat of force.

(2) "True threat of force" means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat.

*(Amended by Stats. 2025, Ch. 327, Sec. 22. (SB 707) Effective January 1, 2026.)*

**54957.96.** (a) The existing authority of a legislative body or its presiding officer to remove or limit participation by persons who engage in behavior that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting, including existing limitations upon that authority, shall apply to members of the public participating in a meeting via a two-way telephonic service or a two-way audiovisual platform.

(b) For purposes of this section, the following definitions apply:

(1) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service. A two-way audiovisual platform may be structured to disable the use of video for the public participants.

(2) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

*(Added by Stats. 2025, Ch. 327, Sec. 23. (SB 707) Effective January 1, 2026.)*

**54957.10.** Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions to discuss a local agency employee's application for early withdrawal of funds in a deferred compensation plan when

the application is based on financial hardship arising from an unforeseeable emergency due to illness, accident, casualty, or other extraordinary event, as specified in the deferred compensation plan.

*(Added by Stats. 2001, Ch. 45, Sec. 1. Effective January 1, 2002.)*

**54958.** The provisions of this chapter shall apply to the legislative body of every local agency notwithstanding the conflicting provisions of any other state law.

*(Added by Stats. 1953, Ch. 1588.)*

**54959.** Each member of a legislative body who attends a meeting of that legislative body where action is taken in violation of any provision of this chapter, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under this chapter, is guilty of a misdemeanor.

*(Amended by Stats. 1994, Ch. 32, Sec. 18. Effective March 30, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 32.)*

**54960.** (a) The district attorney or any interested person may commence an action by mandamus, injunction, or declaratory relief for the purpose of stopping or preventing violations or threatened violations of this chapter by members of the legislative body of a local agency or to determine the applicability of this chapter to ongoing actions or threatened future actions of the legislative body, or to determine the applicability of this chapter to past actions of the legislative body, subject to Section 54960.2, or to determine whether any rule or action by the legislative body to penalize or otherwise discourage the expression of one or more of its members is valid or invalid under the laws of this state or of the United States, or to compel the legislative body to audio record its closed sessions as hereinafter provided.

(b) The court in its discretion may, upon a judgment of a violation of Section 54956.7, 54956.8, 54956.9, 54956.95, 54957, or 54957.6, order the legislative body to audio record its closed sessions and preserve the audio recordings for the period and under the terms of security and confidentiality the court deems appropriate.

(c) (1) Each recording so kept shall be immediately labeled with the date of the closed session recorded and the title of the clerk or other officer who shall be custodian of the recording.

(2) The audio recordings shall be subject to the following discovery procedures:

(A) In any case in which discovery or disclosure of the audio recording is sought by either the district attorney or the plaintiff in a civil action pursuant to Section 54959, 54960, or 54960.1 alleging that a violation of this chapter has occurred in a closed session that has been recorded pursuant to this section, the party seeking discovery or disclosure shall file a written notice of motion with the appropriate court with notice to the governmental agency that has custody and control of the audio recording. The notice shall be given pursuant to subdivision (b) of Section 1005 of the Code of Civil Procedure.

(B) The notice shall include, in addition to the items required by Section 1010 of the Code of Civil Procedure, all of the following:

(i) Identification of the proceeding in which discovery or disclosure is sought, the party seeking discovery or disclosure, the date and time of the meeting recorded, and the governmental agency that has custody and control of the recording.

(ii) An affidavit that contains specific facts indicating that a violation of the act occurred in the closed session.

(3) If the court, following a review of the motion, finds that there is good cause to believe that a violation has occurred, the court may review, in camera, the recording of that portion of the closed session alleged to have violated the act.

(4) If, following the in camera review, the court concludes that disclosure of a portion of the recording would be likely to materially assist in the resolution of the litigation alleging violation of this chapter, the court shall, in its discretion, make a certified transcript of the portion of the recording a public exhibit in the proceeding.

(5) This section shall not permit discovery of communications that are protected by the attorney-client privilege.

*(Amended by Stats. 2012, Ch. 732, Sec. 1. (SB 1003) Effective January 1, 2013.)*

**54960.1.** (a) The district attorney or any interested person may commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that an action taken by a legislative body of a local agency in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 is null and void under this section. Nothing in this chapter shall be construed to prevent a legislative body from curing or correcting an action challenged pursuant to this section.

(b) Prior to any action being commenced pursuant to subdivision (a), the district attorney or interested person shall make a demand of the legislative body to cure or correct the action alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5. The demand shall be in writing and clearly describe the challenged action of the legislative body and nature of the alleged violation.

(c) (1) The written demand shall be made within 90 days from the date the action was taken unless the action was taken in an open session but in violation of Section 54954.2, in which case the written demand shall be made within 30 days from the date the action was taken.

(2) Within 30 days of receipt of the demand, the legislative body shall cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct or inform the demanding party in writing of its decision not to cure or correct the challenged action.

(3) If the legislative body takes no action within the 30-day period, the inaction shall be deemed a decision not to cure or correct the challenged action, and the 15-day period to commence the action described in subdivision (a) shall commence to run the day after the 30-day period to cure or correct expires.

(4) Within 15 days of receipt of the written notice of the legislative body's decision to cure or correct, or not to cure or correct, or within 15 days of the expiration of the 30-day period to cure or correct, whichever is earlier, the demanding party shall be required to commence the action pursuant to subdivision (a) or thereafter be barred from commencing the action.

(d) An action taken that is alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 shall not be determined to be null and void if any of the following conditions exist:

(1) The action taken was in substantial compliance with Sections 54953, 54954.2, 54954.5, 54954.6, 54956, and 54956.5.

(2) The action taken was in connection with the sale or issuance of notes, bonds, or other evidences of indebtedness or any contract, instrument, or agreement thereto.

(3) The action taken gave rise to a contractual obligation, including a contract let by competitive bid other than compensation for services in the form of salary or fees for professional services, upon which a party has, in good faith and without notice of a challenge to the validity of the action, detrimentally relied.

(4) The action taken was in connection with the collection of any tax.

(5) Any person, city, city and county, county, district, or any agency or subdivision of the state alleging noncompliance with subdivision (a) of Section 54954.2, Section 54956, or Section 54956.5, because of any defect, error, irregularity, or omission in the notice given pursuant to those provisions, had actual notice of the item of business at least 72 hours prior to the meeting at which the action was taken, if the meeting was noticed pursuant to Section 54954.2, or 24 hours prior to the meeting at which the action was taken if the meeting was noticed pursuant to Section 54956, or prior to the meeting at which the action was taken if the meeting is held pursuant to Section 54956.5.

(e) During any action seeking a judicial determination pursuant to subdivision (a) if the court determines, pursuant to a showing by the legislative body that an action alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 has been cured or corrected by a subsequent action of the legislative body, the action filed pursuant to subdivision (a) shall be dismissed with prejudice.

(f) The fact that a legislative body takes a subsequent action to cure or correct an action taken pursuant to this section shall not be construed or admissible as evidence of a violation of this chapter.

*(Amended by Stats. 2002, Ch. 454, Sec. 23. Effective January 1, 2003.)*

**54960.2.** (a) The district attorney or any interested person may file an action to determine the applicability of this chapter to past actions of the legislative body pursuant to subdivision (a) of Section 54960 only if all of the following conditions are met:

(1) The district attorney or interested person alleging a violation of this chapter first submits a cease and desist letter by postal mail or facsimile transmission to the clerk or secretary of the legislative body being accused of the violation, as designated in the statement pertaining to that public agency on file pursuant to Section 53051, or if the agency does not have a statement on file designating a clerk or a secretary, to the chief executive officer of that agency, clearly describing the past action of the legislative body and nature of the alleged violation.

(2) The cease and desist letter required under paragraph (1) is submitted to the legislative body within nine months of the alleged violation.

(3) The time during which the legislative body may respond to the cease and desist letter pursuant to subdivision (b) has expired and the legislative body has not provided an unconditional commitment pursuant to subdivision (c).

(4) Within 60 days of receipt of the legislative body's response to the cease and desist letter, other than an unconditional commitment pursuant to subdivision (c), or within 60 days of the expiration of the time during which the legislative body may respond to the cease and desist letter pursuant to subdivision (b), whichever is earlier, the party submitting the cease and desist letter shall commence the action pursuant to subdivision (a) of Section 54960 or thereafter be barred from commencing the action.

(b) The legislative body may respond to a cease and desist letter submitted pursuant to subdivision (a) within 30 days of receiving the letter. This subdivision shall not be construed to prevent the legislative body from providing an unconditional commitment pursuant to subdivision (c) at any time after the 30-day period has expired, except that in that event the court shall award court costs and reasonable attorney fees to the plaintiff in an action brought pursuant to this section, in accordance with Section 54960.5.

(c) (1) If the legislative body elects to respond to the cease and desist letter with an unconditional commitment to cease, desist from, and not repeat the past action that is alleged to violate this chapter, that response shall be in substantially the following form:

To \_\_\_\_\_:

The [name of legislative body] has received your cease and desist letter dated [date] alleging that the following described past action of the legislative body violates the Ralph M. Brown Act:

[Describe alleged past action, as set forth in the cease and desist letter submitted pursuant to subdivision (a)]

In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the [name of legislative body] hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action as described above.

The [name of legislative body] may rescind this commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as "Rescission of Brown Act Commitment." You will be provided with written notice, sent by any means or media you provide in response to this message, to whatever address or addresses you specify, of any intention to consider rescinding this commitment at least 30 days before any such regular meeting. In the event that this commitment is rescinded, you will have the right to commence legal action pursuant to subdivision (a) of Section 54960 of the Government Code. That notice will be delivered to you by the same means as this commitment, or may be mailed to an address that you have designated in writing.

Very truly yours,

\_\_\_\_\_  
[Chairperson or acting chairperson of the legislative body]



(2) An unconditional commitment pursuant to this subdivision shall be approved by the legislative body in open session at a regular or special meeting as a separate item of business, and not on its consent agenda.

(3) An action shall not be commenced to determine the applicability of this chapter to any past action of the legislative body for which the legislative body has provided an unconditional commitment pursuant to this subdivision. During any action seeking a judicial determination regarding the applicability of this chapter to any past action of the legislative body pursuant to subdivision (a), if the court determines that the legislative body has provided an unconditional commitment pursuant to this subdivision, the action shall be dismissed with prejudice. Nothing in this subdivision shall be construed to modify or limit the existing ability of the district attorney or any interested person to commence an action to determine the applicability of this chapter to ongoing actions or threatened future actions of the legislative body.

(4) Except as provided in subdivision (d), the fact that a legislative body provides an unconditional commitment shall not be construed or admissible as evidence of a violation of this chapter.

(d) If the legislative body provides an unconditional commitment as set forth in subdivision (c), the legislative body shall not thereafter take or engage in the challenged action described in the cease and desist letter, except as provided in subdivision (e). Violation of this subdivision shall constitute an independent violation of this chapter, without regard to whether the challenged action would otherwise violate this chapter. An action alleging past violation or threatened future violation of this subdivision may be brought pursuant to subdivision (a) of Section 54960, without regard to the procedural requirements of this section.

(e) The legislative body may resolve to rescind an unconditional commitment made pursuant to subdivision (c) by a majority vote of its membership taken in open session at a regular meeting as a separate item of business not on its consent agenda, and noticed on its posted agenda as "Rescission of Brown Act Commitment," provided that not less than 30 days prior to such regular meeting, the legislative body provides written notice of its intent to consider the rescission to each person to whom the unconditional commitment was made, and to the district attorney. Upon rescission, the district attorney or any interested person may commence an action pursuant to subdivision (a) of Section 54960. An action under this subdivision may be brought pursuant to subdivision (a) of Section 54960, without regard to the procedural requirements of this section.

*(Added by Stats. 2012, Ch. 732, Sec. 2. (SB 1003) Effective January 1, 2013.)*

**54960.5.** A court may award court costs and reasonable attorney fees to the plaintiff in an action brought pursuant to Section 54960, 54960.1, or 54960.2 where it is found that a legislative body of the local agency has violated this chapter. Additionally, when an action brought pursuant to Section 54960.2 is dismissed with prejudice because a legislative body has provided an unconditional commitment pursuant to paragraph (1) of subdivision (c) of that section at any time after the 30-day period for making such a commitment has expired, the court shall award court costs and reasonable attorney fees to the plaintiff if the filing of that action caused the legislative body to issue the unconditional commitment. The costs and fees shall be paid by the local agency and shall not become a personal liability of any public officer or employee of the local agency.

A court may award court costs and reasonable attorney fees to a defendant in any action brought pursuant to Section 54960 or 54960.1 where the defendant has prevailed in a final determination of such action and the court finds that the action was clearly frivolous and totally lacking in merit.

*(Amended by Stats. 2012, Ch. 732, Sec. 3. (SB 1003) Effective January 1, 2013.)*

**54961.** (a) No legislative body of a local agency shall conduct any meeting in any facility that prohibits the admittance of any person, or persons, on the basis of ancestry or any characteristic listed or defined in Section 11135, or which is inaccessible to disabled persons, or where members of the public may not be present without making a payment or purchase. This section shall apply to every local agency as defined in Section 54951.

(b) No notice, agenda, announcement, or report required under this chapter need identify any victim or alleged victim of tortious sexual conduct or child abuse unless the identity of the person has been publicly disclosed.

*(Amended by Stats. 2007, Ch. 568, Sec. 35. Effective January 1, 2008.)*

**54962.** Except as expressly authorized by this chapter, or by Sections 1461, 1462, 32106, and 32155 of the Health and Safety Code, or by Sections 37606, 37606.1, and 37624.3 of the Government Code as they apply to hospitals, or by any provision of the Education Code pertaining to school districts and community college districts, no closed session may be held by any legislative body of any local agency.

*(Amended by Stats. 2006, Ch. 157, Sec. 2. Effective January 1, 2007.)*



**54963.** (a) A person may not disclose confidential information that has been acquired by being present in a closed session authorized by Section 54956.7, 54956.8, 54956.86, 54956.87, 54956.9, 54957, 54957.6, 54957.8, or 54957.10 to a person not entitled to receive it, unless the legislative body authorizes disclosure of that confidential information.

(b) For purposes of this section, "confidential information" means a communication made in a closed session that is specifically related to the basis for the legislative body of a local agency to meet lawfully in closed session under this chapter.

(c) Violation of this section may be addressed by the use of such remedies as are currently available by law, including, but not limited to:

(1) Injunctive relief to prevent the disclosure of confidential information prohibited by this section.

(2) Disciplinary action against an employee who has willfully disclosed confidential information in violation of this section.

(3) Referral of a member of a legislative body who has willfully disclosed confidential information in violation of this section to the grandjury.

(d) Disciplinary action pursuant to paragraph (2) of subdivision (c) shall require that the employee in question has either received training as to the requirements of this section or otherwise has been given notice of the requirements of this section.

(e) A local agency may not take any action authorized by subdivision (c) against a person, nor shall it be deemed a violation of this section, for doing any of the following:

(1) Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts to a district attorney or grand jury that are necessary to establish the illegality of an action taken by a legislative body of a local agency or the potential illegality of an action that has been the subject of deliberation at a closed session if that action were to be taken by a legislative body of a local agency.

(2) Expressing an opinion concerning the propriety or legality of actions taken by a legislative body of a local agency in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action.

(3) Disclosing information acquired by being present in a closed session under this chapter that is not confidential information.

(f) Nothing in this section shall be construed to prohibit disclosures under the whistleblower statutes contained in Section 1102.5 of the Labor Code or Article 4.5 (commencing with Section 53296) of Chapter 2 of this code.

*(Added by Stats. 2002, Ch. 1119, Sec. 1. Effective January 1, 2003.)*



## State Water Resources Control Board

### **NINTH AMENDED NOTICE OF PUBLIC HEARING AND PROCEDURAL RULING**

The State Water Resources Control Board  
Administrative Hearings Office is holding  
a Public Hearing on the pending Petitions for Change of Water Right  
Permits 16478, 16479, 16481, and 16482  
(Applications 5630, 14443, 14445A, and 17512, respectively) of the

#### **Department of Water Resources.**

The case-in-chief portion of the Public Hearing  
**will continue on December 9, 2025, in hybrid format**  
(in person with the option to participate by Zoom Webinar),  
starting at 9:00 a.m. at

Joe Serna Jr. CalEPA Building, Sierra Hearing Room,  
1001 I Street, Second Floor, Sacramento, California,

and continuing on **December 9, 2025**, by Zoom Webinar only, after  
completion of witnesses to be heard in person.

The hearing will continue on **December 10, 2025**, starting at 9:00 a.m., by  
Zoom Webinar only, and will adjourn no later than 1:00 p.m.

Petitioner's rebuttal portion of the Public Hearing will begin on  
**February 20, 2026**, and continue on  
**February 23, 24, & 25 and March 2, 5, & 6, 2026.**

Protestants' rebuttal portion of the Public Hearing  
will begin on **June 1, 2026**,  
and continue on **June 4, 5, 8, 9, 11, 15, 18, 23, 24, & 26, 2026.**

If necessary, Petitioner's surrebuttal portion of the Public Hearing will  
begin on **August 20, 2026**, and continue on **August 21 & 24, 2026.**

All hearing days will begin at 9:00 a.m.  
and will be held by Zoom Webinar, unless otherwise indicated.  
Representatives of parties will receive an individual invitation to join the hearing  
by e-mail from Zoom.

### **VISITOR CHECK-IN PROCEDURES:**

Please check-in with the security booth on the 1st floor to receive a visitor badge and to be directed to the Sierra Hearing Room on the 2nd floor. If you experience any issues contact the Administrative Hearings Office at [DCP-WR-Petition@waterboards.ca.gov](mailto:DCP-WR-Petition@waterboards.ca.gov) or at (916) 341-6940.

### **LIVE STREAMING:**

**Parties or interested members of the public who would like to watch this hearing without participating may do so through the Administrative Hearings Office YouTube channel at: [bit.ly/aho-youtube](https://bit.ly/aho-youtube).**

### **LANGUAGE SERVICES AND ACCESSIBILITY:**

This hearing will be conducted in English. To request translation of a written document, interpretation services for the hearing, or sign language services, please use one of the following options at least **two days before the hearing dates 12/09/2025 and 12/10/2025 and two weeks before the remaining hearing dates.**

- Submit a [Language Services Request online](#)
- Call (916) 341-5254
- E-mail [languageservices@waterboards.ca.gov](mailto:languageservices@waterboards.ca.gov)

**Users of a Telecommunications Device for the Deaf (TDD) may contact the California Relay Service at (800) 735-2929 or the teletype (TTY) voice line at (800) 735-2922.**

## **PURPOSE OF HEARING**

The State Water Resources Control Board (State Water Board or Board) Administrative Hearings Office is conducting a public hearing about the Delta Conveyance Project. The purpose of the hearing is to gather evidence that the State Water Board will consider to determine whether to approve change petitions filed by the Department of Water Resources (DWR or Petitioner) to add two new points of diversion and rediversion to water right Permits 16478, 16479, 16481, and 16482 (Applications 5630, 14443, 14445A, and 17512, respectively) and, if so, terms and conditions the Board should include in the amended permits.

## **BACKGROUND**

On February 22, 2024, the State Water Board's Division of Water Rights received petitions for change from DWR to add two new points of diversion and points of rediversion to water right Permits 16478, 16479, 16481, and 16482, which are associated with the State Water Project. The proposed new points of diversion and points of rediversion would consist of screened intakes 2.3 miles apart located on the lower Sacramento River between Freeport and Sutter Slough. The proposed new intakes are part of the Delta Conveyance Project, which would allow DWR to divert water from the Sacramento River in the northern portion of the Sacramento-San Joaquin Delta Estuary (Delta) and convey the water through a tunnel to existing water distribution facilities in the southern Delta. A more detailed description of the Delta Conveyance Project and the associated petitions for change can be found in the July 31, 2024 Notice of Public Hearing.

This hearing is being conducted in accordance with the procedural requirements in the July 31, 2024 Notice of Public Hearing as amended by subsequent rulings and notices.

## **PROCEDURAL RULING**

### *Clarification of Scope of Rebuttal*

DWR requested clarification about the scope of rebuttal evidence and cross-examination of rebuttal witnesses. (2025-10-24 DWR Objections to 8<sup>th</sup> Hearing Notice.) Consistent with past practice in State Water Board and Administrative Hearings Office (AHO) hearings and the July 31, 2024 Notice of Public Hearing in this proceeding, cross-examination of rebuttal witnesses will be limited in scope to matters raised by the witness during rebuttal. (2024-07-31 Hearing Notice, p. 24.) Rebuttal evidence may respond to matters raised during cross-examination of a case-in-chief witness even if the matter was not raised in written case-in-chief testimony.

### *DWR's Objections to the Schedule in the Eighth Amended Hearing Notice*

DWR filed an objection to the hearing schedule for rebuttal in the Eighth Amended Hearing Notice. (2025-10-24 DWR Objections to 8<sup>th</sup> Hearing Notice.) DWR raises concerns about the efficiency of the hearing schedule, identifying several aspects of the schedule that DWR believes could be accelerated. I have carefully re-considered the current schedule and DWR's recommendations but find that no change to the schedule

is feasible when considered with the multiple significant matters affecting the San Francisco Bay/Sacramento-San Joaquin Delta watershed (Bay-Delta Watershed) that are currently pending before the State Water Board. These high priority items are proceeding concurrently, and the deadlines associated with each of these processes must be coordinated within the constraints of the schedules of State Water Board members, staff resources of the Division of Water Rights and the AHO, and the burdens on public agencies, non-governmental organizations, and other entities who are participating in the various proceedings.<sup>1</sup> The current schedule reflects a careful balancing of the various deadlines, comment periods, hearing and Board meeting and workshop dates, and contingencies that could affect these schedules. The AHO intends to pursue this hearing to completion and submit a recommended order to the Board as expeditiously as possible given the complexity of the factual and legal issues and the magnitude of the public policy considerations, while conducting this hearing in a manner that is equitable, allows for meaningful participation by the parties and other members of the public, and produces a robust record on which the Board can make an informed decision that will withstand judicial challenge.

#### *SWC's Objections to the Schedule in the Eighth Amended Hearing Notice*

State Water Contractors (SWC) objects to the staggered rebuttal schedule in the Eighth Amended Hearing Notice because the notice did not include an opportunity for SWC to present surrebuttal evidence in response to protestants' rebuttal evidence. (2025-10-24 SWC Objection to 8<sup>th</sup> Amended Hearing Notice.) The Eighth Amended Hearing Notice states that "Petitioner will have the option to submit surrebuttal exhibits, including testimony, and shall inform the hearing officer by the last day of the rebuttal portion of the hearing whether Petitioner intends to do so. The hearing schedule includes dates reserved for surrebuttal for use in the event Petitioner submits surrebuttal testimony." (2025-10-22 Eighth Amended Hearing Notice and Procedural Ruling, p. 4.) I did not intend to exclude SWC and other parties aligned with DWR from the option to present surrebuttal evidence. SWC and other parties aligned with DWR may exercise the same option to submit surrebuttal exhibits by stating their intent by the last day of the rebuttal portion of the hearing.

One reason for staggering the rebuttal portion of the hearing and requiring DWR, SWC, and other parties aligned with DWR to submit their rebuttal evidence in advance of protestants, is to avoid, or significantly limit, any surrebuttal portion of the hearing. By requiring DWR, SWC, and any other aligned parties to submit their rebuttal evidence before protestants, protestants will already have had the opportunity to respond to

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<sup>1</sup> I previously declined to follow the recommendation of many of the protestants that these processes proceed linearly and to postpone this hearing until the update to the Water Quality Control Plan for the Bay-Delta Watershed was final. Although I concluded that such a delay was not warranted, the decision to proceed concurrently requires coordination of dates and deadlines to avoid unreasonable overlap with the schedules of the various matters pending before the Board that affect the Bay-Delta Watershed.

opposing rebuttal evidence. Therefore, surrebuttal will be limited to any evidence that DWR or aligned parties seek to present in response to protestants' rebuttal evidence.

SWC also submitted revised objections to the Eighth Amended Hearing Notice, explicitly seeking the opportunity to evaluate and respond to additional modeling that the AHO has directed DWR to submit prior to the rebuttal portion of the hearing. (2025-10-29 SWC Revised Objection to 8<sup>th</sup> Amended Hearing Notice.) Because the request is made in the abstract, without access to model results that DWR has yet to develop, I decline to rule on the request at this time. SWC may reiterate its request to submit evidence that responds to the additional model results after it has had an opportunity to review them. Furthermore, if DWR does not seek a similar opportunity to submit evidence related to the additional model results, I expect SWC to demonstrate why it should be allowed to respond even though the Petitioner does not seek to do so.

#### *Deirdre Des Jardins' Motion to Address Pattern of Misrepresentation*

During the case-in-chief portion of the hearing, Ms. Des Jardins submitted a "Motion to Address Pattern of Misrepresentation." (2025-09-16 DDJ Motion to Address Pattern of Misrepresentation.) By this motion, Ms. Des Jardins seeks to strike alleged "false testimony" from the record and other relief.

DWR submitted revisions to Mr. Murdock's testimony on September 11 (Exhibit DWR-00001R) to clarify that participants in the Stakeholder Engagement Committee included persons representing residents of Sacramento, Yolo, San Joaquin, Solano, and Contra Costa Counties, rather than the counties as entities. With this revision, much of Ms. Des Jardins' motion is rendered moot. In addition, Ms. Des Jardins' motion appears to consist of both an attempt to re-argue evidentiary objections that were to be submitted in writing by July 25 and substantive argument about the veracity of testimony that would be most appropriately included in closing briefs. Some of the requested relief in the form of "findings of facts" would be inappropriate at this time, as such findings are to be made by the State Water Board after considering the whole of the evidentiary record. Finally, Ms. Des Jardins has made no showing that the protestants have been or would be prejudiced in their ability to challenge the portions of testimony presented by DWR's witnesses to which she objects. Contrary to Ms. Des Jardins' assertions, time limits are a necessary and appropriate means to conduct efficient hearings, and Ms. Des Jardins was afforded four hours to cross-examine DWR's witnesses in addition to the 56 hours granted to the other protesting parties. For these reasons, I deny Ms. Des Jardins' motion.

Ms. Des Jardins also asserts that her requests for document production and depositions included in the evidentiary objections to DWR's case-in-chief evidence remain pending. (2025-09-16 DDJ Motion to Address Pattern of Misrepresentation, p. 7; 2025-07-25 DDJ Objections.) Ms. Des Jardins requests that the AHO order DWR to produce all documents related to the intake design process and allow deposition of certain witnesses.

The AHO declines to issue such an order because Ms. Des Jardins may request a subpoena pursuant to Government Code section 11450.20 that would require the production of documents or witnesses. Government Code section 11450.20 states that

a subpoena shall be issued by an agency at the request of a party in accordance with sections 1985 through 1985.4 of the California Code of Civil Procedure. Section 1985 provides that “[t]he clerk, or a judge, shall issue a subpoena or subpoena duces tecum signed and sealed but otherwise in blank to a party requesting it, who shall fill it in before service.” The AHO will issue a subpoena or subpoena duces tecum signed and sealed but otherwise in blank to Ms. Des Jardins if she submits a request, in accordance with section 1985, but only after Ms. Des Jardins has met and conferred with DWR. This conference shall address the specific documents to be requested, the identity of any witnesses sought to be deposed, and other means to focus the scope of or eliminate the need for a subpoena.

If issued, a subpoena is subject to a motion for a protective order or motion to quash. (Gov. Code, § 11450.30.) Any objections to a subpoena will be resolved by the hearing officer, who may quash or limit a subpoena as appropriate to protect parties or witnesses from unreasonable or oppressive demands.

#### *Other Procedural Objections*

Several protestants objected to the December 1 deadline for responses to evidentiary objections to case-in-chief evidence that was included in the Eighth Amended Hearing Notice. These objections were addressed in the hearing officer’s e-mail ruling of October 31, which extended the deadline for these responses until December 10.

### **HEARING SCHEDULE AND DEADLINES**

The hearing schedule is revised to include hearing days on December 9 and 10, 2025, for cross-examination of witnesses who testified during the site visit.

The deadline for submission by DWR of additional information in accordance with the hearing officer’s October 10 letter, which is currently set concurrent with the deadline for submission by DWR of rebuttal exhibits, is subject to revision.

<b>Deadlines / Schedule</b>	<b>Date and Time</b>
Deadline for parties to identify whether site visit witnesses will testify in person (on the morning of December 9) or by Zoom Webinar or will offer testimony for acceptance as a policy statement only.	<b>December 5, 2025.</b>
Hearing days for cross-examination of witnesses presenting testimony during site visit.	<b>December 9, 2025, starting at 9:00 a.m., in person (with Zoom Webinar option) for cross-examination of witnesses appearing in person, continuing after a one-hour break by Zoom Webinar only, for cross-examination of witnesses appearing remotely. Continuing on December 10,</b>



	<b>2025, (by Zoom Webinar only) starting at 9:00 a.m., and adjourning by 1:00 p.m.</b>
Deadline for parties to respond to evidentiary objections to case-in-chief evidence (except Hood Community Council and Save the California Delta Alliance [HCC-SCDA] evidence).	<b>December 10, 2025.</b>
Deadline for Petitioner to submit model results and updated SacWAM model per October 10, October 31, and November 10, 2025 letters.	<b>December 22, 2025.</b>
Deadline for parties to file objections to direct or cross-examination testimony of site visit witnesses or HCC-SCDA evidence.	<b>December 22, 2025.</b>
Deadline for Petitioner and aligned parties to submit rebuttal exhibits, updated exhibit identification indices, and proposed order of witness presentation.	<b>December 22, 2025.</b>
Deadline for parties to respond to evidentiary objections submitted pursuant to the December 22 deadline above.	<b>January 9, 2026.</b>
Hearing on Petitioner's and aligned parties' rebuttal testimony.	<b>February 20, 23, 24, &amp; 25 and March 2, 5, &amp; 6, 2026, starting at 9:00 a.m.</b>
Deadline for Protestants to submit rebuttal exhibits, updated exhibit identification indices, and proposed order of witness presentation.	<b>April 30, 2026.</b>
Hearing on Protestants' rebuttal testimony.	<b>June 1, 4, 5, 8, 9, 11, 15, 18, 23, 24, &amp; 26, 2026, starting at 9:00 a.m.</b>

Deadline for Petitioner to submit surrebuttal exhibits and updated exhibit identification indices (if requested and approved by hearing officer).	<b>July 24, 2026.</b>
Hearing on Petitioner's surrebuttal testimony (as necessary).	<b>August 20, 21, &amp; 24, 2026, starting at 9:00 a.m.</b>

Date: December 4, 2025



Nicole L. Kuenzi  
Presiding Hearing Officer  
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State Water Resources Control Board

Attachments:

- Attachment 1 - Service List

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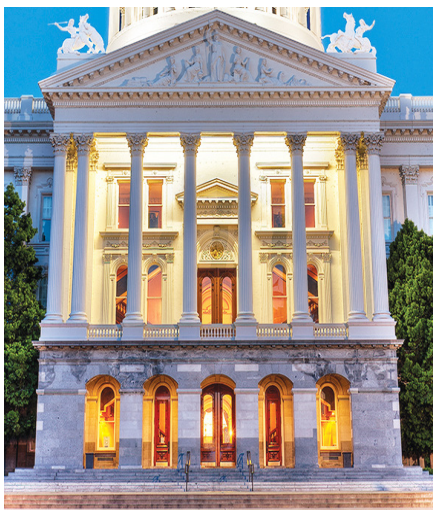
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# SACRAMENTO REPORT

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## NEWS BRIEFS

### Drought Status Update

“Water Year 2026 (October 1, 2025–September 20, 2026) began very differently than Water Year 2025. Drought developed in the first few months of the last water year and expanded over the region. This water year, over the course of 2 months, drought across California-Nevada has improved by 1-3 categories, according to the U.S. Drought Monitor. Since the start of the 2026 Water Year on October 1, several areas of California-Nevada have received more than 300% of normal water year to date precipitation, improving

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### VAWC Members Look Ahead to 2026

Valley Ag Water Coalition members gathered in San Diego and voted to enter their twentieth year advocating on behalf of San Joaquin Valley farm water suppliers.

Meeting at the Association of California Water Agencies Fall Conference, the VAWC Steering Committee and coalition member representatives reviewed the success and failures in 2025 and determined to enter a new year on a sounder financial footing. Meeting participants expressed support for the work of the Coalition in Sacramento, noting the ability of VAWC to quickly and aggressively support beneficial legislation and oppose legislation that further burdens the ability of farm water suppliers to deliver a reliable water supply.

VAWC has experienced an operating deficit for the past two years. The Steering Committee expressed concern about the financial shortfall and determined to correct it. As a result, VAWC annual dues were set at 10 cents per acre with a \$10,000 annual cap per member. For most Coalition members, the annual increase will be less than \$500. The largest 11 district members will see a \$3,000 annual increase. Executive Director Bob Reeb expressed appreciation for the support demonstrated by unanimous approval of the dues increase.

*See [VAWC Members](#), page 2*

### Kern And Kaweah Subbasins Returned To DWR Jurisdiction

Earlier this month, the State Water Resources Control Board (State Water Board) officially returned both the Kern and Kaweah subbasins to the Department of Water Resources’ (DWR) jurisdiction under the Sustainable Groundwater Management Act (SGMA).

Both the Kern and Kaweah subbasins were among six San Joaquin Valley subbasins that submitted groundwater sustainability plans that DWR deemed “inadequate” in 2023. The determination placed both subbasins under State Water Board jurisdiction and triggered the state intervention process.

After state intervention is triggered in a groundwater basin, the State Water Board considers whether to designate a basin as probationary. Under this designation,

*See [Subbasins](#), page 2*

## Inside Sacramento Report

New San Joaquin Basin Flood-MAR Watershed Studies Released .....	3
CA State Budget Faces Ongoing Deficits in the Near Term .....	5

soil moisture conditions. Snowpack is starting to build, albeit slowly due to much-above-normal temperatures. Long-term drought (according to the U.S. Drought Monitor) lingers from central-southern Nevada to the California border, an extension of drought conditions from the Southwestern U.S. Extended range outlooks remain uncertain for December. NOAA's National Weather Service forecasts a break in precipitation over the next two weeks, with slight indications for Southern California to be drier than normal through February." [Read the full update from NIDIS.](#)

## Research Shows Water Suppliers Overestimate Demand

A study of 61 water suppliers in California found that projections of water demand from 2000 to 2020 consistently overestimated actual demand — by 25% for five-year projections and by 74% for 20-year projections, on average. Water demand per capita, which suppliers typically assumed to be stable or growing, dropped nearly 2% per year over the study period. Researchers attribute this to an increase in rebate programs and mandatory regulations for limiting outdoor water use. As climate change makes water conservation more uncertain, they write, water suppliers should improve forecasting methods to avoid needless infrastructure costs and support sustainable water management. Read the paper at Water Resources Research. [Read the paper at Water Resources Research.](#)

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In addition to regular members, who are eligible to serve on the Steering Committee and vote on VAWC matters, groundwater sustainability agencies can become Associate Members (\$3,000 per year), and companies that provide services to farm water suppliers (legal, planning, engineering, IT, et cetera) can support VAWC for \$500 per year and receive recognition for their support in VAWC's monthly electronic newsletter.

"VAWC is not alone in advocating on behalf of San Joaquin Valley agriculture and farm water supply," Reeb shared with the annual meeting attendees. "We often work in a coordinated effort alongside other statewide organizations like the Association of California Water Agencies, California Chamber of Commerce, California Farm Bureau Federation, Western Growers Association and others. We're not afraid to go it alone when necessary, but our voice in the Legislature and Newsom Administration is amplified when we work together with like interests."

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## Subbasins

, *continued from page 1*

the board collects the groundwater extraction information necessary to inform sustainable groundwater management while board staff work with groundwater agencies to address the remaining deficiencies in their plans so intervention is no longer needed. Ninety days after probation, most groundwater pumpers in the subbasin would be required to begin recording their pumping and eventually be required to pay fees.

Originally scheduled for a probationary hearing in November 2024, the Kaweah subbasin released amended GSPs in June 2024, and later in October 2024, to address the deficiencies identified by DWR and the Board. After these submissions, State Water Board staff postponed the probationary hearings to complete a thorough review of the amended groundwater sustainability plans. In June 2025, Kaweah subbasin submitted another revised GSP, triggering a 75-day public comment period. In September, State Water Board staff had indicated recommending that the Board return the subbasin to DWR oversight.

The State Water Board originally held a public hearing whether to designate Kern as probationary in February 2025; however, the board decided to continue the hearing on September 17, 2025 citing significant progress in the revised plans adopted by the Kern subbasin GSAs. In June and September 2025, Kern subbasin groundwater sustainability agencies (GSAs) submitted updated GSPs. During the September 17 hearing, the board adopted language into its resolution requiring the return of the subbasin to DWR oversight upon the completion of the staff's review.

According to the State Water Board, the new plans for both the Kern and Kaweah subbasins, address the problems that DWR identified as well as State Water Board staff concerns and, by implementing the revised plans, the GSAs are on track to achieve sustainable groundwater management.

The Kern and Kaweah subbasin join the Chowchilla subbasin in successfully avoiding State Water Board jurisdiction and probation under SGMA. The Chowchilla subbasin was returned to DWR's oversight earlier this year, after the State Water Board determined that a probationary designation was unnecessary.

The remaining San Joaquin Valley Subbasins remain in various stages of state intervention process.



The Tule subbasin was designated as probationary in September 2024. The Tulare Lake subbasin was initially designated as probationary in April 2024, however, the Kings County Farm Bureau and two landowners filed a lawsuit over the decision, alleging that the Board's plan went beyond its own authority in an act of "state overreach. In October 2025, the Fifth District Court of Appeal issued a decision enabling the State Water Board to resume state intervention work related to the probationary designation of the Tulare Lake Subbasin. The Delta Mendota subbasin, meanwhile, has yet to be scheduled for a hearing.

For more information on the status of the subbasins, please visit the State Water Board's [Groundwater Basins](#) webpage.

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## **New San Joaquin Basin Flood-MAR Watershed Studies Released**

Last month, the California Department of Water Resources (DWR) released the San Joaquin Basin Flood-MAR Watershed Studies, a comprehensive, basinwide assessment examining how climate change is intensifying flood risk, groundwater overdraft, and ecosystem stress across one of California's most critical agricultural and population centers.

The studies cover five San Joaquin watersheds — Calaveras, Stanislaus, Tuolumne, Merced, and Upper San Joaquin — and are intended to inform future planning, coordination, and investment decisions.

"San Joaquin Valley communities will be dramatically shaped by growing extremes in drought and flood, and our capacity to respond to them. The Watershed Studies begin a broad path forward for the Valley — outlining the risk if we do nothing and what we can gain if we begin acting together now," said DWR Director Karla Nemeth. "They show how coordinated watershed investments can protect our water supplies and support agriculture and ecosystems, reduce flood risk and provide our partners the information they need to protect communities."

Climate change is accelerating California's "weather whiplash," increasingly severe swings between prolonged drought and extreme flood events. Rising temperatures are reducing the Sierra Nevada snowpack's ability to function as a natural reservoir, shifting runoff earlier in the year and compressing flows into shorter, more intense winter periods. At the same time, more intense atmospheric river storms are driving higher peak flows that strain existing flood infrastructure designed for historical hydrologic conditions.

The new studies note that every major water management sector in the basin — flood protection, surface and groundwater supply, and ecosystems — is vulnerable to these changes. Flood risk in the San Joaquin Basin is already among the highest in the nation, and the studies conclude that climate change will further increase both the magnitude and duration of flood events. Without significant intervention, these pressures threaten communities, agricultural lands, critical infrastructure, and long-term water reliability throughout the region.

Groundwater conditions present an equally serious challenge. The San Joaquin Basin relies heavily on groundwater to meet agricultural and urban demands, and current pumping already exceeds long-term replenishment. The studies project that climate change will worsen groundwater overdraft, lower groundwater levels, increase subsidence, and further deplete interconnected stream systems.

See [Flood-MAR](#), page 4

## **Comments Sought on Third Delta Science Plan**

The Delta Stewardship Council's Delta Science Program is developing the third iteration of the Delta Science Plan, which outlines the vision, principles, and approaches that guide science in the Sacramento-San Joaquin Delta. The Plan, updated every five years, works to improve coordination across the Delta science community and strengthen communication of scientific findings to policymakers. This helps address the region's natural resource management challenges more effectively. The draft 2026 Delta Science Plan is available for [public review \(PDF\)](#) and comment. Comments are accepted through Jan. 20, and may be submitted through [this online survey](#), emailed to [collaborativescience@deltacouncil.ca.gov](mailto:collaborativescience@deltacouncil.ca.gov), or mailed to Delta Stewardship Council - Delta Science Program, Collaborative Science and Peer Review Unit, 715 P Street, 15-300, Sacramento, CA 95814.

## **NASEM Reviews Central Valley Project and State Water Project**

At the request of the US Bureau of Reclamation (USBR), the National Academies of Sciences, Engineering, and Medicine (NASEM) recently conducted a comprehensive review of the scientific activities supporting the long-term operations of the Central Valley Project (CVP) and [State Water Project](#) (SWP). An 18-member committee led this work, and the report underwent independent peer review before its release. Issued in November 2025, this report serves as the inaugural product in a planned series of biennial reviews designed to solve complex

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## NEWS BRIEFS *continued*

problems and inform public policy. The committee's charge was specific: assess the science informing three high-stakes actions managed by the USBR and the California Department of Water Resources (CDWR). These actions are central to daily operations and are critical for both water customers and the protection of six species listed under the Endangered Species Act. The full report is available on the [NASEM website](#).

### **DWR Announces Initial SWP 2026 Allocations**

The Department of Water Resources (DWR) announced an initial State Water Project (SWP) allocation of 10 percent of requested supplies for the new water year. This allocation represents the first water supply forecast of the season for the 29 public water agencies served by the SWP which provides water to 27 million Californians and 750,000 acres of farmland. Across the state, California's water supply starts the season in good shape with statewide reservoir storage just above average at 114 percent. Lake Oroville, the SWP's largest reservoir, is at 100 percent of average for this time of year, slightly above where it was at last December. Each year, DWR provides the initial SWP allocation based on available water storage, projected water supply and water demands. Allocations are updated monthly as snowpack, rainfall and runoff data is analyzed, with a final allocation typically determined near the end of the season in May or June. For more information, please visit DWR's [State Water Project](#) webpage

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## *Flood-MAR, continued from page 3*

These impacts heighten risks to domestic and agricultural wells, groundwater-dependent ecosystems, and surface water infrastructure.

To address these compounding risks, DWR evaluated two floodwater-based managed aquifer recharge strategies designed to turn high-flow events into a resource rather than a hazard. The first strategy, MAR-90/20, reflects the State Water Resources Control Board's streamlined permitting framework, allowing diversion of high flows when rivers exceed the 90th percentile of historical daily flows, up to 20 percent of total flow. This approach requires limited infrastructure investment and provides targeted recharge benefits across the basin.

The second and more comprehensive strategy, Integrated Forecast-Informed Resource Management (I-FIRM), integrates managed aquifer recharge with forecast-informed reservoir operations. By coordinating reservoir reoperations, recharge timing, and conveyance improvements, I-FIRM is designed to simultaneously reduce flood risk, increase groundwater recharge, and support ecosystem functions.

The DWR studies reveal a stark performance difference between the two approaches. Under future climate conditions, I-FIRM delivers more than four times the recharge achieved under MAR-90/20 across the five watersheds. By integrating recharge with forecast-informed reservoir operations, I-FIRM also reduces peak flood flows by up to 54 percent, compared to reductions of up to 5 percent under MAR-90/20. While neither strategy fully eliminates existing groundwater overdraft, I-FIRM substantially offsets the additional overdraft driven by climate change and delivers broader benefits across water supply, flood management, and ecosystems.

The studies emphasize that location and coordination matter. Recharge is most effective when strategically targeted to areas with the greatest need, including overdrafted regions, subsidence-prone areas, groundwater-dependent ecosystems, and disadvantaged communities.

"Many groundwater basins are facing enormous challenges to end overdraft and achieve groundwater sustainability especially with growing weather extremes," said Paul Gosselin, DWR Deputy Director of Sustainable Water Management. "The San Joaquin Valley Watershed Study provides cutting edge scientific analysis that identifies opportunities that could greatly replenish groundwater basins."

According to DWR, basinwide coordination is essential. Groundwater moves across watershed and subbasin boundaries, and flood risk reductions in upstream tributaries provide cumulative benefits to the lower San Joaquin River. The report notes that implementation of I-FIRM would require unprecedented coordination among water supply managers, flood managers, ecosystem interests, and local, state, and federal agencies, including engagement with the U.S. Army Corps of Engineers for reservoir operations.

DWR identifies several next steps to move from analysis to action. These include developing watershed-scale partnerships, advancing pilot projects to test both MAR-90/20 and I-FIRM strategies, and pursuing basinwide implementation where feasible. The studies also note that upcoming planning efforts, including the 2027 Central Valley Flood Protection Plan update, will evaluate forecast-informed Flood-MAR strategies as part of the state's broader flood investment framework.

*See Flood-MAR, page 5*  
**62**

## **Flood-MAR**, continued from page 4

DWR describes the Flood-MAR Watershed Studies as a roadmap for adapting to a hotter, more volatile climate by integrating flood management, groundwater sustainability, and ecosystem resilience. As climate pressures intensify, the department emphasizes that bold, coordinated action will be necessary to reduce risks and protect the long-term viability of the San Joaquin Basin.

All studies and accompanying reports are available [here](#).

(Source: California Department of Water Resources)

## **CA State Budget Faces Ongoing Deficits in the Near Term**

On November 19, 2025, the Legislative Analyst's Office (LAO) released its annual **Fiscal Outlook** report, warning the Legislature not only of an estimated \$18 billion budget problem in 2026-27, but also of the persistent structural deficits in the near future.

According to the LAO, the current outlook represents a complicated fiscal picture. While income tax collections have grown at double-digit rates in recent months, these gains are being driven largely by strong stock market performance tied to enthusiasm around artificial intelligence (AI). The report warns that this revenue growth may not be sustainable. Borrowing costs remain high, tariffs are creating cost pressures, and broader economic indicators—such as payroll job growth and taxable sales—remain sluggish. Thus, the LAO's forecast incorporates the strong risk that recent income tax gains are tied to this unsustainable stock market.

"This does not mean our forecast assumes a stock market downturn will definitely happen," the report states. "Instead, our forecast includes income tax collections that are somewhat weaker than suggested by cash trends, but still tens of billions of dollars above where they would be if stocks actually drop significantly."

While revenues across the budget window are estimated to be roughly \$11 billion higher than assumed in the Budget Act, nearly all of this improvement is offset by increased constitutional spending requirements and higher programmatic costs, such as Proposition 98 and Proposition 2. Beyond constitutional obligations, the LAO identifies nearly \$6 billion in higher costs across other areas of the budget. These include higher-than-anticipated statewide expenditures such as retiree health care and pensions, increased costs in Medi-Cal and CalFresh related to recent federal changes, higher corrections costs due to ongoing funding imbalances, and erosion of previously assumed savings related to employee compensation and other budget solutions.

Looking beyond 2026–27, the LAO's multiyear outlook raises even greater concern. Beginning in 2027–28, the state is projected to experience ballooning deficits of about \$35 billion annually, driven by spending growth that continues to outpace revenue growth. While the Legislature enacted some ongoing spending reductions in recent budgets—particularly in Medi-Cal—these actions are not sufficient to prevent the gap between revenues and expenditures from widening in future years. The LAO notes that several temporary solutions used in recent budgets, such as furloughs and borrowing, are scheduled to expire, while certain program expansions and repayment of prior budgetary maneuvers will further increase costs.

See **CA State Budget**, page 6

## **NEWS BRIEFS** continued

### **DWR Releases San Joaquin Conveyance Study**

The Department of Water Resources (DWR) has released the San Joaquin Valley Conveyance Study, a comprehensive assessment of how land subsidence is affecting water delivery systems in one of California's most important agricultural regions. The study finds that decades of groundwater over-pumping have caused widespread, permanent sinking of land, reducing the capacity of major conveyance facilities that serve more than 4 million residents. Subsidence has significantly impaired canals such as the California Aqueduct, San Luis Canal, Delta-Mendota Canal, and Friant-Kern Canal, limiting the state's ability to move water efficiently and capture flood flows during wet years. DWR concludes that stabilizing groundwater levels is the highest priority for protecting long-term water reliability in the San Joaquin Valley. Please view the full report [here](#).

### **Delta Protection Commission Appeals DCP**

On November 18, 2025, the Delta Protection Commission voted 9–0, with one abstention, to appeal the Department of Water Resources' (DWR) certification that the Delta Conveyance Project (DCP) is consistent with the Delta Plan. DWR submitted its certification of consistency to the Delta Stewardship Council in November, a procedural requirement under the Delta Reform Act. While the Council does not approve projects, it has appellate authority to review whether covered actions comply with the Delta Plan and may remand projects if inconsistencies are found. The Commission

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## NEWS BRIEFS *continued*

argues the DCP would permanently harm the Delta's rural character, agricultural and recreational economy, and cultural heritage, and that less harmful alternatives were not adequately considered. A coalition of tribal and environmental organizations also filed appeals challenging the certification. If the Council upholds any appeal, DWR could be required to revise the project before advancing.

## UPCOMING MEETINGS

### State Water Board

Agricultural Panel for  
Irrigated Lands

December 17, 2025

CALEPA Building – Training  
Room 1 East and West  
1001 I St., Sacramento, CA

[Notice & Zoom Link](#)

### Delta Stewardship Council

December 18, 2025

CA Natural Resources Bldg  
715 P Street, Room 2-302  
Sacramento, CA 95814

[Notice, Agenda & Zoom Link](#)

### Central Valley Flood Protection Board

January 16, 2026

CA Natural Resources Bldg  
715 P Street, Sacramento, CA

[Agenda to be posted](#)

### CA Water Commission

January 21, 2026

715 P Street, Room 302  
Sacramento, CA 95814

[Agenda to be posted](#)

## CA State Budget, *continued from page 5*

The report also emphasizes that California's budget resilience has weakened. Although the state retains approximately \$14 billion in reserves, these reserves are about half of their peak level, and many one-time and temporary budget solutions have already been exhausted.

The LAO warns that continued reliance on temporary fixes would only defer difficult decisions and leave the state less prepared to respond to a recession or a sharp decline in the stock market. To address these challenges, the LAO advises the Legislature to pursue ongoing budget solutions, including achievable spending reductions and/or revenue increases. The LAO also recommends that any additional revenues be treated as temporary and used to rebuild budget resilience by replenishing reserves or repaying outstanding budgetary debts, rather than committing to new ongoing spending.

Republicans in the Legislature, as they have in years past, primarily point to overspending, noting that Democrats have ignored warning signs and refuse to take responsibility.

"This is the result of Newsom's own choices," said Assembly Republican Leader Heath Flora (R-Modesto). "He refuses to take responsibility, and is leaving California taxpayers to pay the price. It's a completely self-inflicted failure."

Democrats, however, point to the federal government as the reason behind the economic volatility.

"California's economy remains steady, despite some self-inflicted economic wounds from our own federal government, including harmful tariffs, attacks on our workforce, and shortsighted federal budget actions," said Senate President pro Tempore Monique Limon (D-Santa Barbara). "While the Legislative Analyst forecasts a budget shortfall, the upcoming January and May forecasts will also inform the Senate's work in crafting a responsible state budget that protects core programs, including education, childcare, safety net, health care, and public safety."

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## Valley Ag Water Coalition

The mission of the Valley Ag Water Coalition is to represent the collective interests of its San Joaquin Valley member agricultural water companies and agencies in California legislative and regulatory matters by providing leadership and advocacy on issues relating to the development and delivery of a reliable farm water supply.

**Minutes of the Regular 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., December 10, 2025**

The regular 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, December 10, 2025, 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, Marin, Martin, Mettler, Reiter, Richardson, Valpredo.

**Directors Absent.** None.

**Others Present at 8:00 A.M.** Engineer-Manager Sheridan Nicholas, Director of Water Resources Eric McDaris, Executive Assistant Danyel Ruth, and Attorney for the District Steve Torigiani.

**Others Present at 9:30 A.M.** Engineer-Manager Sheridan Nicholas, Attorney for the District Steve Torigiani, Director of Water Resources Eric McDaris, Staff Engineer Tom Suggs, Contract Administrator Flower Duenas, Assistant Controller Jennifer Whitby, Executive Assistant Danyel Ruth, and Joel Kimmelshue with Land IQ.

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

**Conference with Legal Counsel Re: Existing Litigation (Gov. Code, § 54956.9(a)):**

1. *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<sup>rd</sup> Appellate Dist., Case No. C100552*
2. *CDWR Environmental Impact [WaterFix] Cases, Sacramento County Sup. Ct., Case No. JCCP No. 4942, 3<sup>rd</sup> Appellate Dist., Case No. C100302*
3. *Rosedale-Rio Bravo Water Storage District v. Kern County Water Agency, et al., Kern County Superior Court, Case No. BCV-21-100418*
4. *Sierra Club, et al., v. DWR, Sacramento County Sup. Ct., Case No. 24WM000008, and related cases, challenging DCP EIR*
5. *State Water Resources Control Bd. Administrative Hearing Office (AHO) Proceeding Re Sites Project Authority Water Rights Applications*
6. *DWR v. All Persons Interested in the Matter of the Authorization of Delta Conveyance Program Bonds, etc., Sacramento County Sup. Ct., Case No. 25CV000704*

**Conference with Real Property Negotiator: (Gov. Code, § 54956.8)**

7. *District's Designated Representative: Engineer-Manager Under Negotiation: Price and Terms of Payments Property: State Water Project Water Supply Negotiation with: Kern County Water Agency*

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

8. *Two Matters*

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

9. *Two Matters*

**9:30 A.M. Open Session.** Mr. Torigiani reported there was no reportable action taken in Closed Session.

**Legislative, Executive, Regulatory and Legal Matters.** Mr. Torigiani reviewed some anticipated legislative proposals supported by the ACWA State Legislative Committee, including legislation that would make changes to the statute governing the Administrative Hearings Office of the State Water Resource Control Board. He also noted that both the most recent ACWA Regulatory Roundup and the Valley Ag Water Coalition bill report were included in the Board packet.

**Young Wooldridge LLP Fee Schedule Amendments.** Mr. Torigiani reviewed Young Wooldridge's November 18, 2025 letter to the Board entitled Fee Schedule Amendments, effective January 1, 2026. Mr. Torigiani stated that the last change in the law firm's hourly fees was 2023 and historically the law firm does an hourly fee increase every three years to keep up with the rising costs of inflation.

**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 November 12, 2025*, were approved and filed.

**Filing of the Treasurer's Report.** Treasurer Mettler presented and reviewed the *Treasurer's Report for the Month of November 2025*. Upon motion from Director Mettler, seconded by Director Marin and unanimously carried with no abstentions, the *Treasurer's Report for the Month of October 2025* was approved and filed.

**Approve Payment of Accounts Payable.** Treasurer Mettler presented and reviewed the *Accounts Payable for the month of November 2025*, and the *Reimbursements and Transfers for the month of November 2025*. Upon motion from Director Mettler, seconded by Director Fry and unanimously carried with no abstentions, the *Accounts Payable for the Month of November 2025*, and the *Reimbursements and Transfers for the Month of November 2025* were approved and filed.

**Delinquent Accounts Report.** Mr. Smith reviewed the varying Contract/Non-Contract and GWSC delinquencies with the Board, noting the portion of the E-M Report detailing this information.

**File List of Delinquent Tolls & Charges.** Mr. McDaris reviewed his December 8, 2025 memorandum to the Board entitled *Consider Adoption of Resolution Ordering the Filing of List of Delinquent Tolls and Charges for Groundwater Service Charges*.

Upon motion by Director Reiter, subject to the proviso that Santa Paula Hay would not be included in the filed List of Delinquent Tolls and Charges if the District receives the wire of funds clearing its delinquency (reported to be in process by representations of Santa Paula Hay) this week, seconded by Director Marin and unanimously carried with no abstentions, the Board adopted Resolution No. 2025-16 in the matter of:

**ORDERING THE FILING OF LIST OF DELINQUENT TOLLS AND  
CHARGES NOT ESTABLISHED BY CONTRACT  
(DECEMBER 2025) (WATER CODE SECTION 47183)**

**Budget Expenditures Report for November 2025.** Ms. Whitby reviewed the Budget Expenditure Report for November 2025.

**Consider Establishing Banking Services with Tri Counties Bank.** Mr. Smith reviewed his December 8, 2025 memorandum to the Board entitled *Consider Establishing Banking Services with Tri Counties Bank*.

Upon motion by Director Marin, seconded by Mettler and unanimously carried with no abstentions, the Board adopted Resolution No.2025-15 in the matter of:

**ESTABLISHING COMMERCIAL BANK ACCOUNTS AND AUTHORIZING SIGNATURES  
FOR COMMERCIAL BANK ACCOUNTS NOS. 103218263, 103218238, 103218251, AND  
103218275 WITH TRI COUNTIES BANK AND TRANSFER OF FUNDS FROM  
AND CLOSURE OF WELLS FARGO ACCOUNTS**

**President's Report.** Nothing to report.

**Engineer-Manager's Report.** Mr. Nicholas presented Eric McDaris a plaque commemorating his completion of the ACWA/JPIA Professional Development - Human Resources program. Mr. Nicholas also mentioned that the District had received three President's Awards from ACWA-JPIA for loss ratio of 20% or less in the Workers Compensation, Property and Liability Programs, respectively.

Mr. McDaris then presented a slideshow highlighting the 6P Lateral replacement.

**2026 SWP Initial Allocation - 10%.** Mr. McDaris announced that DWR had released its 2026 State Water Project Initial Allocation of 10 percent.

**2025 Water/Supply Demand Estimate.** Mr. McDaris reviewed the 2025 Water/Supply Demand Estimate.

**2026 Water/Supply Demand Estimate.** Mr. McDaris reviewed the 2026 Water/Supply Demand Estimate.

**Other Purchases and Exchanges.** Nothing to report.

**2025-26 San Luis Reservoir Carryover Update.** Mr. McDaris reviewed his December 5, 2025 memorandum to the Board entitled *2025-26 San Luis Reservoir Carryover Update*.

**Consider Approval of Westside 5 Agreement with Exchange Contractors.** Mr. McDaris reviewed his December 8, 2025 memorandum to the Board entitled *Consider Approval of Westside 5 Agreement with Exchange Contractors*. Upon motion by Director Valpredo, seconded by Director Fry and unanimously carried with no abstentions the Board authorized the Engineer-Manager to execute the Term Sheet for Transfer of Exchange Contractors Water to Westside Districts, subject to review by Legal Counsel as to form and final approval of the Engineer-Manager.

**Consider Approval of Second Priority Sub-Account Program Agreement.** Mr. McDaris reviewed his December 7, 2025 memorandum to the Board entitled *Consider Approval of Second Priority Sub-Account Program Agreement*. Upon motion by Director Fry, seconded by Director Marin and unanimously carried with no abstentions the Board approved an extension to the term of the Second Priority Sub-Account Program Agreement for an additional five years, through December 31, 2030, subject to review by Legal Counsel as to form and final approval of the Engineer-Manager.

**Comparison of Corp Water Use Determination Methodologies.** Joel Kimmelshue with Land IQ and Tom Suggs gave presentations to the Board entitled *Land IQ ET Work - Update, Applied/Consumed Comparison, New Daily ET Results Tools*. It touched on the following topics:

- Ground Truthing for Calibration
- Applied vs. Consumed Water
- Water Use
- Water Received vs. Consumed by Age
- Daily ET Grower Resource
- Grower & Manager Support
- Field by Field ET
- Accuracy
- Delivery of Results

**Consider Approval of Amendment to the Surface Water Surface Area; Proposed Add/Exclude for Four Queens Ranch.** Mr. McDaris reviewed his December 5, 2025 memorandum to the Board entitled *Four Queens Ranch - Request for Water Service Contract Amendments: Exclusions from the SWSA Affecting Contract 14; Additions to the SWSA Affecting Turnouts 5G85B*.

Upon motion by Director Valpredo, seconded by Director Mettler, and unanimously carried with no abstentions the Board adopted Resolution No. 2025-17 in the matter of:

**AUTHORIZING AMENDMENTS TO WATER SERVICE CONTRACT NO. 14  
AND CHANGES IN SURFACE WATER SERVICE AREA**

**State Water Project / Delta Conveyance Project.** Mr. Nicholas reviewed with the Board the Bureau of Reclamation News Release regarding Reclamation's approval of the Record of Decision for an updated long-term operations plan (Action 5) for the CVP. He also reviewed the three response letters to the Environmental Compliance Sufficiency Review for the Central Valley Project and State Water Project Long-Term Operations Plan - Action 5 from DWR, Department of Fish and Wildlife, and the State Water Resources Control Board.

**Golden Mussel Update.** Mr. McDaris stated that the District had recently discovered the Golden Mussel in the 6P Lateral during its annual maintenance. He also shared photographs of the District's and other agencies' discoveries. It was also noted that all agencies are collectively researching an appropriate treatment and prevention program to address this invasive mussel species.

**Sites Reservoir - Consider Approval of Agreements to Assign 1000 AF of District/Booth Ranches LLC Participation to Santa Clara Valley Water District.** Mr. Torigiani reviewed Mr. Kunde's December 8, 2025 memorandum to the Board entitled *Sites Reservoir - Consider Approval of Agreements to Assign 1000 AF of District/Booth Ranches LLC Participation to Santa Clara Valley Water District*. Upon motion by Director Fry, seconded by Director Marin and unanimously carried with no abstentions the Board authorized the Engineer-Manager to execute both documents in substantially similar form contained in the Board meeting packet and described herein upon approval of Legal Counsel as to form.

**Wheeler Ridge-Maricopa GSA.** Mr. Nicholas reviewed the Dec. 8, 2025 letter from the State Water Resources Control Board to DWR returning the Kern Subbasin to DWR's jurisdiction. He also noted the subbasin is working on the 2024 annual report and gave an update on the Basin Study.

**WRMGSA - Discussion on Cost Share Options for Kern Subbasin Expenses.** This item was tabled.

**Directors Meeting Attended.** Nothing to report.

**Kern County Water Agency.** Mr. McDaris reported that there is a KCWA Board vacancy in Division 4 and Statements of Interest were due today for any interested party. Mr. McDaris also noted that the KCWA approved an extension for the Dry Year Transfer Program.

**Kern Water Bank Authority/KWBGSA.** Mr. Nicholas reported there was a discussion on debt refinancing at the Kern Water Bank, and that Kim Brown was elected president of the KWBA and the KWBGSA.

**South of Kern River GSP.** Mr. Nicholas stated the SOKR Executive Committee packet was included in the Board packet for self review and noted that all wells were currently above all required MTs.

**Kern Non-District Lands Authority.** No meeting; nothing to report.

**White Wolf Groundwater Sustainability Agency.** No meeting; nothing to report.

**Kern River Watershed Coalition Authority.** No meeting; nothing to report.

**Committee for Delta Reliability.** No meeting; nothing to report.

**South Valley Water Resource Authority.** No meeting; nothing to report.

**Unfinished and New Business.** Ms. Ruth noted that Board Ethics Training will be required in 2026, and

that 2025 Form 700 statement's will need to be completed by April 2026.

**Public Comments.** None.

**Adjournment.** With no further business the meeting was adjourned at 11:43 p.m.

Respectfully submitted:  
[Seal]

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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, benefiting 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
BMP	Best Management Practices
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
KNDLA	Kern Non-Districted Lands Authority
KRGSA	Kern River Groundwater Sustainability Agency
KRWCA	Kern River Watershed Coalition Authority
KWB	Kern Water Bank
KWBA	Kern Water Bank Authority
KWBGSA	Kern Water Bank Groundwater Sustainability Agency
ITP	Incidental Take Permit
MO	Measurable Objective
MOU	Memorandum of Understanding
MT	Minimum Threshold
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
P/MA	Projects and Management Actions
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
SMC	Sustainable Management Criteria
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
WRMWSD	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 DECEMBER 2025**

1/14/2026 Board Packet

**GENERAL FUND****FUNDS ON DEPOSIT:**

<b>BALANCE AS OF:</b>	<b>11/30/2025</b>	<b>69,242,360.98</b>
PLUS CASH RECEIVED FOR: (cash receipts/interest)	<b>12/2025</b>	1,527,734.06
LESS CASH EXPENDED DURING MONTH FOR:	<b>12/2025</b>	(18,947,161.32)
(KCWA, pr, ap, cdr, ach, mnl, fees, pr burdens, ee net, taxes, inv)		

**FUNDS ON RECONCILED DEPOSIT AT END OF MONTH:****51,822,933.72****THE ABOVE FUNDS ARE ON DEPOSIT AS FOLLOWS:**

<b>CAMP-POOLED INVESTMENTS - (GL) CASH BALANCE</b>	49,268,282.61
<b>WELLS FARGO BANK NA - (GL) CASH BALANCE</b>	1,956,141.81
<b>KCT-POOLED INVESTMENTS - (G/L) CASH BALANCE</b>	596,357.72
<b>LAIF-POOLED INVESTMENTS - (GL) CASH BALANCE</b>	2,151.58
	<b>51,822,933.72</b>

<b>CAMP BALANCE AS OF:</b>	<b>11/30/2025</b>	40,355,338.19
TRANSFERS (TO)/FROM WELLS FARGO BANK	<b>12/2025</b>	8,761,976.65
INTEREST INCOME	<b>12/2025</b>	150,967.77
<b>ENDING CAMP BALANCE:</b>		<b>49,268,282.61</b>

**INTEREST APPORTIONMENT PERCENTAGE (ANNUALIZED)**

<b>MONTH ENDING DECEMBER 31, 2025</b>	-----	<b>CAMP</b>	<b>3.95%</b>
<b>MONTH ENDING NOVEMBER 30, 2025</b>	-----		<b>4.10%</b>
MONTH ENDING OCTOBER 31, 2025	-----		4.26%
MONTH ENDING SEPTEMBER 30, 2025	-----		4.36%

**INTEREST APPORTIONMENT PERCENTAGE (ANNUALIZED)**

<b>MONTH ENDING DECEMBER 31, 2025</b>	-----	<b>WF Sweep</b>	<b>3.65%</b>
<b>MONTH ENDING NOVEMBER 30, 2025</b>	-----		<b>3.84%</b>
MONTH ENDING OCTOBER 31, 2025	-----		4.00%
MONTH ENDING SEPTEMBER 30, 2025	-----		4.01%

**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:**

<b>SPECIAL SERVICE CHARGES - kern county auditor/controller</b>	607,456.94
<b>GROUND WATER SERVICE CHARGES</b>	377,069.68
<b>CONTRACT WATER PAYMENTS</b>	325,785.29
<b>CAMP INTEREST</b>	150,967.77
<b>MANUAL INVOICES / MISC RECEIPTS</b>	61,121.74
<b>WELLS FARGO SWEEP INTEREST</b>	4,786.01
<b>INTEREST APPORTIONMENT - kern county auditor controller</b>	546.63
<b>LAIF INTEREST</b>	-
<b>WRM GSA</b>	-

<b>Cash Receipts Summary</b>	<b>1,527,734.06</b>
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<b>OPERATING RESERVE FUND BALANCE: audited 12/31/2024</b>	<b>24,903,002</b>
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**WHEELER RIDGE - MARICOPA WATER STORAGE DISTRICT**  
**DRAFT AUDITED RESERVE FUND BALANCES AS OF DECEMBER 31, 2024 PLUS ESTIMATED ADJUSTMENTS**

1/14/2026 Board Packet

<u>INTERNALLY CONSTRAINED RESERVES</u>	<u>AUDIT 12/31/2024</u>	<u>2025 Adjustments</u>	<u>Adjusted 12/31/2025</u>
OPERATING RESERVE FUND	24,903,002		24,903,002
EQUIPMENT REPLACEMENT RESERVE FUND	3,602,282	(190,322) (3)	3,411,960
GROUND WATER REPLENISHMENT RESERVE FUND	12,429,594		12,429,594
CONTINGENCY RESERVE FUND	11,171,205	(97,683) (1)	11,073,522
WATER BANKING CAPITAL RESERVE FUND	5,791,997	(394,919) (2)	5,397,078
WATER BANKING REPLACEMENT RESERVE FUND	0		0
WELL REPAIR AND REPLACEMENT RESERVE FUND	11,486		11,486
DOMESTIC WELL MITIGATION RESERVE FUND	100,445		100,445
 TOTAL RESERVE FUNDS INTERNALLY CONSTRAINED	 58,010,011	 (682,924)	 57,327,087
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 \$117.9 MILLION OF TOTAL RESERVES TO THE \$60.3 MILLION OF CASH EQUIVALENTS ON PAGE 10 OF THE 2024 AUDIT).	59,963,391	682,924	60,646,315
 UNRESTRICTED NET ASSETS	 117,973,402	 0	 117,973,402

(1) Adjustment for 2024 &amp; 2025 litigation expenses

(2) KWB Capital Assessment 2024 &amp; Facilities Assessment 2025 less 2025 wheeling charges

(3) 2025 reserve funded capital assets

**WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT**  
**ACCOUNTS PAYABLE**  
**DECEMBER 2025**

5.2

NAME	DATE	INVOICE NUMBER	AMOUNT	DESCRIPTION	5,000+
ROBERT CLAFFY	12/31/2025	DEC 2025	75.00	WATER TREATMENT & LICENSE	
NEIL DURHAM	12/31/2025	Q4 2025	50.00	MAINTAIN FILTRATION SYSTEM	
MARK DELEON	12/31/2025	DEC 2025	441.00	TRANSPORTATION	
KEVIN EATON	12/31/2025	DEC 2025	252.00	TRANSPORTATION	
ROBERT KUNDE	12/31/2025	SITES 2025	1,696.90	SITES TRAVEL - KUNDE	
THOMAS SUGGS	12/31/2025	ACWA 2025	896.41	ACWA FALL CONFERENCE TRAVEL	
COREY WILKERSON	12/31/2025	DEC 2025	75.00	SAFETY COORD, MONTHLY MTG	
ACWA JPIA	1/1/2026	2026 DUES	28,570.00	2026 MEMBERSHIP DUES	28,570.00
AFTW HOLDINGS, LLC	12/17/2025	"AFTW"11-2025	37,215.75	WHEELER #1 SOLAR CHARGES	37,215.75
ASG SUPPLY	12/10/2025	007200	834.78	DRILL/IMPACT DRIVER, EXH FLUID	
ASG SUPPLY	12/17/2025	007231	305.70	PACKING	
ASG SUPPLY	12/17/2025	007232	675.46	PADLOCKS, COOLERS, GLOVES	
ASG SUPPLY	10/22/2025	007013	181.85	NOZZLES, GLOVES	
ASG SUPPLY	1/5/2026	007279	77.90	SHOVELS (4)	
ASG SUPPLY	1/5/2026	007280	117.69	GLOVES (6)	
ASG SUPPLY	1/6/2026	007281	478.05	DRILL BITS, LUBRICANT, SPRAYER	
ASG SUPPLY	1/8/2026	007291	122.28	PADLOCKS, BEVERAGE COOLER	
AT&T	1/7/2026	N/A	318.89	FIRE ALARM LINES	
AVADINE	12/15/2025	116072	1,812.50	SCADA SUPPORT	
AVADINE	12/29/2025	116124	750.00	SCADA SUPPORT	
AVADINE	12/31/2025	116158	1,000.00	LATIS MAINTENANCE & SUPPORT	
BAKERSFIELD ICE	11/30/2025	11251251	322.79	ICE / BOX RENTAL	
BAKERSFIELD PAINT AND WALLPAPER	12/10/2025	QCSDF	704.90	PAINT, TAPE	
BAKERSFIELD PAINT AND WALLPAPER	1/6/2026	TBDQX	628.80	PAINT	
THOMSON REUTERS - WEST	11/1/2025	852827069	577.73	ANNUAL SUBSCR 11/1/25-10/31/26	
BENCHMARK AIR CONDITIONING SERVICES	12/19/2025	41494004	1,647.50	SERVICE A/C UNITS	
BERMAD INC.	11/3/2025	2575504513	3,475.20	AIR VALVES (36)	
BERRENDA MESA WATER DISTRICT	12/31/2025	12992	1,010,000.00	2,525 AF @ \$400	1,010,000.00
BIG BRAND TIRE & SERVICE	12/5/2025	1006-7909671	1,390.97	TIRES + INSTALL #168	
BK CORROSION, LLC	12/11/2025	474330	627.37	SHUNTS (25)	
BLUE BEACON INC	12/31/2025	5084886	184.80	TRACTOR WASHES (2)	
BOOT BARN INC.	12/9/2025	INV00548659	225.00	BOOTS - HIGHT	
CAL - VALLEY EQUIPMENT	1/7/2026	1316809	1,596.85	HOSE (2), NOZZLE	
CALIFORNIA FARM WATER COALITION	1/1/2026	4635	14,940.00	2026 MEMBERSHIP	14,940.00
CANON	1/12/2026	N/A	857.47	LEASE 2 CANON COPIERS	
COASTLINE EQUIPMENT	12/30/2025	1310059	1,055.52	SERVICE UNIT #797	
COASTLINE EQUIPMENT	12/10/2025	1304824	6,197.31	FORKLIFT ATTACHMENT	7,252.83
CORE & MAIN LP	12/10/2025	Y207852	2,466.86	QTY 340 PIPE NIPPLES	
CORE & MAIN LP	12/19/2025	Y281484	1,345.65	CLAMPS (2)	
DANIELS TIRE SERVICE	12/11/2025	240203768	1,568.38	TIRES (8)	
DAVID JANES COMPANY	12/9/2025	0462368-IN	33.36	HARDWARE	
DELL FINANCIAL SERVICES LLC	1/1/2026	4831354	198.48	LATE FEE	
EKI ENVIRONMENT & WATER, INC.	12/18/2025	B70103.02-43	1,994.20	CONSULTING - SGMA	
EKI ENVIRONMENT & WATER, INC.	12/18/2025	C50064.00-01	33,820.28	2025 AWMP UPDATE	
EKI ENVIRONMENT & WATER, INC.	1/9/2026	C20055.13-03	10,174.06	SOKR GSP DEFICIENCY RESPONSE	
EKI ENVIRONMENT & WATER, INC.	1/9/2026	C20055.14-01	25,193.74	SOKR GSP	71,182.28
FAST UNDERCAR	12/17/2025	08UP8229	293.40	BATTERY, AIR FILTERS	
FLYERS ENERGY, LLC	1/5/2026	26-553839	22,753.14	GASOLINE	22,753.14
GRAINGER	12/22/2025	9751445835	4,811.40	TRANSDUCERS (6)	
GRAPEVINE MSP	12/15/2025	50870	4,822.50	IT SERVICES	
GREEN RUBBER-KENNEDY AG	11/21/2025	BF-107225	224.54	SUCTION HOSE	
GREG'S PETROLEUM SERVICE, INC.	12/8/2025	591621	2,892.30	850 GALLONS RED DIESEL	
GREG'S PETROLEUM SERVICE, INC.	12/22/2025	595415	2,239.26	700 GALLONS RED DIESEL	
GREG'S PETROLEUM SERVICE, INC.	12/31/2025	597569	844.39	DIESEL FUEL	5,975.95
HOWARD SUPPLY CO	12/2/2025	51199750	1,643.43	RATCHET, SHACKLES (14), SLINGS	
HOWARD SUPPLY CO	12/3/2025	51199917	1,480.98	SHACKLES (7), DURAPULLERS (2)	
HOWARD SUPPLY CO	12/9/2025	51200728	81.23	SLINGS (2)	
KEN'S OPTICAL	12/9/2025	11067	264.00	SAFETY GLASSES - UNDERWOOD	
KEN'S OPTICAL	12/17/2025	11120	300.00	SAFETY GLASSES - HIGHT	
KEN'S OPTICAL	1/6/2026	11173	245.00	SAFETY GLASSES - RICE	
KERN COUNTY WATER AGENCY	12/29/2025	43599	1,475.00	XFR 25-071	
KERN ELECTRIC DISTRIBUTORS	1/6/2026	610203	733.39	CAMBRIC TAPE (4)	
KERN WATER BANK AUTHORITY	12/15/2025	ASMT 2026-01	(2,468,568.00)	VOIDED ASMT 12/10/2025 BOARD A/P	
KERN WATER BANK AUTHORITY	12/15/2025	ASMT 2026-01	1,212,823.00	CORRECTED ASMT 12/10/2025 PAID	(1,255,745.00)
KERN WATER BANK AUTHORITY	11/30/2025	RCHG 2025-11E	13,024.00	NOV 2025 RECHARGE	
KERN WATER BANK AUTHORITY	11/30/2025	RCHG 2025-11W	83,422.50	NOV 2025 RECHARGE	
KERN WATER BANK AUTHORITY	12/31/2025	RCHG 2025-12E	13,123.00	DECEMBER 2025 RECHARGE	

**WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT  
ACCOUNTS PAYABLE  
DECEMBER 2025**

5.2

NAME	DATE	INVOICE NUMBER	AMOUNT	DESCRIPTION	5,000+
KERN WATER BANK AUTHORITY	12/31/2025	RCHG 2025-12W	86,338.00	DECEMBER 2025 RECHARGE	195,907.50
KIMBALL MIDWEST	12/4/2025	103989407	1,078.71	NUTS & BOLTS	
KMS CENTRAL VALLEY EQUIPMENT LLC	12/16/2025	E121225WRV	548.75	RENT GRAPPLE BUCKET	
KMS CENTRAL VALLEY EQUIPMENT LLC	12/19/2025	E12125WRV	9,553.12	LOADER RENTAL FOR PIPELINE REP	
KMS CENTRAL VALLEY EQUIPMENT LLC	12/19/2025	E12125WRV1	2,206.00	FORKS RENTAL FOR PIPELINE REPL	12,307.87
KMS MECHANICS INC	11/18/2025	111325WAC	711.55	MOVE EXCAVATOR TO 850 CANAL	
KNIGHTS PUMPING SERVICE	11/28/2025	0000256010	245.62	PORTABLE TOILET SERVICES	
KNIGHTS PUMPING SERVICE	12/12/2025	0000257439	344.80	PORTABLE TOILET SERVICES	
KNIGHTS PUMPING SERVICE	12/19/2025	0000258069	270.70	PORTABLE TOILET SERVICES	
LAND IQ	12/31/2025	7475	5,610.08	EVAPOTRANSPIRATION DEC 2025	5,610.08
LOWE'S BUSINESS ACCOUNT	12/31/2025	DEC 2025	328.19	GRINDING DISCS, GLUE TRAPS	
QUADIENT LEASING USA, INC.	12/18/2025	Q2146552	604.89	POSTAGE METER LEASE	
THE MARCOM GROUP	12/15/2025	68127	95.00	WEBSITE HOSTING	
MEH OBSP LLC	12/7/2025	SP-395-000020	15,344.31	850 CANAL SOLAR CHARGES	
MEH OBSP LLC	12/31/2025	SP-395-000021	10,758.76	850 CANAL SOLAR CHARGES	26,103.07
MADISON ENERGY INVESTMENTS IX LLC	12/7/2025	SP-337-000013	39,706.87	WHEELER #2 SOLAR CHARGES	
MADISON ENERGY INVESTMENTS IX LLC	12/31/2025	SP-337-000014	23,602.99	WHEELER #2 SOLAR CHARGES	63,309.86
MONTGOMERY HARDWARE CO	12/11/2025	780368	61.74	BLDG ACCESS - DEC 2025	
MOTOR CITY AUTO CENTER	12/23/2025	GCCS363899	1,115.63	REPAIR/MAINTENANCE #157	
MOTOR CITY AUTO CENTER	1/6/2026	GCCS366076	1,938.14	REPLACE RADIATOR #160	
QUADIENT	12/21/2025	12.21.25	250.00	POSTAGE	
NEWBY RUBBER	12/10/2025	273068	909.30	RUBBER FOR WATER SCREENS	
ONE STOP AUTO CARE CENTER	12/9/2025	386976	59.95	SMOG #168	
P G & E #1	9/30/2025	0008444914-9	9,274.30	TRANSFORMER C5 WELL	
P G & E #1	12/31/2025	DEC 2025	203,631.36	DECEMBER POWER	
P G & E #2	12/31/2025	DEC 2025	152,676.57	DECEMBER POWER	
P G & E #3	12/31/2025	DEC 2025	5,911.37	DECEMBER POWER	
P G & E #4	12/31/2025	DEC 2025	943.46	DECEMBER POWER	
P G & E #5	12/31/2025	DEC 2025	2,944.43	DECEMBER POWER	375,381.49
LINDE GAS & EQUIPMENT INC.	12/23/2025	53922731	1,077.84	CYLINDER RENTAL	
PROVOST & PRITCHARD	12/18/2025	126175	867.80	WHITE WOLF IN-LIEU BANKING	
PROVOST & PRITCHARD	12/19/2025	126228	1,818.30	WELL FLOWMETER REVIEW PROGRAM	
PURPOSEBUILT	12/12/2025	PBT585406	200.25	BOOTS - BUEGE	
PURPOSEBUILT	12/12/2025	PBT585410	225.00	BOOTS - ARMSTRONG	
RAIN FOR RENT - BAKERSFIELD	12/17/2025	2221977	293.49	MISC HARDWARE, GLUE	
RAIN FOR RENT - BAKERSFIELD	12/17/2025	2221994	1,129.87	PUMP CONTROL PANEL	
RINCON CONSULTANTS, INC.	12/9/2025	70678	5,854.00	WS5 WATER TRANSFER	
RINCON CONSULTANTS, INC.	12/31/2025	71269	1,578.00	WS5 WATER TRANSFER	7,432.00
RINGCENTRAL INC.	1/1/2026	CD_001315067	791.85	TELEPHONES	
PRIMO BRANDS	12/30/2025	15L0028964179	718.55	DRINKING WATER	
INDUSTRIAL SHOEWORX	12/10/2025	I100-1476524	267.32	BOOTS - UNDERWOOD	
INDUSTRIAL SHOEWORX	12/17/2025	I100-1477175	226.24	BOOTS - PARKER	
SPARKLE UNIFORM & LINEN SERVICE	12/11/2025	1058224	654.85	UNIFORM CLEANING	
SPARKLE UNIFORM & LINEN SERVICE	12/18/2025	1059082	650.25	UNIFORM CLEANING	
SPARKLE UNIFORM & LINEN SERVICE	12/25/2025	1059978	640.07	UNIFORM CLEANING	
SPARKLE UNIFORM & LINEN SERVICE	1/1/2026	1061072	649.27	UNIFORM CLEANING	
SPARKLE UNIFORM & LINEN SERVICE	1/8/2026	1062158	946.04	UNIFORM CLEANING	
SIERRA PRINTERS, INC	12/31/2025	72829	163.61	BANK CHECKS	
SMART & FINAL	12/8/2025	12.8.25	90.89	BREAKROOM SUPPLIES	
SMART & FINAL	12/17/2025	12.17.25	57.03	BREAKROOM SUPPLIES	
SMART & FINAL	1/7/2026	1.7.26	104.43	BREAKROOM SUPPLIES	
SOUTHERN CALIFORNIA GAS COMPANY	12/29/2025	12.29.25	759.69	NATURAL GAS	
STINSON'S	12/4/2025	359564-0	1,951.12	TONER, FOLDERS, PAPER, ETC.	
TARGET SPECIALTY PRODUCTS, INC	12/9/2025	INV502037708	34,504.69	375 GALLONS HERBICIDE	34,504.69
TECHNOFLO SYSTEMS	12/29/2025	52798	8,409.73	TOP PLATE METERS (3)	
TECHNOFLO SYSTEMS	12/29/2025	52799	8,531.83	TOP PLATE METERS (2), BUTTERFL	16,941.56
TERRAVERDE ENERGY LLC	12/1/2025	2810	5,000.00	ASSET MANAGEMENT REPORT	5,000.00
TRENCH SHORING CO.	12/8/2025	RI20568889	930.00	RENT BEDDING BOX FOR 6P LAT	
U.S. COMMITTEE ON IRRIGATION AND DRAINAGE	1/1/2026	2026-325	150.00	2026 INDIVIDUAL MEMBERSHIP	
USA BLUEBOOK	12/18/2025	INV00914137	1,586.83	WELL SOUNDER	
UNIVERSAL URGENT CARE AND OCCUPATIONAL ME	12/17/2025	EM019148	118.00	PREEMPLOY PHY/DRUG TEST	
VANGUARD CLEANING SYSTEMS OF THE SOUTHERN	1/1/2026	85131	1,565.00	JANITORIAL SERVICES	
VAST NETWORKS	1/1/2026	70980	1,450.00	INTERNET	
VERIZON WIRELESS	12/31/2025	DEC 2025	298.20	IPAD DATA	
VERIZON WIRELESS	12/31/2025	6132389695	192.63	CELL PHONE / SIM CARDS	
VULCAN MATERIALS	12/5/2025	5213677	1,766.75	GRAVEL FOR 6PLAT PIPELINE	
VULCAN MATERIALS	12/5/2025	5213698	3,441.80	SAND FOR 6PLAT PIPELINE	5,208.55
WELLS FARGO - MCDARIS 8085	12/31/2025	DEC 2025	1,367.51	ACWA FALL CONFERENCE - MCDARIS	
WELLS FARGO - LOVELESS	12/31/2025	DEC 2025	3,568.72	PESTICIDE CONF, CONT EDUC	

**WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT**  
**ACCOUNTS PAYABLE**  
**DECEMBER 2025**

[5.2](#)

NAME	DATE	INVOICE NUMBER	AMOUNT	DESCRIPTION	5,000+
WELLS FARGO - OFFICE	12/31/2025	DEC 2025	130.45	1099 FORMS, MONITOR CABLES	
WELLS FARGO - T SUGGS 4566	12/31/2025	DEC 2025	107.95	MONTHLY ADOBE (5)	
WELLS FARGO - OFFICE #2	12/31/2025	DEC 2025	2,486.66	PORT BATTERIES, SAFETY SIGNS	
WELLS FARGO - NICHOLAS	12/31/2025	DEC 2025	1,475.52	ACWA FALL CONF, DOMAIN RENEW	
WELLS FARGO - SMITH	12/31/2025	DEC 2025	824.98	LICENSE RENEWAL, CPE, QBOOKS	9,961.79
WESTERN EXTERMINATOR COMPANY	12/17/2025	89099461	283.74	PEST CONTROL	
WHITE CAP	12/3/2025	10022820017	85.02	SAFETY VESTS (6)	
YOUNG WOOLDRIDGE	12/31/2025	DEC 2025	18,417.93	LEGAL SERVICES	18,417.93
SUBTOTAL			791,577.13		
MANUAL CHECKS			-		
VOUCHER TOTAL			<u>791,577.13</u>		

WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT  
ACH AND MANUAL CHECKS PAYMENTS  
DECEMBER 2025

							<a href="#">5.2</a>
DECEMBER	NAME	TYPE	DATE	INVOICE #	AMOUNT	DESCRIPTION	5,000+
				Total	-		

WHEELER RIDGE-MARICOPA WSD  
FISCAL AGENT FOR COMMITTEE FOR DELTA RELIABILITY  
CUSTODIAL FUNDS-REPORT OF EXPENDITURES AND TRANSFERS  
DECEMBER 2025 FOR THE JANUARY 14, 2026 BOARD MEETING

5.2

NAME	INVOICE NUMBER	DESCRIPTION	AMOUNT
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**TRANSFERS AUTHORIZED BY WRMWSD BOARD**

DECEMBER 10, 2025 BOARD AUTHORIZATION	DECEMBER	VOUCHER	114,774.18
<b>VOUCHER TOTAL REQUESTED</b>			<b>114,774.18</b>

**EXPENDITURES AUTHORIZED BY COMMITTEE AND PAID BY WRMWSD MANUAL CHECK**

Center for CA Water Resources	316	Murphy - Aug/Sep 2025, Hamilton - Sep/Oct 2025	22,182.67
Nossaman, LLP	584726	ESA/Water Quality Counseling - Sep 2025	47,600.46
Nossaman, LLP	585550	ESA/Water Quality Counseling - Oct 2025	41,817.64
Water & Land Solutions, LLC	4913	Representation - November 2025	3,173.41
<b>TOTAL PAID</b>			<b>114,774.18</b>

**INVOICES AWAITING COMMITTEE APPROVAL**

**INVOICES APPROVED BY WRMWSD BOARD @ JANUARY 14, 2026 BOARD MEETING (VOUCHER)**

Center for CA Water Resources	317	Hamilton - Nov 2025	969.42
Nossaman, LLP	586952	ESA/Water Quality Counseling - Nov 2025	39,319.42
Water & Land Solutions, LLC	4981	Representation - December 2025	3,663.15
<b>VOUCHER TOTAL REQUEST</b>			<b>43,951.99</b>



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

**DECEMBER 2025**

Check	Date	Payee	Amount	Description
		BALANCE AS OF 11/30/25	7,000.00	
		Deposit		
			<u>7,000.00</u>	

Total Checks Issued	0.00
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Ending Balance	7,000.00
Balance Limit	<b>7,000.00</b>

Replenish Amount 0.00

**WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT  
BOARD OF DIRECTORS & MANAGEMENT BENEFITS BREAKDOWN**

December 2025 for the January 14, 2026 BOARD MEETING

NAME	ACWA BLUE CROSS OF CA			DENTAL-HEALTHEDGE		HARTFORD	TOTAL
	MED	VISION	LIFE/AD&D	CLAIMS	ADM	DISABILITY	
ATKINSON	1,809.40	17.21	9.77	***	18.15	0.00	***
BLAINE	2,397.46	17.21	5.50	***	18.15	0.00	***
FRY	2,397.46	17.21	4.30	***	18.15	0.00	***
MARIN	2,397.46	17.21	5.50	***	18.15	0.00	***
MARTIN	2,397.46	17.21	5.50	***	18.15	0.00	***
METTLER	1,809.40	17.21	7.10	***	18.15	0.00	***
REITER	904.70	17.21	4.30	***	18.15	0.00	***
RICHARDSON	2,397.46	17.21	3.20	***	18.15	0.00	***
VALPREDO	1,809.40	17.21	5.50	***	18.15	0.00	***
LOVELESS	2,397.46	17.21	36.50	***	18.15	72.50	***
MCDARIS	1,809.40	17.21	14.00	***	18.15	72.50	***
NICHOLAS	2,397.46	17.21	36.50	***	18.15	72.50	***
SMITH	2,397.46	17.21	78.50	***	18.15	72.50	***
SUGGS	2,397.46	17.21	78.50	***	18.15	72.50	***
WHITBY	1,809.40	17.21	36.50	***	18.15	72.50	***
	31,528.84	275.36	340.67	2,853.20	290.40	435.00	
<b>TOTAL BENEFITS</b>							<b>\$35,723.47</b>

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

**WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT**  
**BOARD OF DIRECTORS/MANAGEMENT *COMPENSATION & EXPENSE* BREAKDOWN**  
**DECEMBER 2025 for the JANUARY 14, 2026 BOARD**

NAME	DATE	TOTAL	PAYEE	MEMO
Atkinson	12/10/2025	129.00	Atkinson	Regular Board Meeting
Blaine	12/01/2025	125.00	Blaine	Kern Subbasin Coordination Committee
Blaine	12/10/2025	128.00	Blaine	Regular Board Meeting
Blaine	12/15/2025	125.00	Blaine	Kern Subbasin Coordination Committee
Fry	12/10/2025	125.00	Fry	Regular Board Meeting
Marin	12/10/2025	125.00	Marin	Regular Board Meeting
Martin	12/10/2025	127.00	Martin	Regular Board Meeting
Mettler	12/10/2025	128.00	Mettler	Regular Board Meeting
Reiter	12/02/2025	125.00	Reiter	ACWA Conference Day 1
Reiter	12/03/2025	125.00	Reiter	ACWA Conference Day 2
Reiter	12/10/2025	139.00	Reiter	Regular Board Meeting
Richardson	12/10/2025	128.00	Richardson	Regular Board Meeting
Valpredo	12/10/2025	129.00	Valpredo	Regular Board Meeting
DIRECTORS		1,658.00		

Loveless	11/06/2025	25.51	Wells Fargo	Meal - Supervisor's Lunch
McDaris				
Nicholas	11/04/2025	20.99	Wells Fargo	Fuel
Nicholas	11/20-11/21	249.03	Wells Fargo	Lodging/Parking/Fuel - ACWA Board Meeting
Nicholas	12/01/2025	15.46	Wells Fargo	Meal - ACWA Conference
Nicholas	12/01/2025	102.25	Verizon	Communication - cell
Nicholas	01/01/2026	102.23	Verizon	Communication - cell
Smith	11/24/2025	329.00	Wells Fargo	CalCPA Course
Smith	11/17/2025	329.00	Wells Fargo	CalCPA Course
Suggs	11/07/2025	999.00	Wells Fargo	Registration - ACWA Fall Conference
MANAGEMENT		2,172.47		

Kunde	21-Mar-25	128.80	Kunde	Mileage - Sites Reservoir Project Committee Meeting
	20-Jun-25	225.90	Kunde	Mileage/Tolls - Sites Reservoir Project Committee Meeting
	10-Jul-25	203.50	Kunde	Mileage/Tolls/Parking - Sites leadership Meeting
	18-Jul-25	128.80	Kunde	Mileage - Sites Reservoir Project Committee Meeting
	3-Sep-25	214.60	Kunde	Mileage/Tolls/Parking - Siders Leadership Meeting
	19-Sep-25	133.00	Kunde	Mileage - Sites Reservoir Project Committee Meeting
	10/16/2025-10/17/2025	208.60	Kunde	Mileage - Colusa Basin Drain Tour & Sites Reservoir Project Committee Meeting
	17-Nov-25	134.20	Kunde	Mileage/Toll/Parking - Siders Leadership Meeting
	21-Nov-25	137.20	Kunde	Mileage - Sites Reservoir Project Committee Meeting
	19-Dec-25	182.30	Kunde	Mileage/Toll - Sites Reservoir Project Committee Meeting

\*\*\* note: retired annuitant costs are expense reimbursements not compensation

**WHEELER RIDGE - MARICOPA WSD  
PAYROLL FUND  
DECEMBER 2025  
JANUARY 14, 2026 BOARD MEETING**

	EMPLOYEES	DIRECTORS	RETIREES	TOTALS
SALARIES & WAGES Pay Period Ended: (December 6, 2025/ee)-(November 30, 2025/dir)	187,905.36	1,911.00		189,816.36
SALARIES & WAGES Pay Period Ended: (December 20, 2025)	187,458.98			187,458.98
SALARIES & WAGES Pay Period Ended: (, 2025)				-
PAYCHEX Employer taxes: SSI, Medicare, UI	26,565.74	168.76		26,734.50
PERS (EMPLOYER PORTION) RETIREMENT	39,856.85			39,856.85
ACWA-HEALTH BENEFITS Medical/Vision Insurance Premium	101,174.68	20,357.75	27,059.11	148,591.54
HEALTH EDGE ADMINISTRATORS INC Dental Insurance Administrative Fees	762.30	163.35	508.20	1,433.85
HEALTH EDGE ADMINISTRATORS INC Dental Insurance Claims	3,297.46	208.00	2,280.62	5,786.08
THE HARTFORD GROUP Long Term Disability Insurance	3,045.00			3,045.00
PAYCHEX P/R Processing Fees, monthly and W-2 fees	1,272.45	142.00		1,414.45
TOTAL PAYROLL FUND:	551,338.82	22,950.86	29,847.93	604,137.61

**WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT  
REIMBURSEMENTS AND TRANSFERS  
JANUARY 14, 2026 BOARD MEETING  
DECEMBER 2025/JANUARY 2026**

**GENERAL/REVOLVING ACCOUNT:**

WRM-WSD WELLS FARGO BANK GENERAL ACCOUNT APPROVED AMOUNT OF FUNDS FOR: <a href="#">December 2025 Accounts Payable</a>	<div style="border: 1px solid black; padding: 2px 5px;">1</div>	\$ 791,577.13
WRM-WSD WELLS FARGO BANK GENERAL ACCOUNT APPROVED AMOUNT OF FUNDS FOR: <a href="#">Committee for Delta Reliability</a>	<div style="border: 1px solid black; padding: 2px 5px;">2</div>	\$ 43,951.99
WRM-WSD WELLS FARGO BANK REVOLVING ACCOUNT APPROVED AMOUNT OF FUNDS FOR: <a href="#">December 2025 Revolving Account</a>	<div style="border: 1px solid black; padding: 2px 5px;">3</div>	\$
<b>TOTAL GENERAL/REVOLVING ACCOUNT:</b>		\$ <u>835,529.12</u>

**PAYROLL ACCOUNT:**

WRM-WSD WELLS FARGO BANK PAYROLL ACCOUNT APPROVED AMOUNT OF FUNDS FOR PPE: <a href="#">January 17, 2026</a>	<div style="border: 1px solid black; padding: 2px 5px;">4</div>	281,000.00	
WRM-WSD WELLS FARGO BANK PAYROLL ACCOUNT APPROVED AMOUNT OF FUNDS FOR PPE: <a href="#">January 31, 2026</a>	<div style="border: 1px solid black; padding: 2px 5px;">5</div>	364,000.00	
WRM-WSD WELLS FARGO BANK PAYROLL ACCOUNT APPROVED AMOUNT OF FUNDS FOR PPE: <a href="#">. 2026</a>	<div style="border: 1px solid black; padding: 2px 5px;">6</div>		
<b>TOTAL PAYROLL ACCOUNT:</b>		\$ <u>645,000.00</u>	<u>645,000.00</u>

COUNTY TRANSFERS: Transfer to CAMP	500,000.00
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<b>TOTAL REIMBURSEMENTS AND TRANSFERS:</b>	\$ <u>1,980,529.12</u>
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## ◀ WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT ▶

## MEMORANDUM

TO: Board of Directors

FROM: James Smith, Controller

DATE: January 2, 2026

**SUBJECT: 2026 Annual Investment Policy**

**Background.** At its October 2023 meeting, the Board authorized the establishment of a \$35 million investment account with the California Asset Management Program (CAMP). At the time, CAMP's 7-day yield pool was at 5.55%. The Board, at its September 2025 meeting, further authorized transferring the remaining balances with the Kern County Treasurer & Tax Collector (KCTTC) fund to CAMP.

While the returns with CAMP have continued to outperform KCTTC and other available investment pools, short-term yields have declined over the past two years and are currently at 3.88%. It is expected that both short- and long-term rates will continue to decline in 2026.

As staff have previously discussed with the Board, we can continue with CAMP or another pool fund, internally manage the reserves, or utilize an investment advisor. Staff have consulted with an investment advisory firm California CLASS to manage the District's reserve funds. Staff believe that the scope of the discussion warrants a meeting with the Budget and Finance committee before making a recommendation to the full Board.

As part of the initial review, Sarah Meacham, a senior director with PTMA, and a member of the California Municipal Treasurer's Association, revised the District's investment policy to bring it more in compliance with the current California Government Code. District counsel has reviewed the attached investment policy.

**Recommendation.** Staff recommends that the Board adopt and approve the attached resolution entitled Adopting an Annual Investment Policy for the Wheeler Ridge-Maricopa Water Storage District for 2026.

## WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT

**STATEMENT OF INVESTMENT POLICY**

January 1, 2026

In accordance with the provisions of Section 53646 of the Government Code of the State of California, this investment policy for the Treasurer of the Wheeler Ridge-Maricopa Water Storage District is hereby established. All Section references herein are to the California Government Code unless otherwise specified.

**OBJECTIVE:**

The objectives of the District's investment policy are as follows, in order of priority.

1. Safeguard the principal of the funds under its control by maintaining an appropriate risk level.
2. Meet the liquidity needs of the District.
3. Achieve an optimum rate of return (defined as income plus realized and unrealized capital gains and losses) on available assets (not required for current operating needs), commensurate with an appropriate level of risk.

**SCOPE:**

Except for funds held in Wheeler Ridge-Maricopa Water Storage District's working bank accounts used for the daily operations, it is intended that this policy cover investment funds and activities of the District. Retirement funds held in trust are covered by their respective investment policies.

**DELEGATION OF AUTHORITY:**

Section 53600, et seq. provides legal authorization and reporting requirements for the investment of funds of local agencies when applicable. All investments of the Wheeler Ridge-Maricopa Water Storage District shall conform to the requirements of these laws. In accordance with Section 53607 the authority to invest or reinvest the funds of the District is delegated to the Treasurer of Wheeler Ridge-Maricopa Water Storage District for a one-year period. Each year, at its January Board Meeting and the Board delegates its authority to invest funds to the District's Treasurer, who shall thereafter assume full responsibility for those transactions until the delegation of authority is revoked or expires.

**PRUDENCE:**

All participants in the investment process shall recognize that the investment portfolio is subject to the prudent investment standard as set forth by applicable provisions of the California Government Code and to public review and evaluation and shall seek to act responsibly as fiduciaries of the public trust. The prudent investor standard states that when investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill prudence, and diligence under the circumstance then prevailing, including but not limited to, the general economic conditions and the anticipated needs of the District, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like, aims, to safeguard the principal and maintain the liquidity needs of the District.



**ETHICS AND CONFLICTS OF INTEREST:**

Officers and employees involved in the investment process shall refrain from personal business activities that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial decisions.

**PERMISSIBLE INVESTMENTS:**

The District Treasurer may invest from among the following authorized investments. Investments shall be restricted to those authorized by applicable provisions of the California Government Code.

1. State of California Bonds – Not to exceed 15% of the District's reserve funds.
2. United States Treasury notes, bonds, bills, or certificates of indebtedness, or those for which the faith and credit of the United States are pledged for the payment of principal and interest.
3. Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises.
4. bankers' acceptances drawn on and accepted by the 15 largest banks in the United States or by any of the world's 100 largest banks. A rating among the top three ratings by Standard and Poor's or Moody's will be required. Purchases of bankers' acceptances shall not exceed 180 days' maturity or 40% of District's reserve funds, with no more than 30% of the District's reserve funds invested in bankers' acceptances in any one commercial bank.
5. Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical rating organization (NRSRO). The entity that issues the commercial paper shall meet all of the following conditions in either paragraph (a) or (b):
  - a. The entity meets the following criteria:
    - i. Is organized and operating in the United States as a general corporation.
    - ii. Has total assets in excess of five hundred million dollars (\$500,000,000).
    - iii. Has debt other than commercial paper, if any, that is rated in a rating category of "A" or its equivalent or higher by an NRSRO.
  - b. The entity meets the following criteria:
    - i. Is organized within the United States as a special purpose corporation, trust, or limited liability company.
    - ii. Has program wide credit enhancements including, but not limited to, overcollateralization, letters of credit, or a surety bond.
    - iii. Has commercial paper that is rated "A-1" or higher, or the equivalent, by an NRSRO.

Eligible commercial paper shall have a maximum maturity of 270 days or less and may not exceed 25% of the District's reserve funds. The District may invest no more than 10 percent of its total investment assets in the commercial paper and the medium-term notes of any single issuer.

6. Negotiable certificates of deposit issued by a nationally or state-chartered bank, a savings association or a federal association (as defined by Section 5102 of the Financial Code), a state or federal credit union, or by a federally licensed or state-licensed branch of a foreign bank. Purchases of certificates of deposits (negotiable and non-negotiable) shall not exceed 30 percent of the District's moneys that may be invested pursuant to Section 53601. For purposes of Section 53601, negotiable certificates of deposit do not come within Article 2 (commencing with Section 53630), except that the amount so invested shall be subject to the limitations of Section 53638.

The legislative body of a local agency and the treasurer or other official of the local agency having legal custody of the moneys are prohibited from investing local agency funds, or funds in the custody of the local agency, in negotiable certificates of deposit issued by a state or federal credit union if a member of the legislative body of the local agency, or a person with investment decision-making authority in the administrative office manager's office, budget office, auditor-controller's office, or treasurer's office of the local agency also serves on the board of directors, or any committee appointed by the board of directors, or the credit committee or the supervisory committee of the state or federal credit union issuing the negotiable certificates of deposit.

7. Time certificates of deposit (collateralized/non-negotiable) from commercial banks and savings and loan associations.
  - a. Investments up to \$250,000 in any single institution are exempt from further collateral requirements because of FDIC or FSLIC insurance provisions.
  - b. Except as provided in (a) above, all investments must have collateral at 110% of the principal amount by government securities or 150% of the principal amount by first mortgages.
  - c. No more than 15% of the District's reserve funds shall be in collateralized certificates of deposit in any one institution, and in no case shall the total amount of all certificates of deposit exceed 30% of the District's reserve funds.
8. Repurchase agreements not to exceed 25% of the District's reserve funds. Collateral must be 102% of the invested amount adjusted quarterly with a maximum maturity date of one (1) year.
9. California State Treasury (LAIF).
10. Kern County Treasury.
11. Shares of beneficial interest issued by a joint powers authority organized pursuant to Section 6509.7 that invests in the securities and obligations authorized in subdivisions (a) to (r), inclusive. Each share shall represent an equal proportional interest in the underlying pool of securities owned by the joint powers authority. To be eligible under this section, the

joint powers authority issuing the shares shall have retained an investment adviser that meets all of the following criteria:

- a. The adviser is registered or exempt from registration with the United States Securities and Exchange Commission.
- b. The adviser has not less than five years of experience investing in the securities and obligations authorized in subdivisions (a) to (q), inclusive.
- c. The adviser has assets under management in excess of five hundred million dollars (\$500,000,000).

12. Shares of beneficial interest issued by diversified management companies that are money market funds registered with the United States Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1 et seq.). The company shall have met either of the following criteria:

- a. Attained the highest ranking or the highest letter and numerical rating provided by not less than two NRSROs.
- b. Retained an investment adviser registered or exempt from registration with the United States Securities and Exchange Commission with not less than five years' experience managing money market mutual funds with assets under management in excess of five hundred million dollars (\$500,000,000).
- c. The purchase price of shares of beneficial interest purchased pursuant to this subdivision shall not include commission that the companies may charge and shall not exceed 20% of the District's reserve funds.

**AUTHORIZED DEPOSITORY, DEALERS, AND FINANCIAL INSTITUTIONS:**

District funds not invested directly may be maintained in the Kern County Treasurer on behalf of the District.

The District will maintain a list of approved financial institutions authorized to provide investment services to the District in the State of California. These may include "primary" dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1 (uniform net capital rule). Best practices include the following: 1) A determination that all approved broker/dealer firms, and individuals covering the public agency, are reputable and trustworthy; 2) the broker/dealer firms should have the ability to meet all their financial obligations in dealing with the Public Agency; 3) the firms, and individuals covering the agency, should be knowledgeable and experienced in Public Agency investing and the investment products involved; 4) no public deposit shall be made except in a qualified public depository as established by the established state laws; 4) all financial institutions and broker/dealers who desire to conduct investment transactions with the public agency may supply the Treasurer audited financial statements, proof of FINRA certification, trading resolution, proof of State of California registration, a completed broker/dealer questionnaire, certification of having read the District's investment policy and depository contracts.

An annual review of the financial condition and registrations of qualified bidders may be conducted by the Treasurer and a current audited financial statement requested for each financial institution and broker/dealer with which the District invests.

The District may secure the services of an investment advisor. If the District has contracted with an investment advisor to provide investment services, the investment advisor may use their own list of approved issuers, broker/dealers, and financial institutions to conduct transactions on behalf of the District.

Cash management accounts may be used for certificates of deposit and other investments; however, the linking of credit cards and the use of margins is strictly prohibited.

**DIVERSIFICATION:**

The District's investments shall be diversified by limiting investments to avoid overconcentration in securities from a specific issuer or sector. No more than 5% of the portfolio may be invested in the securities of any one issuer, regardless of security type; excluding U.S. Treasuries, federal agencies, and pooled investments such as LAIF, Kern County Treasury, and shares of beneficial interest issued by joint powers authorities.

**MATURITIES:**

To the extent possible, the District will attempt to match its investments with anticipated cash flow requirements. Unless stated otherwise in the Permitted Investment section of this Policy, the maximum maturity of the District's investments will not exceed 5 years from the date of settlement unless the District's Board has granted express authority to make that investment no less than three months prior to the investment being made.

**SAFEKEEPING AND CUSTODY:**

All security transactions of deliverables securities (excludes pools and funds), including collateral for repurchase agreements, entered into by the District should be conducted on a delivery-versus-payment (DVP) basis. Securities will be held by a third-party custodian designated by the Treasurer and evidenced by safekeeping receipts.

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

**IN THE MATTER OF:**

**RESOLUTION NO. 2026-XX**

**ADOPTING AN ANNUAL INVESTMENT POLICY  
FOR THE  
WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT**

**WHEREAS**, the Wheeler Ridge-Maricopa Water Storage District occasionally has reserve funds on hand that are in excess of the District's immediate financial requirements;

**WHEREAS**, it is the established policy of this District that such reserve funds shall be held in the California Asset Management Program (CAMP) 7-day Yield Pool and the District's Kern County Treasurer and Tax Collector (KCTTC) Fund except as herein below stated;

**WHEREAS**, when interest rates, in general, are rising and conditions are such that the average earning rate of the CAMP 7-day Yield Pool and the KCTTC Fund is less than the rates available in the marketplace, the District's policy provides for the transfer and specific investment of appropriate portions of such funds by District staff, in order to maximize interest earnings; and

**WHEREAS**, the District Treasurer, in accordance with Section 53646(a) of the Government Code, has rendered an annual statement of investment policy.

**NOW THEREFORE BE IT RESOLVED**, by this Board that the Treasurer's Annual "*Statement of Investment Policy*" dated January 1, 2026 and attached hereto, is hereby approved and adopted.

**ALL THE FOREGOING** being on motion of Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, and authorized by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINING:**

**I HEREBY CERTIFY** that the foregoing is the resolution of said District as duly passed and adopted by said Board of Directors on the 14<sup>th</sup> day of January 2026.

**WITNESS** my hand and seal of said Board of Directors this 14<sup>th</sup> day of January 2026.

(Seal)

\_\_\_\_\_  
Secretary of the Board of Directors

WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT  
BUDGET EXPENDITURES REPORT  
PERIOD ENDING DECEMBER 2025  
(UNAUDITED)

BUDGET CLASS	ANNUAL BUDGET	ANTICIPATED TO DATE	ACTUAL SPENT TO DATE	UNDER/(OVER) BUDGET TO ACTUAL DIFFERENCE	% OF ANTICIPATED TO DATE
PAYROLL SALARIES	4,282,249	4,282,249	4,237,187	45,062	98.95%
PAYROLL TAX	321,974	321,974	322,828	(854)	100.27%
PAYROLL PERS	539,334	539,334	496,046	43,288	91.97%
PAYROLL HEALTH	1,205,000	1,205,000	1,202,083 (a)	2,917	99.76%
<b>TOTAL PAYROLL &amp; BENEFITS</b>	<b>6,348,557</b>	<b>6,348,557</b>	<b>6,258,144</b>	<b>90,413</b>	<b>98.58%</b>
FUEL & OIL	494,800	494,800	300,440	194,360	60.72%
MATERIALS & SUPPLIES	1,248,300	1,248,300	1,100,481	147,819	88.16%
SMALL TOOLS & INSTRUMENTS	50,100	50,100	20,399	29,701	40.72%
WELL MAINTENANCE STANDBY POWER	30,000	30,000	8,848	21,152	29.49%
COMMUNICATIONS	65,860	65,860	51,956	13,904	78.89%
DIRECTORS PAYROLL & EXPENSES	36,000	36,000	34,085	1,915	94.68%
DIRECTORS HEALTH	228,000	228,000	230,679 (a)	(2,679)	101.18%
RETIREEES-OPEB	322,400	322,400	326,078 (a)	(3,678)	101.14%
INSURANCE & BONDS	241,600	241,600	279,731	(38,131)	115.78%
MEMBERSHIPS	118,400	90,657	90,657	-	100.00%
MISC SERVICES & SUPPLIES	152,300	152,300	62,514	89,786	41.05%
OFFICE SERVICES & SUPPLIES	54,300	54,300	24,743	29,557	45.57%
COMPUTER SUPPLIES	150,200	150,200	51,175	99,025	34.07%
MAINT. & REPAIR BY OTHERS	211,500	211,500	231,208	(19,708)	109.32%
PROFESSIONAL & SPECIALIZED-LEGAL	125,000	125,000	124,330	670	99.46%
PROFESSIONAL & SPECIALIZED-ACCT:					
AUDIT	50,900	50,900	52,100	(1,200)	102.36%
WELLS FARGO FEES	-	-	-	-	-
PROFESSIONAL & SPECIALIZED-OTHER	198,600	198,600	175,249	23,351	88.24%
SGMA - SOKR/KERN GW AUTHORITY	190,000	190,000	418,911	(228,911)	220.48%
SGMA - WHITE WOLF GSA	150,000	150,000	10,680	139,320	7.12%
LEGAL NOTICES & PUBLICATIONS	22,200	22,200	11,083	11,117	49.92%
RENTED EQUIPMENT	65,400	65,400	43,951	21,449	67.20%
SPECIAL DEPARTMENT EXPENSE	33,300	33,300	23,899	9,401	71.77%
TRANSP & TRAVEL EXPENSE	56,300	56,300	40,131	16,169	71.28%
UTILITIES	124,900	124,900	135,035	(10,135)	108.11%
JUDGEMENTS & CLAIMS EXPENSE	6,600	-	-	-	0.00%
CALPERS UNFUNDED LIABILITY	2,145,000	18,958	18,958	-	100.00%
CURRENTLY FUNDED ASSETS	1,161,500	777,273	777,273	-	100.00%
RESERVE FUNDED ASSETS	10,340,000	336,884	336,884	-	100.00%
<b>TOTAL SERVICES AND SUPPLIES</b>	<b>18,073,460</b>	<b>5,525,732</b>	<b>4,981,478</b>	<b>544,254</b>	<b>90.15%</b>
KCWA F.O.	58,151,438	51,809,558	51,809,558	-	100.00%
KCWA VARIABLE	8,218,376	7,363,735	7,363,735	-	100.00%
DISTRICT POWER-PUMPS	13,978,134	12,832,639	12,832,639	-	100.00%
<b>TOTAL WATER COSTS</b>	<b>80,347,948</b>	<b>72,005,932</b>	<b>72,005,932</b>	<b>-</b>	<b>100.00%</b>
<b>GRAND TOTAL</b>	<b>104,769,965</b>	<b>83,880,221</b>	<b>83,245,554</b>	<b>634,667</b>	<b>99.24%</b>
(a) Health Insurance combined	1,755,400	1,755,400	1,758,840	(3,440)	100.20%

CAPITAL EXPENDITURES BUDGET - PERIOD ENDING DECEMBER 2025											
		BUDGET				ACTUAL (net of trade or sale)					
		BGT COST	TOTAL	CURRENT	RESERVE		TOTAL	CURRENT	RESERVE	%	
QTY	DESCRIPTION	PER ITEM	BUDGET	FUNDED	FUNDED	2025	TO DATE	FUNDED	FUNDED	OF BGT.	
<b>ENGINEERING:</b>											
2	Drill Two Replacement Supply Wells A3/C4	2,100,000	4,200,000		4,200,000	-	118,537		118,537	3%	
8	Motor Control Center	500,000	4,000,000		4,000,000	-	-		-	0%	
8	WRM10 Large Pump Units, 17 & 44 CFS	210,000	1,680,000		1,680,000	-	-		-	0%	
1	Portion of 6P Lateral Pipeline Replacement	600,000	600,000	600,000		269,436	269,436	269,436		45%	
1	A5X/B5X Intertie Facilities	460,000	460,000		460,000	190,322	218,347		218,347	47%	
1	EM Inspection of 10P Lateral	61,500	61,500	61,500		49,250	49,250	49,250		80%	
	<b>SUBTOTAL</b>		<b>11,001,500</b>	<b>661,500</b>	<b>10,340,000</b>	<b>509,008</b>	<b>655,570</b>	<b>318,686</b>	<b>336,884</b>		
<b>OPERATIONS AND MAINTENANCE:</b>											
2	1/2 Ton Crew Cab 4x4 Pickup	45,000	90,000	90,000		83,160	83,160	83,160		92%	
1	3/4 Ton Ext Cab 4x4 Pickup	50,000	50,000	50,000		44,265	44,265	44,265		89%	
2	1/2 Ton Reg Cab Pickup	25,000	50,000	50,000		48,855	48,855	48,855		98%	
2	1/2 Ton Reg Cab Pickup w/o Trade-in	35,000	70,000	70,000		72,553	72,553	72,553		104%	
1	1 Ton Cab / Chassis Utility	50,000	50,000	50,000		50,699	50,699	50,699		101%	
1	1/2 Ton Crew Cab Pickup	40,000	40,000	40,000		22,555	22,555	22,555		56%	
1	SCADA System (carryover balance)	135,000	135,000	135,000		136,500	N/A	136,500		101%	
1	SCADA Firmware Updates & Support	15,000	15,000	15,000		16,258	16,258	16,258		108%	
	<b>SUBTOTAL</b>		<b>500,000</b>	<b>500,000</b>	<b>-</b>	<b>458,587</b>	<b>322,087</b>	<b>458,587</b>	<b>-</b>	<b>92%</b>	
<b>TOTAL CAPITAL EXPENDITURES</b>											
			<b>11,501,500</b>	<b>1,161,500</b>	<b>10,340,000</b>	<b>967,595</b>	<b>977,657</b>	<b>777,273</b>	<b>336,884</b>		



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

**IN THE MATTER OF:**

**RESOLUTION NO. 2026- XX**

**AUTHORIZATION OF BOARD OFFICERS AND SPECIFIED STAFF SIGNATURES FOR  
DISBURSEMENT OF FUNDS FROM  
COMMERCIAL BANK ACCOUNT NOS. 103218263, 103218238, 103218251, AND 103218275  
WITH TRI COUNTIES BANK**

**WHEREAS**, on December 10, 2025, Resolution No. 2025-15 was passed by the Board of Directors of this District, establishing depository accounts for District funds in commercial accounts with Tri Counties Bank and establishing the signature requirements for withdrawal of funds from said accounts; and

**WHEREAS**, Board Officers and specified staff shall be authorized signatures for Tri Counties Bank account numbers 103218263, 103218238, 103218251 and 103218275.

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

1. The undersigned hereby certifies that he is the Secretary or Assistant Secretary of the **WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT**, a public agency, formed under California Water Storage District Law (the “District”), that the following are true and correct resolutions adopted by the Board of Directors, at a duly authorized board meeting, noticed under the Brown Act held on January 14, 2026, throughout which a quorum of such directors was present in accordance with applicable law, and that these resolutions have not been in any way altered, amended or rescinded and are now in full force and effect.
2. Resolution No. 2025-15 is hereby amended by the substitution of “Special Business Account Agreement”. A copy which is appended hereto, and marked “Exhibit A”.
3. That Sheridan G. Nicholas, as Engineer-Manager or Assistant Secretary, and/or James D. Smith, as Controller or Assistant-Treasurer or Assistant Secretary, and/or Dennis J. Atkinson, President, and/or Mark B. Valpredo, Vice-President, and/or Benjamin Melendrez-Marin, Secretary, and/or Michael P. Blaine, Assistant Secretary and/or Jeffrey R. Mettler, Treasurer, and/or Colby D. Fry, Assistant Treasurer, and/or Thomas R. Suggs, Staff Engineer, and/or Eric L. McDaris, Director of Water Resources, are authorized to draw checks on the Accounts, signed as provided on the “Business Signer Form” provided to Tri Counties hereto and made a part hereof
5. In all other respects, Resolution No. 2025-15 remains unchanged and in full force and effect. I further certify that I am unaware of any provision in District formation documents limiting the power of the Board of Directors of this District to pass the foregoing resolutions, and that such resolutions are in conformity with the California Water Code.

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

**AYES:**

**NOES:**

**ABSENT:**

**I HEREBY CERTIFY** that the foregoing is a true copy of the resolution of the Board of Directors of the Wheeler Ridge-Maricopa Water Storage District as fully passed and adopted by said Board of Directors on this 14<sup>th</sup> day of January, 2026.

\_\_\_\_\_  
Secretary of the Board of Directors

**SPECIAL BUSINESS ACCOUNT AGREEMENT – ORGANIZATION/UNINCORPORATED ASSOC.**

This Special Business Account Agreement is effective for an indefinite time unless revoked by written notice received by the Bank.

Name of Depositor: Wheeler Ridge- Maricopa Water Storage District

Taxpayer Identification Number: 95-2591901

**ORGANIZATION/UNINCORPORATED ASSOCIATION RESOLUTION - IT IS RESOLVED:** The person(s) named below constitute all of the members of this organization/unincorporated association or have been otherwise designated pursuant to the governing rules of the entity with authority to bind the organization/unincorporated association or execute documents on the entity's behalf with respect to its account(s). **FURTHER RESOLVED:** The person(s) listed as authorized signers(s) on this Agreement are authorized to endorse, on behalf of this entity, any checks or other items payable to this entity or its order, to deposit such checks and other items into the account with or without such endorsement, and to direct withdrawals from the account by check drawn on the account or otherwise, including withdrawals payable to anyone who is an authorized signer. **FURTHER RESOLVED:** Any one of the person(s) listed as authorized signers on this Agreement are authorized to act alone in all matters relating to the account(s), including withdrawal transactions. **FURTHER RESOLVED:** This authorization has not been revoked or modified, and is in addition to any other authorizations in effect and shall remain in full force until Bank receives written notice of its revocation at the office of the account or at any other address specified by the Bank.

Date: \_\_\_\_\_

\_\_\_\_\_  
Secretary

The following individuals listed below are authorized to sign on the following accounts:

Account Title	Account #	Subject to backup Withholding Y/N
WHEELER RIDGE-MARICOPA W S D Operating	103218263	N
WHEELER RIDGE-MARICOPA W S D Payroll	103218238	N
WHEELER RIDGE-MARICOPA W S D Revolving	103218251	N
WHEELER RIDGE-MARICOPA W S D SWEEP	103218275	N

**Taxpayer Identification Certification:** By signing below, I certify under penalty of perjury that the taxpayer identification number(s) listed above are the Association's correct taxpayer identification number(s), the Association is an organization under the laws of a jurisdiction in the United States and that this Association, is either subject to backup withholding or are not subject to backup withholding either because (1) we are exempt from backup withholding, (2) we have not been notified that we are subject to backup withholding as a result of a failure to report all interest or dividends, or (3) the Internal Revenue Service has notified us that we are no longer subject to backup withholding as indicated.

Exempt Payee Code: 3

☒ X

\_\_\_\_\_  
Authorized Signer Sign Here

Sheridan G Nicholas

Date: \_\_\_\_\_

\_\_\_\_\_  
Authorized Signer Sign Here

James D. Smith

Date: \_\_\_\_\_

\_\_\_\_\_  
Authorized Signer Sign Here

Dennis Jay Atkinson

Date: \_\_\_\_\_



**SPECIAL BUSINESS ACCOUNT AGREEMENT – ORGANIZATION/UNINCORPORATED ASSOC.**

\_\_\_\_\_  
Authorized Signer Sign Here

Mark B. Valpredo  
Date: \_\_\_\_\_

\_\_\_\_\_  
Authorized Signer Sign Here

Benjamin Melendrez -Marin  
Date: \_\_\_\_\_

\_\_\_\_\_  
Authorized Signer Sign Here

Michael P. Blaine  
Date: \_\_\_\_\_

\_\_\_\_\_  
Authorized Signer Sign Here

Jeffrey R. Mettler  
Date: \_\_\_\_\_

\_\_\_\_\_  
Authorized Signer Sign Here

Colby D. Fry  
Date: \_\_\_\_\_

\_\_\_\_\_  
Authorized Signer Sign Here

Eric L. McDaris  
Date: \_\_\_\_\_

\_\_\_\_\_  
Authorized Signer Sign Here

Thomas R. Suggs  
Date: \_\_\_\_\_

**\*\*MY/OUR SIGNATURE(S) ABOVE CONFIRMS** that I/We have received copies of the Bank’s Privacy Policy Notice and Deposit Agreement & Disclosures and charges along with applicable regulatory disclosures and agree with Tri Counties Bank that the account specified above shall be maintained subject to all applicable laws and the Bank’s present and future rules, regulations, practices and charges.

Prepared By: TC06441/TC10685

Reviewed By: \_\_\_\_\_



# ENGINEER-MANAGER'S REPORT

DECEMBER  
2025



## 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: JANUARY 7, 2026**

**SUBJECT: ENGINEER-MANAGER'S MONTHLY REPORT FOR DECEMBER 2025**

During the months of December, the District delivered 2,455 acre-feet consisting of the water types described below. Of the total quantity delivered, 142 acre-feet was delivered for industrial use, with the remainder being delivered for agricultural use. This compares to the projected deliveries of approximately 3,200 acre-feet, based on the “typical average surface water demand” estimated in September 2025. 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:

<b><u>Quantities (Acre- Feet)</u></b>			
<b>Source of Supply- 2025</b>	<b>Jan-Nov</b>	<b>Dec</b>	<b>YTD</b>
2025 SWP Entitlement (a)	71,458	13,269	84,727
2024 Carryover (estimate) (b)	21,019	-	21,019
Pastoria/TRC	2,458	140	2,597
Granite/TRC	88	2	90
Supplemental Supplies	49,802	-	49,802
Kern Water Bank (Recharge)/Recovery (c)	(8,866)	(3,074)	(11,940)
Kern Water Bank - 2nd Priority (Recharge)/Recovery	(5,848)	(6,157)	(12,005)
Deliveries to AEWSO CA AQ Turnout	(8,075)	(1,925)	(10,000)
Landowner Water Transfer	5,836	200	6,036
User Input-District Wells	7	-	7
User Input-Private	-	-	-
<b>Type of Delivery</b>			
Irrigation	125,284	2,313	127,597
Industrial Contract	2,546	141	2,687
Other Industrial	51	1	51
<b>Deliveries Total</b>	<b>127,880</b>	<b>2,455</b>	<b>130,335</b>

(a) Assumes a 2025 allocation of 197,088 acre-feet (100%)

(b) This carryover volume reflects the 2024-2025 balance available following the adjustment due to 2023 carryover spill per KCWA. 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**

**District Battery Project.** The District has been working with White Pine Renewables on a battery project at six pumping plants to utilize stored power to lower demand charges. Because of a number of factors, White Pine has notified the District and PG&E that it wishes to only pursue three pumping plants: WRM5, WRM7 and WRM8. The District is also working on liability and insurance requirements with DWR.

**White Wolf GSA.** The White Wolf GSA met on January 6.

- Technical Update
- Update on Grant Implementation
- Periodic Evaluation update
  - Land use
  - Sustainable Management Criteria evaluation
  - Ad Hoc Committee formed to fully discuss SMC
- Next scheduled White Wolf GSA Board Meeting is February 2

## **South of Kern River GSP.**

### **Coordination between SOKR GSA’s**

The Next Executive Committee meeting is February 12.

### **Kern Subbasin Coordination**

- Weekly Managers Meetings
- Weekly Subbasin Meetings
- Weekly Meetings between SWRCB staff and Subbasin Technical group

On December 9 the Kern subbasin received the official correspondence from the SWRCB “sending” the subbasin back to DWR. That letter is included in this month’s Board packet.

### **Subbasin/SWRCB Timeline**

- May 16 - Submittal of Draft Kern Subbasin GSP
- July 25 - Release of SWRCB Draft Staff Report on Kern Subbasin
- Dec 16 - Submittal of Adopted Kern Subbasin GSP to SWRCB
- Jan 21 - Release of SWRCB Final Staff Report on Kern Subbasin
- Feb 20 - Probationary Hearing. Hearing continued to September
- June 20 - Draft Revised Kern Subbasin GSP due to SWRCB
- August - Final Revised Kern Subbasin GSPs to be approved by GSAs
- Sep 05 - Release of SWRCB Final Staff Report on Kern Subbasin
- Sep 17 - Resumed Probationary Hearing - SWRCB Passed Resolution
- Dec 9 - SWRCB Letter Sending Subbasin to DWR
- DWR Review of Kern Subbasin Plan (potentially 2 years)

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

Dec 01 Kern Subbasin Coordination Committee	Dec 09 KWBGSA/KWB Board	Dec 17 White Wolf GSA Technical Committee
Dec 02 ACWA Conference - Groundwater Committee	Dec 10 WRMWSD Board	Dec 17 KCWA Board Meeting
Dec 02 ACWA Conference - Water Management Committee	Dec 10 SOKR Managers	Dec 17 Kern Subbasin / CASP
Dec 02 ACWA Conference - Agricultural Committee	Dec 11 Member Unit Managers	Dec 18 State Water Contractors Board
Dec 02 ACWA Conference - Finance Committee	Dec 12 Kern Subbasin Managers	Dec 19 Kern Subbasin Managers
Dec 02 SWC / DWR Subsidence Briefing	Dec 12 Kern Water Collaborative	Dec 19 KCWA Member Unit DCP Discussion
Dec 03 ACWA Conference - MWD	Dec 15 Kern Non-Districted Lands Authority	Dec 22 KCWA/Ravazzini
Dec 04 ACWA Conference - MWD	Dec 15 California Farm Water Coalition Authority	Dec 22 ACWA/Bob Murray
Dec 05 Kern Subbasin Managers	Dec 15 Kern Subbasin Coordination Committee	Dec 29 CLASS
Dec 09 AECA	Dec 16 Todd Engineers	
	Dec 17 Gianquinto, Gilkey	

## **RETIRED ANNUITANT REPORT – R. KUNDE**

**Delta Conveyance Project (DCP) – Appellate Court Decision on 2020 DCP Bond Resolutions.** On December 31, 2025, the Third District Court of Appeal issued a ruling rejecting the Department of Water Resources’ (DWR) attempt to validate its authority to issue revenue bonds for funding the DCP. The Court affirmed a trial court ruling that DWR’s 2020 bond resolutions were too vague to meet the legal criteria that the DCP, as described in the resolutions, was a valid “modification” of the State Water Project.

In 2025, DWR adopted a new Bond Resolution for funding the DCP and filed for Court approval. This filing was intended to address the findings of the trial court in the 2020 Bond Resolution case. Many of the plaintiffs who won their challenge to the 2020 Resolutions challenged the 2025 Bond Resolution. The impact of the Appellate Court ruling on the 2025 case will be evaluated by DWR and the State Water Contractors in 2026.

**Delta Conveyance Project - Submittal to Delta Stewardship Council.** (*Unchanged from November*). On October 17, the Department of Water Resources (DWR) submitted a Certification of Consistency with the Delta Plan for the Delta Conveyance Project. Subsequently, at least ten parties filed appeals with the DSC. The DSC then scheduled a public hearing for February 26 and 27, 2026, regarding the appeals.

**Delta Conveyance Project - Water Right Hearing and Schedule.** (*Slight changed from October*). The State Water Resources Control Board (SWRCB) Administrative Hearing Officer (AHO) conducted Hearings on DWR’s Petition (Change in Point of Diversion - CPOD) for the DCP. The current Hearing schedule through Summer 2026 is as follows:

*Petitioner’s rebuttal portion of the Public Hearing will begin on  
February 20, 2026, and continue on  
February 23, 24, & 25 and March 2, 5, & 6, 2026.*

*Protestants’ rebuttal portion of the Public Hearing will begin on  
June 1, 2026, and continue on June 4, 5, 8, 9, 11, 15, 18, 23, 24, & 26, 2026.*

*If necessary, Petitioner’s surrebuttal portion of the Public Hearing will begin on  
August 20, 2026, and continue on August 21 & 24, 2026*

**(New)** On December 4, the AHO issued procedural rulings addressing schedule objections by DWR and the State Water Contractors. Some schedule revisions were made affecting December submittal deadlines only. The AHO also denied requests by protestant Deirdre Des Jardins’ contained in her Motion to Address Pattern of Misrepresentation. The schedule for resumption of Public Hearings for February to August 2026 was unchanged.

**Delta Conveyance Project – Local Activity.** (*Unchanged from October*). Although most Member Units have conditionally approved funding for planning and permitting for 2026 and 2027, KCWA and DWR have not executed the DCP Funding Agreement. The Member Unit conditions are not fully resolved, and there are concerns on whether Aqueduct subsidence impacts resulting in reduced conveyance capacity will even allow Kern to take advantage of DCP wet year supplies.

KCWA and certain Member Units are working to address some of the Member Unit conditions for DCP Funding.

**Sites Reservoir - Water Right Hearing Schedule.** (*NEW information identified below*). The current schedule is as follows:

January to May 2025	Rebuttal Testimony concluded; Closing Briefs concluded
June 26, 2025	Closing Briefs Replies concluded. No further Hearings on the Sites Water Right Application are scheduled or expected.
August 2025**	** Administrative Hearing Officer (AHO) recommendation to SWRCB**
September 2025**	**SWRCB Decision**

\*\* These dates are not official. They are the decision timeframe advocated by Sites in order to complete Phase 2 work and proceed with Phase 3 financing by June 2026; and are not binding on the SWRCB.



On October 20, the AHO issued a directive that the Sites Project submit its CALSIM 3 modeling results to the AHO by November 3 with Protestant submittals thereon due on November 21. The Project timely provided the submittal. Several Protestants filed requests to re-open the hearings (which the Sites Project opposed) to consider the “new information”. The AHO has not ruled whether to allow or require testimony related to the additional evidence. It seems likely this will cause further delay in the proceedings.

The original schedule proposed a February 2025 decision on the water right application, but the AHO revised the schedule in May 2024 resulting in a significant delay to the Project.

**(NEW)** In December, no updated decision schedule was released, and no AHO recommendation (the draft Decision) was issued. Each month of delay adds about \$20 million to the cost of the Project.

**January 2, 2026 Sites Project Press Release. The Release included the following.**

- a. *“The issuance of the water right order from the State Water Resources Control Board is the key approval necessary to move forward with building the project. Continued delays in the order’s issuance increase project costs by approximately \$20 million per month. Time is of the essence.”*
- b. *Sites Reservoir is designed to capture and store water during wet periods, ensuring flexibility, reliability, and resiliency during dry years. Based on actual river flows, recent analysis found that Sites could have diverted more than 168,000 acre-feet in a single month, in addition to the 1.35 million acre-feet captured during the 2024 and 2025 diversion seasons (September through mid-June).”*

*Upon operation, the total Sites Reservoir storage capacity will be 1.5 million acre-feet.*

**Sites Reservoir – December Joint Meeting of Sites Project Authority (SPA) and Reservoir Project Committee (RPC).** At its December 19, 2025 meeting, the SPA and/or RPC approved the usual consent agenda (minutes, treasurer’s report, accounts payable).

Prior to the consent agenda, there was a period for public comment. In November, a closed session item “Public Employee Appointment - CMAR Contractor” generated a large turnout of over 130 members of the public about 100 of which were union members. Twenty-three public comments were made of which approximately 18 were union members and 5 were contractors. In December, over 100 union members were again present although the CMAR item was not on the Agenda. Seven public comments were made regarding contractor/union matters.

Action items were as follows.

1. The Wheeler Ridge/Santa Clara participation re-assignment of 1000 acre-feet of participation (yield) and 6234 acre-feet of storage was approved.
2. A consulting contract was approved with Acqua Consulting to provide Deputy Engineering and Construction Manager services for the period of January 19, 2026, through December 31, 2026.

Discussion items were as follows.

3. Updated drafts of the Benefits & Obligations (B&O) Contract, updated Bylaws, amended and restated Joint Powers Agreement (JPA), and Operations Plan V2.2 were provided and briefly reviewed for final review by Participants. Comments are due by February 2, 2026. These drafts will be finalized for execution during the Investor Commitment escrow period anticipated for March to September 2026.
4. Sites intends to pursue wholesale power purchases for future needs as the current Sites application to the California Independent System Operator will qualify Sites as a wholesale buyer.
5. The Executive Director reported the Project (a) was still awaiting a draft Water Right Order from the State Water Resources Control Board, and (b) held a meeting with the Maxwell Unified School District on a draft consultant report on Sites future impacts on student populations.

Closed session considered several important items.

6. Water right permit terms and conditions.

7. Conference with Real Property Negotiators regarding price and terms of payment for separate water storage and conveyance capacity with the Bureau of Reclamation, Department of Water Resources and Department of Fish and Wildlife.
8. Conference with Real Property Negotiators regarding price and terms of payment for a land acquisition from Banyan Transport Systems.
9. One item of potential litigation.

The next regular joint Sites Project Authority/Reservoir Project Committee Meeting will be held on January 16, 2026.

**Sites Reservoir - District Participation Changes.** In December, the Retired Annuitant and General Counsel prepared various documents related to a partial *Assignment* of Sites participation from the District to Santa Clara Valley Water District as further described below.

At its December 17 meeting, the Board of Directors considered the staff memorandum describing the proposed assignment of 1000 acre-feet of Sites participation (out of the total District participation of 3050 acre-feet) from the District to Santa Clara Valley Water District on behalf of District grower Booth Ranches LLC. The memorandum described the distribution of funds therefrom and the implementing *Assumption and Assignment Agreement* (with Santa Clara) and *Cancellation of Grower Participation Agreement* (with Booth Ranches). The Engineer-Manager was authorized to execute both *Agreements*. On December 18, the Engineer-Manager executed the *Assignment Agreement* and a *Clarification Letter* related thereto after execution by Santa Clara. These were transmitted that date to the Sites Project Authority.

At its December 19 meeting, the Sites Project Authority (SPA) and Reservoir Project Committee (RPC) approved the *Assignment*. On January 5, 2026, the Retired Annuitant submitted a request for written approval of the *Assignment* by February 2 to each of the other 20 Reservoir Committee members.

**Grower Communications.** On December 1, the InSITES newsletter was transmitted to participating District growers. Phone calls with Booth Ranches were held regarding the *District Participation Changes* described above.

**Meetings.** The Retired Annuitant attended the following meetings:

- Dec 11 Delta Conveyance Project - Member Unit Funding Discussion
- Dec 19 Sites Reservoir - Joint Authority Board/Reservoir Committee Board of Directors
- Dec 12 Sites Reservoir - Budget and Finance Committee
- Dec 05 Sites Reservoir - Capacity Re-Assignment Ad Hoc Group
- Dec 09 Sites Reservoir - Capacity Re-Assignment Staff Discussion
- Dec 04 Sites Reservoir - Chairperson's Meeting
- Dec 10 Sites Reservoir - Coordination Committee
- Dec 05 Sites Reservoir - Downstream Capacity Ad Hoc Small Group
- Dec 05 Sites Reservoir - Governance Ad Hoc Committee
- Dec 12 Sites Reservoir - Governance Ad Hoc Committee Leadership Group
- Dec 12 Sites Reservoir - Operations and Engineering Agenda Planning
- Dec 16 Sites Reservoir - Operations and Engineering Work Group
- Dec 10 WRMWSD - Board of Directors

# DIRECTOR OF WATER RESOURCES REPORT – E. MCDARIS

## Initial 2026 State Water Project Allocation – 10%

On December 1st, 2025, DWR announced the initial 2026 State Water Project allocation of 10%. 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 2026 contractor demands. DWR may revise the initial and subsequent allocations if warranted by the year’s developing hydrologic and water supply conditions.

The 10% allocation is consistent with the 90% probability of exceedance (P.O.E.) study with moderate Old and Middle River (OMR) restrictions in DWR’s most recent “*Allocation Analysis for 2026*” (Analysis). All studies for the December analysis assume hydrology conditions in the 90% P.O.E., (*i.e.* 9 in 10 chance conditions will be wetter than assumed) and do not include Fall X2 actions due to the dry hydrology assumptions.

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).

The December 19<sup>th</sup> DWR analysis results for 2026 are as follows (values in acre-feet).

Source/SVI	Dry	Dry	Above Normal	Wet
<b>SWP Allocation</b>	10%	35%	45%	76%
OMR Restriction [a]	Moderate	Moderate	Moderate	Moderate
Prob. Of Exceedance [b]	90%	75%	50%	25%
District Supply	19,709	68,981	88,690	149,787

[a] Average Old and Middle River reverse flow restrictions (cfs) from December 2024 to July 2025.

[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 State Water Project. State Water Project allocations are highly variable, and an average precipitation year does not translate directly to an average SWP allocation (the current long-term average SWP allocation is 53% per DWR’s Delivery Capability report 2023). Allocations vary considerably based on precipitation severity, proportions of snow and rain, timing, and the location of where the precipitation events occur. While the health of the Feather River watershed and its annual snowpack remains the largest factor in SWP allocations, Delta export restrictions have made south of Delta flows, specifically those on the San Joaquin River, vital to achieving average or above average SWP allocations.

## 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 December was 15.6 inches, 156% of the monthly average of 10.0 inches. *Accumulation* for the season is as follows:

Current Amount – October 1, 2025 – September 30, 2026,	26.3”
Seasonal Average to Date	17.9”
Seasonal Percent of Average to Date	146%
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 December was 6.5 inches, which is 100% of historical average (6.5 inches). *Accumulation* for the season is 15.8 inches, which is 131% of the seasonal average of 12.0 inches.

## Carryover and Spill Conditions.

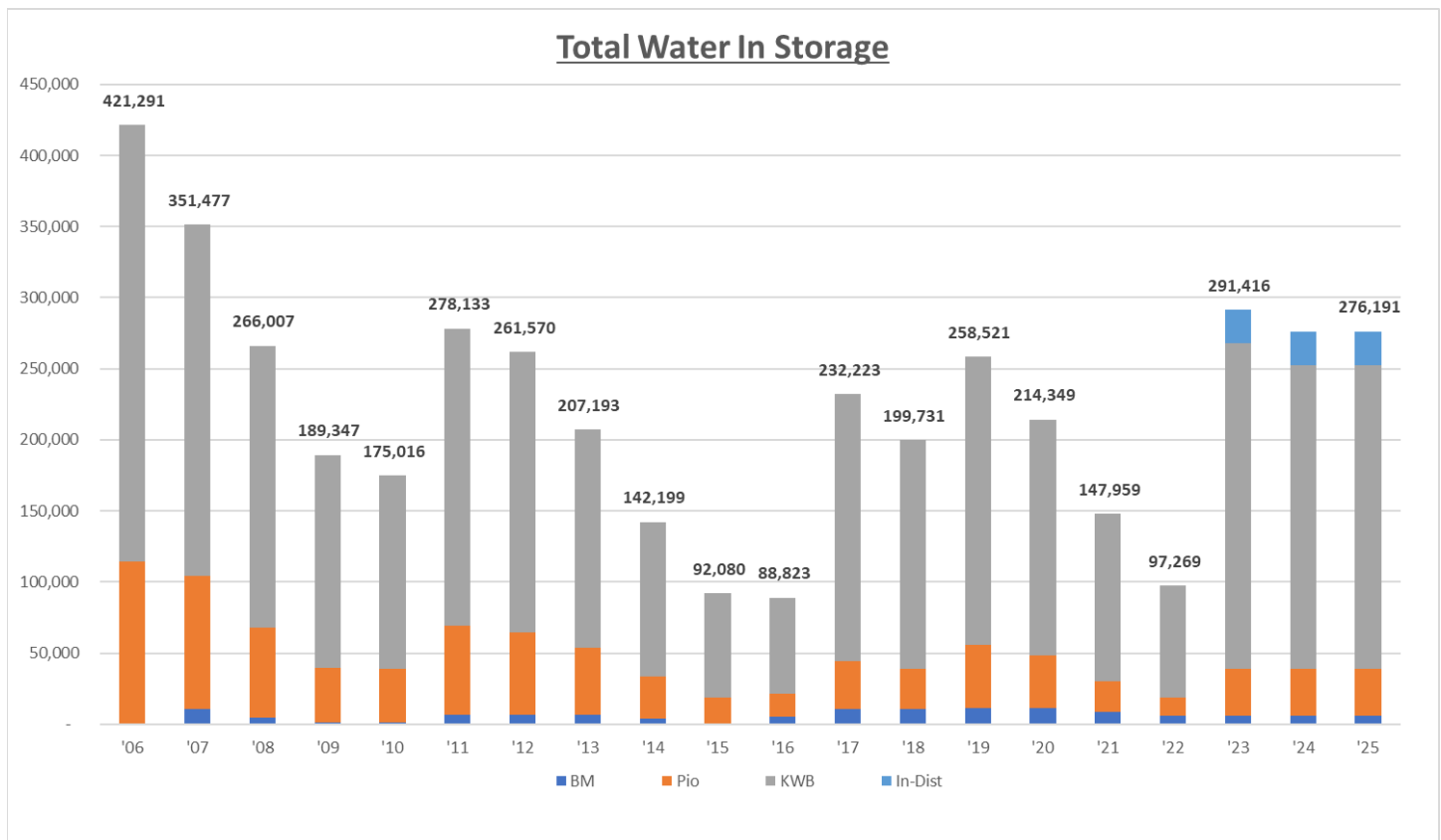
The District continually reviews current San Luis Reservoir (SLR) storage levels (December 31, 2025: 68% capacity, 109% of average) to determine optimum carryover amounts. End of month San Luis Reservoir conditions were as follows:

<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, 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
Actual December 31, 2024 storage	1.408
Actual December 31, 2025 storage	1.397
November 30, 2025, storage	
SWP Share	0.960
CVP Share	<u>0.438</u>
SWP + CVP subtotal	1.398

The amount of State Water Project water stored during the month of December increased approximately 55,000 acre-feet, going from 904,566 acre-feet at the end of November to 959,566 acre-feet at the end of December. On December 31, 2025, SLR overall storage was approximately 630,691 acre-feet from full.

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

- ☐ 12/1-12/4 — ACWA Fall Conference
- ☐ 12/2, 12/9, 12/16, 12/23 — KCWA ops call
- ☐ 12/3, 12/10, 12/19, 12/22 — WS5 Weekly Call and Water Supply Meetings (various)
- ☐ 12/15, 12/17, 12/18, 12/19 — WWGSA & SOKR Board, Coordination Committee, Technical Committee, KNDLA
- ☐ 12/19 — Sites Reservoir BOD meeting
- ☐ 12/9 — KWB Board & KWBGSA meeting
- ☐ 12/11-12/12 — SWC Fall Operations Workshop
- ☐ 12/11, 12/17, 12/18, 12/19, 12/25 — KCWA MU Mgr & Board, CVC Advisory, Pioneer, Berrenda Mesa, DCP & DCP MU Yield Committee, SWC Operations and SWC Board
- ☐ 12/18 – Kern Multi Jurisdictional Hazard Mitigation Plan meetings; Kern County



### **The Contract Administrator's Work Included:**

#### **Contract/ Water Allocation Work.**

- Contract(s): 120A
  - Property closed escrow, received a copy of the Grant Deed
  - Review/verify APNs and land descriptions
- Contract(s): 95 & 14
  - On 12/10/25 Board Adopted Resolution 2025-17 Amendment Authorization
- Contract(s): 14
  - Completed and Mailed Assumption Agreement to Landowner
  - Received notarized signatures from the Landowner and the Board
  - Pending recording at the Recorder's Office
- Contract(s): 124A18A
  - Review/verify APNs and land descriptions
  - Completed and Mailed Assumption Agreement to Landowner
  - Pending notarized signatures from the Landowner
- Contract(s): 69NA1A
  - Received Board Notarized Signatures
  - Pending recording at the Recorder's Office
- Contract(s): 26, 51, 54A, 69.11, 69K, 69L, 70, 83A, 121, 124A06, 124A18
  - Received back from the Kern County Recorder's Office
- Contract(s): 5, 20E1, 20F, 20H, 20J, 54, 55A, 92, 121A, 12109A, 124A02, 124A06A, 124A07C, 124A15, 124A23, 162A
  - Working through Post-Recording Procedures
- Contract(s): 2, 14, 21, 46, 69.04, 69.07, 69.11A, 69.14, 12109B
  - Completed Post-Recording Procedures

#### **Landowner Assistance.**

- 2025 Supplemental 3 Water Supply

- Received **02** order form(s) and entered them in the Water Schedule
- 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 **08** Water User(s) with 2026 SWP Allocation/Supp/Return Water questions.
- Assisted **37** Water User(s) with 2025 Carryover/Water/Usage
- Assisted **11** Water User(s) with 2025/2026 Water Costs/Allocation/Other questions.
- Assisted **03** Water User(s) with APN District verification (Appraiser Requests)
- Assisted **03** Non-contract User(s) with general allocation/cost associated with The District.
- Assisted **02** Water User(s) with Farming Unit Operation changes/questions.
- Assisted **16** Water User(s) with Second Priority Sub-Account Program
- Assisted **04** Water User(s) with GWSC Questions/Information
- Assisted **06** Potential Water User(s) with Water District Information/Water Allocations/Costs
- Processed **11** Water Transfer(s)
- Processed **19** Water Return(s)
- Processed **18** Second Priority KWB Sub-Account Request(s)

#### **Other Tasks.**

- Important Notices via email to Landowners/Water Users
  - 12/1/2025 Important 2025-2026 Carry-Over Notice
  - 12/2/2025 SWP 2026 Allocation – 10%
  - 12/19/2025 Important SLR Storage Update Notice
- Completed weekly water schedule updates, reconciling variances with Dispatch and Controller.
  - Low Water Balance Notices
  - Worked with Controller & Operations on End of Month Water Reports & Non-Contract Accounts.
  - Worked with Dispatch/Accounting to resolve low/negative Water User Accounts
- Kern County Recorder's Office: Worked with Supervisor Staff to correct mis-recorded documents (Grantors were missed)
- 2025 WSC & GWSC (Nov. 2025)
  - Worked with the Accounting Department on delinquent accounts/payment collection calls/letters
  - Track and review scheduled payments from Delinquent account(s) with a Forbearance Agreement
  - Received the Recorded "List of Delinquent Tolls & Charges" from the Kern County Recorder's Office for both November GWSC and WSC.
  - Mailed Second Certified Letters to GWSC/WSC Delinquent Landowners a copy of the recorded "List of Delinquent Tolls & Charges"
  - Secured a Notice of Sale Date from the Kern County Treasurer-Tax Collector's Office for February 6th, 2026. This date addresses the WSC Delinquency.
- 2025 GWSC Delinquencies for December 2025
  - Board approved Resolution Ordering the Filing of List for GWSC Delinquencies through December 2025.
  - The District received payment from one GWSC Delinquent account. This account was removed from the List before filing.
  - Delivered the "List of Delinquent GWSC Charges to the Kern County Recorder's Office for recording.
  - Mailed Certified Letters to GWSC Delinquent Landowners after the Board approved a Resolution ordering the filing
- Assisted Executive Assistant and Accounting Department with Mail Distribution/Cash Receipts/Cash Deposit Scan process
- Reviewed the monthly Accounts Payable and distributed Board and Annuitant payables.
- Managed Petty Cash Fund and EC stamp cash fund
- Prepared monthly report for Board Meeting packet
- Meetings/Trainings Attended/Completed:
  - 12/10/25 Board Meeting
  - Landowner In-person/Phone or Other Meetings
- December 04-05, 10-11, 16, 22-23, 30



# ACCOUNTING ACTIVITIES – J. SMITH

## Controller's Report:

**2025 Water Allocations, Deliveries, and Billings** The December water reports were mailed on January 6. On December 2, 2024, DWR announced an initial SWP allocation of 5% of CAW. The DWR announced a revised allocation of 15% on December 23, 20% on January 28, 35% on February 25, 40% on March 25, and 50% on April 29. The District's Board approved a revised allocation at its May meeting. The current allocation is 50% SWP and 27% Supplemental. On December 1, 2025, DWR announced an initial SWP allocation of 10% of CAW.

Current allocations and usage are:

	<u>Acre-Feet</u>
• SWP	98,541.06
• SUPPLEMENTAL	53,020.97
• SUBSCRIPTION	7,393.00
• Carry Over	14,232.84
• User Input	187.72
• Transfers In	6,036.00
• Transfers to KWB	-12,004.74
• Temporary Water	2.00
• Returns	- 32,107.27
• Total Supply	132,717.80
• Deliveries (Jan-Dec)	- 127,591.24
• Unused	<u>5,126.56</u>

## 2025 Contract and Non-Contract Water Billings and Delinquencies.

- The eighth contract water billings were mailed on August 26
- The sixth non-contract water billings were mailed on July 28

## Contract Water Delinquencies as of December 31, 2025.

<u>Acct #</u>	<u>Customer</u>	<u>Billing</u>	<u>Penalties</u>	<u>Interest</u>	<u>Total</u>	<u>Contract Acres</u>	<u>Delinq. \$/Acre</u>
0038	Almond Blossom Ranch, LLC	139,731.31	13,973.13	6,091.06	159,795.50	916.00	174.45
3150	Taft Vegetable Farms, Inc	43,133.77	7,050.13	3,251.98	53,435.88	620.00	86.19
	Total	182,865.08	21,023.26	9,343.04	213,231.38	1,536.00	138.82

## 2024/2025 Ground Water Service Charge Delinquencies as of December 31, 2025.

<u>Acct #</u>	<u>Customer</u>	<u>Billing</u>	<u>Penalties</u>	<u>Interest</u>	<u>Total</u>	<u>Field Acres</u>	<u>Delinq. \$/Acre</u>	
2180	Almond Blossom Ranch, LLC	108,610.25	10,861.04	3,300.88	122,772.17	279.92	438.60	
1010	Biane JP Living Trust	8,808.20	880.83	201.91	9,890.94	90.00	109.90	disputing
1060	K&B Inv Fund	3,102.75	310.28	77.09	3,490.12	99.11	35.21	
1080	LNZ Prosperity, LLC	25,754.36	387.10	394.57	26,536.03	322.32	82.33	
1090	New Sunny International, LLC	3,610.84	298.40	38.52	3,947.76	61.69	63.99	2024
1090	New Sunny International, LLC	1,031.50	165.84	575.10	1,772.44	61.69	28.73	2025
2150	Old River Farm, Inc. et. al.	64,184.25	6,418.43	1,416.20	72,018.88	365.69	196.94	
	Total	215,102.15	19,321.92	6,004.27	240,428.34	1,280.42	187.77	
	Grand Totals	397,967.23	40,345.18	15,347.31	453,659.72			
Ground Water Service Charges		Forbearance						
<u>Acct #</u>	<u>Customer</u>	<u>Amount</u>	<u>2025 Pmts</u>	<u>Balance</u>				
1130	Westland Farms, LLC	175,079.58	(127,902.60)	47,176.98	(1)			

(1) Lien filed last year. Landowner has paid as agreed.



**Controller Report-Smith:**

- Dec 11      Tri Counties Bank account setup discussion
- Dec 19      Break 9. Software developer to discuss the Water Accounting database
- Dec 29      California CLASS meeting regarding utilizing an investment advisor for reserves
- Jan 5      BHK 2025 audit walkthrough
- Jan 7      Tri Counties Bank new credit cards and discuss account setup
- Jan 8      Tri Counties Bank credit card administration meeting
  - Completed CPA CPE needed to renew CPA license for 2026/2027
  - Trained Assistant Controller for new year/end of year water billings, water allocations, and water use

**The Assistant Controller's activities included:**

- Processed accounts payable
- Completed reports for Board
- Reconciled bank accounts
- Reviewed payroll entries prepared by Junior Accountant and posted to accounting software
- Attended Accounting Department meetings
- Processed checks and completed reports for CDR and SOKR
- Invoiced water users for short run/industrial/miscellaneous water charges
- Updated/prepared GWSC statements
- Distributed water reports to landowners
- Assisted Controller with water orders, returns, and transfers
- Met with Tri Counties several times and prepared various documents for banking transfer
- Met with Break9 regarding potential water accounting software development
- Completed 8 hour CPE course
- Met with CA CLASS regarding financial investments
- Completed auditor walk-through with BHK
- Received training from Tri Counties on their credit card platform
- Began initial preparation of end-of-year close
- Completed end-of-year contract ownership/farming unit changes

**The Junior Accountant's activities included:**

- Faxed payroll vouchers
- Updated payrates, half sheet and vacation/sick worksheets
- Calculated timesheets
- Compared time sheets to the Paychex system
- Processed and submitted the biweekly payroll
- Reviewed and saved payroll reports
- Reviewed the payroll distribution reports
- Updated the salary schedule
- Updated December 50k life worksheet
- Updated December cell audit sheet
- Prepared burden checks
- Made online burden payments
- Entered the 12/6 and 12/20 CalPERS data and submitted the payments
- Generated the CalPERS report breakdown for each pay period
- December meetings requested from the directors
- Prepared and submitted the monthly payroll
- Updated the ACWA, HealthEdge Administration and HealthEdge Claims spreadsheets and vouchers for January invoices

- Completed the December burden journal entries
- Completed the CES report for December
- Completed the Expense and Compensation sheet
- Completed the payroll voucher estimates
- Completed daily deposits
- Faxed AP and CDR vouchers
- Completed safe pay for accounts payable and CDR checks
- Requested the December safety incentives
- Filed AP invoices
- Performed two notaries
- Sent journal voucher to the county

**Employee Committee**

- Collected cash from snack stations
- Reviewed December's bank statement
- Made Deposit

**Meetings/Training**

- Attended accounting department meetings
- Attended the Employee Committee meeting

## **ENGINEERING ACTIVITIES – T. SUGGS**

**6P Lateral Replacement:** In early December, the O&M Department began the construction portion of a multi-year project to replace the last remaining sections of Techite pipe within the 6P Lateral. During the month, the Staff Geologist provided surveying and other engineering support to O&M Department crews while they removed about 1,200 linear feet of 36-inch-diameter Techite pipe and replaced it with 36-inch-diameter PVC pipe in the same alignment.

**South of Kern River (SOKR) GSP:** Water levels were recorded in 14 out of 14 monitoring wells and subsequently shared with EKI and AEWS.

**White Wolf Basin GSA:**

- Water levels were observed in 10 out of 11 SGMA monitoring wells and shared with EKI as a routine matter; one program well was not sounded because it is known to be collapsed.
- The Staff Engineer, Water Resources Director, and Engineer-Manager updated certain text sections for the 2025 Water Year Report on SGMA implementation and forwarded them to EKI.

**Groundwater Service Charges (GWSCs):**

- During December, staff visited several wells to verify the landowner-reported meter readings.
- The latest well meter readings, surface water deliveries, and ET data were tabulated as a routing matter.

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

- Engineering Department staff responded to 242 underground services alerts (USAs) during December, eventually marking about 3.3 mile of District pipelines.
- The Engineering Technician encountered a fence contractor's crew as they prepared to install a fence in parallel with, and nearly on top of, the District's 7G-E-1 Lateral. Fortunately, the contractor and his customer were willing to make some adjustments to provide a minimum 10-foot offset from the District's pipeline.
- About four man-days were required to locate and mark the District's BR-A2 and BR-A4 laterals where they cross a field at odd angles with no landmarks. Special care was required, as the landowner's plans call for deep ripping of the former vineyard.
- Inspections took place and field notes were collected while a contractor installed fiber optic cables across the District's 9G, 9G-A, 8G-A, and 7P laterals.

**User Input Program:** The District Component of the Kern County Water Agency's Pump-in Proposal was updated for 2026 and conveyed to Agency on December 30<sup>th</sup>. The Pump-in Proposal is essentially a description of the various Aqueduct input locations within the District's jurisdiction and a tabulation of the laboratory analytical reports associated with them.

**Crop Surveys:** Crop survey reports were for the years 2000 through 2014.

**Corrosion Protection:** Current rectifiers were read for cathodic potential at six pumping plants and minor adjustments were made as needed.

**Energy:** There was an outstanding credit of \$824,921 on the WRM-5 Pumping Plant PG&E account as of the latest billing thanks to RES-BCT generation credits, and it appears that this type of thing could occur regularly on beneficiary accounts during certain times of the year. District staff will confer with PG&E to try to determine whether it makes more sense to let the credit carry forward or to clear it with a check from PG&E.

**Annual Maintenance Inspections:** A number of facilities were inspected during annual maintenance in November with the following observations. Due to time constraints, replacement and remounting of many sacrificial anodes together with welding work were scheduled for the next maintenance cycle.

<b>Facility</b>	<b>Findings</b>
Hydropneumatic (HP) tank at the 5P-P2 Pumping Plant	The tank interior, which was recoated in 2017, was found to be in good condition, but it is recommended that the floor should be recoated; an anode support bar was found to be broken; all three sacrificial anodes should be replaced with new, smaller anodes.
HP tank at the 5P-P3 Pumping Plant	The tank interior, which was recoated in 2018, was found to be in overall good condition; however, blisters appeared to be forming in the tank soffit; sacrificial anodes appeared to be in good order but should be remounted.
HP tank at the WRM 7 Pumping Plant	The tank interior, which was recoated in 2014, was found to be in excellent condition; all three anodes appeared to be intact but should be replaced to restore lost sacrificial material.
HP tank at the 7P-P2 Pumping Plant	The tank interior, which was recoated in 2014, was found to be in excellent condition; one anode should be remounted.
HP tank at the 7P-P3 Pumping Plant	The tank interior, which was recoated in 2018, was found to be in excellent condition and anodes were observed to be in good condition.
HP tank at the 8P-P2 Pumping Plant	The tank interior, which was recoated in 2015, was found to be in excellent condition and anodes were observed to be intact.
Stand tank at the 5P-P3 Pumping Plant	The original bituminous coating was observed to be badly deteriorated and lacking adhesion, but the cathodic protection system equipment was found to be in order.
Stand tank at the 7P-P2 Pumping Plant	The original bituminous coating was observed to be badly deteriorated. All anodes should be replaced to restore lost sacrificial material.
Stand tank at the 7P-P3 Pumping Plant	Same as above
Stand tank at the 8P-P2 Pumping Plant	The original bituminous coating was observed to be badly deteriorated and lacking adhesion. All anodes should be replaced and both reference cells should also be replaced.

### **Maps and Records:**






- The District's parcels and ownership map was updated and distributed to District staff.
- Records research was provided to the O&M Department after a pipe break revealed an undocumented and unmarked 10-inch-diameter steel pipeline, eventually determined to be an old crude oil pipeline that was later converted to high-pressure gas, crossing very close under the District's 8P-3-B Lateral. There were obvious concerns about how a gas pipeline could go unmarked as required by law, so a field meeting was scheduled for early January 2026 with the current owner, California Resources Corporation.

### **Meetings Attended:**

December 2	ACWA Groundwater Committee
December 2	ACWA Energy Committee
December 5	Kern Subbasin Managers
December 9	KCWA Operations Conf. Call
December 10	SOKR Managers
December 12	Kern Subbasin Managers
December 16	KCWA Operations Conf. Call
December 17	White Wolf Technical Committee










# District Well Status Summary

As of December 31, 2025

Well Name	Status / Description of the Problem	Most Recent Activity	Next Planned Activity
<b>Not in Running Condition</b>			
 #A2	A new submersible electric pump/motor unit (Goulds 7CHC, 8-stage pump plus 150-hp, 3600-rpm electric motor) was installed 10/12/2023. Found dead with power to the motor on 5/28/2024. SWL was 637.20' on 10/2/2025.	L.O. Lynch removed the pump/motor for inspection on 10/29/2024. On 12/18/2024, they reported finding a good motor together with a broken pump shaft plus heavy abrasion on the shaft. To the contractor, that was consistent with a sudden start while sand locked.	The failure seems to have been instigated by sand pumping. Accordingly, a video log will be scheduled to help determine whether there is a hole in the casing.
 #C3	Off line for wire theft. L.O. Lynch completed installation of Goulds-made 12CLC, 13-stage pump assembly rated at 775 gpm 10/12/2023. SWL was 571' on 12/19/2025.	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.	Because the well is subject to vandalism and wire theft, a decision was made to not replace wires until the well is again scheduled to operate. Wires can be replaced on short notice if needed.
 #C2	Off line for wire theft. SWL was 581' on 12/19/2025.	Tested 3/5/2024 and found to run at 800 gpm with 18' of drawdown at 65% efficiency.	Because the well is subject to vandalism and wire theft, a decision was made to not replace wires until the well is again scheduled to operate. Wires can be replaced on short notice if needed.
<b>Currently in Running Condition</b>			
 WRM7	Currently off. SWL was 581' on 12/19/2025.	Tested 3/20/2025 and found to produce 1040 gpm with 305' of drawdown at 69% efficiency. Redeveloped in Feb 2023. FPI completed installing a new Flowise-made pump unit rated 950 gpm at 910' TDH 3/17/2023.	
 PA-1	Currently off. SWL was 707' on 12/19/2025.	Tested 3/5/2025; found to produce 960 gpm with 24' of drawdown at good efficiency. New pump assembly rated 1007 gpm at 887' TDH was installed 6/28/2021.	
 #A1	Currently off. SWL was 674' on 12/19/2025.	New wires were pulled in May 2024 after being stolen sometime in early 2024. Tested 3/3/2025 and found to produce 1490 gpm with 66' of drawdown at 78% efficiency.	
 #A4	Currently off. SWL was 591' on 12/19/2025.	Tested 3/3/2025; found to produce 605 gpm at 48' of drawdown but at relatively low (51%) efficiency. New bowl assembly rated 800 gpm was installed 2/22/2021. Placed back in service 4/13/2021.	
 #B1	Currently off. SWL was 734' on 12/19/2025.	Tested 3/4/2025 and found to produce 920 gpm with 25' of drawdown at 70% efficiency. New pump assembly (rated 1005 gpm at 868') installed 6/17/2021.	
 #B2	Currently off. SWL was 773' on 12/19/2025.	Tested 3/10/2025 and found to produce 1080 gpm with 90' 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.	

## District Well Status Summary

### As of December 31, 2025

Well Name	Status / Description of the Problem	Most Recent Activity	Next Planned Activity
<b>Currently in Running Condition</b>			
 #C1	Currently off. SWL was 619' on 10/1/2025.	Air line was found to be leaking 5/28/2024. Tested 3/19/2025 and found to produce 1530 gpm with 24' of drawdown at 64% efficiency. Shock treated with chlorine 7/25/2022.	
 #C5	Currently off. SWL was 561' on 12/19/2025.	Tested 3/11/2025; found to produce 1600 gpm with 48' of drawdown at excellent (75%) overall plant efficiency. PG&E energized the transformer 9/2/2022.	
 #C6	Currently off. SWL was 719' on 12/19/2025.	Tested 3/10/2025; found to produce 1680 gpm with 108' of drawdown at excellent (77%) efficiency. A long-standing phase imbalance issue (i.e., low amperage on one leg) was partly resolved by PG&E in late July 2021.	
<b>Out of Service</b>			
 6P-P2	Off line for excessive drawdown. Appears to be even more clogged than in 2018. Has a new Simflo SR10C-20-stage pump ass'bly, but drew down to 1000' at 100-200 gpm 3/15/2021. SWL was 478' on 10/14/2024.	Listed in the SOKR GSP as a SGMA water level monitoring well.	Should probably remain idle 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 594' on 11/18/2023.	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 in 2022 and 2025, revealing only a sandy bottom; nothing could be seen sticking up.	Staff are working to obtain cost estimates to properly abandon the hole by grouting in 2026. The site location is very favorable and it is recommended that a replacement well be drilled.
 #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 and provided draft specifications and well designs in 2024.	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.
 #WRM6	Non-operational since 2000. Always produced < 1,000 gpm. Probably never properly developed. SWL was 458' on 10/14/2024.		

### CLIMATALOGICAL DATA FOR GREENLEE'S PASTURE

Parameter	December 2025	Since 10/01/2025	Days Occurred in December
Maximum Temperature	73°	92°	22nd
Minimum Temperature	37°	48°	15th, 16th
No. Days at or over 100° F	0	0	N/A
No. Days at or under 32° F	0	0	N/A
Precipitation (inches)	1.13	6.04	24th, 31st
Evaporation (inches)	1.22	9.48	----
Wind Run	OOS	OOS	----

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

Reservoir	Capacity	Storage at End of December	
		2024	2025
Shasta	4,552,000	3,477,432	3,295,387
Oroville	3,538,000	2,314,813	2,374,654
San Luis (Total)	2,028,000	1,408,327	1,397,244
San Luis (State Share)	1,062,000 (a)	888,294	959,566
Folsom	977,000	353,873	545,695
Isabella	170,000 (b)	155,293	194,603
Millerton	520,000	225,543	364,504
<b>TOTALS</b>	<b>11,785,000</b>	<b>7,935,281</b>	<b>8,172,087</b>

(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 in Lake Isabella = 568,075 AF on May 1; 170,000 AF from Nov 1 - Jan 1; 245,000 AF from February 1-28; between 245,000 and 361,250 AF from March 1-30; 361,250 AF on April 1

NR Not reported as of this publication

OOS Out Of Service



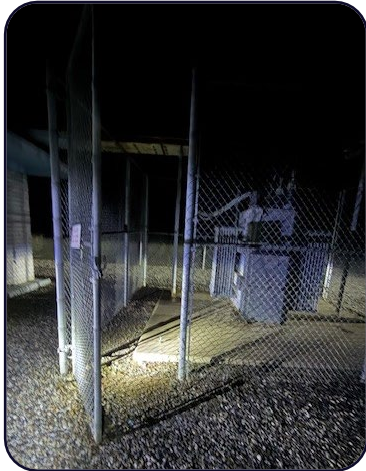
# OPERATION & MAINTENANCE ACTIVITIES – G. LOVELESS

## Safety/Administrative Training

Safety meeting on *Code of Safe Practices Driver Safety*.

## Field/System Maintenance

- Completed various Trouble Reports across the District.
- Ongoing clean-up work due to tumbleweeds in 850 Canal.
- Completed first phase (1200 ft.) of the 6P lateral replacement project.
- Replaced numerous Isolation Valve pads throughout District.
- Repaired east fence at 5P-P2 due to break-in.



5P-P2 Break-in

6P Lateral Replacement Project





### **Pipeline Repair**

- 12/01/25, 1036 hours – Reported leak on 5P-B lateral. Repair was completed 12/3/25.
- 12/29/25, 0643 hours – Reported leak on 5P-E-A lateral. Repair is scheduled for January.
- 12/29/25, 0704 hours – Reported leak on 8P-B-3 lateral. Repair is scheduled for January.

### **Power Outage**

- 12/02/25, 1440 hours – Power outage WRM-9A, WRM-13B, WRM-14, and WRM-15. Service restored 1707 hours.
- 12/08/25, 1500 hours – Power outage 7P-P2, 7P-P3. Service restored 1812 hours.
- 12/31/25, 1403 hours – Power outage WRM-9. Service restored 2117 hours.
- 12/31/25, 1718 hours – Power outage WRM-3. Service restored 2007 hours.
- 12/31/25, 1720 hours – Power outage WRM-4. Service restored 1914 hours.

### **Other Service Interruptions**

12/13/25, 0116 hours – Power disconnected at PG&E pole switch and transformer during break-in at 5P-P2. East fence was cut but there was no significant damage to equipment, due to Operations staff intervention. PG&E also responded and service was restored at 0300 hours. A spike strip was retrieved from the road north of 5P-P2.

### **Pump/Electrical**

- 5P-P2 - Replaced bad photocell on the yard light behind the stand tank.
- 5P-P2 - Rebooted PLC due to comm issues.
- WRM-7 - unit #4 hour meter was replaced.
- WRM-7 - Adjusted scaling in the PLC's IO settings to correct HP tank transducer reading.
- WRM-7 - Replaced all fluorescent tubes inside MC building.
- 7P-P2 - Discovered discolored center phase coming from the transformer going to bussing, and notified PG&E. High amps discovered on B-phase due to a failed voltage regulator on the utility side. PG&E changed the voltage regulator and the cabling from the transformer to the bussing.
- PC-1 canal level reading was intermittent on the HMI due to bad wiring coming from the MCC to the electrical box. New wire was pulled to correct the issue.
- WRM-14, WRM-15 – Installed LED lighting in MC buildings.

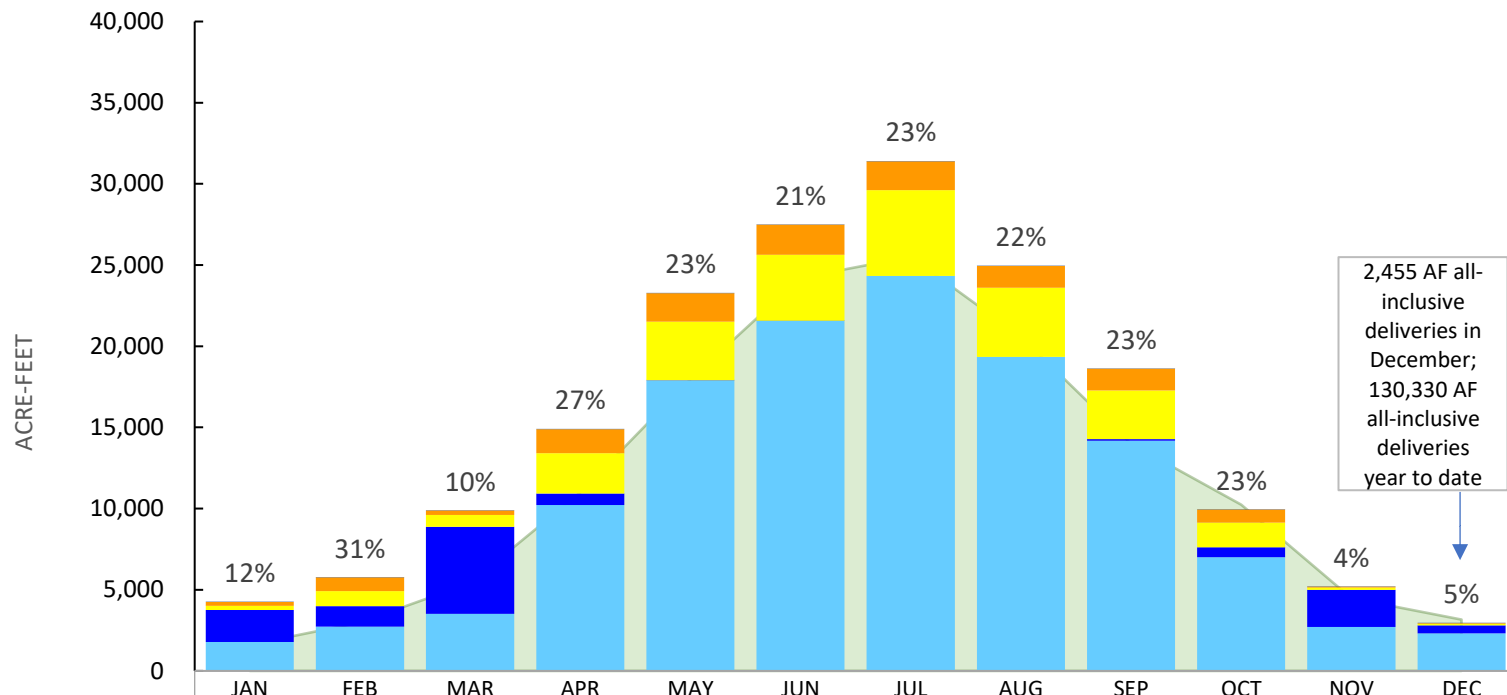
### **Equipment Maintenance**

7 regular vehicle services.

- Unit #143 had 4 tires replaced.
- Unit #168 had 4 tires replaced.
- Unit #170 had 4 tires replaced.
- Unit #389 had 4 tires replaced.
- Unit #382 had battery replaced.
- Unit #157 had the EVAP canister and vent valve replaced. The hood latch was also replaced.
- Unit #797 mini ex was serviced.

**Current gasoline bulk purchase prices for the District are:  
\$3.71 per gallon for gasoline and \$3.19 per gallon for diesel.**

## IN-DISTRICT WATER DEMANDS AND SURFACE WATER DELIVERIES THROUGH December 2025



Typical Avg. SW Demand (AF)	1,603	2,988	5,399	10,979	17,960	24,219	25,509	20,589	13,976	10,232	4,473	3,162
Est. % of Available Water from GW	12%	31%	10%	27%	23%	21%	23%	22%	23%	23%	4%	5%
Est. White Wolf GW Pumping (AF)	238	847	265	1,488	1,759	1,849	1,787	1,340	1,325	800	50	50
Estimated Kern Subbasin GW Pumping (AF)	260	920	739	2,490	3,615	4,058	5,278	4,258	3,009	1,527	132	100
User Input GW Applied (AF)	0	0	0	0	0	0	0	0	0	0	0	0
Calc'd Effective Precip. (AF)	1,978	1,255	5,359	698	2	4	0	0	100	600	2,283	487
District Non-indust. Deliveries (AF)	1,771	2,733	3,510	10,222	17,898	21,569	24,327	19,351	14,174	7,011	2,717	2,313

### Notes and Assumptions:

- December crop water use was estimated, because Land IQ shapefiles were not available as of this writing.
- It was assumed that the following percentages of rainfall were lost to evaporation or deep percolation (Jan 20%, Feb 30%, Mar 50%, Apr 70%, May 80%, Jun 80%, Jul 80%, Aug 80%, Sep 80%, Oct 80%, Nov 50%, Dec 20%)

# Wheeler Ridge-Maricopa Water Storage District

## Monthly Deliveries in Acre-Feet

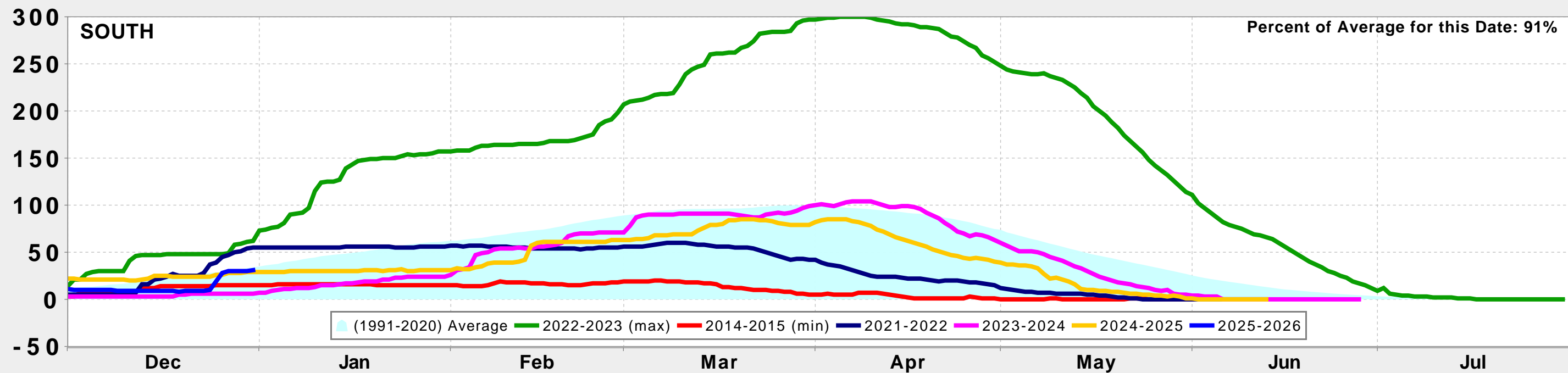
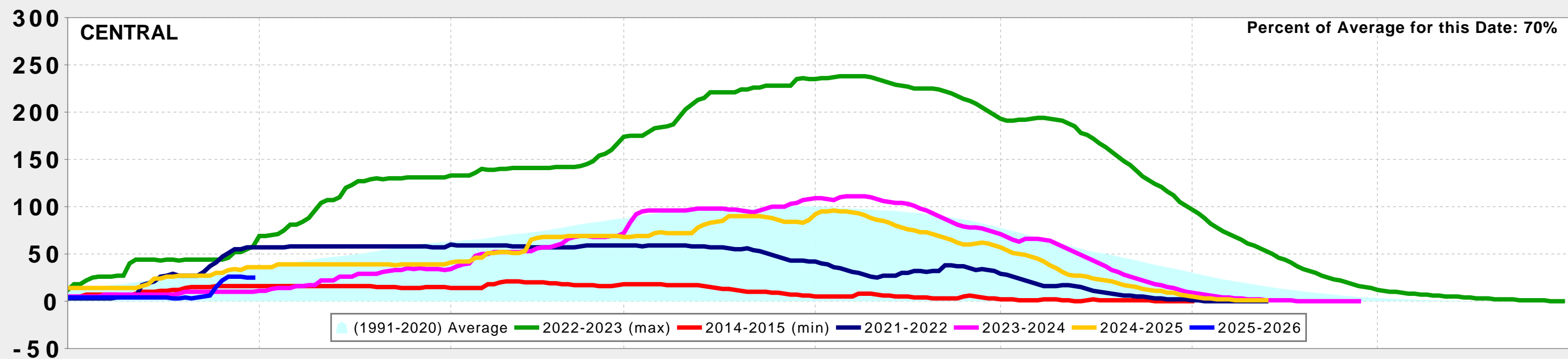
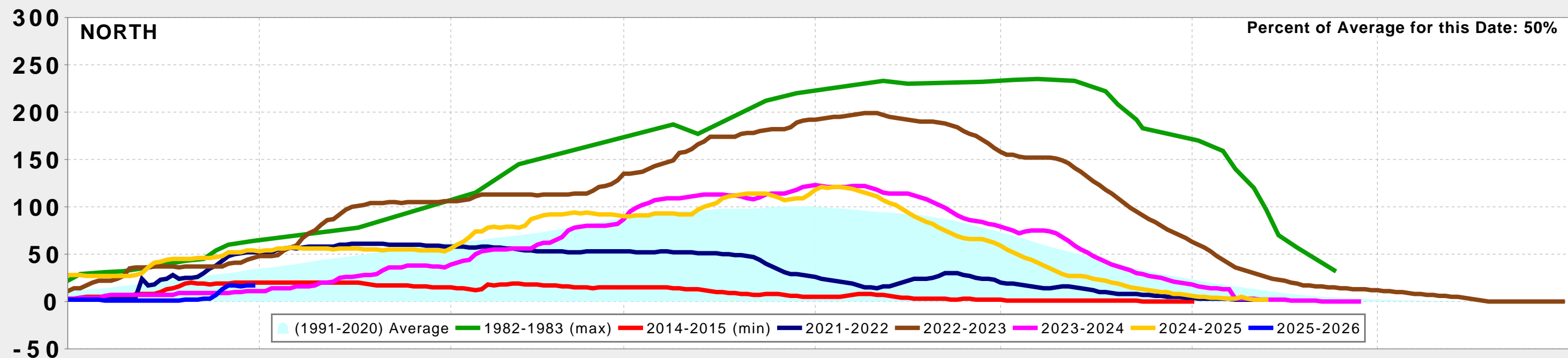
(Includes water from the State Water Project, banking projects, District wells, and User input.)

Month	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017*	2018	2019	2020	2021	2022	2023	2024	2025
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	2,009
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	2,892
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	3,600
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	10,416
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	17,654	18,116
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	25,050	21,822
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	28,953	24,654
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	20,612	19,779
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	13,794	14,467
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	11,298	7,280
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	4,149	2,845
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	3,347	2,455

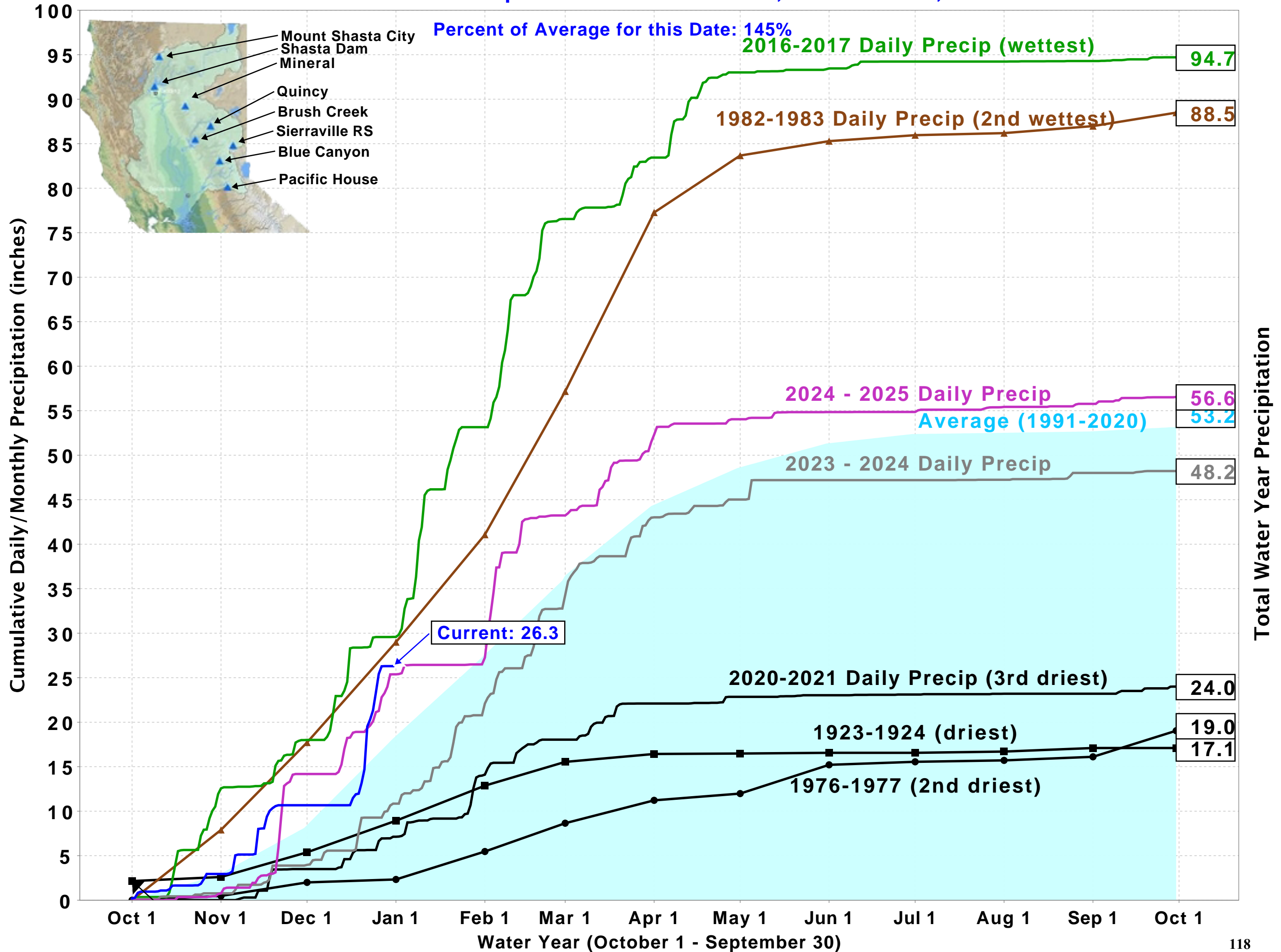
## Accumulated Monthly Deliveries in Acre-Feet

Month	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
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	2,009
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	4,901
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	8,501
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	18,917
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	34,106	37,033
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	59,156	58,855
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	88,110	83,509
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	108,722	103,288
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	122,516	117,755
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	133,814	125,035
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	137,963	127,880
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	141,310	130,335
SWP Allocation%	100%	60%	35%	40%	50%	80%	65%	35%	5%	20%	60%	85%	35%	75%	20%	5%	5%	100%	40%	50%
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	78,835	98,544

# California Snow Water Content, December 31, 2025, Percent of April 1 Average



# Northern Sierra Precipitation: 8-Station Index, December 31, 2025



WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT 2026 WATER SUPPLY/DEMAND ESTIMATE As of January 07, 2026		Max Recovery		10% SWP ALLOCATION		10% SWP ALLOCATION		35% SWP ALLOCATION		45% SWP ALLOCATION		76% SWP ALLOCATION	
Capacity Values in acre-feet		Supply	Shortage or (Excess)	Supply	Shortage or (Excess)	Supply	Shortage or (Excess)	Supply	Shortage or (Excess)	Supply	Shortage or (Excess)	Supply	Shortage or (Excess)
[1] Sacramento Valley Water Year Index (40-30-30)		<b>Dry</b>		<b>Dry</b>		<b>Below Normal</b>		<b>Above Normal</b>		<b>Wet</b>			
[2] <i>Probability of Exceedance</i>		90% P.O.E.		90% P.O.E.		75% P.O.E.		50% P.O.E.		25% P.O.E.			
[3] Assumptions		10% Allocation		10% Allocation		35% Allocation		45% Allocation		76% Allocation			
[4] <i>Total Estimated Demand</i>		141,050		141,050		141,050		141,050		141,050		141,050	
[5] <b>Surface Supplies</b>													
[6] SWP Table A Entitlement	197,088	19,709	121,341	19,709	121,341	68,981	72,069	88,690	52,360	149,787	(8,737)		
[7] Article 21 In-district deliveries	-	-	121,341	-	121,341	-	72,069	-	52,360	-	(8,737)		
[8] KR Lower River Water	-	-	121,341	-	121,341	-	72,069	-	52,360	-	(8,737)		
[9] DWR Turnback Pool A	-	-	121,341	-	121,341	-	72,069	-	52,360	-	(8,737)		
[10] DWR Turnback Pool B	varies	-	121,341	-	121,341	-	72,069	-	52,360	-	(8,737)		
[11] <b>SWP Supply</b>		19,709	9.81%	19,709	9.81%	68,981	35%	88,690	45%	149,787	76%		
[12] Lyndal Water	-	-	121,341	-	121,341	-	72,069	-	52,360	-	(8,737)		
[13] Transfers out of WRMWSD	-	-	121,341	-	121,341	-	72,069	-	52,360	-	(8,737)		
[14] Recharge Deliveries	-	-	121,341	-	121,341	-	72,069	-	52,360	-	(8,737)		
[15] Lower River Water Banking deliveries	-	-	121,341	-	121,341	-	72,069	-	52,360	-	(8,737)		
[16] Article 21 Banking deliveries	-	-	121,341	-	121,341	-	72,069	-	52,360	-	(8,737)		
[17] <b>Supplemental 1 Supplies</b>													
[18] District Carryover ( <i>estimate</i> )	12,189	12,189	109,152	12,189	109,152	12,189	59,880	12,189	40,171	12,189	(20,926)		
[19] <i>Long Term- Butte County **</i>	15,761	-	109,152	-	109,152	3,573	56,307	5,177	34,994	10,150	(31,076)		
[20] <i>Long Term- Mojave Water Agency**</i>	-	-	109,152	-	109,152	-	56,307	-	34,994	-	(31,076)		
[21] <i>Long Term- Palmdale Water District **</i>	8,000	-	109,152	-	109,152	-	56,307	-	34,994	4,000	(35,076)		
[22] <i>Long Term - Exchange Contractors**</i>	10,000	2,697	106,455	2,697	106,455	2,697	53,610	2,697	32,297	2,697	(37,773)		
[23] Kern Water Bank - estimate to date (c)	-	-	106,455	-	106,455	-	53,610	-	32,297	-	(37,773)		
[24] Kern Water Bank - estimated through end of year	50,703	50,703	55,752	15,114	91,341	11,541	42,069	9,937	22,360	-	(37,773)		
[25] Pioneer Project - estimate to date (c)	-	-	55,752	-	91,341	-	42,069	-	22,360	-	(37,773)		
[26] Pioneer Project - estimated through end of year	12,750	12,750	43,002	-	91,341	-	42,069	-	22,360	-	(37,773)		
[27] District & BRID Wells - actual	-	-	43,002	-	91,341	-	42,069	-	22,360	-	(37,773)		
[28] District & BRID Wells - estimated through EOY	5,000	5,000	38,002	5,000	86,341	-	42,069	-	22,360	-	(37,773)		
[31] <b>Supplemental 1 Water Capacity</b>	114,403	83,339	51.31%	35,000	27.24%	30,000	49.29%	30,000	59.10%	29,036	89.05%		
[32] <b>DISTRICT ALLOCATION</b>		103,048	1.45 AF/Ac	54,709	0.77 AF/Ac	98,981	1.394 AF/Ac	118,690	1.671 AF/Ac	178,823	2.481 AF/Ac		
[41] <b>Supplemental Supplies - Water User</b>													
[42] Water User - Carryover from 2025 (estimate)	4,343	4,343	33,659	4,343	81,998	4,343	37,726	4,343	18,017	4,343	(42,116)		
[43] KWB 2nd Priority - estimate to date (Recharge)/Recover	-	-	33,659	-	81,998	-	37,726	-	18,017	-	(42,116)		
[44] KWB 2nd Priority - estimated through EOY	-	-	33,659	-	81,998	-	37,726	-	18,017	-	(42,116)		
[45] User Input - actual	-	-	33,659	-	81,998	-	37,726	-	18,017	-	(42,116)		
[46] User Input - estimated through EOY	-	-	33,659	-	81,998	-	37,726	-	18,017	-	(42,116)		
[47] Landowner Transfer	-	-	33,659	-	81,998	-	37,726	-	18,017	-	(42,116)		
[48] Available Supply		107,391		59,052		103,324		123,033		183,166			
[49] Estimated Demand		141,050		141,050		141,050		141,050		141,050			
[50] Shortage (Excess)		33,659		81,998		37,726		18,017		(42,116)			

\*\* WS5 Deal

(b) Based upon average deliveries 2015-2024.

(c) Based on KCWA daily Summary of Water Supply Rights

WATER IN STORAGE @ 9-Jan-26	
LOCATION	AF
Kern Water Bank	
District	173,258
Water User 2nd Priority	42,235
<b>KWB Tot</b>	<b>215,493</b>
KCWA	38,885
In-District	23,568
Semitropic	7,500
<b>TOTAL KERN FAN</b>	<b>285,446</b>
<b>PRELIMINARY- SUBJECT TO REVISION</b>	

WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT

MEMORANDUM

TO: Board of Directors

FROM: Eric McDaris

DATE: January 9, 2026

SUBJECT: General Authorization for Water Purchases

Historically, the Board has authorized the Engineer-Manager to purchase any water supplies up to a specific amount per acre-foot. The table below details the past eight years of Board water purchase authorizations.

		Supplemental	Subscription	Recharge
2017	\$	350.00	\$ 900.00	\$ 200.00
2018	\$	350.00	\$ 900.00	\$ 200.00
2019	\$	350.00	\$ 900.00	\$ 200.00
2020	\$	350.00	\$ 900.00	\$ 200.00
2021	\$	750.00	\$ 900.00	\$ 200.00
2022	\$	750.00	\$ 1,500.00	\$ 400.00
2023	\$	800.00	\$ 1,500.00	\$ 400.00
2024	\$	650.00	\$ 1,500.00	\$ 400.00
2025	\$	650.00	Any Available*	\$ 400.00
<b>2026 Recommended</b>	<b>\$</b>	<b>650.00</b>	<b>Any Available*</b>	<b>\$ 400.00</b>

\* Subscription supplies subject to Water User demands and payment.

With the current SWP allocation of 10% and a review of the estimated supplies shown in our initial 2026 Water Supply/Demand Estimate (8.2.a), it is possible to foresee a low allocation and low supply availability, which will render high water costs. For information purposes only, an analysis of average cost estimates for available 2026 supplies as shown in the initial Water Supply/Demand Estimate provides the following:

	Max Recovery	AF	\$/AF	Est. Cost
SWP 10% Allocation		19,709	\$ 2,099	\$ 41,373,873
Supplemental		14,886	\$ 435	\$ 6,481,070
KWB Recovery		50,703	\$ 385	\$ 19,540,936
Pioneer Recovery		12,750	\$ 458	\$ 5,833,125
Dist. Well Recovery		5,000	\$ 606	\$ 3,027,500
51%		103,048	\$ 740.01	\$ 76,256,504.00

<u>Rationing Policy</u>	<u>AF</u>	<u>\$/AF</u>	<u>Est. Cost</u>
SWP 10% Allocation	19,709	\$ 2,099	\$ 41,373,873.00
Supplemental	14,886	\$ 435	\$ 6,481,070
KWB Recovery	15,114	\$ 385	\$ 5,824,936.00
Pioneer Recovery	-	\$ -	\$ -
Dist. Well Recovery	5,000	\$ 606	\$ 3,027,500.00
27%	54,709	\$ 1,036.53	\$ 56,707,379.00

**Recommendation:** Based upon the above historical information and what we know at this writing, it is recommended that the Board authorize the Engineer-Manager to execute any water agreements in 2026 (subject to review by Counsel and final approval of the Engineer-Manager) and purchase water supplies that fall in accordance with the following characterized criteria:

- Purchase any water supplies available at a cost not to exceed \$650 per acre-foot, and
- Purchase any water supplies available at any cost per acre-foot, subject to Water User subscription requests, and
- Purchase any recharge water supplies available at a cost not to exceed \$400 per acre-foot.

Subscription supplies purchased at the direction of Water Users may require prepayment on behalf of the Water User. Water supplies that cost more per acre-foot than the amounts categorized herein would require separate Board approval for authorization.



## WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT

## MEMORANDUM

TO: Board of Directors  
FROM: Eric McDaris  
DATE: January 9<sup>th</sup>, 2025  
SUBJECT: **2025-26 San Luis Reservoir Conditions and Carryover Update**

DWR provided updated allocation studies for the 2026 allocations as well as updated position analysis for San Luis Reservoir storage at the December 19<sup>th</sup> State Water Operations call. The position analysis indicates there is roughly a 30% chance of SLR filling in January (and April) of 2026, with 78% and 90% chances of filling in February and March respectively. After this meeting however, DWR distributed additional SLR projections, estimating that the SWP share of San Luis may fill around January 26<sup>th</sup>, depending on delta conditions, exports, and SWC deliveries.

Some of the variability between projections is caused by the uncertainty in operating conditions (*e.g.* First Flush, turbidity bridge avoidance, Vernalis flows on the SJR, etc.) as well as the status of SWP storage in the USBR space at San Luis Reservoir. First Flush was triggered on or about December 26<sup>th</sup>. The First Flush restriction limits Delta exports to no more than -2,000 cfs OMR for 14 days. However, included in the last ITP amendment was an offramp which allows DWR to submit an assessment to CDFW petitioning that exports be increased. Submission of this assessment was successful during the First Flush and SWP exports were able to intermittently increase to -5,000 cfs OMR. DWR continues working to finalize a memo with the USBR to surcharge into the CVP storage space but at this time, DWR/KCWA has not provided any update on the status of the surcharge agreement, nor what volume the SWP may be able to encroach.

Staff currently estimate that total 2025-2026 District carryover is approximately 14,453 acre-feet; Water User carryover was 4,343 acre-feet with the remainder being District supplies. These volumes have not been confirmed by KCWA/DWR and are subject to reconciliation.

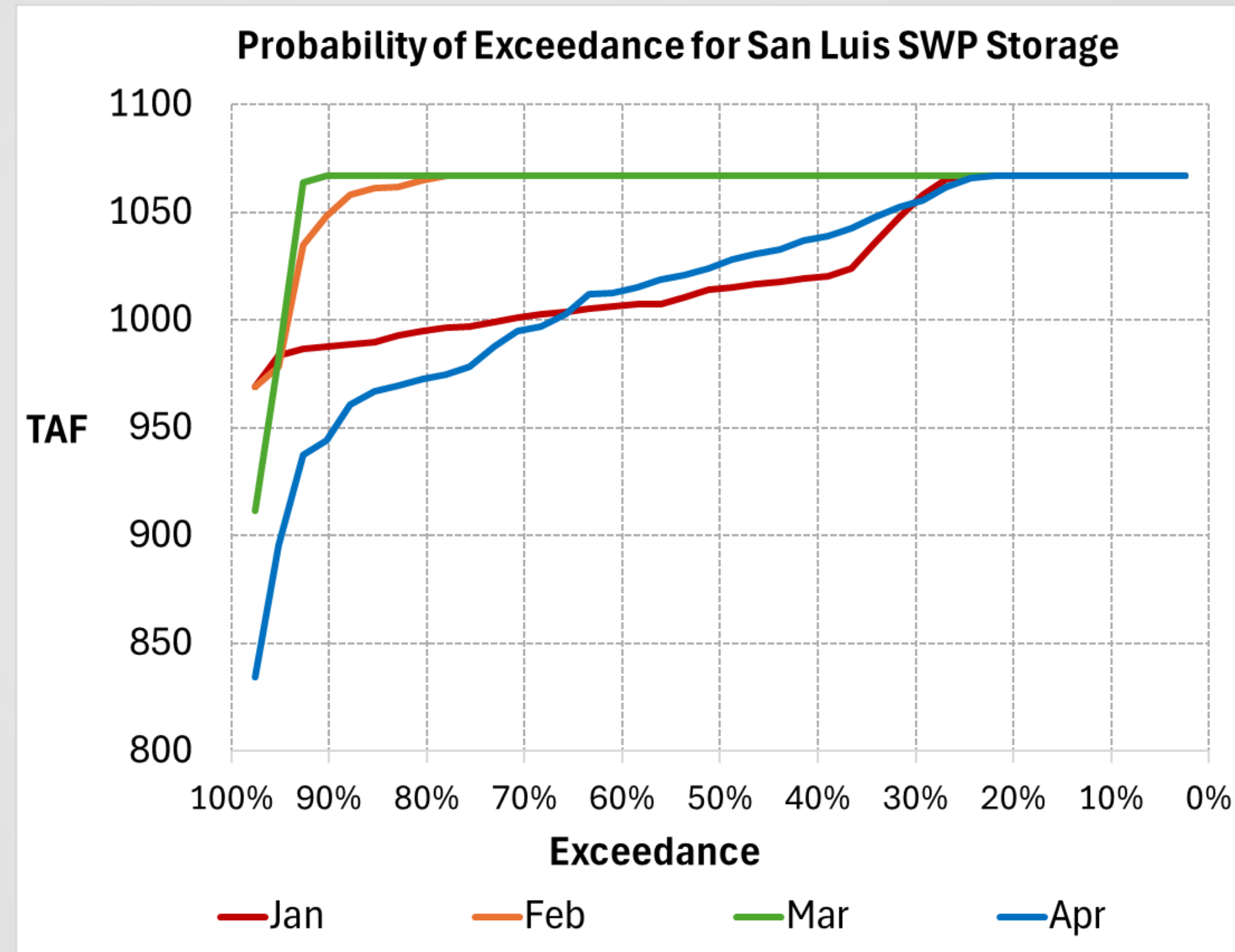
The District conducted intermittent recharge operations at the Kern Water Bank and Pioneer recharge projects in October-December. Gross recharge was approximately 22,963 acre-feet, of which 12,005 acre-feet was recharged on behalf of Water Users into Sub-Accounts. Staff will continue to provide information and updates to the Board (and Water Users as appropriate) regarding recharge operations and San Luis Reservoir conditions.

**Recommendation:** None. This item is for information only.

Attachments: DWR Position Analysis  
01052026 SWP San Luis Reservoir Forecast  
Filename: 8.2.d 2025-26 San Luis Reservoir Carryover Update

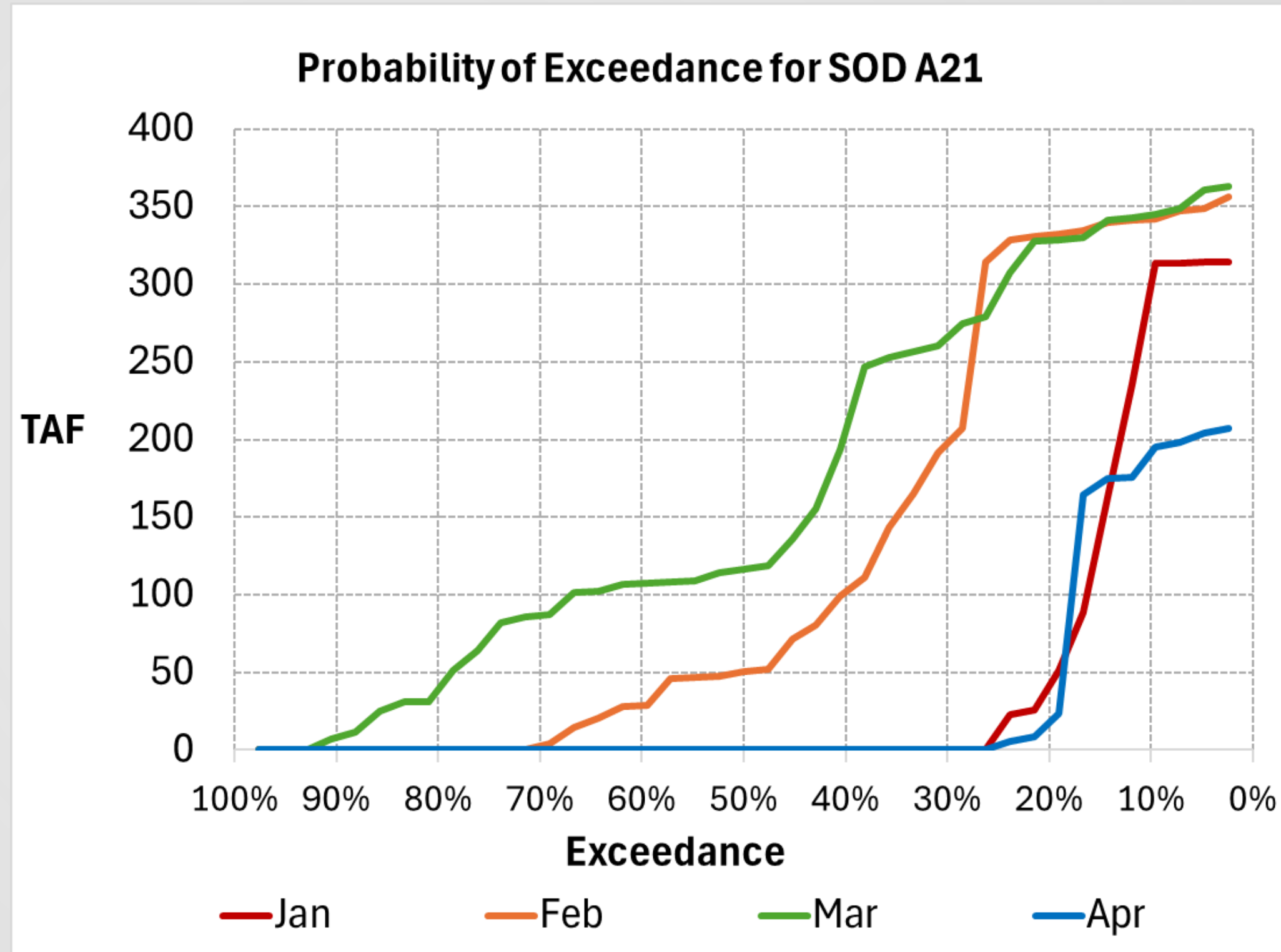
# PA: San Luis SWP Storage, RFC

Month	Fill
Jan	27%
Feb	78%
Mar	90%
Apr	25%

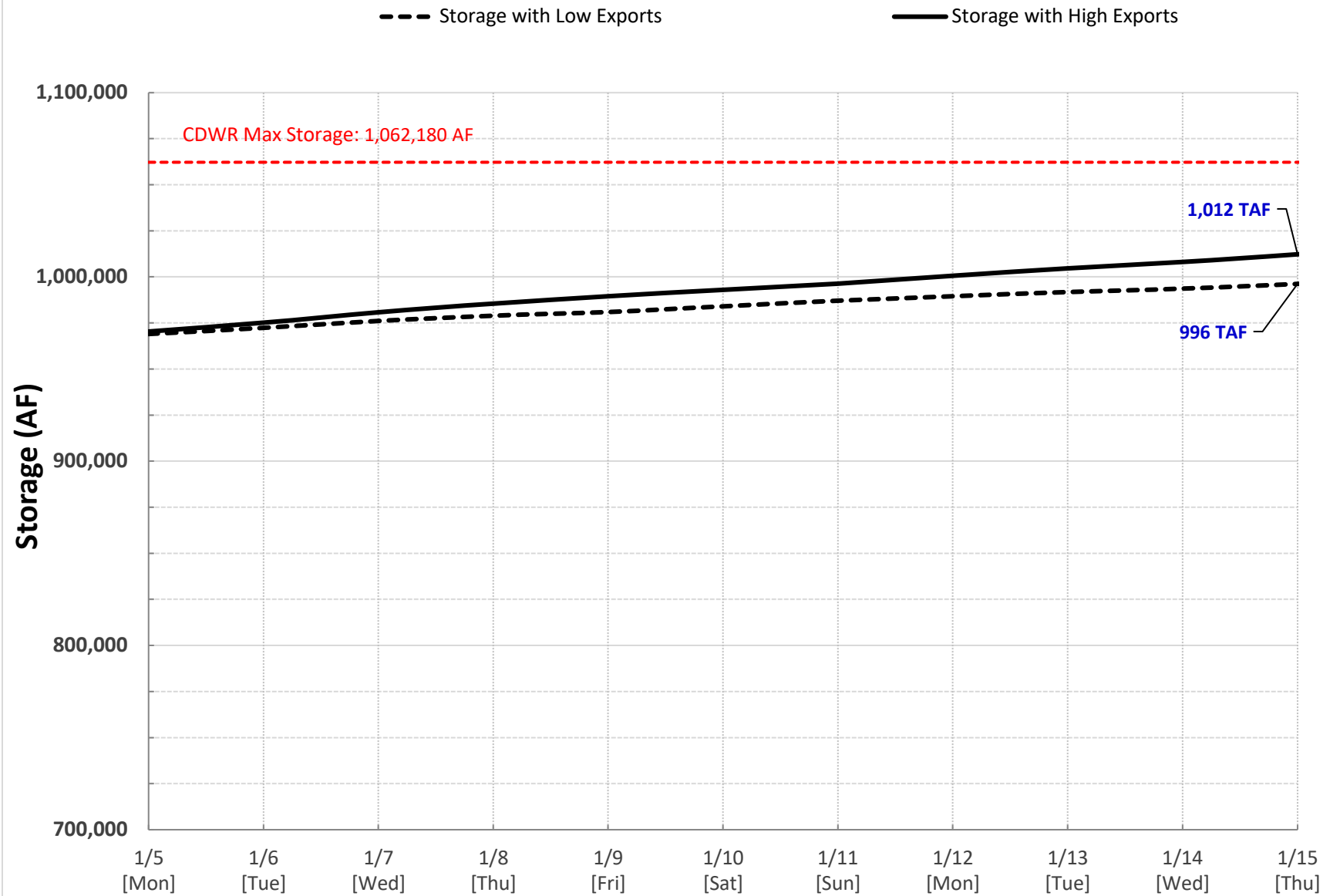


# PA: SOD A21, RFC

Month	Max (taf)
Jan	314
Feb	356
Mar	363
Apr	206



## SWP San Luis Reservoir Forecast



WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT

MEMORANDUM

TO: Board of Directors

FROM: Eric McDaris

DATE: January 9, 2026

**SUBJECT: Kern County Water Agency - 2026 Indemnification Agreement**

Each year, the Kern County Water Agency (Agency) processes several transactions pursuant to Member Unit requests. Several of these transactions do not require the Agency to enter into an agreement with DWR and are approved pursuant to the Agency's annual Board action authorizing the Water Resources Manager to approve routine transfers and exchanges. Transactions approved pursuant to this Agency Board action do require an agreement for the Member Unit to indemnify the Agency from claims of liability for environmental violations and any other claims of liability.

Member Units enter into annual indemnification agreements for transactions that are approved pursuant to the Agency's annual Board action and that do not require an agreement with DWR. This saves time and allows water to move as soon as possible. Agreements that require an agreement with DWR or are outside the purview of the Agency Water Resources Manager's routine approval would still require individual indemnification agreements.

**Recommendation:** It is recommended that the Board authorize the Engineer-Manager to execute the attached indemnification agreement with the Kern County Water Agency for 2026 transfers and exchanges.

Attachments: KCWA 2026 Indemnification Agreement

Filename: 8.3 Kern County Water Agency - 2026 Indemnification Agreement



Directors:

Jay Kroeker  
Division 1

Laura Cattani  
Division 2

Martin Milobar  
President  
Division 3

Tamara Johnson  
Division 4

Charles (Bill) W. Wulff, Jr.  
Division 5

Royce Fast  
Division 6

Gene A. Lundquist  
Vice President  
Division 7

Eric L. Averett  
General Manager

James Ciampa  
Lagerlof, LLP  
General Counsel

December 23, 2025

110.1

Mr. Sheridan Nicholas  
Wheeler Ridge-Maricopa Water Storage District  
12109 Highway 166  
Bakersfield, CA 93313-9630

Re: Agreement for Water Transfers and Exchanges Approved Pursuant to the  
December 17, 2025 Kern County Water Agency Board Action

Dear Mr. Nicholas:

In 2026, Wheeler Ridge-Maricopa Water Storage District (Wheeler Ridge) anticipates requesting that the Kern County Water Agency (Agency) facilitate exchanges and/or transfers of water supplies. Pursuant to the Agency Board of Directors (Board) December 17, 2025 action authorizing the Water Resources Manager to approve routine 2026 water transfers, exchanges and purchases, the Agency is willing to facilitate exchanges and/or transfers of water supplies on behalf of Wheeler Ridge provided that Wheeler Ridge agrees to the following terms and conditions:

1. The term of this Agreement shall be effective upon the execution of the Agency and Wheeler Ridge and shall remain in effect until five years after water is delivered pursuant to this Agreement.
2. Wheeler Ridge shall be responsible for complying with all applicable laws and regulations and for securing any required consent, approvals, permits or orders for the delivery of water under this Agreement.
3. All Central Valley Project (CVP) water supplies delivered as a result of exchanges and/or transfers of water supplies approved pursuant to this Agreement, shall be used within the CVP permitted place of use.
4. All State Water Project (SWP) water supplies delivered as a result of exchanges and/or transfers of water supplies approved pursuant to this Agreement, shall be used within the SWP permitted place of use.
5. In the event of a claim of liability or legal action commenced against the Agency for any environmental violations, including but not limited to the California Environmental Quality Act, that arises as a result of the Agreement or the actions taken pursuant to the Agreement, Wheeler Ridge shall defend, indemnify and hold the Agency and any of its Directors,

(661) 634-1400

Mailing Address  
3200 Rio Mirada Drive  
Bakersfield, CA 93308

officers, or employees harmless from any and all costs and expenses (including, but not limited to, attorneys' fees and expert costs) incurred in connection with such claim or legal action.

6. In the event of a claim of liability against the Agency that arises as a result of exchanges and/or transfers of water supplies approved pursuant to this Agreement, Wheeler Ridge shall defend (including expert costs), indemnify and hold the Agency and any of its Directors, officers, or employees harmless from any such claim.
7. Wheeler Ridge will pay the following charges for each TRF submitted to the Agency for approval:

Charges	Member Unit to Member Unit	Member Unit to Others - within Kern County	Member Unit to State Water Contractors	Member Unit to Non-State Water Project Contractors - outside of Kern County
Administrative Charge (\$/TRF)	\$250	\$250	\$250	\$250
Setup Charge (\$/TRF)	\$450	\$2,750	\$3,250	\$4,250
Handling Charge (\$)	\$550	\$3,000	\$1,500	\$3,500

8. The Agency will bill Wheeler Ridge for the administrative and setup charges upon receipt of each TRF.
9. The Agency will invoice Wheeler Ridge for the handling charge upon approval of each TRF.
10. The administrative charge will not be reconciled by the Agency or refunded to Wheeler Ridge.
11. The Agency will reconcile the setup charges for each TRF prior to the end of the calendar year after the calendar year in which the TRF was approved. Should the reconciled setup charges be less than what was billed by the Agency, the Agency will reimburse Wheeler Ridge. Should reconciled setup charges be more than what was billed by the Agency, Wheeler Ridge will reimburse the Agency.
12. The Agency will reconcile the handling charges for each TRF prior to the end of the calendar year after the calendar year in which the TRF was approved. Should the reconciled handling charges be less than what was billed by the Agency, the Agency will reimburse Wheeler Ridge. Should reconciled handling charges be more than what was billed by the Agency, Wheeler Ridge will reimburse the Agency.
13. Should Wheeler Ridge participate in the 2026 petition to the State Water Resources Control Board to consolidate the SWP and CVP authorized places of use, Wheeler Ridge will pay the Agency for its proportionate share of any petition fees.

14. All payments shall be due 45 days after the date of the Agency's invoice. Late payments shall be subject to interest charges at the rate of 1 percent per month on the unpaid balance from the due date until the unpaid balance is paid off.

If the above terms and conditions are acceptable, please sign and date both copies of this agreement and return both copies to the Agency. A fully executed original will be returned to Wheeler Ridge.

Sincerely,



Lauren Bauer  
Water Resources Manager

The foregoing constitutes the agreement between the Agency and Wheeler Ridge as a condition of the Agency approving the exchanges and/or transfers of water supplies on behalf of Wheeler Ridge pursuant to the December 17, 2025 Agency Board action authorizing the Water Resources Manager to approve routine 2026 water transfers, exchanges and purchases.

Accepted:

Kern County Water Agency

Wheeler Ridge-Maricopa Water Storage District

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_



WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT

MEMORANDUM

TO: Board of Directors

FROM: Eric McDaris

DATE: January 9, 2026

SUBJECT: Establishing the 2026 Groundwater Service Charge Rate

In recognition of longstanding financial inequity between District water users, in 2023 the District passed Resolution 23-07, adopting a Groundwater Service Charge (GWSC) to be imposed on the use of groundwater within the District.

Rule 6.b of the District Rules and Regulations for the Distribution of Water provides in part as follows:

*“The Groundwater Service Charge will be collected on each acre-foot of groundwater consumptively used on each parcel in the District, with the exception of de minimis domestic use (defined as annual extraction by any person of less than two acre-feet for domestic purposes)...”*

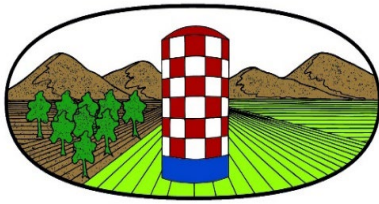
Rule 7.a of the Rules and Regulations further provides that the Board has the discretion to adjust the GWSC at any time and by the same procedures as the rates the for the Water Service Charges. By example, such adjustment may be necessary to better reflect hydrological conditions and/or State Water Project costs. The table below outlines the maximum GWSC rates for 2025-2028; beginning January 1, 2026, the GWSC shall not exceed \$200 per acre-foot.

Effective Date	1/1/2025	1/1/2026	1/1/2027	1/1/2028
Max GWSC (\$/AF)	\$175	\$200	\$250	\$299.36

Water users who wish to utilize their existing meters in-lieu of utilizing remote sensing to calculate groundwater pumping can submit an application to the District utilizing the attached *Application To Use A Meter In Lieu Of Remote Sensing To Calculate Groundwater Service Charges*.

**Recommendation.** Staff recommend that, pursuant to Resolution 23-07 and in accordance with the District Rules and Regulations for the Distribution of Water, the Board set the 2026 Groundwater Service Charge rate at \$200 per acre-foot of pumped groundwater, subject to future adjustment as approved by the Board of Directors.

Attachments: Application To Use A Meter In Lieu Of Remote Sensing To Calculate Groundwater Service Charges  
Filename: 8.5 Establishing the 2026 Groundwater Service Charge (GWSC) Rate



# WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT

12109 Highway 166 Bakersfield, CA 93313

◆ Telephone: 661.858.2281 ◆ Fax: 661.858.2643

## APPLICATION TO USE A METER IN LIEU OF REMOTE SENSING TO CALCULATE GROUNDWATER SERVICE CHARGES

### General Conditions

- Use a separate form for each well meter.
- Many meters require a straight run of pipe 10 pipe diameters upstream and 5 pipe diameters downstream of the meter for good accuracy.
- A consultant designated by the District will verify the accuracy and suitability of the meter.
- The meter owner will continue to be responsible for the repair, testing, and calibration of the meter and for fees associated with meter testing and verification.
- This application is for an interim program and acceptance of this form does not constitute an agreement that the District will continue to accept the well meter after final well metering standards are in place.

Owner Information	Well Information
Name:	APN:
Address:	Latitude & Longitude:
City/State/Zip:	Township, Range, and Section:
Phone:	Owner's Common Name for Well:
Email:	State Name for Well:

Information About the Lands Served by the Well
Approx. Acres Served by the Well:
List all APNs served by the well:    
(Optional) Provide a further description of the lands:    

<b>Meter Information</b>	
Make/Model	Type
Diameter	Serial No.
<p>Please provide the following:</p> <ol style="list-style-type: none"> <li>1. At least one photograph (not a close up) showing the meter, the well, and the appurtenant plumbing.</li> <li>2. Copies of any factory calibration reports or field certification reports.</li> </ol>	

<b>Landowner Certification</b>	
<ul style="list-style-type: none"> <li>I grant the District and its employees access to the property described above for the purposes of reading, inspecting, and testing the meter.</li> <li>I wish to use the meter listed above for the purpose of calculating groundwater extraction on the lands shown in this form.</li> <li>I acknowledge that acceptance of the meter does not relieve me of the obligation to account for my true groundwater extraction.</li> <li>I understand the District will endeavor to use best available methods to determine groundwater extraction and that the true extraction amount may be ultimately determined by meter, by remote sensing, by another method, or by a combination of methods.</li> <li>I hereby certify that I have reviewed the above conditions, that I am the owner or authorized representative of the owner of the lands served with water by the subject well meter, and that all the information I have furnished is true and correct to the best of my knowledge.</li> </ul>	
<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Printed Name	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Title
<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Signature	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Date

<b>Consultant Use Only</b>	
Comments on the suitability of the meter and/or field verification testing: <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div>	
<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Signature	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Date

<b>District Use Only</b>	
<div style="display: flex; justify-content: space-around; align-items: center;"> <span><input type="checkbox"/> Approved</span> <span><input type="checkbox"/> Denied</span> </div>	
<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Printed Name	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Date
<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Signature	

**For Immediate Release:**

January 2, 2026

Contact: Sara M Katz

(619) 813-9551

## **Drinking Water for Nearly 1.1 Million People Could Have Been Captured During Recent Storm If Sites Reservoir Were Operational Today**

Maxwell, CA – The Sites Project Authority announced that during the recent atmospheric river events, Sites Reservoir would have been filling, and it is estimated that Sites could capture more than 168,000 acre-feet of water from late December 2025 through the end of January 2026. This analysis continues to demonstrate the availability of water in the Sacramento River that can be safely diverted to bolster supplies for dry years and confirms the project’s ability to meet performance and funding expectations. The issuance of the water right order from the State Water Resources Control Board is the key approval necessary to move forward with building the project. Continued delays in the order’s issuance increase project costs by approximately \$20 million per month. Time is of the essence.

“Weather events like this highlight the critical role Sites Reservoir could play during wet years by capturing excess water when it is available and holding it for the dry times ahead,” said **Fritz Durst, Chair of the Sites Project Authority Board of Directors**. “As California faces increasingly intense storms, expanding our water storage capacity is essential to ensure reliability during dry times, which is why the Sites Project continues to move forward.”

Sites Reservoir is designed to capture and store water during wet periods, ensuring flexibility, reliability, and resiliency during dry years. Based on actual river flows, recent analysis found that Sites could have diverted more than 168,000 acre-feet in a single month, in addition to the 1.35 million acre-feet captured during the 2024 and 2025 diversion seasons (September through mid-June).

For perspective, one acre-foot of water exceeds the average annual indoor and outdoor use of two to three California households, according to the Water Education Foundation.

*Sites is an off-stream reservoir proposed north of the Sacramento-San Joaquin Delta, where it would provide unique water supply and environmental benefits during dry periods, especially during extended drought. Additional information can be found at [www.sitesproject.org](http://www.sitesproject.org) or on Facebook and Twitter at @SitesProject.*



## State Water Resources Control Board

December 8, 2025

Paul Gosselin  
Deputy Director  
Sustainable Groundwater Management Office  
Department of Water Resources

Sent via Email: [Paul.Gosselin@water.ca.gov](mailto:Paul.Gosselin@water.ca.gov)

### **RETURNING THE KERN COUNTY SUBBASIN TO THE JURISDICTION OF THE DEPARTMENT OF WATER RESOURCES UNDER THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT**

On March 2, 2023, the Department of Water Resources (Department) found, pursuant to the Sustainable Groundwater Management Act (SGMA), that the Groundwater Sustainability Plans (GSPs) for the Kern County Subbasin were inadequate (2022 GSP Inadequate Determination). Upon the Department's 2022 GSP Inadequate Determination, the State Water Resources Control Board (State Water Board or Board) assumed regulatory oversight over the Subbasin. On September 17, 2025, the State Water Board adopted [Resolution No. 2025-0029](#), finding that revisions in the Kern County Subbasin's draft GSPs submitted to the Board on June 20, 2025 (draft 2025 GSPs) substantially addressed the deficiencies identified in the 2022 GSP Inadequate Determination as well as additional issues raised by State Water Board staff during review of subsequent GSPs. Resolution No. 2025-0029 directed staff to transmit a letter to the Department formalizing the return of the Kern County Subbasin to Department's jurisdiction, pending Board staff's review of the Kern County Subbasin's adopted GSPs submitted to the Board on September 2, 2025 (adopted 2025 GSPs). Board staff completed review of the adopted GSPs, and this letter serves as notice to the Department that the State Water Board is returning the Kern County Subbasin to the Department's jurisdiction.

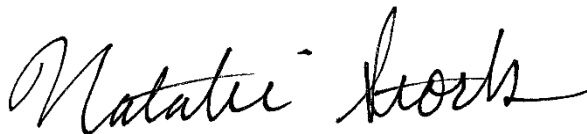
In accordance with the Board's directive to return the subbasin to the Department's jurisdiction, Board staff reviewed the adopted 2025 GSPs for consistency with the draft 2025 GSPs and changes needed to address three priority deficiencies that Board staff identified in the draft 2025 GSPs: (1) providing an adequate mitigation program for drinking water wells impacted by any constituent for which a minimum threshold is established in the GSPs, where groundwater management activities cause concentrations to exceed those minimum thresholds; (2) providing an adequate mitigation program for state small water system wells impacted by groundwater

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

management activities; and (3) eliminating the sunset provision in the Kern Non-Districted Land Authority Groundwater Sustainability Agency's Joint Exercise of Powers Agreement. Following review, Board staff determined that the adopted 2025 GSPs were consistent with the draft 2025 GSPs. Board staff further determined that the adopted 2025 GSPs, along with a memorandum that Kern County Subbasin Groundwater Sustainability Agencies (GSAs) submitted to Board staff on October 21, 2025, describing the progress of developing the mitigation program for state small water system wells impacted by groundwater management activities (enclosed here) satisfactorily resolved the three identified priority deficiencies. Accordingly, designation of the Kern County Subbasin as a probationary basin is unnecessary at this time and the Subbasin is being returned to the jurisdiction of the Department under Chapter 10 of SGMA (Wat. Code, § 10733, seq.) in accordance with Resolution No. 2025-0029.

While the State Water Board found the Kern County Subbasin's adopted 2025 GSPs, along with the October 21, 2025, memorandum on well mitigation program, are sufficient to return the subbasin to the Department's jurisdiction, Board staff included recommendations for GSP improvement in the [Board Staff Review \(released on September 5, 2025\)](#) to further SGMA's sustainability goals. For the GSAs' consideration and for the Department's awareness during annual and periodic reviews under Water Code sections 10733.4 and 10733.8, both the GSAs and the Department may consider the recommendations for GSP improvement contained in Section 4.0 of the Board Staff Review.

Please contact me at [Natalie.Stork@waterboards.ca.gov](mailto:Natalie.Stork@waterboards.ca.gov) if you have any questions.

A handwritten signature in black ink that reads "Natalie Stork". The signature is fluid and cursive, with the first name "Natalie" written in a larger, more prominent script than the last name "Stork".

Natalie Stork, P.G.  
Director  
Office of Sustainable Groundwater Management  
State Water Resources Control Board

Enclosure: Kern County Subbasin State Small Water System Financial Assistance  
Track Updates Memorandum

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY

GAVIN NEWSOM, Governor

**DEPARTMENT OF WATER RESOURCES**

P.O BOX 942836  
SACRAMENTO, CA 94236-0001  
(916) 653-5791



1/8/2026

Mr. Paul Gosselin  
Deputy Director  
Sustainable Water Management  
Post Office Box 942836  
Sacramento, California 94236-0001

Dear Mr. Goselin,

The State Water Project (SWP) appreciates the opportunity to comment on the 2025 Amended Final Groundwater Sustainability Plan (2025 GSP), submitted by the Kern County Subbasin Groundwater Sustainability Agencies (KCS GSA), dated August 2025 and uploaded to the Sustainable Groundwater Management Act (SGMA) Portal on October 25, 2025<sup>1</sup>. The 2025 GSP demonstrates continued and appreciated progress toward ensuring protection of the state's critical water storage and conveyance infrastructure.

Approximately 90 miles of the California Aqueduct (Aqueduct) traverse the Kern County Subbasin between Mile Posts 189 and 279. This reach has experienced significant land subsidence, resulting in reduced conveyance capacity and operational flexibility. The SWP remains focused on remediating existing impacts and preventing future damage to this critical statewide facility.

The SWP acknowledges the substantial revisions reflected in the 2025 GSP. These revisions include more refined subsidence metrics, establishment of zero-subsidence thresholds and objectives in highly impacted reaches, correction of prior data inconsistencies, and the addition of an exceedance policy specific to subsidence. Collectively, these actions demonstrate the commitment the KCS GSA have to addressing subsidence proactively and working collaboratively with the SWP.

Since 2020, the SWP has reviewed and commented on multiple iterations of the KCS GSP. The overall quality and responsiveness of these documents to SWP concerns have improved significantly over time. That said, the SWP has identified four key areas where additional clarification, support, or refinement would further strengthen the 2025 GSP and better protect the Aqueduct and the millions of downstream Californians who rely on the water it conveys. More detailed discussion of these points is included in Attachment A.

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<sup>1</sup> The 2025 GSP consists of a common document submitted by KCS on behalf of its 22 member GSA, along with four substantively identical stand-alone GSPs submitted by Westside District Water Authority (WDWA), Semitropic Water Storage District (Semitropic), Buena Vista Water Storage District (BVWSD), and Henry Miller Water District (HMWD). This letter addresses the KCS GSP and the associated stand-alone plans.

Mr. Paul Gosselin

1/8/2026

Page 2

- First, the 2025 GSP's approach to distinguishing GSA-related and non-GSA-related causes of subsidence, particularly in the Northern Aqueduct region, would benefit from additional supporting analysis. While the GSA have been transparent about the challenges associated with apportioning causation, several conclusions regarding oil and gas activities and other non-GSA factors are not yet supported by sufficiently conclusive evidence. Further, reconciliation of InSAR datasets with groundwater level data and subsurface flow analyses would help substantiate these determinations and improve confidence in the resulting management framework. (Attachment A, pp. 1-18)
- Second, certain elements of the Sustainability Management Criteria (SMCs) warrant further consideration. The current definition of an Undesirable Result (UR), the development of Minimum Thresholds (MTs) and Measurable Objectives (MOs), and aspects of the Appendix K-1 Exceedance Policy do not fully reflect the sensitivity of the Aqueduct to additional or sustained subsidence, or the need for timely management responses. Refining these elements to ensure earlier detection and response would enhance infrastructure protection while remaining consistent with SGMA's objectives. (Attachment A, pp. 19-27)
- Third, the 2025 GSP uses out of date climate change references in its development of projected water budget scenarios. It is recommended that KCS GSA incorporate the analysis and findings from the 2023 SWP Delivery Capability Report into the GSP's climate change scenarios and assumptions. (Attachment A, pp. 28)
- Fourth, while the stand-alone GSPs of WDMA, Semitropic, BVWSD, and HMWD adopt the common framework of the KCS GSP, each would benefit from the adoption of additional, district-specific subsidence analyses and mitigation commitments, particularly where overdraft conditions or proximity to the Aqueduct present elevated risk. (Attachment A, pp. 29-33)

The SWP offers these comments in the spirit of continued collaboration. Avoiding or minimizing subsidence in the near term, rather than deferring action until later in the SGMA planning horizon, protects water supply reliability and reduces long-term infrastructure costs for the state, water contractors, and local agencies alike. Continued refinement of subsidence analyses, integration of monitoring with management actions, and clear alignment between sustainability criteria and implementation measures will further strengthen these GSPs.



Mr. Paul Gosselin

1/8/2026

Page 3

The SWP supports the efforts of the GSA to achieve sustainable groundwater management and looks forward to continued coordination as the Kern County Subbasin moves toward refining its 2025 GSPs to achieve long-term sustainability in accordance with SGMA sooner.

If you have any questions, please contact Jim Lopes, Acting Manager, California Aqueduct Subsidence Program (CASP), by telephone at (916) 634-9506 or by e-mail at [James.Lopes@water.ca.gov](mailto:James.Lopes@water.ca.gov).

Sincerely,



John Yarbrough  
Deputy Director  
State Water Project

Attachment

cc: Ms. Kristin Pittack, SGMA Plan Manager  
Kern County Subbasin Groundwater Sustainability Agency  
4589 North Marty Avenue, Suite 102  
Fresno, California 93722  
[kpittack@rinconconsultants.com](mailto:kpittack@rinconconsultants.com)

Mr. Mark Gilkey, General Manager  
Westside District Water Authority Groundwater Sustainability Agency  
21908 Seventh Standard Road  
McKittrick, California 93251  
[mgilkey@westsidewa.org](mailto:mgilkey@westsidewa.org)

Mr. Jason Gianquinto, General Manager  
Semitropic Water Storage District Groundwater Sustainability Agency  
1101 Central Avenue  
Wasco, California 93280  
[jgianquinto@semitropic.com](mailto:jgianquinto@semitropic.com)

Mr. Tim Ashlock, Engineer Manager  
Buena Vista Water Storage District Groundwater Sustainability Agency  
525 North Main Street, Post Office Box 756  
Buttonwillow, California 93206  
[tim@bvh2o.com](mailto:tim@bvh2o.com)

Mr. Paul Gosselin

1/8/2026

Page 4

Mr. Jeof Wyrick, President / Chairman  
Henry Miller Water District Groundwater Sustainability Agency  
101 West Walnut Street  
Pasadena, California 91103  
[jwyrick@jgboswell.com](mailto:jwyrick@jgboswell.com)

Mr. James Lopes, Acting Manager  
California Aqueduct Subsidence Program  
[James.Lopes@water.ca.gov](mailto:James.Lopes@water.ca.gov)

Mr. Todd Wong, Deputy Manager  
California Aqueduct Subsidence Program  
[Todd.Wong@water.ca.gov](mailto:Todd.Wong@water.ca.gov)



## M E M O R A N D U M

**Date:** October 20, 2025

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**To:** Natalie Stork  
Sustainable Groundwater Management Director  
State Water Resources Control Board  
P.O. Box 100 Sacramento, California 95812-1000

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**Via:** Electronic Mail

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**From:** Kristin Pittack  
Kern County Subbasin Plan Manager / Point-of-Contact  
[kernsubbasinpoc@rinconconsultants.com](mailto:kernsubbasinpoc@rinconconsultants.com)

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**Subject:** Kern County Subbasin State Small Water System Financial Assistance Track Updates

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This memorandum is submitted on behalf of the Kern County Subbasin Groundwater Sustainability Agencies (Kern Subbasin). On September 17, 2025, before the State Water Resources Control Board (SWRCB), the Kern Subbasin shared their commitment to develop a State Small Water System Financial Assistance Track, which would be incorporated into the Kern Subbasin Well Mitigation Program. This memorandum further documents that commitment and the anticipated process for development and adoption of the State Small Water System Financial Assistance Track (Financial Assistance Track) for inclusion into the Kern Subbasin Well Mitigation Program.

As conveyed at the SWRCB public hearing on September 17, the Financial Assistance Track will be available to State Small Water Systems, as defined by the Health and Safety Code as being systems “for the provision of piped water to the public for human consumption that serves at least five, but not more than 14, service connections and does not regularly serve drinking water to more than an average of 25 individuals daily for more than 60 days out of the year” (Health & Safety Code, § 116275(n)). State Small Water Systems are not considered public water systems.

In general, the Kern Subbasin will provide financial assistance up to \$100,000 per system in the event that a groundwater well serving the system becomes dry after January 1, 2015, if determined that the impact is due to GSA groundwater management activities, and the State Small Water System otherwise meets application eligibility criteria for assistance. Further, under the Financial Assistance Track, emergency drinking water will be supplied to residents served by the system. To determine how best to disseminate financial assistance, the Kern Subbasin expects to conduct a case-by-case analysis to evaluate available options. Examples of such options include working with a third-party contractor such as Self-Help Enterprises to assist the State Small Water System, working with a Technical Assistance Provider through the SWRCB SAFER program, and engaging an independent contractor to implement the solution for the groundwater well in question.

Currently, the Kern Subbasin is working on draft language to revise the Kern Subbasin Well Mitigation Program. This draft language will set forth the framework for such assistance as well as the application submittal and review process. Once the revisions are completed, the revised Kern Subbasin Well Mitigation Program document will need to be considered by each GSA for approval because it would be considered as a minor amendment to the Kern Subbasin 2025 Groundwater Sustainability Plans. With respect to timing, the Kern Subbasin set a goal for completing this task by the end of 2025, or early 2026 at the latest. In the meantime, the Kern Subbasin is actively considering



Kern County Subbasin  
Groundwater Sustainability Agencies

requests from State Small Water Systems for assistance and conducting case-by-case analysis as to eligibility for assistance.

Please contact Kristin Pittack at [kernsubbasinpoc@rinconconsultants.com](mailto:kernsubbasinpoc@rinconconsultants.com) if you have further questions regarding the State Small Water System Financial Assistance Track.

Sincerely,

Kristin Pittack, MS  
Kern County Subbasin Plan Manager / Point-of-Contact

**WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT**  
**WHEELER RIDGE-MARICOPA GSA**

## MEMORANDUM

TO: Board of Directors

FROM: Sheridan Nicholas

DATE: January 12, 2026

**SUBJECT: Consider Approval of 2026 Kern Subbasin Expenses**

With the recent SWRCB action sending the Kern Subbasin to the Department of Water Resources, the focus of the Subbasin now turns to implementing the Groundwater Sustainability Plan. The subbasin is currently working on various tasks related to the monitoring network, subsidence, water quality, well mitigation, and outreach/engagement through the remainder of 2025 and into 2026. The various consultants working for the various groundwater sustainability agencies within the subbasin are currently coordinating task orders to assist the subbasin in implementation.

In November 2025 the Board approved, and if necessary, authorized the Engineer-Manager to execute the appropriate task orders and funding for work related to the implementation of the Kern Subbasin Groundwater Sustainability Plan for the remainder of 2025 and a portion of 2026 at a total cost not to exceed \$721,925 (WRMGSA's share \$32,815).

In January 2026, the Subbasin recommended approval to home board GSAs the remaining anticipated 2026 scope of work items from consultants related to water quality monitoring, well mitigation program, groundwater model refinements, a technical coordinator, point of contact/plan manager, and data management system/website support for an additional \$612,000 or nearly \$28,000 per party bringing the total requested amount since October 2025 to \$1,332,000 or \$60.5k per party (22 shares). The Task Orders and Agreements are available upon request.

The total from March 2023 through September 2025 excluding the above mentioned expenses totals approximately \$4.9 million Subbasin wide (or roughly \$225,000 to the WRMGSA). This does not include additional expenses for SOKR and/or District related assistance from others. The above items are all still subject to reconciliation due to timing of invoices/reimbursements and cost share agreements.

The Subbasin continues to consider cost share options to address smaller acreage GSA's concerns.

**Recommendation:** It is recommended the Board approve, and if necessary, authorize the Board President to execute the Kern Subbasin GSP Cost Share Agreement 26-01 at a total cost not to exceed \$612,000 (WRMGSA's share \$27,819) and subject to final approval of the Engineer-Manager and District Counsel.



# KERN COUNTY WATER AGENCY

Stuart T. Pyle Water Resources Center

3200 Rio Mirada Drive  
Bakersfield, California 93308

## Notice of BOARD OF DIRECTORS MEETING

December 17, 2025

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. Temporary Applications Filed for Kern River Water
- o. Bring Back the Kern, *et al.* v. City of Bakersfield, *et al.*, Kern County Superior Court Case No. BCV-22-103220
- p. Delta Conveyance Project Litigation, Court Case No. 24WM000017
- q. California Sportsfishing Alliance, *et al.* v. California Department of Water Resources and California Department of Fish and Wildlife, *et al.*, Sacramento County Superior Court Case No. 24WM000181; Tehama-Colusa Canal Authority, *et al.* v. California Department of Water Resources and California Department of Fish and Wildlife, *et al.*, Sacramento County Superior Court Case No. 24WM000183; San Francisco Baykeeper, *et al.* v. California Department of Water Resources, Sacramento County Superior Court Case No. 24WM000185; and Central Delta Water Agency and South Delta Water Agency v. California Department of Water Resources, Sacramento County Superior Court Case No. 24WM000186 (2024 Incidental Take Permit Litigation)
- r. Mass X, Inc. v. Kern County Water Agency, *et al.*, Kern County Superior Court Case No. BCV-24-104394



- s. Department of Water Resources v. All Persons Interested in the Matter of Delta Conveyance Project Program Revenue Bonds etc. (2025 DWR Validation Action), Sacramento County Superior Court Case No. 25 CV000704
    - t. America West Lender Services, LLC v. Barrickman, et al., Kern County Superior Court Case No. BCV-25-102514
  - 2. Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation: (Government Code section 54956.9, subdivision (d)(2)):
    - a. Three potential suits
  - 3. 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
    - b. Negotiator: Water Resources Manager  
Property: Kern River Lower River Water  
Parties: Kern County Water Agency Member Units  
Under Negotiation: Price & Terms
- III. Closed Session Report
- IV. Directors' Forum
  - A. Appointment of a Director to Fill the Vacancy in Division 4 of the Board of Directors of the Kern County Water Agency
- V. 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.
- 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. Consent Agenda Items

The following items are routine and will be approved collectively without discussion, unless a Board member or staff member (who has raised that issue with the Board President prior to the start of the meeting) requests that an item be removed for separate consideration:

A. **CONSENT AGENDA**

1. Minutes of Board Meetings and Committee Meetings  
Regular Board Meeting November 19, 2025
2. Payment of the Bills
3. Report on the Fiscal Year 2026-27 Budget Development Schedule
4. Authorization to Execute an Agreement for a Transfer of Oak Flat Water District's 2025 State Water Project Table A Water to Kern County Water Agency, SWP #25045
5. Authorization to Execute Amendment No. 1 to the Kern County Water Agency Agreement for the Pioneer Replacement Recovery Wells KCWA-40, KCWA- 41, and the Berrenda Mesa Replacement Recovery Well BK-13 – Well Project
6. Authorization to Execute Amendment No. 2 to the Kern County Water Agency Agreement for Groundwater Sustainability Plan Consultant for the Pioneer Groundwater Sustainability Agency
7. Authorization to Execute Amendment No. 3 to the Kern County Water Agency Agreement for the Pioneer Replacement Recovery Water Wells KCWA 38 & 39 (Wells R04 & R01) Well Equipping Project
8. Authorization to Execute Amendment No. 2 to the Kern County Water Agency Agreement for Improvement District No. 1 Levee Quarterly Inspections and Reports
9. Authorization to Execute Amendment No. 2 to the Kern County Water Agency Agreement for Technical Services to Repair Axial Flow Pumps for the Cross Valley Canal
10. Authorization to Execute Amendment No. 2 to the Kern County Water Agency Agreement for an Engineering Consultant for the Hageman Flyover Project
11. Authorization to Approve Routine 2026 Water Transfers, Exchanges and Purchases
12. Consideration of Transaction Request Form Charges

13. Authorization to Execute Amendment No. 1 to Change in Point of Delivery Agreement Among the Department of Water Resources of the State of California, Santa Barbara County Flood Control and Water Conservation District, Kern County Water Agency, and Metropolitan Water District of Southern California, and an Exchange of Santa Barbara's State Water Project Table A Water and Metropolitan Water District's Future Approved State Water Project Table A Water, SWPAO #19031-A
14. Appointment of the Kern County Water Agency Representative to the State Water Project Contractors Authority Board of Directors

IX. 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. Financial Report
3. Authorization to Execute a Sole Source Agreement with AMAROK, LLC to Lease a Security Fencing System for the Kern County Water Agency

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

1. Update on Delta Conveyance 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 2025 State Water Project and Central Valley Project Allocations and Operations
4. Water Delivery Operations
  - a. Report on Kern County Water Agency California Aqueduct Deliveries
5. Sustainable Groundwater Management
  - a. Update on the Pioneer Groundwater Sustainability Agency

- b. Report on the Kern Non-Districted Lands Authority Meeting

**D. WATER MANAGEMENT COMMITTEE – Director Kroeker, Chair**

- 1. Report of the Engineering and Groundwater Services Manager
  - a. Update on Groundwater Banking Construction/Maintenance Projects
- 2. Report on 2025 Water Operations
- 3. Authorization to Issue the Notice to Invite Bids for the Nord Siphon Replacement Turnout Project – Contract No. KCWA 2025-02
- 4. Report on Kern Water Bank Activities

**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. Appointment of Representatives to the Urban Bakersfield Advisory Committee
  - b. Update on the Improvement District No. 4 Water Education Program
- 2. Water Supply Report
  - a. Report on the Improvement District No. 4 2025 Water Supply and Management Plan
  - b. Report on the Improvement District No. 4 2026 Water Supply and Management Plan
- 3. Report on the Henry C. Garnett Water Purification Plant

- X. Correspondence
- XI. Brief Report on Potential New Business
- XII. 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 December 12, 2025.

A handwritten signature in blue ink, appearing to read 'Stephanie N. Prince', is written over a horizontal line.

Stephanie N. Prince, 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  
of the Kern Water Bank Authority  
Tuesday, January 13, 2026, 3:15 PM  
Kern Water Bank Authority Conference Room<sup>1</sup>  
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 (KWBA) Joint Exercise of Powers Agreement.

## **AGENDA**

**1. Roll Call**

**2. Approval of Minutes**

The Board will consider approval of December 9, 2025, Regular Board of Directors' Meeting minutes.

**3. Treasurer's Report**

The Board will consider approval of the December 2025 Treasurer's Report.

**4. Authorization to Pay Expenses of Authority**

The Board will consider approval of payment of the December 2025 accounts payable.

**5. Audit Services Proposal**

The Board will review and consider an audit services proposal for the December 31, 2025 financial statements.

**6. Reports/Other Action Items**

**A) Staff Report**

Review and possibly act on items discussed in previously submitted Staff Report, staff recommendations, and other items 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/Maintenance and Funding
- (6) Data Collection and Automation
- (7) SB 707/Brown Act Changes

**B) Directors, Counsel and Committee Reports**

The Board of Directors will hear and possibly act on reports and recommendations:

- (1) Kern Fan Monitoring Committee

**7. Old Business**

<sup>1</sup> 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.

This portion of the meeting is set aside for the discussion of matters which have been addressed at previous Board meetings.

**8. 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.

**9. 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.

**10. Closed Session**

- A) Conference with Legal Counsel – Pending Litigation (Gov. 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.

- B) Conference with Legal Counsel – Anticipated Litigation: Initiation of litigation pursuant to Gov. Code section 54956.9(d)(4). Two potential litigations.
- C) Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation pursuant to Gov. Code section 54956.9(d)(2). Two potential litigations.
- D) Conference with Real Property Negotiator – Gov. Code section 54956.8.

KWBA Representative: General Manager and Geologist  
Under Negotiation: Price and Terms of Payment  
Negotiating Parties: KWBA and Kern County Water Agency  
Property: Nord Turnout

- E) Conference with Real Property Negotiator – Gov. Code section 54956.8.

KWBA Representative: General Manager and Geologist  
Under Negotiation: Price and Terms of Payment  
Negotiating Parties: KWBA and PG&E  
Property: APN#s 160-030-03, 160-030-09, 160-020-05 and 160-020-07

- F) Conference with Real Property Negotiator – Gov. Code section 54956.8.

KWBA Representative: General Manager and Geologist  
Under Negotiation: Price and Terms of Payment  
Negotiating Parties: KWBA and Irvine Ranch WD/Rosedale Rio-Bravo WSD

Properties: Kern Water Bank Land - Kern Fan Groundwater Storage Project  
Conveyance

G) Conference with Labor Negotiator (Chair) re Salary/Compensation; Public Employee  
Performance Evaluation – Gov. Code sections 54957(b)(1), 54957.6. Personnel:  
General Manager and Staff

**11. Reconvene and Report from Closed Session (Gov't Code section 54957.1)**

**12. Adjourn**



# KERN WATER BANK AUTHORITY

## MEMORANDUM

To: KWBA Board of Directors; Steve Torigiani

From: KWBA Staff

Date: January 13, 2026

Subject: Monthly Status Report

### CALENDAR

The next KWBA February 2026 Regular Board of Directors' Meeting is scheduled for Tuesday, February 10, 2026 (3:15 P.M.).

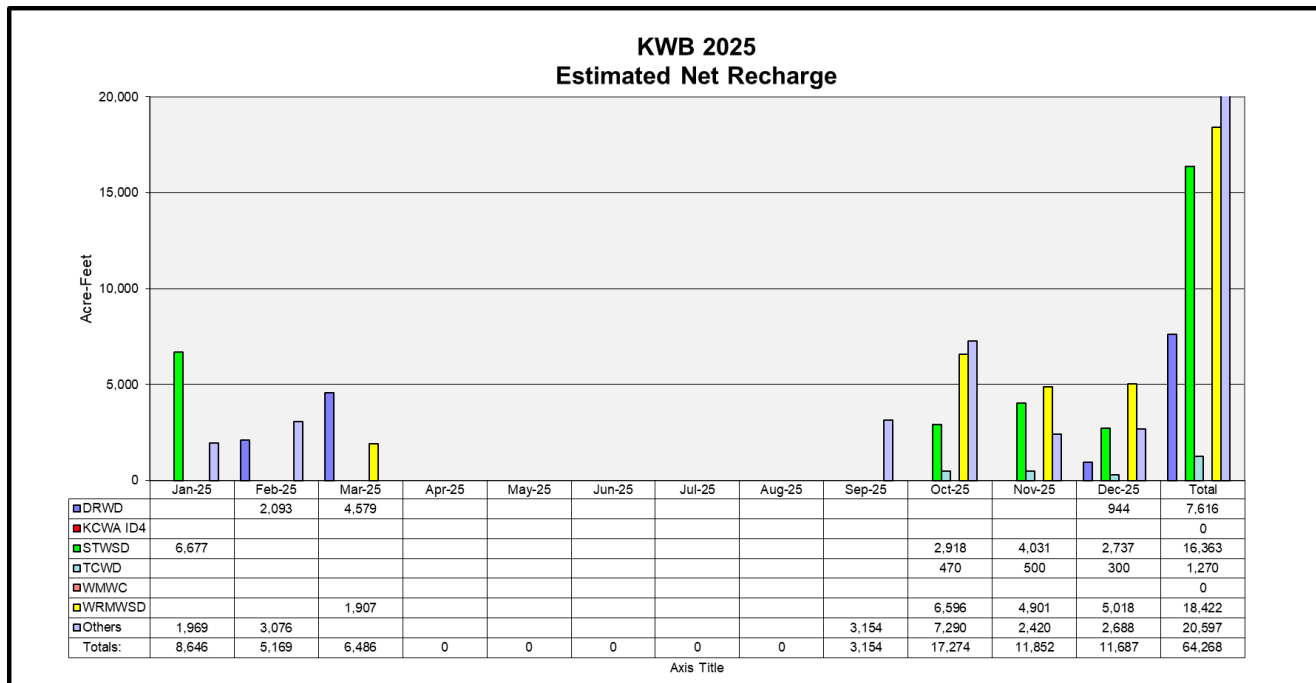
### OPERATIONS

#### Recharge

Recharge activities for WKWD ceased on January 4, 2026. Recharge activities for KWBA participants continues with DRWD and are currently recharging on the KWB Canal and through the CVC. Current flow is 150 cfs for the CVC, and 325 cfs on the KWB Canal.

#### Recovery

No current recovery operations.



## **FACILITIES**

### **Facilities Maintenance**

Routine maintenance continues on roads, water delivery structures, wells, pumping stations, and canals.

### **Vegetation Management and Grazing**

Spraying, tumbleweed removal, mowing along fence lines, structures, and around wells continues. Grazing is occurring throughout all areas of the KWB.

## **THIRD PARTIES**

PG&E has approached KWBA staff regarding an easement along Stockdale Highway, and SoCalGas is working on emergency pipeline repairs in the Conservation Bank Area.

## **ENVIRONMENTAL – GENERAL AND HCP ISSUES**

### **Conservation Bank**

The Bakersfield Gateway Project has expressed an interest in purchasing 62 credits (\$2.17MM), and SoCalGas pipeline repairs in the Conservation Bank Area will require mitigation.

## **CAPITAL IMPROVEMENTS/REPAIR AND REPLACEMENT**

### **Capitalized Maintenance Program**

Construction of replacement turnouts is currently in progress in the K Ponds. James area replacement turnout construction is complete.

### **Replacement Wells**

No current wells are being replaced.

### **Well Rehabilitation and Repairs**

There are no current well rehabilitation activities underway. Well 30S25E-13J01 and Well 30S25E-06K01 were vandalized and will be repaired at a later date. Staff has received estimates for repairs.

## **Basin 11**

The joint use of facilities agreement and Basin 11 Turnouts construction agreement with the KCWA have been finalized and executed. The construction agreement between the KWBA and Nicholas Construction is being finalized and should be executed in the near future. Construction on the low flow channel is continuing on the Pioneer. A temporary culvert dam will be installed on the east side of Basin 11 so that the City of Bakersfield

recharge operations will not delay construction of the turnout on that side. A temporary culvert dam may have to be installed on the Pioneer so that Pioneer recharge operations do not delay construction of the turnout on the west side of Basin 11.

### **Strand Siphon Replacement and Joint Use of Facilities Agreements**

The joint use of facilities agreement with IRWD and RRWSD has been executed and recorded, and the encroachment permit agreement with the same parties has been fully executed. KWBA's operations manager will be ordering the prefabrication of the turnout, but onsite construction and installation will be delayed by recharge activities in the IRWD recharge basin.

### **Enos Lane Culvert**

The KWBA has received approval and a permit from Caltrans for the culvert construction. The KWBA is utilizing the existing Enos Lane culvert for recharge activities so construction will be delayed on the expansion. Caltrans has extended our permit for another 7 months.

## **ADMINISTRATIVE**

### **Power Update**

The KWBA NEM2 application must be submitted to the PG&E CAISO cluster study in October 2026. TotalEnergies is assisting in that process.

### **Data Management Progress**

WH Automation is continuing with the installation of the control panels and is progressing at a rate of about two (2) wells per week. Communications Enterprises Inc. (CEI) is continuing installation of the water bank communications backbone and is installing the communication equipment at individual well sites. The KWBA has submitted PG&E automation incentive applications for thirty (30) wells. Incentive payments have been received from PG&E for twenty-three (23) wells for a total of \$371,000.

### **Loan Refinancing**

All five prospective banks have submitted refinancing proposals. The refinancing ad hoc committee has reviewed the five proposals with the KWBA general manager and will make their recommendation to the Board at the January 13<sup>th</sup> board meeting.

### **Brown Act**

SB 707, effective January 1, 2026, requires that a copy of the Brown Act be provided to any person elected or appointed to serve as a member of a legislative body of a local agency. A copy of the Brown Act has been included in the Board packet for the January regular meeting of the KWBA Board of Directors and will be separately transmitted to all members of the Board.

# Kern Water Bank Groundwater Sustainability Agency



## Regular Meeting of the Board of Directors of the Kern Water Bank GSA

**Tuesday, January 13, 2026, 3:00 P.M.**  
**Kern Water Bank Authority Conference Room<sup>1</sup>**  
**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 Joint Exercise of Powers Agreement for the Kern Water Bank Groundwater Sustainability Agency (GSA).

### **AGENDA**

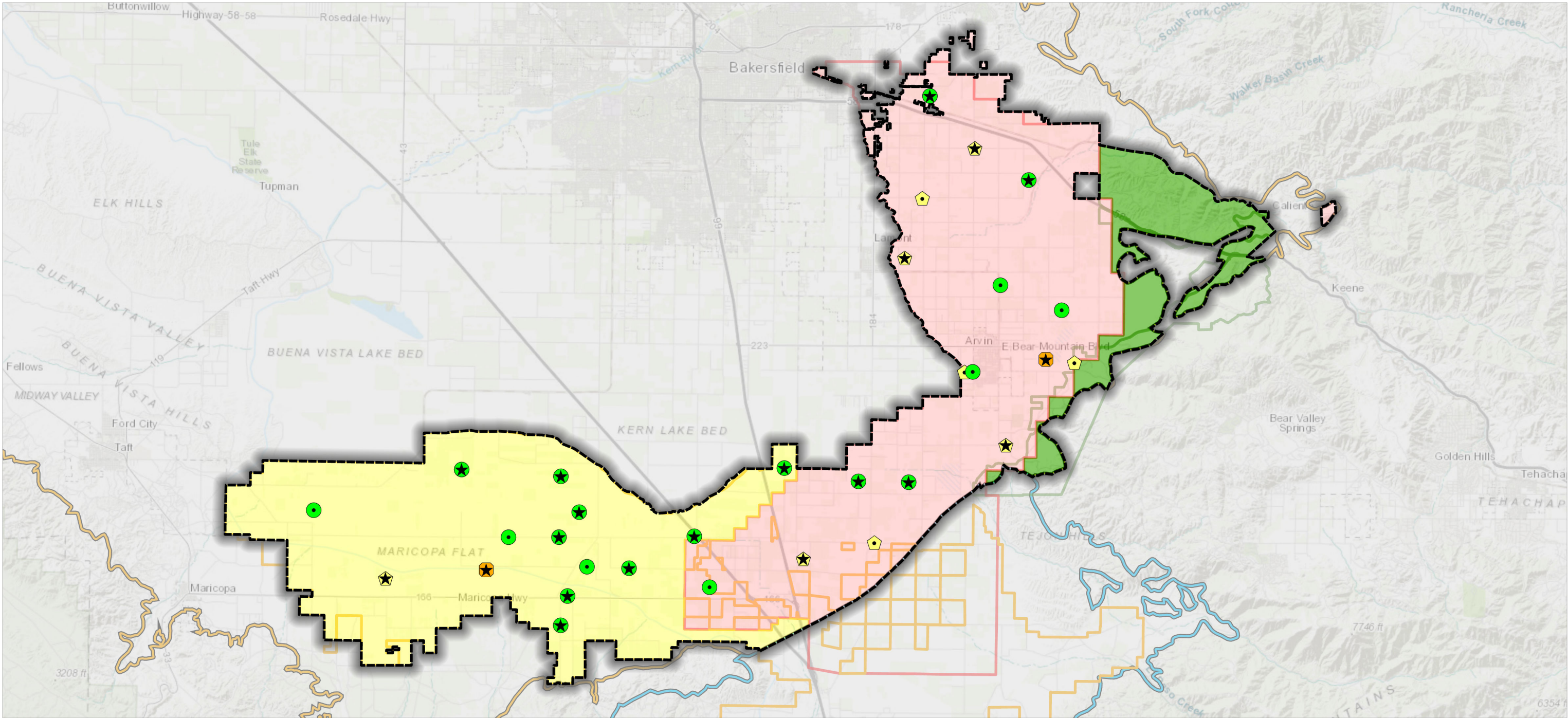
1. **Roll Call**
2. **Consider Approval December 9, 2025 Board of Directors' Meeting Minutes**
3. **Consider Approval of December 2025 Treasurer's Report**
4. **Consider Authorizing Payment of December 2025 Expenses**
5. **Audit Services Proposal**
6. **Reports and Other Action Items**
  - a. Kern County Subbasin Amended GSP
  - b. SGMA Compliance
  - c. Kern Non-Districted Land Authority (KNDLA)
- + 7. **New Business**
8. **Public Comment**
9. **Closed Session Item Descriptions (Gov. Code, § 54956.8):**
  - a. Conference with Legal Counsel Regarding Litigation:
    - i. Gov. Code, § 54956.9(d)(2) [Potential: Significant Exposure to
      - a. Litigation]: One Item.
    - ii. Gov. Code, § 54956.9(d)(4) [Potential: Initiation of
      - a. Litigation]: One Item.

<sup>1</sup> 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.

10. **Reconvene and Report from Closed Session** (Gov't. Code section 54957.1)

11. **Adjourn**





Legend

Representative Monitoring Well and Status as of December 2025

- Water Level Above MO (20 or 63%)
- Water Level Between MO and MT but closer to MO (9 or 29%)
- Water Level Between MO and MT but closer to MT (2 or 6%)
- Water Level Below MT (0)
- No Water Level Measurement (0)

- South of Kern River GSAs
- Arvin GSA
- Wheeler Ridge-Maricopa GSA
- Tejon-Castac Water District GSA
- WRMWSD Service Area
- AEWSD Service Area
- TCWD Service Area

Groundwater Subbasin

- Kern County (DWR 5-022.14)
- White Wolf (DWR 5-022.18)
- Transducer Installed

Abbreviations

- AEWSD = Arvin-Edison Water Storage District
- DWR = California Department of Water Resources
- GSA = Groundwater Sustainability Agency
- MO = Measurable Objective
- MT = Minimum Threshold
- RMW = Representative Monitoring Well
- SGMA = Sustainable Groundwater Management Act
- SMC = Sustainable Management Criteria
- TCWD = Tejon-Castac Water District
- UR = Undesirable Result
- WRMWSD = Wheeler Ridge-Maricopa Water Storage District

Notes

- All locations are approximate.
- Status is based on the SMCs in the 2025 Kern County Subbasin Groundwater Sustainability Plan
- Undesirable Results are deemed to occur if (1) more than 15 drinking water wells within the Subbasin are reported as dry in any given year, or (2) groundwater levels in 25% or more RMWs are below their respective MT over a single year (two consecutive seasonal measurements).

Sources

- Basemap is ESRI's ArcGIS Online world topographic map, obtained 7 January 2026.
- GSA boundaries obtained from SGMA GSA Map Viewer portal, accessed 6 May 2022.
- DWR groundwater basins are based on the boundaries defined in California's Groundwater Bulletin 118 - 2019 Update.



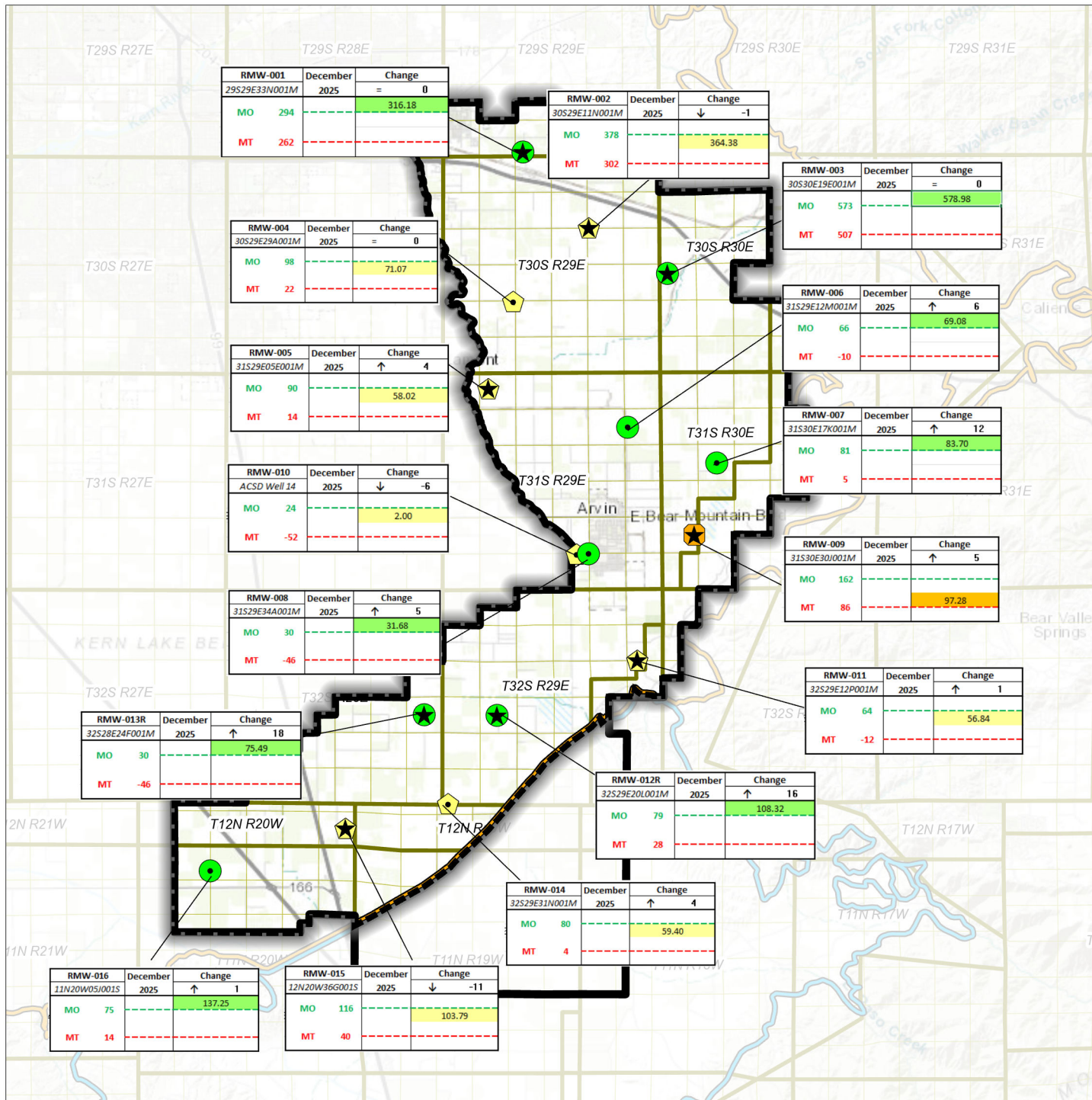
December 2025 Water Levels Relative to SMCs

South of Kern River GSAs  
Kern County, CA  
December 2025  
C20055.00

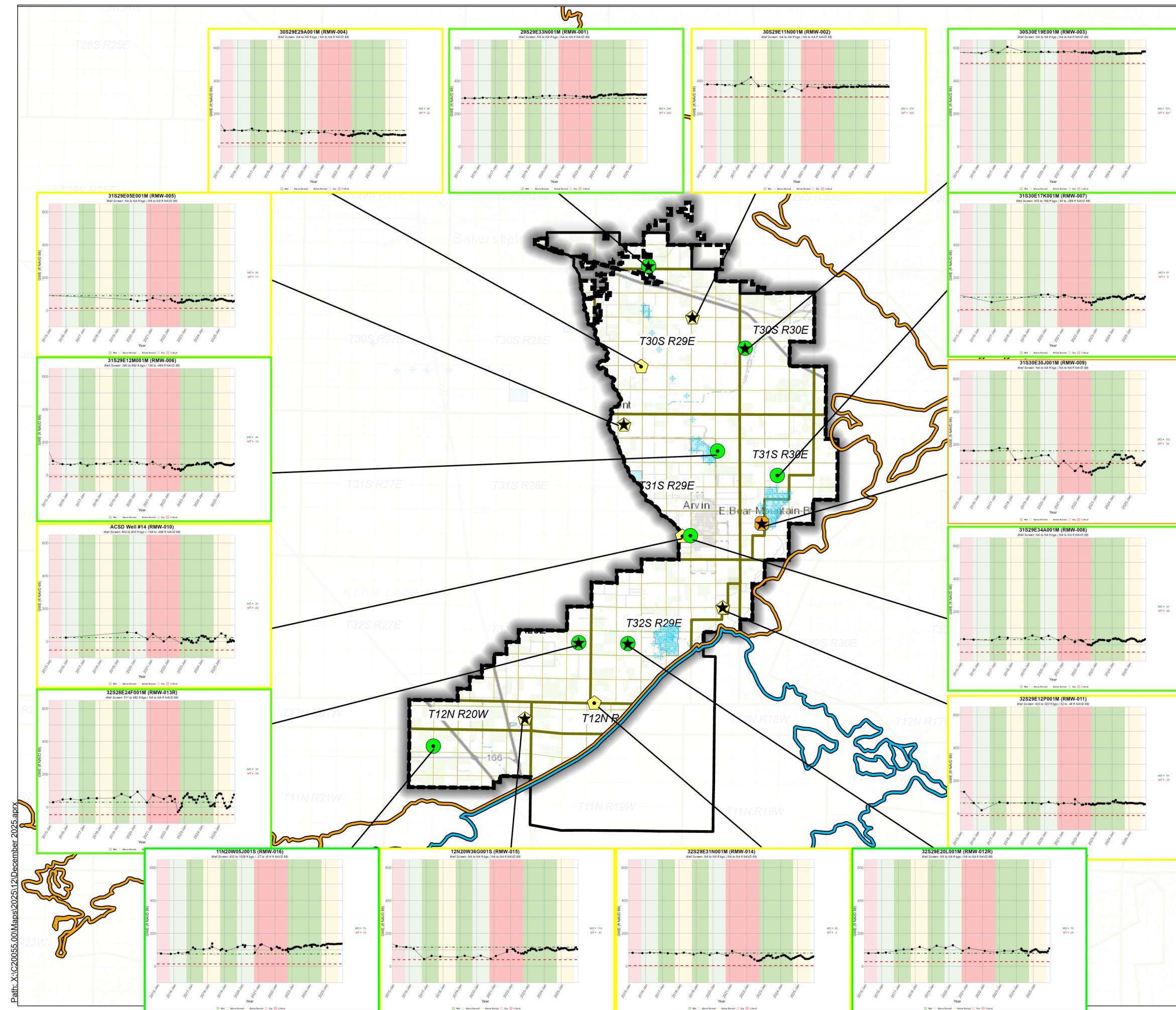
eki environment & water

Figure 1














### Legend

### Representative Monitoring Well and Status as of December 2025

-  Water Level Above MO (8 or 50%)
-  Water Level Between MO and MT but closer to MO (7 or 44%)
-  Water Level Between MO and MT but closer to MT (1 or 6%)
-  Water Level Below MT (0)
-  No Water Level Measurement (0)

☐ Arvin-Edison Water Storage District

 Arvin GSA

## Groundwater Subbasin

- ☐ Kern County (DWR 5-022.14)
- ☐ White Wolf (DWR 5-022.18)

★ Transducer Installed

## Abbreviations

AEWSD	= Arvin-Edison Water Storage District
DWR	= California Department of Water Resources
ft msl	= feet above mean sea level
GWE	= groundwater elevation
MO	= measurable objective
MT	= minimum threshold
RMW	= Representative Monitoring Well

## Notes

1. All locations are approximate.
2. Groundwater elevations are in feet mean sea level.
3. Status is based on the SMCs in the 2025 Kern County Subbasin Groundwater Sustainability Plan.
4. Undesirable Results are deemed to occur if (1) more than 15 drinking water wells within the Subbasin are reported as dry in any given year, or (2) groundwater levels in 25% or more RMWs are below their respective MT over a single year (two consecutive seasonal measurements).
5. All RMW status based on December 2025 measurements.

## Sources

1. Basemap is ESRI's ArcGIS Online world topographic map, obtained 8 January 2026.
2. Water level information obtained from AEWS.



**DRAFT**

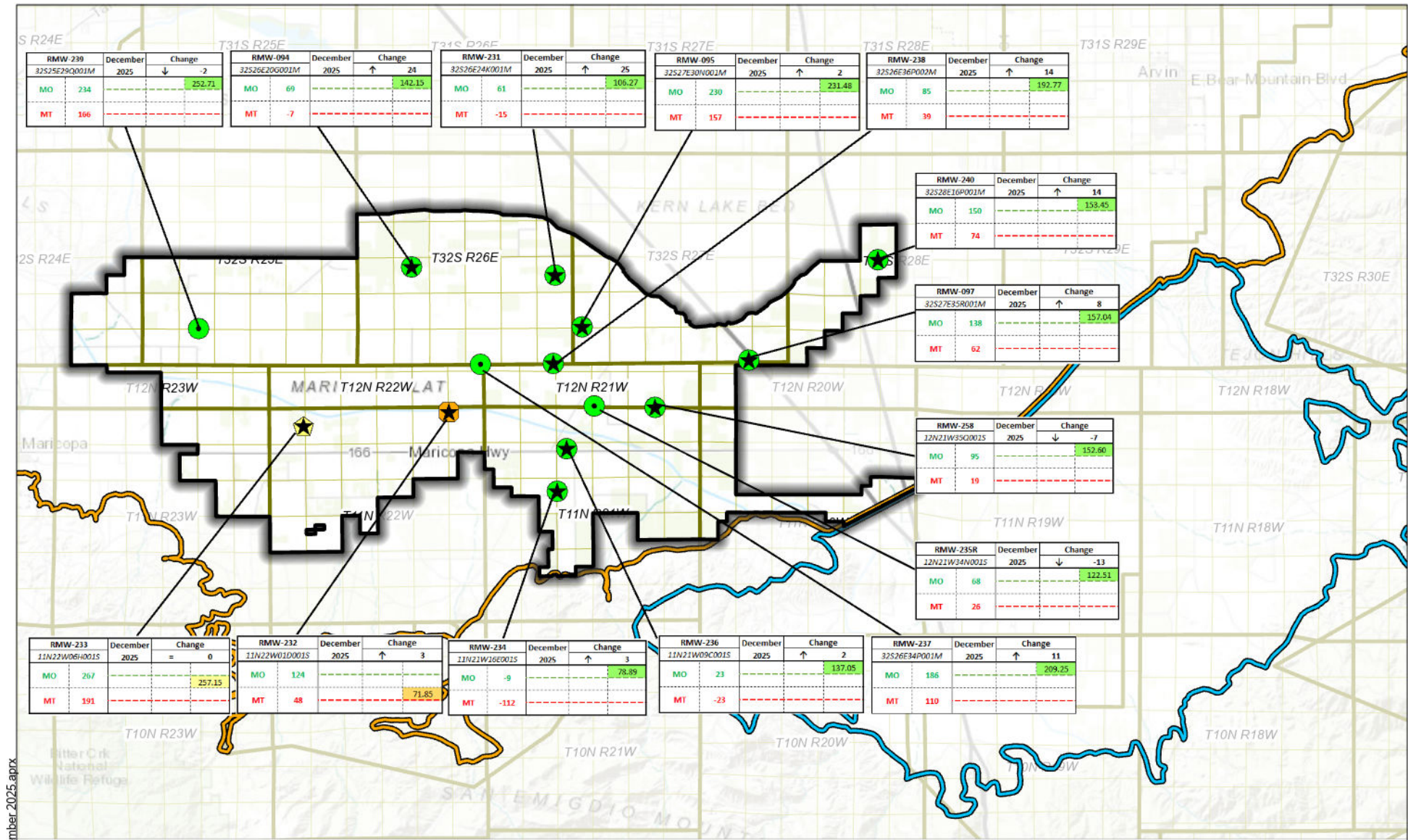
**Hydrographs in Representative  
Monitoring Wells  
(January 2015 - December 2025)**

Arvin-Edison Water Storage District  
Kern County, CA  
December 2025

eki environment  
& water

C20055.01  
**Figure 3**  
160





Path: X:\C20055.00\Maps\2025\12\December 2025.aprx

### Legend

**Representative Monitoring Well and Status as of December 2025**

- Water Level Above MO (12 or 86%)
- Water Level Between MO and MT but closer to MO (1 or 7%)
- Water Level Between MO and MT but closer to MT (1 or 7%)
- Water Level Below MT (0)
- No Water Level Measurement (0)

**Groundwater Subbasin**

- Kern County (DWR 5-022.14)
- White Wolf (DWR 5-022.18)
- Wheeler Ridge-Maricopa GSA
- Transducer Installed

### Notes

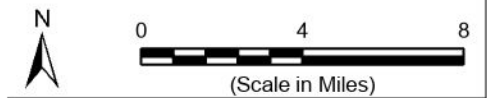
- All locations are approximate.
- Groundwater elevations reported in units of ft msl.
- All water levels collected during December 2025.
- Arrow direction indicates water level change from previous month.
- Status is based on the SMCs in the 2025 Kern County Subbasin Groundwater Sustainability Plan.
- Undesirable Results are deemed to occur if (1) more than 15 drinking water wells within the Subbasin are reported as dry in any given year, or (2) groundwater levels in 25% or more RMWs are below their respective MT over a single year (two consecutive seasonal measurements).

### Sources

- Basemap is ESRI's ArcGIS Online world topographic map, obtained 8 January 2026.

### Abbreviations

DWR = California Department of Water Resources  
 ft msl = feet above mean sea level  
 GSA = Groundwater Sustainability Agency  
 MO = Measurable Objective  
 MT = Minimum Threshold  
 SMC = Sustainable Management Criteria



### Groundwater Levels Relative to SMCs December 2025

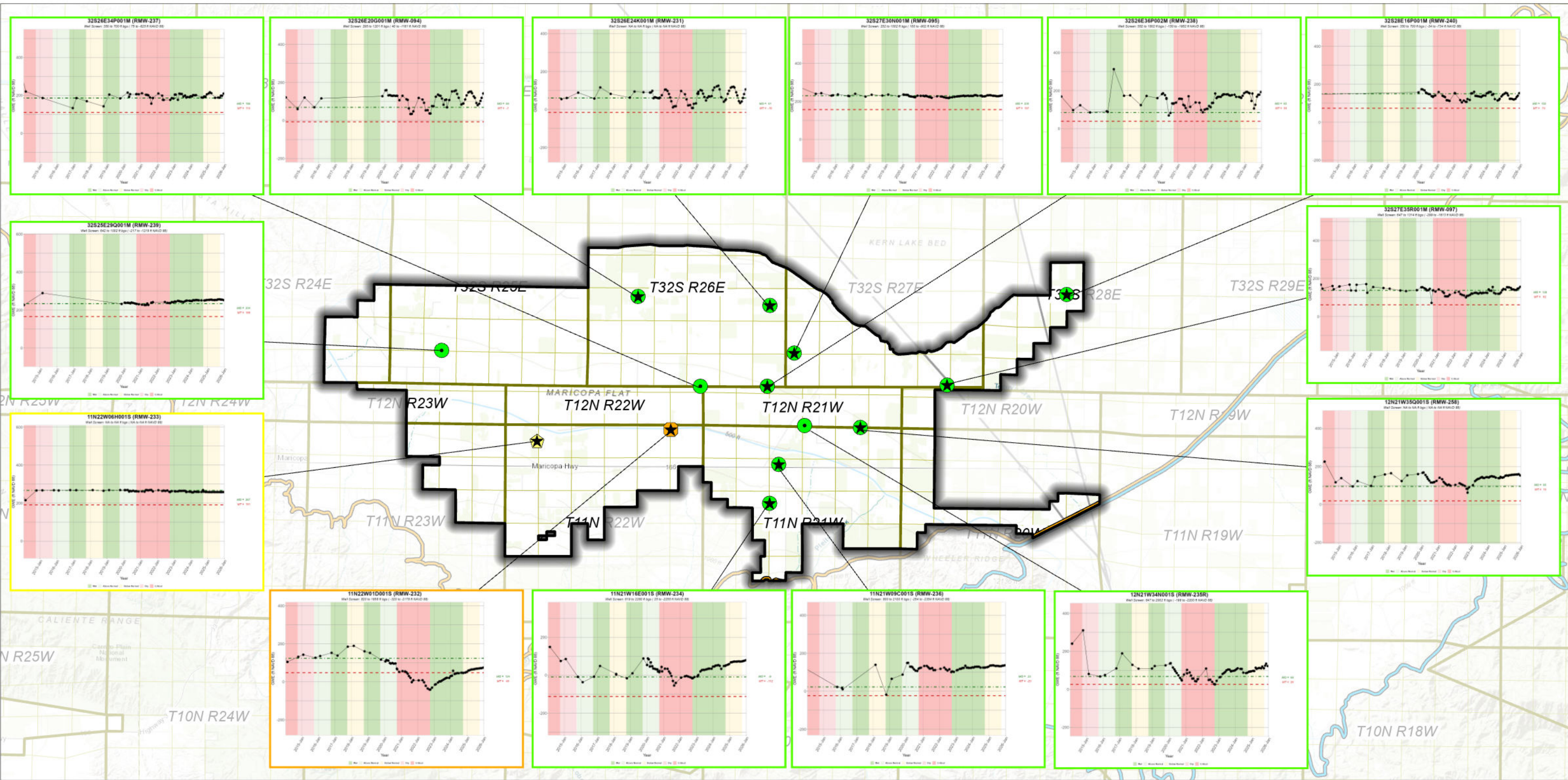
**Wheeler Ridge-Maricopa GSA**  
 South of Kern River  
 Kern County, California  
 December 2025  
 C20055.00



**Figure 9**



Path: X:\C20055.00\Maps\2025\12\December 2025.aprx



## Legend

### Representative Monitoring Well and Status as of December 2025

- Water Level Above MO (12 or 86%)
- Water Level Between MO and MT but closer to MO (1 or 7%)
- Water Level Between MO and MT but closer to MT (1 or 7%)
- Water Level Below MT (0)
- No Water Level Measurement (0)

Wheeler Ridge-Maricopa GSA

### Groundwater Subbasin

- Kern County (DWR 5-022.14)
- White Wolf (DWR 5-022.18)

★ Transducer Installed

## Notes

- All locations are approximate.
- Groundwater elevations are in feet mean sea level.
- Status is based on the SMCs in the 2025 Kern County Subbasin Groundwater Sustainability Plan.
- Undesirable Results are deemed to occur if (1) more than 15 drinking water wells within the Subbasin are reported as dry in any given year, or (2) groundwater levels in 25% or more RMWs are below their respective MT over a single year (two consecutive seasonal measurements).
- All RMW status based on December 2025 measurements.

## Sources

- Basemap is ESRI's ArcGIS Online world topographic map, obtained 8 January 2026.
- Groundwater elevation data provided by WRMWSD.

## Abbreviations

- DWR = California Department of Water Resources
- ft msl = feet above mean sea level
- GSA = Groundwater Sustainability Agency
- MO = Measurable Objective
- MT = Minimum Threshold
- RMW = Representative Monitoring Well
- SMCs = Sustainable Management Criteria
- WRMWSD = Wheeler Ridge-Maricopa Water Storage District



## Hydrographs in Representative Monitoring Wells (January 2015 - December 2025)

Wheeler Ridge-Maricopa Water Storage District  
Kern County, CA  
December 2025  
C20055.00

eki environment & water

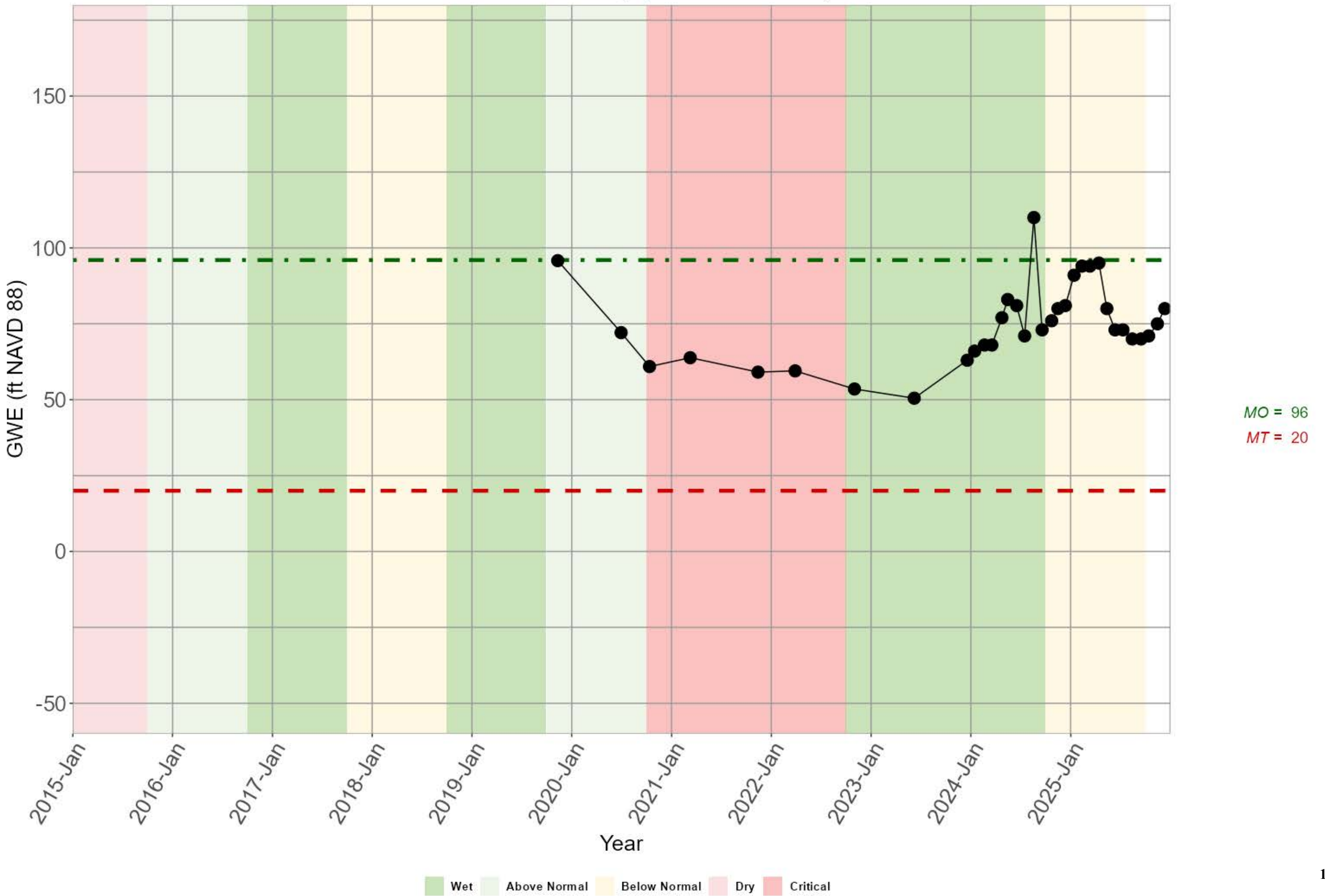
Figure 10

INTERIM FIGURE - FOR INFORMATIONAL PURPOSES ONLY



# Caratan Well (RMW-070)

Well Screen: NA to NA ft bgs ( NA to NA ft NAVD 88)



## KERN NON-DISTRICTED LAND AUTHORITY (FORMERLY KERN GROUNDWATER AUTHORITY)

3200 Rio Mirada Drive, Bakersfield, CA 93308  
Special Meeting of the Board of Directors  
December 15, 2025, 8:00 a.m.

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

<https://us02web.zoom.us/j/87916828311?pwd=MXovFd9w4lFdX8AnOTJBubbKBaglaC.1>

Telephone Dial-in: (669) 900-6833

Meeting ID: 879 1682 8311

Password: 795650

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

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

**1. Roll Call- Quorum Determination.**

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

**2. Flag Salute**

**3. Public Input**

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

**4. Approval of Minutes**

- a. \*October 27, 2025 (Jenny)

**5. Financial Report**

- a. \*Financial Report & Accounts Payables
- b. \*2026 Budget Approval

**6. Administration (Jenny)**

- a. Executive Director Report
- b. Data Gaps Review
- c. Land IQ Water Year Report

- 
- 7. DWR Grant Administration**
    - a. Report on Grant Administration (Jason)
  - 8. County of Kern Participation**
    - a. Kern County Participation Ad Hoc Committee Report (Royce)
  - 9. Legal**
    - a. Statewide Update (Valerie)
    - b. Kern County Well Permitting (Vanessa)
  - 10. New Business**
  - 11. Correspondence**
  - 12. Closed Session**
    - a. KNDLA Manager Ad Hoc Report
  - 13. Adjournment**

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

# **White Wolf Subbasin Groundwater Sustainability Agency**

## **Regular Board Meeting of the Board of Directors**

### **Agenda**

#### **January 6, 2026 at 7:30 a.m.**

*Public may attend in-person, via telephone, or Web-based service:*

In Person: Wheeler Ridge-Maricopa Water Storage District Headquarters  
12109 Highway 166  
Bakersfield, CA 93313

Or Virtual Option:

Go To Meeting: <https://meet.goto.com/911605181>

Call by Phone: (872) 240-3311 Access Code: 911-605-181

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Recognition of Guests**
- 4. Approval of Minutes of the Regular Board Meeting of November 4, 2025**
- 5. Financial Accounting Report (Robert Velasquez)**
- 6. California Department of Water Resources (DWR) SGMA Implementation Round 2 grant update (Angelica Martin)**
- 7. Updates on actions discussed or authorized on November 4, 2025 (EKI)**
  - a. Update on Groundwater Sustainability Plan (GSP) implementation activities
    - i. November and December 2025 groundwater levels
  - b. Periodic Evaluation updates
    - i. Land use trends
    - ii. Approach to Sustainable Management Criteria evaluation
- 8. Correspondence**
- 9. Public Comment**

*At this time, the public may address the Board on any item not appearing on the agenda that is within the subject matter jurisdiction of the Board. Comments will be limited to three minutes.*

#### **10. Consider and provide direction on future agenda items**

#### **11. Adjourn**

*In compliance with the Americans with Disabilities Act, if you need disability-related modifications or accommodations, including auxiliary aids or services, please call Angelica Martin (661) 663-4262.*

# EKI TECHNICAL PRESENTATION

WHITE WOLF GSA BOARD OF DIRECTORS  
6 JANUARY 2026





# OUTLINE

- November & December groundwater levels
- Long-term land use trends
- Approach to Sustainable Management Criteria (SMC) evaluation

# NOV. 2025 MEASUREMENTS COMPARED TO SMCs

Representative Monitoring Wells and Status as of November 2025

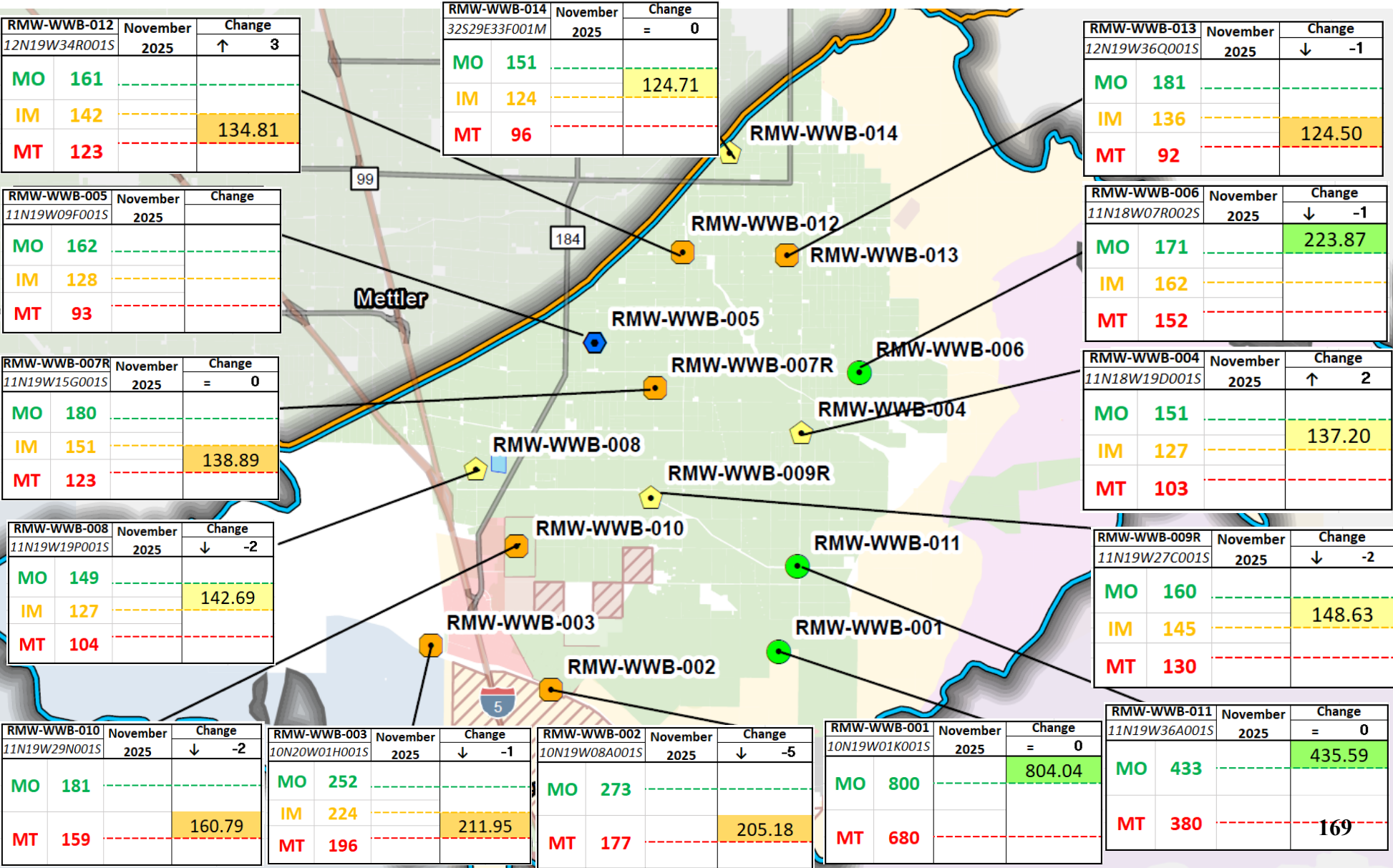
- Water Level Above MO (3 or 21%)
- Water Level Between MO and MT but above IM (4 or 28%)
- Water Level Between MO and MT but below IM (6 or 42%)
- Water Level Below MT (0)
- No Water Level Measurement (1 or 7%)
- Mettler Recharge Project

Groundwater Subbasin

- White Wolf (DWR 5-022.18)
- Kern County (DWR 5-022.14)

R = Replacement

- UR = MT exceedance in 40% of RMW-VWL for 2 consecutive Falls
- URs not occurring
- Where IM not shown, IM = MO
- RMW-WWB-005: Continue to explore data gap and pursue future grant funds to fill





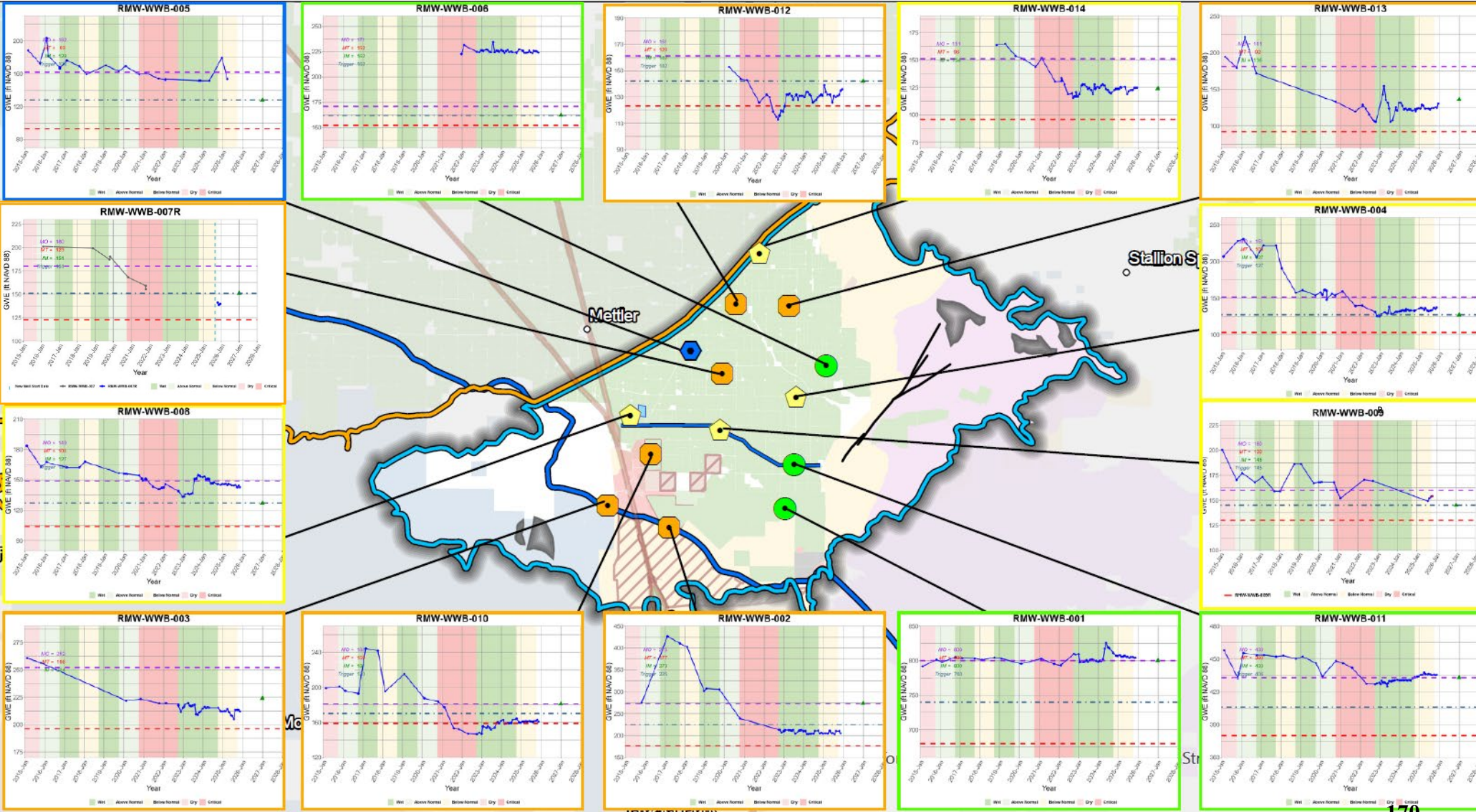
# RMW-WL HYDROGRAPHS

Representative Monitoring Wells and Status as of November 2025

- Water Level Above MO (3 or 21%)
- Water Level Between MO and MT but above IM (4 or 28%)
- Water Level Between MO and MT but below IM (6 or 42%)
- Water Level Below MT (0)
- No Water Level Measurement (1 or 7%)
- Mettler Recharge Project
- Groundwater Subbasin
  - White Wolf (DWR 5-022.18)
  - Kern County (DWR 5-022.14)

R = Replacement

- UR = MT exceedance in 40% of RMW-WL for 2 consecutive Falls
- URs not occurring
- RMW-WWVB-005: Continue to explore data gap and pursue future grant funds to fill



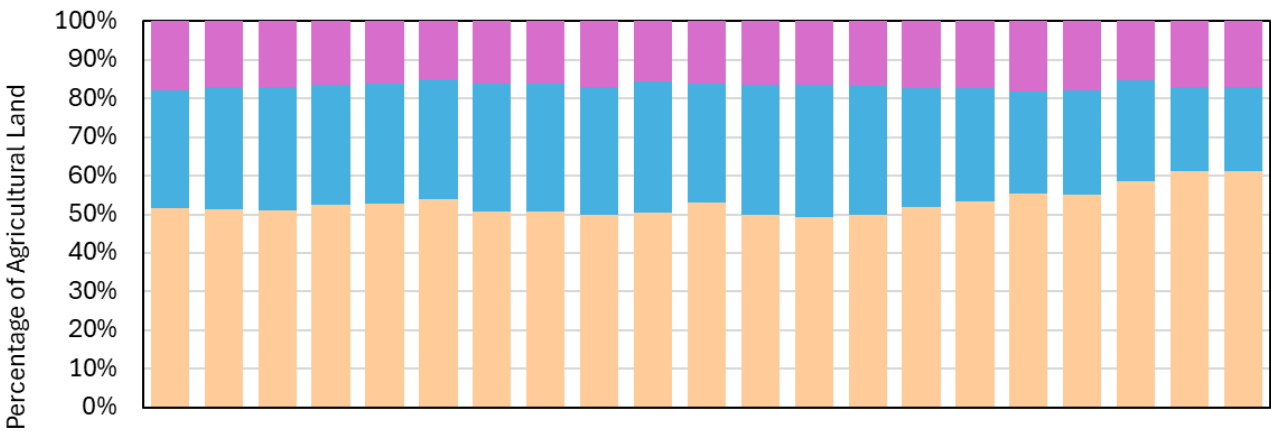
# REPORTING UPDATES

- Fall 2025 monitoring period: Oct 1<sup>st</sup> through Nov 15<sup>th</sup>
  - Groundwater level data uploaded to DWR on 12/19/2025
  - No groundwater level MT exceedances and no Undesirable Results
- Annual report data processing and model extension ongoing

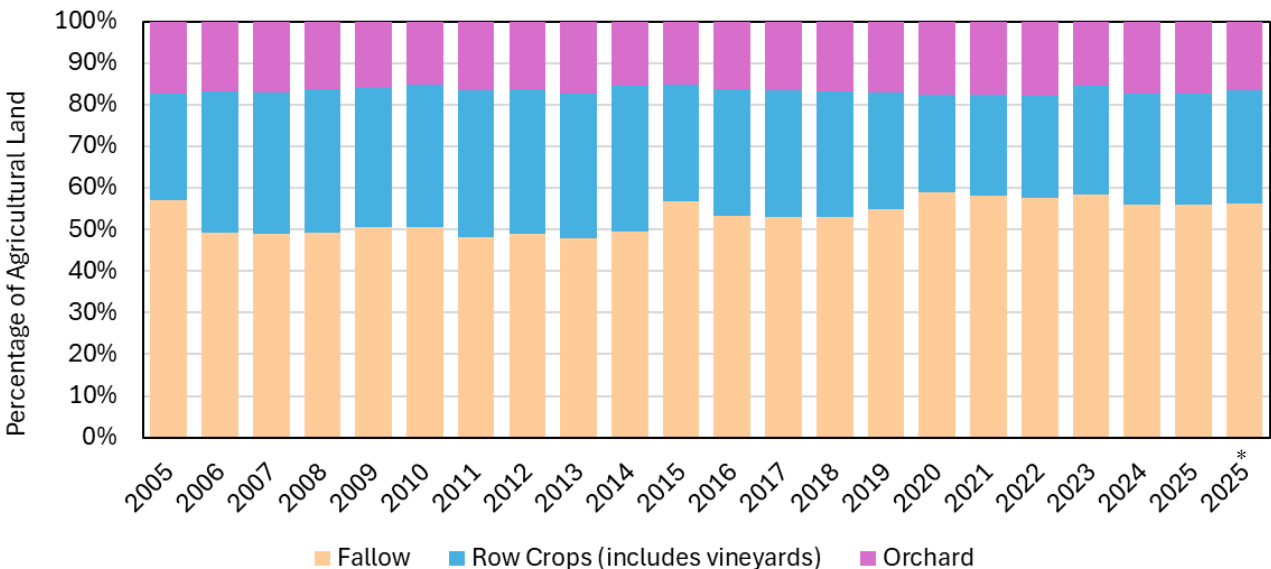
# LONG-TERM LAND USE TRENDS

- Slight shift from row crops to fallow since mid-2010's
- Minor increase in orchards

Spring Land Use



Fall Land Use



\*Crop acreages based on district-provided crop maps, except for 2025. 2025 based on Land IQ crop map and 2024 fallowed acreage in areas not covered by Land IQ. To be updated with district-provided data.

# APPROACH TO SMC EVALUATION

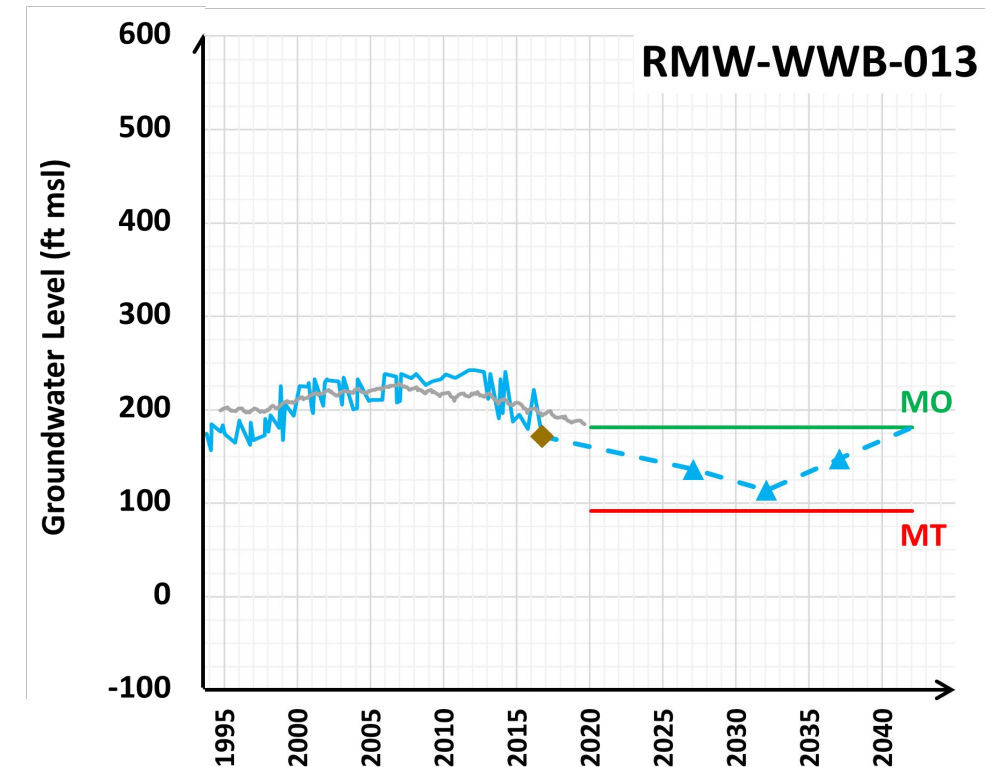
# GROUNDWATER LEVEL (GWL) SMCS

- Assessed recently collected data and past exceedance investigation reports and have revised MOs and MTs in two wells (RMW-WWVB-006 and RMW-WWVB-010)
- Confirmed MOs and MTs from defunct wells are reasonable for new replacement wells
- Assessed recent GWL trends against Interim Milestones
  - Updates needed for agreement with updated MOs/MTs (RMW-WWVB-006 & -010) and current GWL trajectories



# PREVIOUS (2022 GSP) GWL IM METHODOLOGY

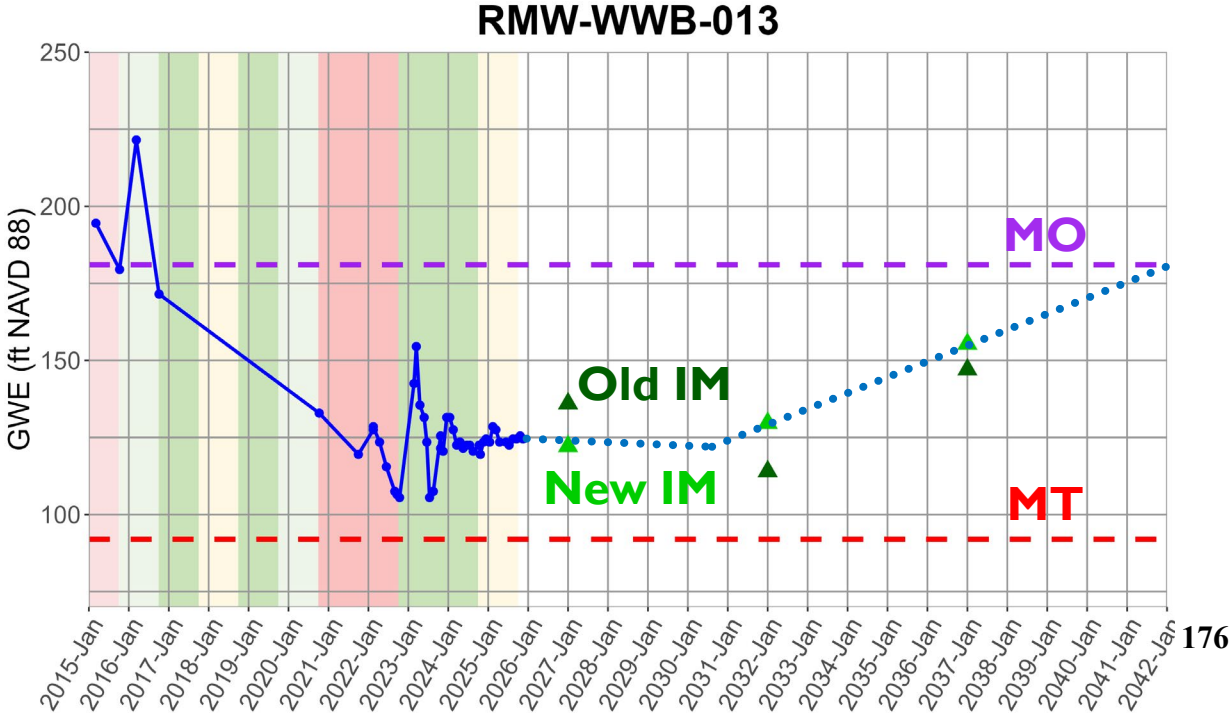
- If 2015 – 2019 GWL trend is stable to increasing above MO:
  - All IMs = MO
  - Trigger threshold established at mid-point between MO and MT
- Otherwise, glide path with:
  - Downward trend continuing through 2032 to low of 75% of the operational flexibility
  - Reversal to increasing trend 2032 to 2042



# POTENTIAL GWL IM REVISION METHODOLOGY

- Project Oct. 2022 – Nov. 2025 trend through 2030
- Assume linear path from projected 2030 GWL to MO in 2042
- Projected GWLs in 2027, 2032, and 2037 become IMs
- Cap maximum IMs at MO
- No trigger thresholds

Median Change by Year		
2027	2032	2037
0%	+5%	+2%

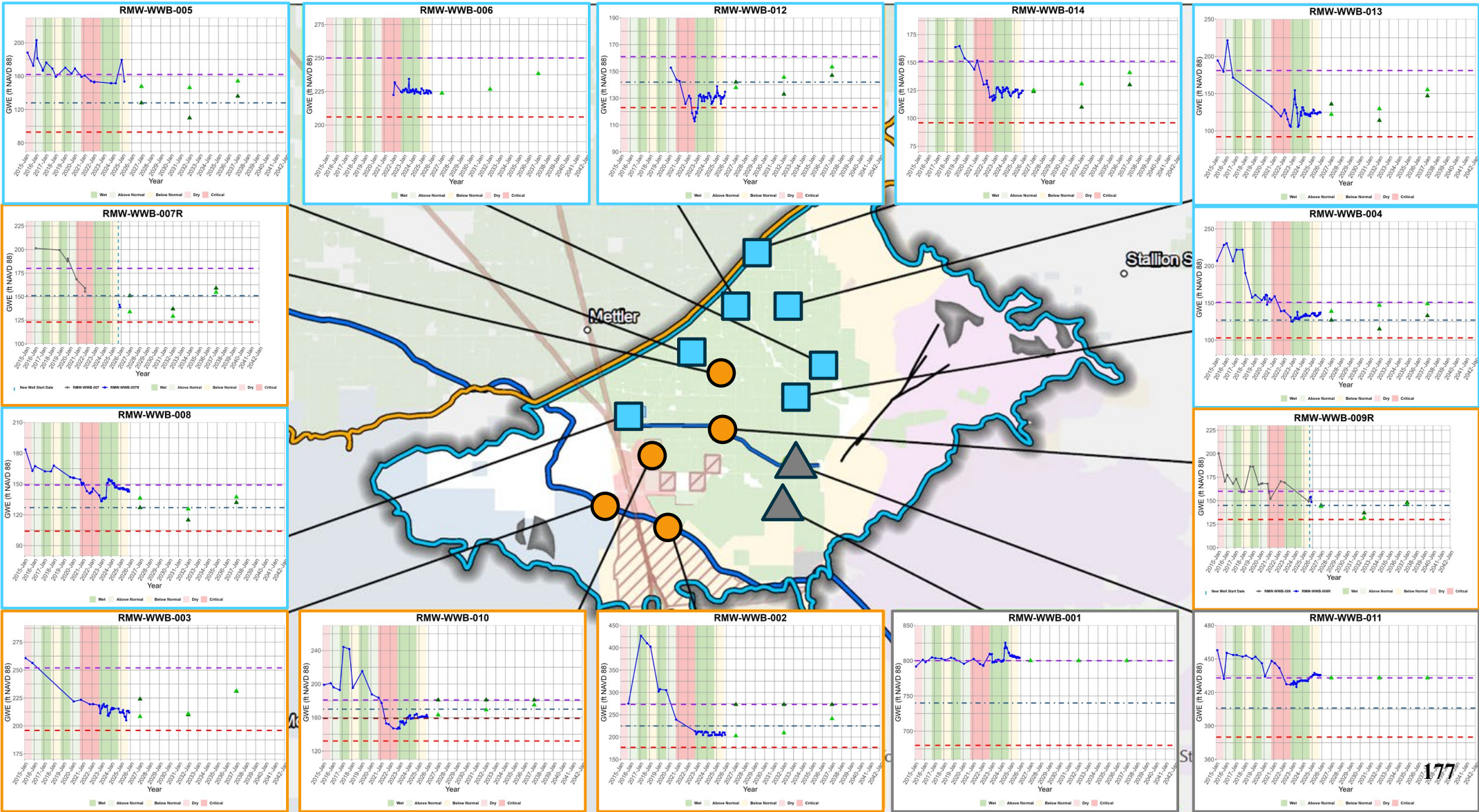


# POTENTIAL UPDATED GWL IMs

Average IM change

- Increase
- ▲ No change
- Decrease

- MO
- MT
- Old Trigger
- Old MT (RMW-WWB-010)
- ▲ Proposed IM
- ▲ Old IM



## NEXT STEPS FOR GWL IMs

- Conduct future modeling to confirm glide path is reasonable with suite of Projects and Management Actions (P/MAs) timing and benefits under various future climate change conditions
- Adjust IMs and/or P/MAs, if warranted
- Document findings in Periodic Evaluation and revise GSP, if warranted

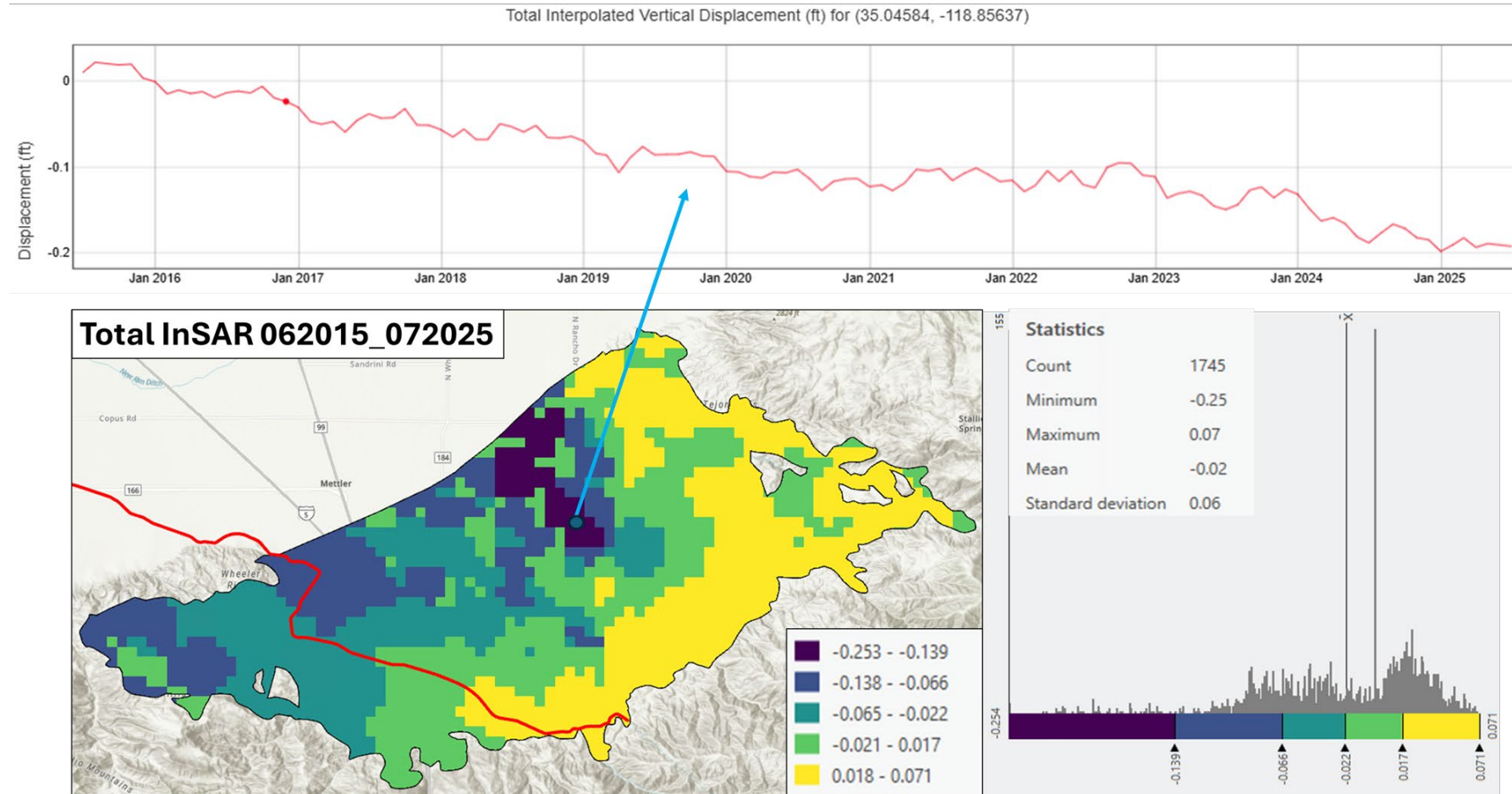
# LAND SUBSIDENCE SMC CONTEXT

- Subsidence UR occurs if there is *subsidence-related damage to critical water conveyance infrastructure (i.e., the California Aqueduct and the 850 Canal), resulting in a loss of functional capacity of the infrastructure that prevents conveyance of available volumes of water that could otherwise be conveyed if the subsidence had not occurred.*
- 2022 GSP used GWL as a proxy for subsidence SMCs
- DWR RCAs 3-4 recommend setting subsidence SMCs directly and establishing representative monitoring network



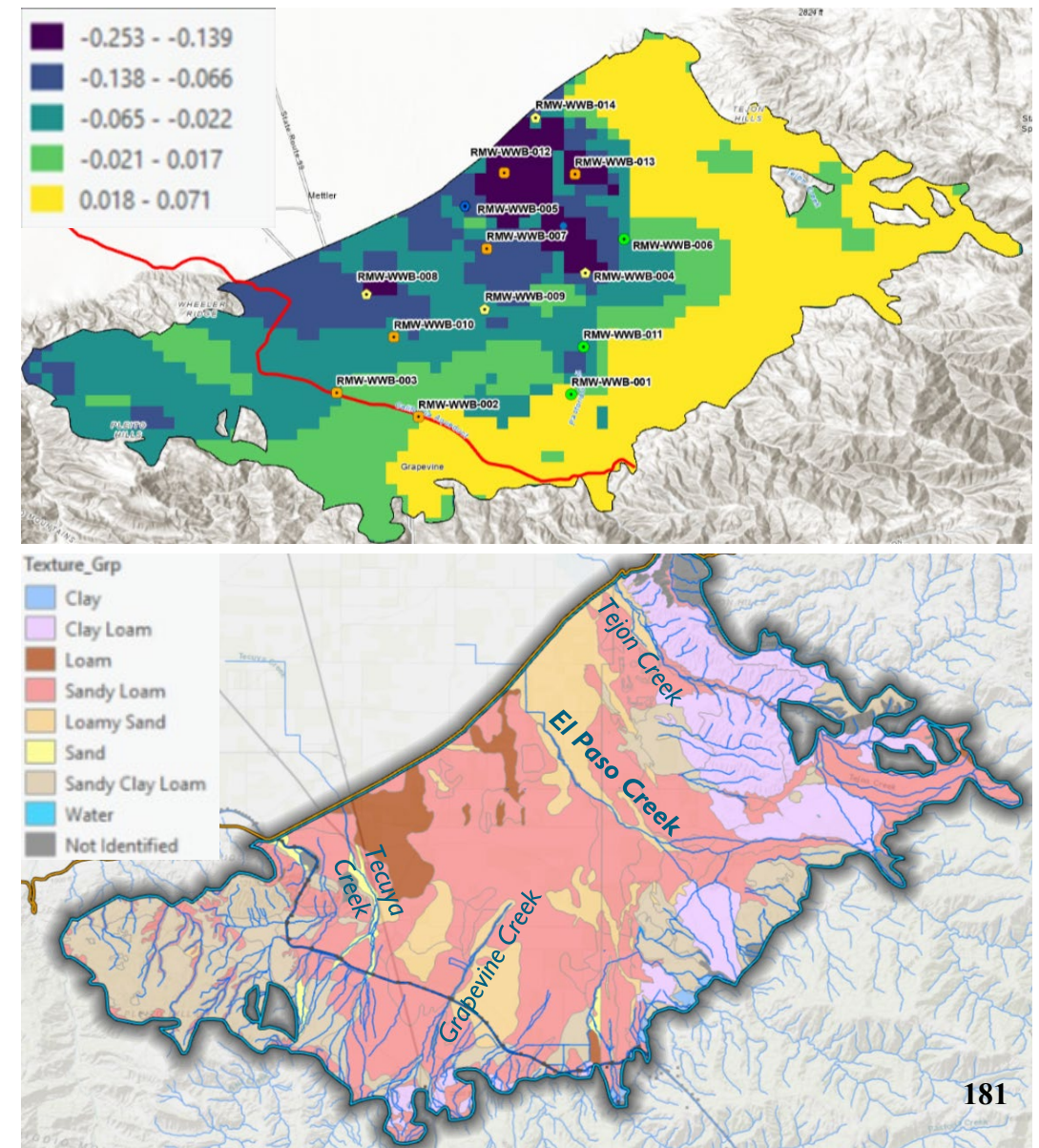
# WWB HAS EXPERIENCED VERY LITTLE LAND SUBSIDENCE

- InSAR data indicates since 2015:
- Average subsidence is 0.02 feet
- Maximum subsidence is 0.25 feet



# SUBSIDENCE DATA EXPLORATION

- Highest subsidence occurs near El Paso Creek and closely align with the spatial distribution of loamy sand





# EXPLORING OPTIONS FOR LAND SUBSIDENCE SMCS

- Basin-wide rate and total extent:
  - Translate a historically observed extent into a rate and project forward
  - Some small total extent value (e.g., 1 to 2 feet)
  - Maximum annual rate observed across the Subbasin
- Infrastructure-specific values:
  - Historical rate projected forward, reduced where there is insufficient freeboard (similar to approach in Kern)
  - Identify and evaluate feasibility of potential targeted P/MAs

# LAND SUBSIDENCE RMN PROPOSAL

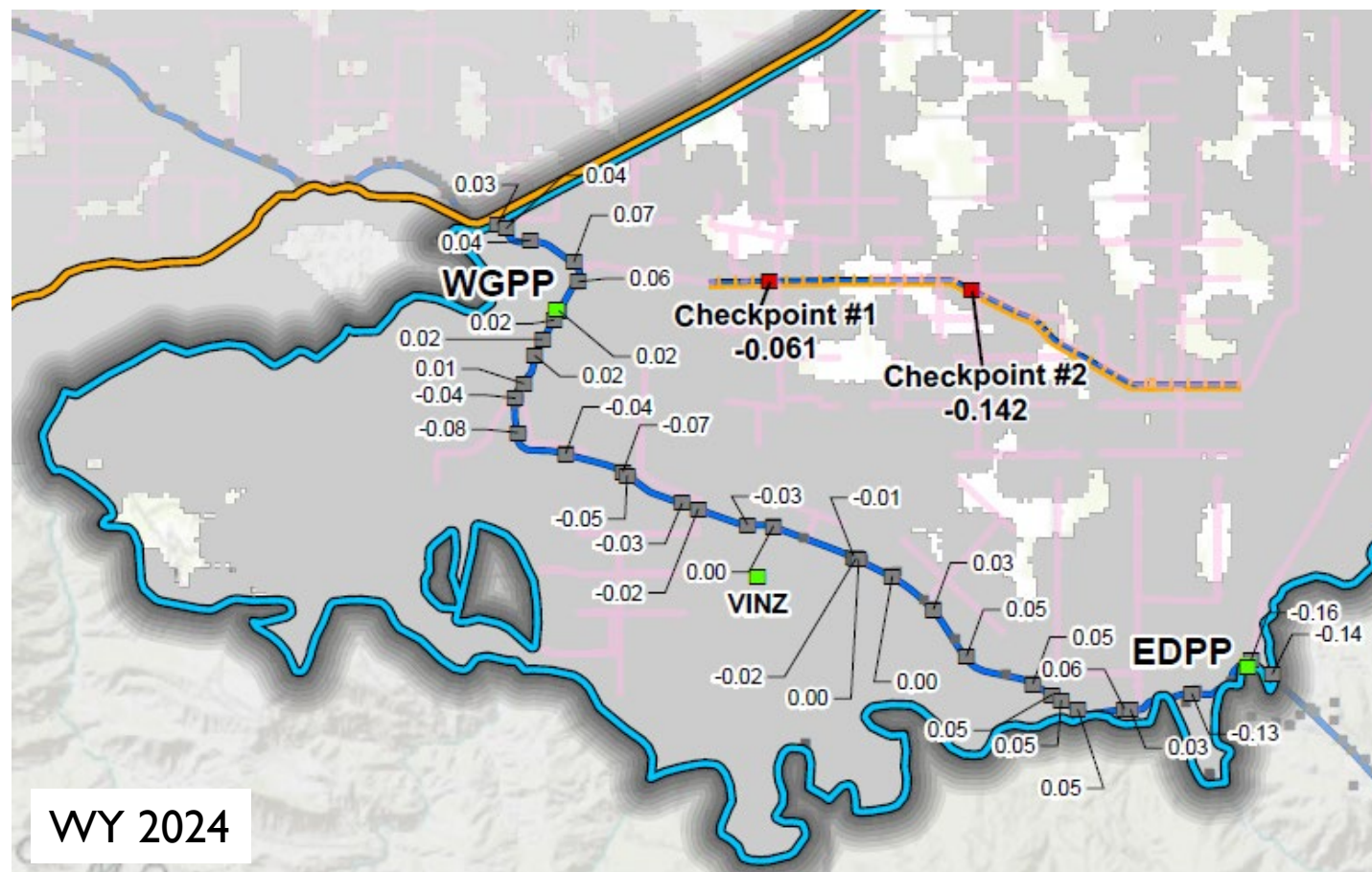
- New Representative Monitoring Network

- 15 survey marks on California Aqueduct (at nearest whole milepost)

- Basin-wide InSAR

- Supplemental to validate InSAR:

- 2 checkpoints on 850 Canal
- 2 UNAVCO GPS stations (WGPP and EDPP)
- SOPAC GPS station VINZ

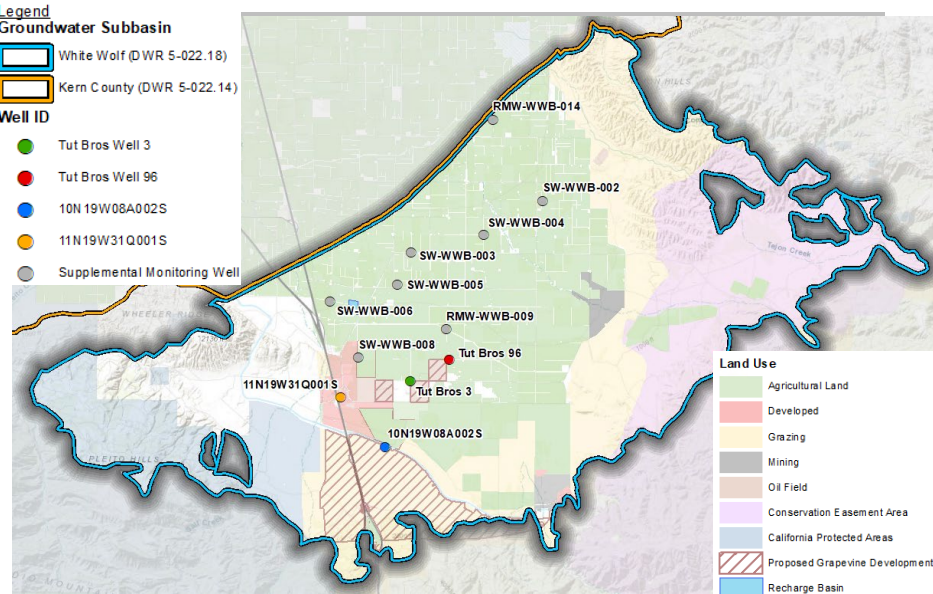


# WATER QUALITY SMC CONTEXT

- Screening conducted on available recent data (WY 2015-2019) for all constituents with established primary MCLs
  - Exceedance in >15% of wells = Constituent of Concern (COC)
  - COCs were defined as arsenic, selenium, and nitrate
- Established MTs as the primary MCLs at 4 representative monitoring wells (RMW-WQ):
  - Two Tut Bros public water system wells
  - Two TCWD public water system backup wells

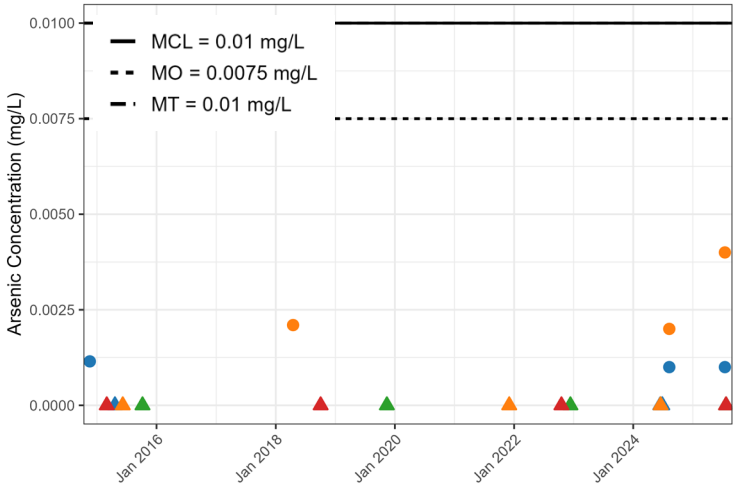
# WATER QUALITY APPROACH

- Re-examined recent (WY 2021-2025) concentrations in RMW-WQ and supplemental monitoring wells
  - 2 wells with arsenic MCL exceedances (12%)
  - 67% of wells with nitrate MCL exceedances
  - No selenium MCL exceedances
  - All 4 RMW-WQ have concentrations below the MCL/MT for the 3 COCs
- Assess whether COCs remain the same using the State Water Resources Control Board (SWRCB) ≥3 non-monitoring wells with exceedances criterion



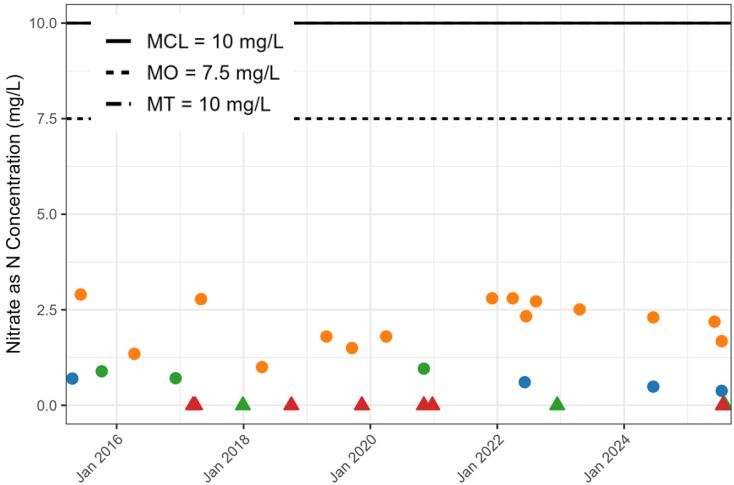
Water Quality Trends – RMW Wells

Analyte: Arsenic



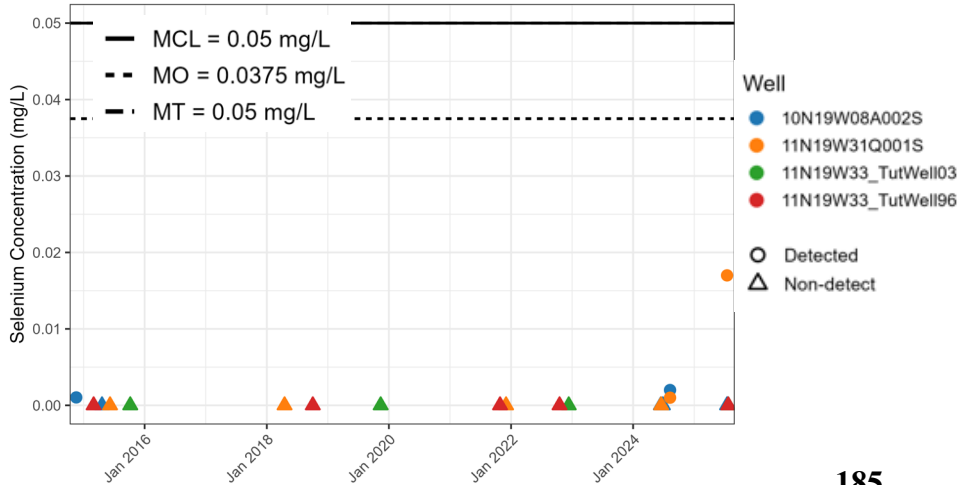
Water Quality Trends – RMW Wells

Analyte: Nitrate as N



Water Quality Trends – RMW Wells

Analyte: Selenium



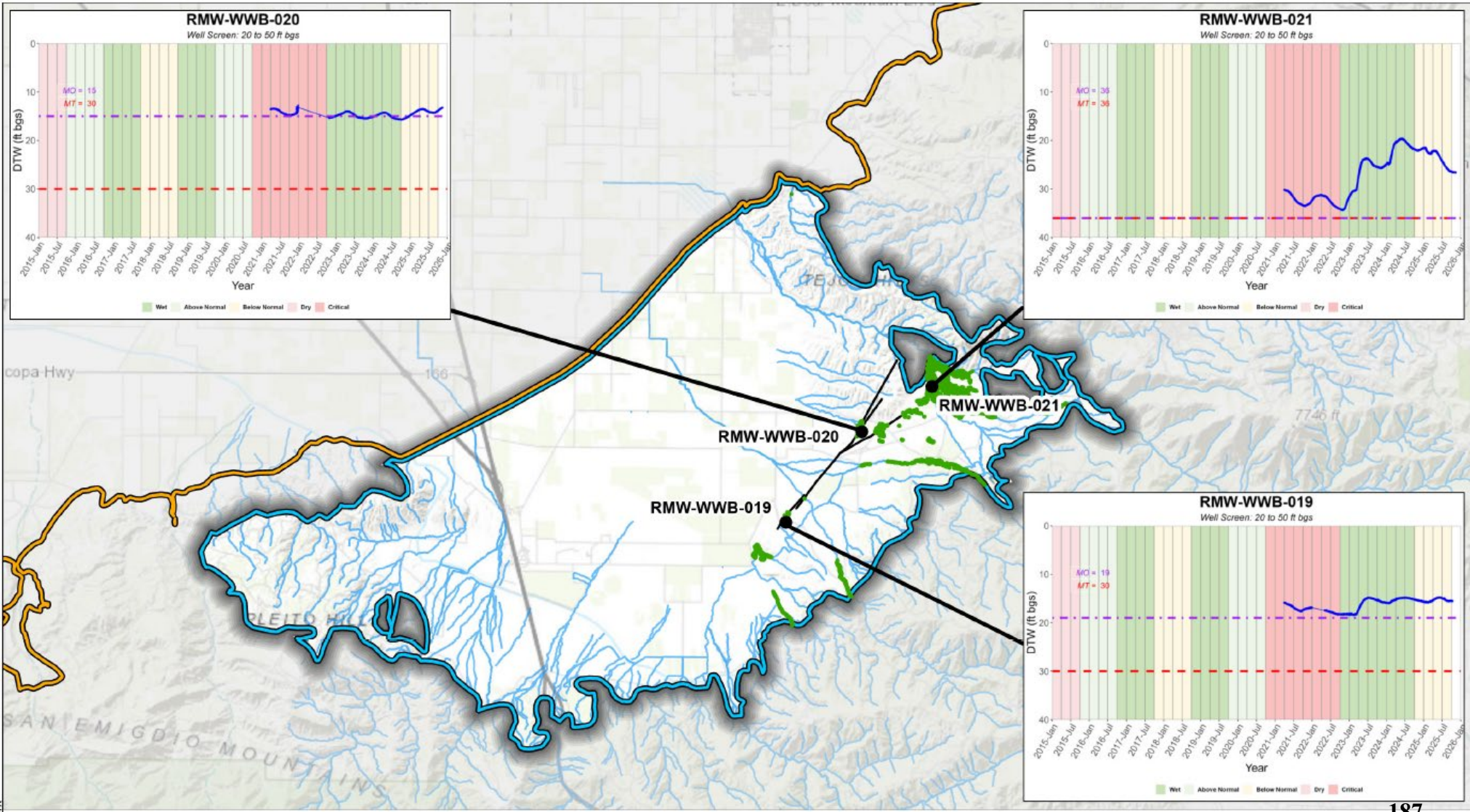
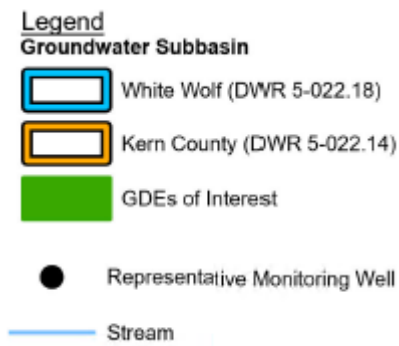
# INTERCONNECTED SURFACE WATER (ISW) SMC CONTEXT

- 2022 GSP
  - *UR = 30% reduction of, or visual impact to, the health of GDEs based on their conditions observed during 2018 through 2020 that can be directly attributed to Principal Aquifer pumping-related lowering of groundwater levels rather than the effects of natural or climatic processes.*
  - Initial MT = the lower of:
    - Projected DTW at the end of Oct 2021
    - 30 ft bgs
  - *If the data collected during these efforts [1<sup>st</sup> 5 years of data collection] indicates any influence from Basin pumping on the adjacent GDE units, the preliminary MTs for this Sustainability Indicator will be revised and reevaluated as appropriate.*
- DWR's approval letter states:

*If it is determined that interconnected surface water is present, the GSA should provide an estimate of the quantity and timing of depletions of those interconnected surface water systems and establish a monitoring network and sustainable management criteria for this sustainability indicator.*



# INTERCONNECTED SURFACE WATER HYDROGRAPHS



# INTERCONNECTED SURFACE WATER APPROACH

- Confirmed that there are no anticipated stream depletions due to agricultural pumping using the WWGFM
- Confirm GDE status and health over last 5 years – ongoing, draft results anticipated in January
- Present findings of no interconnected surface water features to Principal Aquifer in Periodic Evaluation
- Anticipate formalizing preliminary SMCs that use groundwater levels from the shallow dedicated monitoring wells above the Springs Fault as proxy
  - Proposed SMCs to be developed in February



# QUESTIONS



# COMMITTEE FOR DELTA RELIABILITY

## AGENDA

Date: Tuesday, January 13, 2026  
 Time: 1:00 pm – 2:30 pm  
 Location: Zoom

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### 1. Administration

- a. October 14, 2025, Meeting Notes (Brad S.)– **(Page 2)**
- b. Financial Report – WRMWSD **(Page 4)**
- c. Date of Next Meeting: April 14, 2026

### 2. Center for California Water Resources Policy and Management

- a. Blog Activity (Dennis M.)

### 3. Project Operations (Paul W.)

- a. USBR Action 5
- b. State Incidental Take Permit Amendment **(Page 9)**
- c. State Water Board Bay Delta Plan Update & Voluntary Agreements

### 4. Other Federal Efforts (Paul W.)

- a. H.R. 1897 (Westerman) – ESA Amendments Act of 2025
- b. Proposed ESA Regulatory Changes **(Page 13)**

### 5. Other State Efforts (Paul W.)

- a. White Sturgeon Listing
- b. Delta Conveyance Project Rulings
- c. Agency Leadership Changes

## National Academies Committee Report Does Little to Advance a “Scientific” Understanding of the Causes of the Delta Smelt’s Decline and What Resource Managers Can Do to Reverse It

Dennis D Murphy

12 January 2026

Two years ago, the Bureau of Reclamation engaged the National Academies by sponsoring the Committee on Long-term Operations of the Central Valley Project and State Water Project. The intent was to get much-needed direction to guide conservation efforts targeting the famously embattled delta smelt, along with the other endangered fishes that inhabit or migrate through the Sacramento-San Joaquin Delta. The Committee empaneled by the Academies, the nation’s top science advisory body, delivered its first report last month.

More than three decades after the delta smelt’s listing as a threatened species under the federal Endangered Species Act (ESA) and after many hundreds of millions of dollars spent by federal and state resource-management agencies on “science” targeting the species, Reclamation had formally acknowledged that management actions to alter the downward trajectory of the delta smelt had, in a word, failed.

The Committee was asked to assess the state of science as it relates to --

- augmentation of Delta through flow, intended to enhance “summer–fall habitat” for the critically imperiled delta smelt,
- Old and Middle River (OMR) flow management in the south-central Delta, which is intended to reduce losses of desired fishes, particularly salmonids at the export pumps, and
- cold-water pool management behind Shasta Dam, which influences survival of winter-run salmon

All are ongoing management actions that impact the volume and timing of freshwater available for export to agriculture and urban water users from the south Delta. Additionally, the Committee was asked to provide recommendations on how modeling and monitoring strategies and decision-support tools can be changed, improved, or replaced to assess more accurately the impacts of water-project operations on the target species. Two years in the making, the Academies' Committee report makes a number of useful recommendations to improve the science needed to inform management, particularly for Chinook salmon.

Unfortunately, when it comes to delta smelt, the task statement given to the 17-member panel lacked a clear and complete articulation of the existing resource management challenge nor was the panel provided a thorough accounting of the data, analyses, modeling, and other pertinent information necessary to their tasking. Moreover, the vague direction to the Committee -- "assessing the state of the existing science" -- clearly fell short of the resource agencies' need for the Committee to address and evaluate the reliability and applicability of available "scientific" information to the daunting challenge of saving the conservation-reliant delta smelt while meeting the water supply needs of state and federal water-project operations.

With their actual tasking in hand, unsurprisingly, the Committee found the state of the science necessary to meet the complex challenge of serving the two competing "co-equal goals" to be lacking. But rather than articulating what scientific tools and approaches are needed to generate the information necessary to guide responsible conservation actions for delta smelt, the report largely defaults to a basic and unhelpful recommendation -- that more studies are needed. While that's not an impertinent observation, the report offers little explicit guidance toward identifying, addressing, and resolving the scientific uncertainties that have hampered the implementation of conservation actions that might reverse the decline of delta smelt.

Preserving native species in the greatly altered Delta ecosystem is challenging and may even be infeasible. The science needed to inform management decisions is exceptionally complex. To meet the coequal goals put forth in the state's Delta Act of 2009 -- "providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem" -- is more than a daunting task. An effective conservation plan requires an understanding of the environmental needs of a species throughout its life cycle and the resources that are available in order to determine what factors limit the recovery of the species, and then what management actions are most likely to remove those limitations. Such a systematic approach has not been applied by resource managers in the Delta.

For the past 15 years, state and federal wildlife agencies have directed state and federal water-resource agencies to augment freshwater outflow through the Delta, ostensibly

increasing the location, extent, and quality of delta smelt habitat in the San Francisco Estuary's low-salinity zone. The Summer-Fall Habitat Action (SFHA), facilitated by releasing water from reservoirs and reducing freshwater exports to agriculture and urban users south of the Delta, allowing more freshwater to flow to the Pacific Ocean, has been an action favored by the California Department of Fish and Wildlife and certain environmental organizations, but is inconsistent with the intent of the Governor's Executive Order issued in January last year. The SFHA increases the area of low-salinity conditions in the San Francisco Estuary, particularly in Suisun Bay. Flow augmentation actions targeting the delta smelt population have been supported by several flawed studies, while more than a dozen peer-reviewed and published studies have not shown flow augmentation to benefit the fish.

Both the Delta fish and wildlife agencies and the Committee report fail to recognize that the limiting environmental factor for delta smelt – the most likely factor that must be addressed by resource management actions -- is food availability. And, while increased outflow through the Delta can transport the fish's food from fresher upstream situations to more saline areas downstream, even with an upstream subsidy the supply of food downstream likely is insufficient to sustain delta smelt. At the same time, the food supply upstream, where most of the beleaguered delta smelt population appears to be located, predictably is depleted.

The National Academies Committee concluded that the greatest uncertainty attending flow augmentation actions is the inability to detect a response in the delta smelt population. Normally, the "inability to detect a fish response" would indicate a failure either of the targeted management action or of design of the attending monitoring scheme. Yet rather than communicate either or both of those straightforward conclusions, the Committee report promotes more predictive modeling using deficient survey data based on a series of environmental triggers to inform a decision process. The failure to communicate one or both of those conclusions is a real missed opportunity

The ecological factors limiting size of the delta smelt population, the fish's patterns of dispersal and triggers for its movements, reasonable proxy measures for use in modeling its habitat and population responses to environmental variation in space and time, and other salient up-to-date information was ignored by the Committee. The report selectively draws "facts" and elements from a decade-old interagency report. That agency report offers an under-informed conceptual model, draws conclusions regarding the effects of Delta out-flow on delta smelt that ignore the past decade of drought and deluge years, and functionally overlooks the species' current highly restricted distribution and actual abundance -- as well as the fact that the resource agencies are now managing a population that is predominantly, if not entirely, made

up of hatchery-origin delta smelt. That approach falls far short of rigorous effects analyses required to inform and guide management decisions.

The Committee report defaults to observing that “None of the routine monitoring plans includes direct measurements of vital rates (e.g., growth, survival), which limits the ability to detect the effectiveness of the [SFHA] action on Delta smelt.” It is well-established that data derived from long-standing fish surveys focused on the Delta provide sparse and unrepresentative information to guide conservation planning for delta smelt and longfin smelt. The lack of management-relevant information derived from targeted monitoring of those two fishes is the greatest and most pernicious shortcoming of the current costly scientific enterprise in the Delta. Yet the Committee offered no suggestions how the resource agencies might improve fish monitoring programs – or if they even can be improved.

The two-year Committee engagement is set to be repeated into the foreseeable future. That may explain, at least in part, why the report lacks commentary regarding the absence of formal, standing structured decision-making (SDM) in the Delta and the requisite adaptive resource management (ARM) approaches that SDM enables. SDM and ARM can produce sound, scientifically defensible and environmentally responsible water-allocation strategies and tactical responses and may serve as a productive complement to the engagement of the National Academies.

If future products from the National Academies are to have management relevance, the Committee should consider these issues –

- The next task statement should be precisely articulated and narrowly focused to resolve controversial management issues. Resource managers are seeking guidance that can be translated into explicit management actions and appropriately rigorous monitoring programs. Both should be set in experimental frameworks competent to evaluate the effectiveness of directed management actions.
- Committee recommendations should be accompanied by a detailed explanation of the basis for the recommendation. Should a recommendation call for adjusting or retiring an ongoing management action, it should present alternatives that are better supported by the available scientific information and describe the analyses necessary to evaluate the effectiveness of the alternatives. In the case of delta smelt, the current report contributes to perpetuating water-management actions that the best available scientific information has shown to be in conflict with well-informed conceptual ecological models and analysis of limiting environmental factors. A more rigorous evaluation is required.

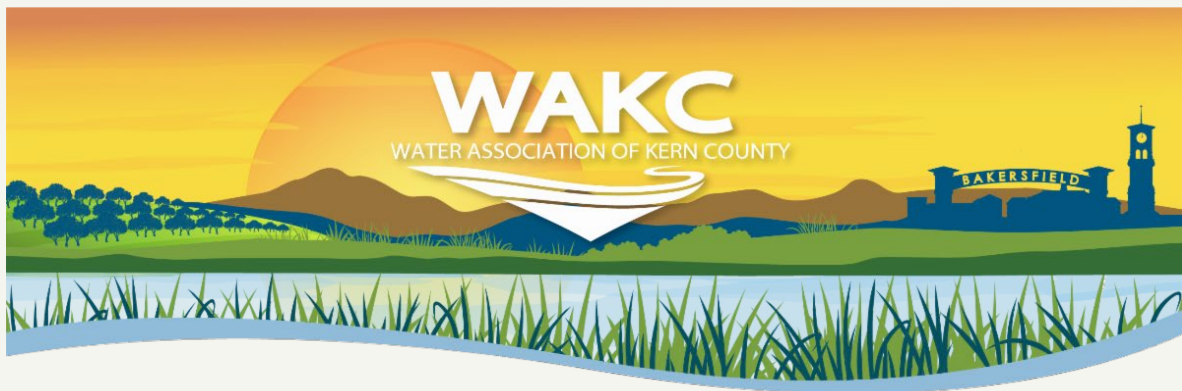


- A next report needs to acknowledge new and emerging research regarding the environmental factors that limit delta smelt abundance to better inform management decisions. Highly relevant studies provided to the Committee at the outset of its engagement were neither cited nor evaluated.
- The composition of the Committee (and report reviewers) should reflect both necessary disciplinary expertise and familiarity with the best practices in conservation biology necessary to engage specific task requirements. The current report inarguably lacks necessary expert input regarding delta smelt, the working assumptions about its habitat, and any sense of its demographics and the factors that limit its abundance. Experts in landscape ecology, demographic modeling, monitoring design, and what's been called "decision science" -- effects analysis in support of structured decision-making -- should be recruited onto the Committee.

Again, the National Academies Committee report made several useful recommendations to improve the science needed to inform resource management, mostly regarding salmon conservation issues. It did include two salient observations regarding delta smelt -- the need to determine when water-project operations have population-level impacts on the fish and the inarguable fact that current fish surveys fall short of providing essential management-relevant information. But the report could have been more effective, relevant, and informative if it had drawn from contemporary data and analyses and had offered insights into how the best available scientific information on the Delta's listed fishes, their habitats, and the environmental stressors that impact both can be employed in meeting directives in the federal ESA. The Bureau of Reclamation should be lauded for seeking to improve the effectiveness of management actions through independent scientific review. But a more focused, rigorous effort is needed in the next deployment of the National Academies if that goal is to be achieved.

**Department of Fish and Wildlife Tips  
Its Hand in Advance of White Sturgeon  
Status Review**





## **WAKC Water Summit registration now available**

Registration now open for the 2026 Kern County Water Summit,  
Thursday March 5th.

Join us for a day filled with key water issues impacting Kern County and California. You can expect a full day of speakers, trade show and cocktail hour.

Tentative Agenda- subject to change

- 7:30 am Doors Open/ Check In, Breakfast/Trade Show
- 8:00 am Opening Remarks
- 8:30 am A train that left the station, Golden Mussels
- 9:00 am Laying the tracks, Subsidence
- 10:00 am Trade show break
- 10:30 am Where is the train headed, Weather Trends
- 11:30 am Keynote: Secretary Yana Garcia, Cal EPA
- 12:15 pm LUNCH- Trade Show
- 1:00 pm The downhill journey, looking back on the little SGMA engine that could
- 2:00pm How to keep momentum forward, How state and federal govt work together
- 2:45 pm I thought I could, I thought I could. Closing Remarks
- 3:00 pm Cocktail Hour- Trade Show

