



TEJON-CASTAC
WATER
DISTRICT



South of Kern River Executive Committee Regular Meeting

Wednesday, June 14, 2023

2:00 p.m. to 3:30 p.m.

Meeting Information Posted:

www.sokrgsp.com

<http://www.aewsd.org> * <http://www.wrmwsd.com>

<http://www.tejoncastacwd.com> * <https://www.arvincsd.com>

In Person: Arvin-Edison Water Storage District Headquarters
20401 E. Bear Mountain Blvd. Arvin, CA 93203

Via Remote (**Microsoft Teams**): <https://www.microsoft.com/microsoft-teams/join-a-meeting>

[Click here to join the meeting](#)

Meeting Number: **289 619 843 830**

Meeting Password: **ko5K35**

Phone: **1.213.437.9052**

Phone Meeting Number (access code): **276 512 496#**

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

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF APRIL 13, 2023 MEETING MINUTES
5. PUBLIC COMMENT
6. REPORT ITEMS
 - a. GSP Manager Report (*Muhar*)
 - i. Basin Coordination Committee
 - b. Technical Consultant Report (*EKI*)
 - i. Technical Working Group Update
 - ii. SGMA Monitoring Network performance and sustainable management criteria compliance
 - c. Attorney Report (*Gantenbein*)
 - d. Finance Report (*Nicholas*)

e. California Aqueduct Subsidence Program (CASP) update (*Nicholas, Muhar*)

f. Management Area updates (*Muhar, Nicholas, Martin, Barraza*)

7. ACTION ITEMS

a. Consider recommendation to prepare Notice of Plan Amendment (*Gantenbein*)

b. Consider updates to website (*Nicholas, Muhar*)

c. Consider endorsement of and recommendation for funding the EKI Task Order for Groundwater Sustainability Plan (GSP) Implementation Support July through September 2023 (*Muhar*)

8. CORRESPONDENCE

a. Letter from the California Department of Water Resources "Re: Periodic Evaluation Requirements for Inadequate Basins", dated 2 May 2023.

b. Letter from the North Central Kern GSA Group "Re: Notice of Intent to Withdraw from KGA and File Separate Groundwater Sustainability Plan", dated 16 May 2023.

c. Letter from Rosedale-Rio Bravo Water Storage District "Re: Notice of Intent to Withdraw from Kern Groundwater Authority Joint Powers Authority", dated 16 May 2023.

9. CLOSED SESSION

a. Potential Litigation (Government Code §54956.9(d)(2), (e)(1); 1 item).

10. ADJOURNMENT

**MINUTES OF THE MEETING OF THE
SOUTH OF KERN RIVER EXECUTIVE COMMITTEE
April 13, 2023**

Director Yurosek called to order the quarterly meeting at 10:04 a.m., with a quorum and in-person attendance by:

Executive Committee Directors

Rafael Gallardo – Arvin Community Services District (ACSD) (in person)
Derek Yurosek – Arvin-Edison Water Storage District (AEWSD) (in person)
Michael Blaine – Wheeler Ridge-Mariposa Water Storage District (WRMWSO) (in person)

District Staff

Raul Barraza –ACSD (in person)
Jeevan Muhar – AEWSD (in person)
Sheridan Nicholas – WRMWSO (in person)

Director Mark Valpredo – Tejon-Castac Water District (TCWD) – was absent.

Participants recited the Pledge of Allegiance.

APPROVAL OF MARCH 9, 2023 MEETING MINUTES

Director Blaine moved to approve the March 9, 2023 South of Kern River (SOKR) Executive Committee meeting minutes. Director Gallardo seconded. The motion passed unanimously.

PUBLIC COMMENT

There were no public comments.

NEW BUSINESS

Coordination Committee Update

Water Year (WY) 2022 Annual Report

EKI reviewed the status of Basin as reported in the WY 2022 Annual Report.

Update re: Plan Manager Appointment Process

Mr. Muhar described plans for the Coordination Committee's upcoming meeting next Monday, April 17, to discuss and potentially take action on the appointment of a new Basin Plan Manager.

Technical Working Group's Establishment to Assist in Responding to Inadequate Determination

The Coordination Committee convened a Basin-wide Technical Consultant Working Group (TCWG) to help evaluate the deficiencies Department of Water Resources (DWR's) identified in its Inadequate Determination for the Kern Plan, review methodologies of approved plans in other basins, and develop a recommended path forward for GSP revisions in the Basin.

Separately, the Coordination Committee requested that attorneys representing GSAs within the Basin also meet to discuss DWR's Inadequate Determination.

Finance

Mr. Nicholas did not have any financial updates to report.

California Aqueduct Subsidence Program (CASP) update

Mr. Muhar provided update re scheduling follow-up meeting with CASP staff to further discuss land subsidence sustainable management criteria (SMC).

SOKR Management Area Updates

Mr. Muhar reported that Arvin GSA is making progress on new pipeline projects supported by the \$25 million bond secured in early 2023. He also reported the Sunset Spreading Basin started to receive Friant water, wheeled by Kern Delta Water District through the East Side Canal.

Mr. Nicholas reported that WRMWSD was able to make full delivery of surface water this year to offset pumping demand. He also reported that WRMWSD authorized initiating implementation of a landowner groundwater banking program.

Ms. Martin was absent and did not provide an update.

Mr. Barraza reported that ACSD is working to identify potential recharge properties in conjunction with AEWSD.

SGMA Monitoring Network Performance and Sustainable Management Criteria Compliance

EKI reported on the status of March 2023 groundwater levels in comparison to SMCs.

State Intervention Process

EKI presented a summary of the SWRCB public meeting on April 4, 2023, which included a SWRCB staff presentation followed by Board discussion regarding potential next steps to initiate the state intervention process for the six basins designated as inadequate by DWR in March 2023.

SOKR Minimum Threshold Methodology Comparison to Adjacent Groundwater Sustainability Plans (GSPs)

EKI presented a comparison of SOKR MT methodology with the MT methodology used by adjacent GSAs, KRGSA and Henry Miller Water District GSA. The comparison showed there were potential opportunities for SOKR to align its MTs with KRGSA or Henry Miller Water District GSA without compromising its ability to demonstrate SGMA compliance.

Correspondence

- DWR letter to SWRCB “Kern County Subbasin Groundwater Sustainability Plan Inadequate Determination” dated March 28, 2023, excluding Enclosure: Kern County Subbasin March 2, 2023 Determination Package.

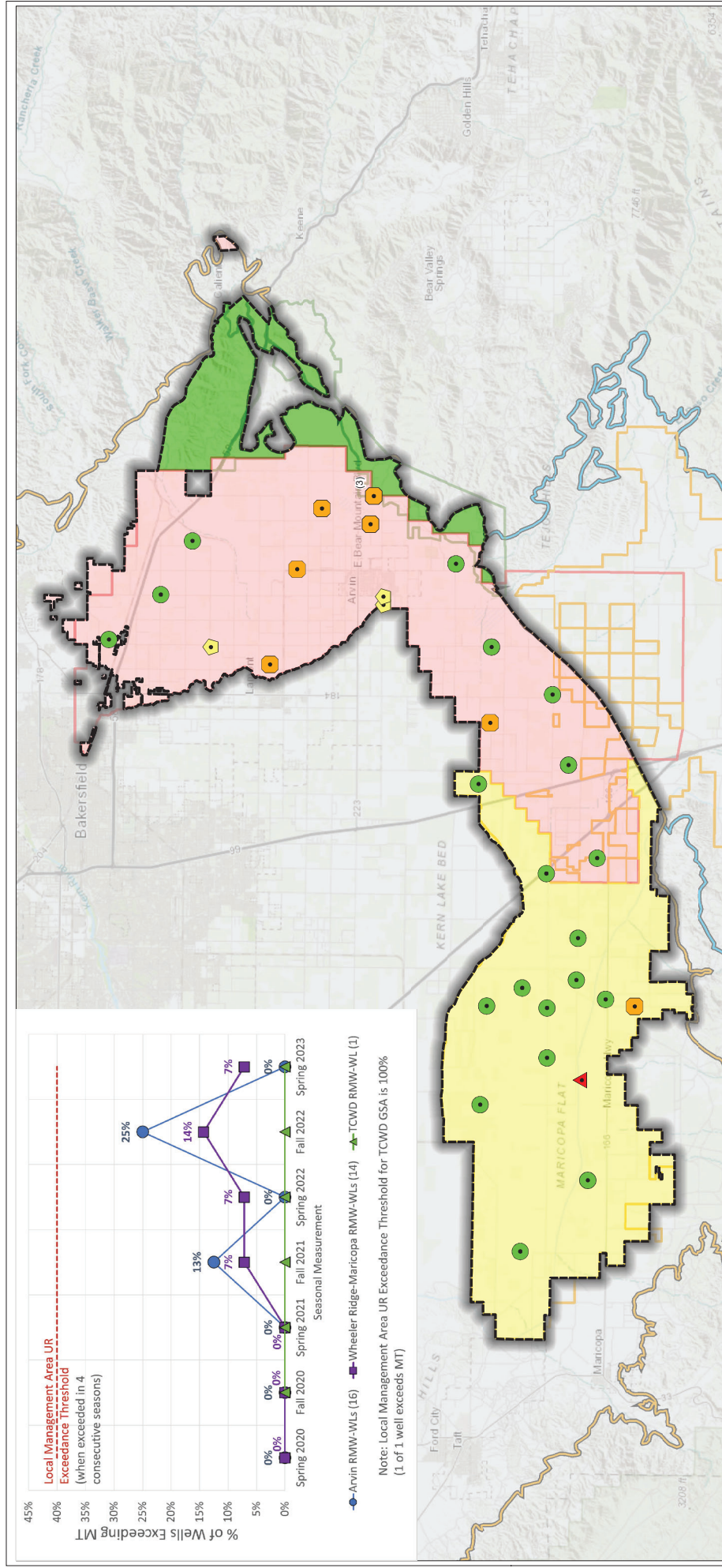
CLOSED SESSION

Conference with Legal Counsel pursuant to Government Code §54956.9(d)(2) (potential litigation; 1 item). There was no action to report out of closed session.

ADJOURNMENT

The South of Kern River Executive Committee meeting was adjourned at 11:50 a.m.

Mark Valpredo, South of Kern River
Executive Committee Secretary



Legend

- WRMWSV Service
- AEWSD Service
- TCWD Service
- Groundwater Subbasin
- Water Level Above MO (20 or MO (3 or 10%))
- Water Level between MO and MT but closer to MO (7 or 23%)
- Water Level Below MT (1 or 3%)
- South of Kern River Plan
- Arvin GSA
- Wheeler Ridge-Maricopa GSA
- Tejon-Castac Water District GSA

Representative Monitoring Well and Status as of May 2023

- Water Level Above MO (20 or MO (3 or 10%))
- Water Level between MO and MT but closer to MO (7 or 23%)
- Water Level Below MT (1 or 3%)

Abbreviations

- AEWSD = Arvin-Edition Water Storage District
- DWR = California Department of Water Resources
- GSA = Groundwater Sustainability Agency
- MO = Measurable Objective
- MT = Minimum Threshold
- RWW = Representative Monitoring Well
- SGMA = Sustainable Groundwater Management Act
- SMC = Sustainable Management Criteria
- TCWD = Tejon-Castac Water District
- UR = Undesirable Results
- WRMWSV = Wheeler Ridge-Maricopa Water Storage District

Notes

- All locations are approximate.
- Local Undesirable Results are deemed to occur if groundwater levels in 40% or more RWMs are below their respective MT for four consecutive biannual measurements (Spring and Fall) in any management area.
- Water level measurement from June 2023.

Sources

- Basemap is ESRI's ArcGIS Online world topographic map, obtained 8 June 2023.
- 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.

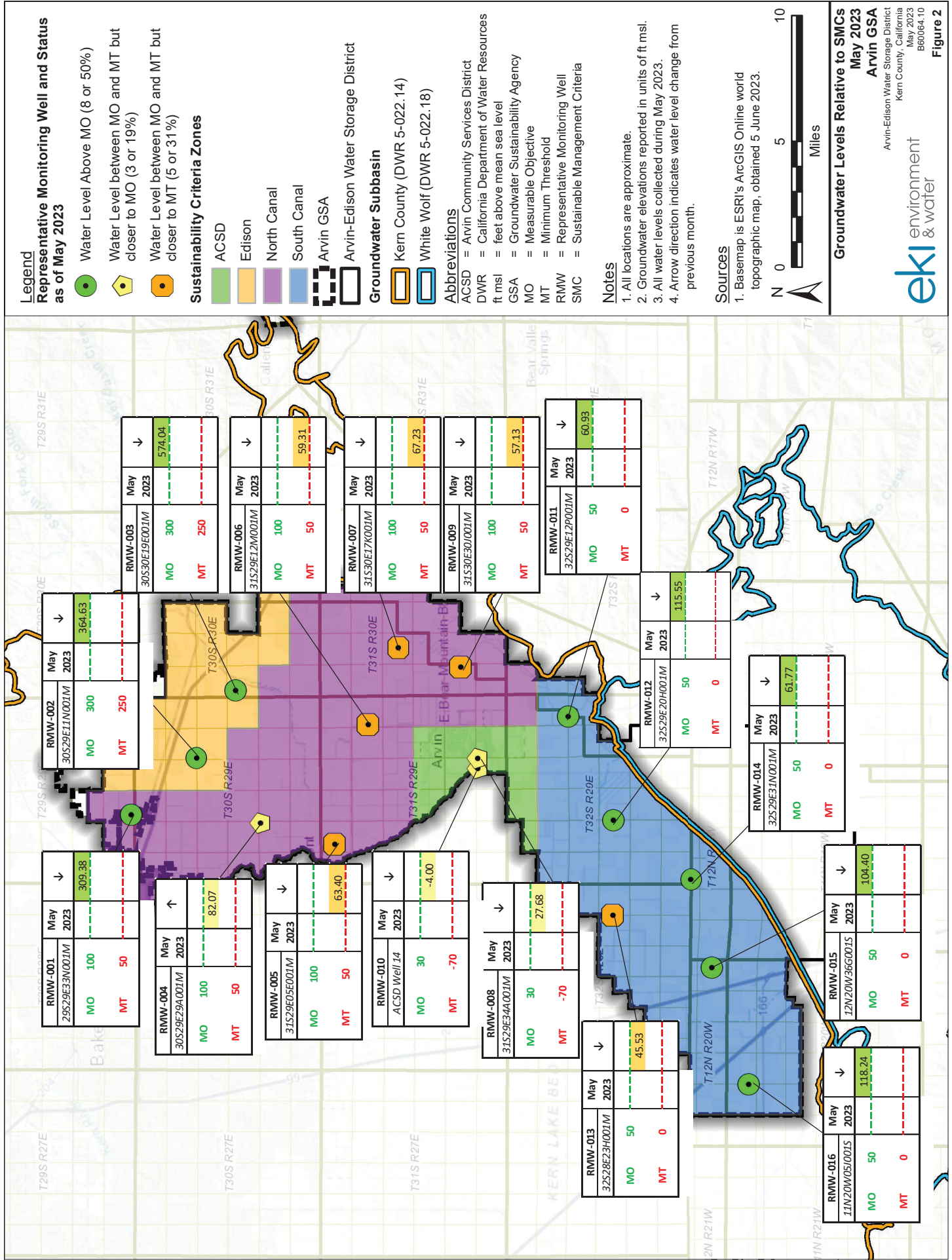
May 2023 Water Levels Relative to SMCs

South of Kern River GSP
Kern County, CA
May 2023
C20055.00

Figure 1

eki environment & water

INTERIM FIGURE - FOR INFORMATIONAL PURPOSES ONLY



Legend
Representative Monitoring Well and Status as of May 2023

- Water Level Above MO (8 or 50%)
- Water Level between MO and MT but closer to MO (3 or 19%)
- Water Level between MO and MT but closer to MT (5 or 31%)

Sustainability Criteria Zones

- ACSD
- Edison
- North Canal
- South Canal
- Arvin GSA
- Arvin-Edison Water Storage District

Groundwater Subbasin

- Kern County (DWR 5-022.14)
- White Wolf (DWR 5-022.18)

Abbreviations

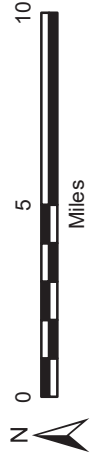
- ACSD = Arvin Community Services District
- DWR = California Department of Water Resources
- ft msl = feet above mean sea level
- GSA = Groundwater Sustainability Agency
- MO = Measurable Objective
- MT = Minimum Threshold
- RMW = Representative Monitoring Well
- SMC = Sustainable Management Criteria

Notes

1. All locations are approximate.
2. Groundwater elevations reported in units of ft msl.
3. All water levels collected during May 2023.
4. Arrow direction indicates water level change from previous month.

Sources

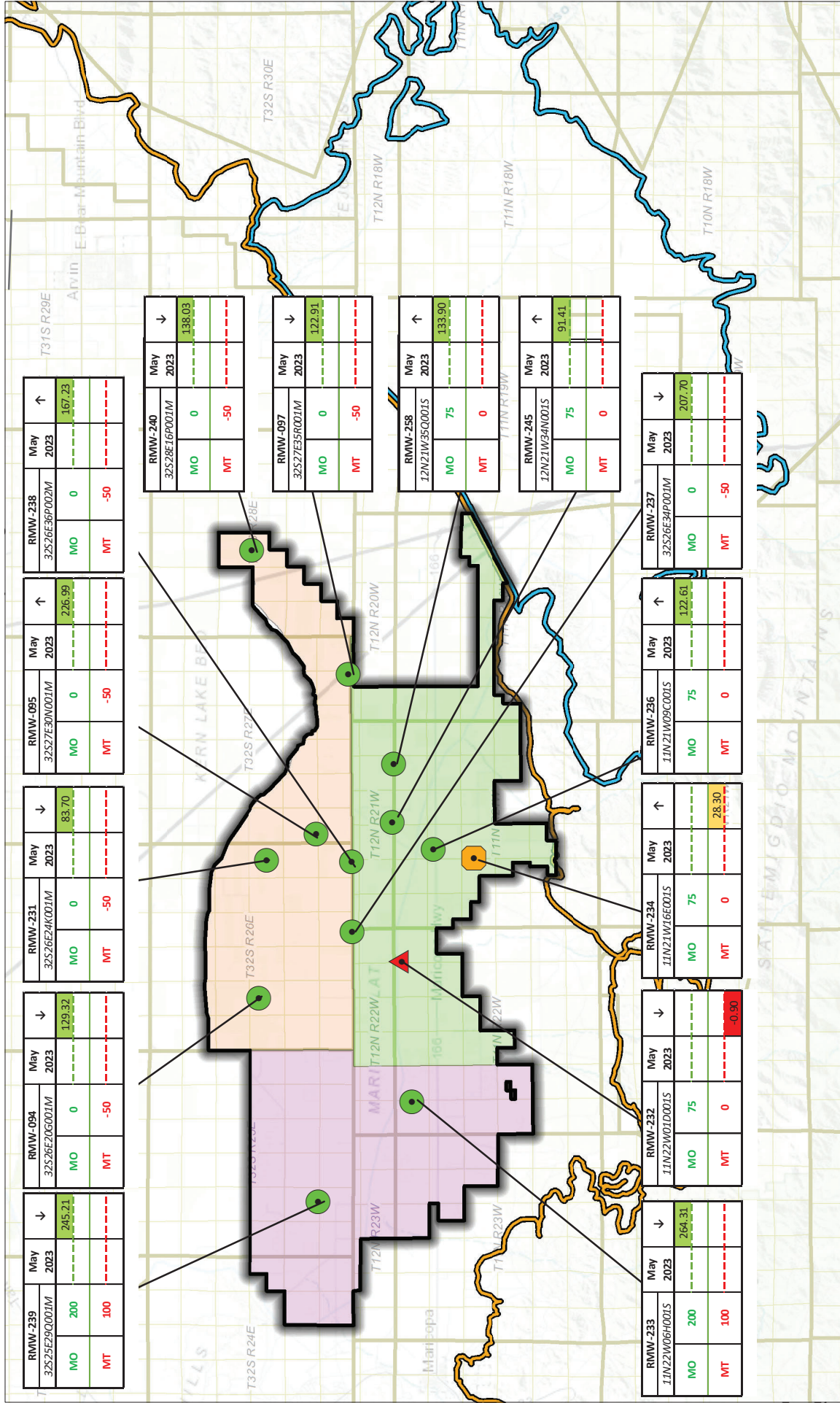
1. Basemap is ESRI's ArcGIS Online world topographic map, obtained 5 June 2023.



Groundwater Levels Relative to SMCs
May 2023
Arvin GSA

Arvin-Edison Water Storage District
 Kern County, California
 May 2023
 B60064.10

eki environment & water
Figure 2



Legend

Groundwater Subbasin

- Kern County (DWR 5-022.14)
- White Wolf (DWR 5-022.18)

Sustainability Criteria Zones

- Northeast
- Southeast
- West

Representative Monitoring Well and Status as of May 2023

- Water Level Above MO (12 or 86%)
- Water Level Between MO and MT but closer to MT (1 or 7%)
- Water Level below MT (1 or 7%)

Groundwater Subbasin

- Wheeler Ridge-Maricopa GSA

Notes

- All locations are approximate.
- Groundwater elevations reported in units of ft msl.
- All water levels collected during May 2023.
- Arrow indicated water level change from previous month.

SOURCES

- Basemap is ESRI's ArcGIS Online world topographic map, obtained 1 June 2023.

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

Scale in Miles

0 4 8

Groundwater Levels Relative to SMCs

May 2023

Wheeler Ridge-Maricopa GSA

South of Kern River

Kern County, California

May 2023

C20055.00

Figure 3

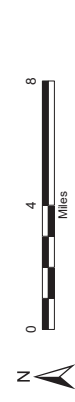
Legend
Representative Monitoring Well and Status as of May 2023

- Water Level Above MO (8 or
- Water Level between MO and MT but closer to MO (3 or 19%)
- Water Level between MO and MT but closer to MT (5 or 31%)
- District Recovery Well
- AEWSD Spreading Basin
- Arvin GSA
- Arvin-Edison Water Storage District
- Groundwater Subbasin
- Kern County (DWR 5-022.14)
- White Wolf (DWR 5-022.18)

- 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. Undesirable Results are deemed to occur if groundwater levels in 40% or more (7 or more) RMWs are below their respective MT for 4 consecutive bi-annual measurements (Spring and Fall).
 4. All RMW status based on May 2023 measurements.

- Sources**
1. Basemap is ESRI's ArcGIS Online world topographic map, obtained 1 June 2023.
 2. Water level information obtained from AEWSD.

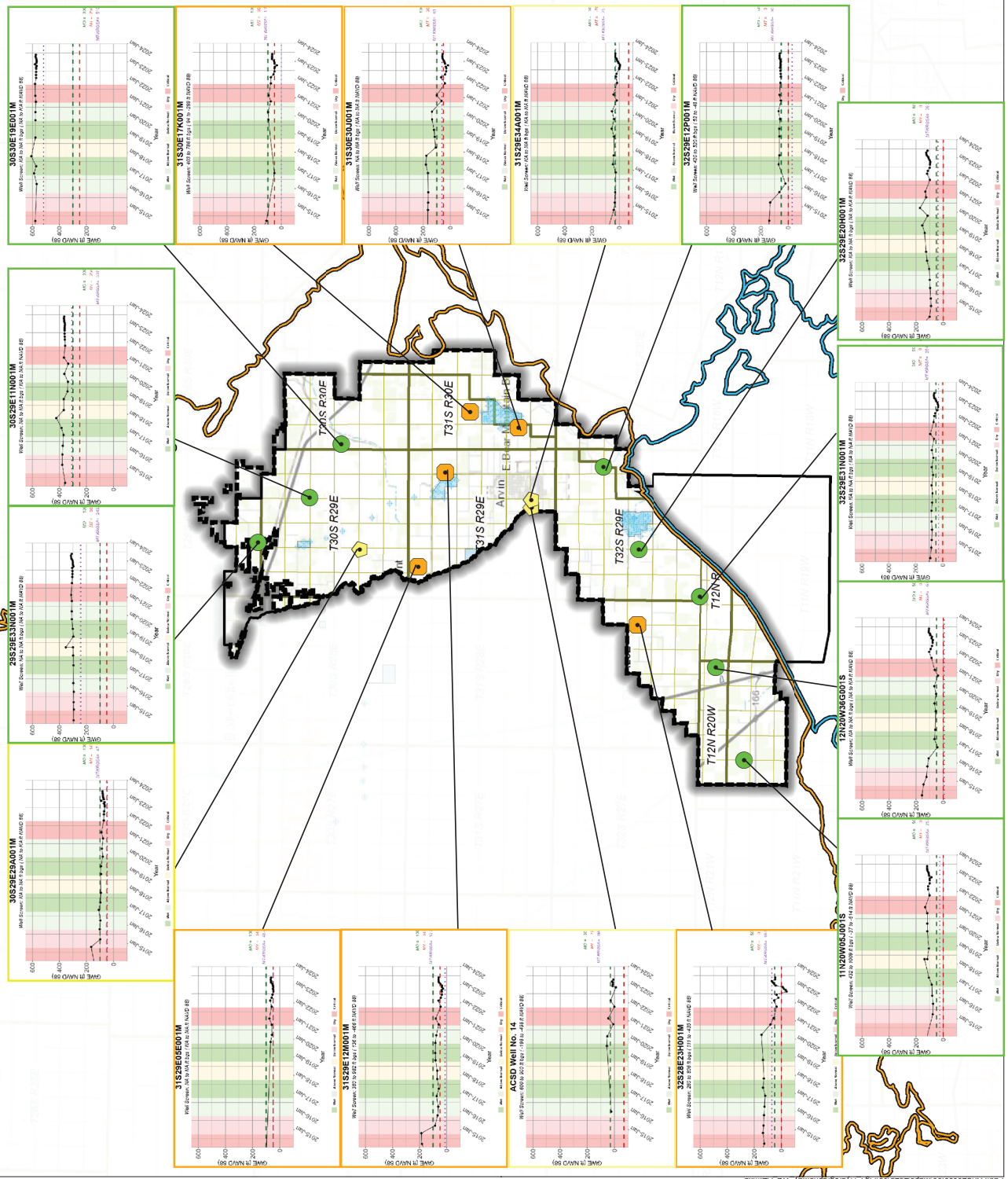


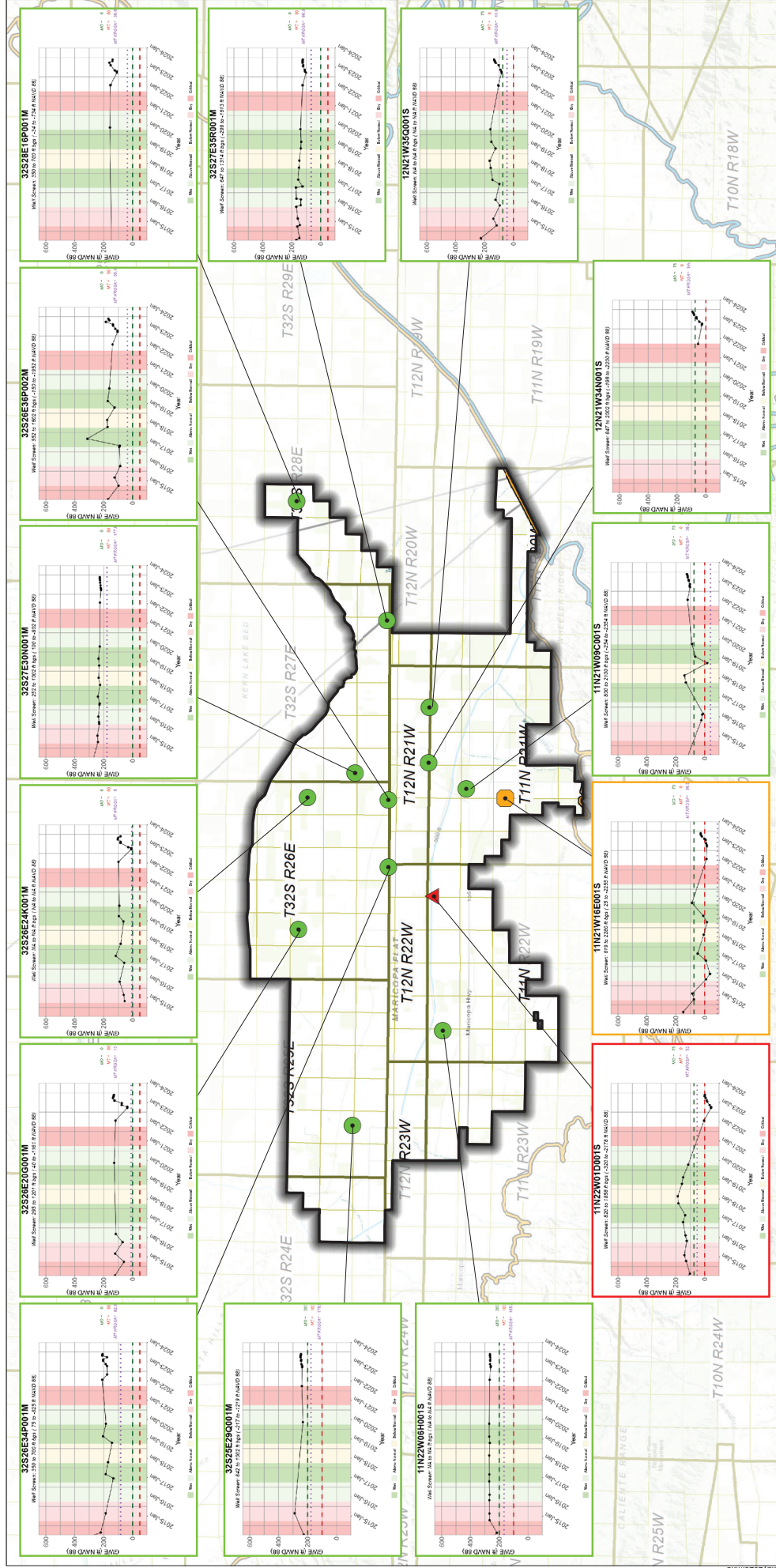
DRAFT

Hydrographs in Representative Monitoring Wells
(Jan 2015 - May 2023)

Arvin-Edison Water Storage District
Kern County, CA
May 2023
B60064.01

Figure 4





Legend

- Water Level Above MO (12 or 86%)
- Water Level Between MO and MT but Closer to MT (1 or 7%)
- Water Level Below MT (1 or 7%)
- Wheeler Ridge-Maricopa GSA
- Groundwater Subbasin
- White Wolf (DWR 5-02218)

Notes

- All locations are approximate.
- Groundwater elevations are in feet mean sea level.
- Undesirable Results are deemed to occur if groundwater levels in 40% or more (6 or more) RWMS are below their respective MT for 4 consecutive bi-annual measurements (Spring and Fall).
- All RWMS status based on May 2023 measurements.

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
- WRMWS = Wheeler Ridge-Maricopa Water Storage District

Hydrographs in Representative Monitoring Wells
 (January 2015 - May 2023)

Wheeler Ridge-Maricopa Water Storage District
 Kern County, CA
 May 2023
 B70103.01

Figure 5
 INTERIM FIGURE - FOR INFORMATIONAL PURPOSES ONLY



25 May 2023

Sheridan Nicholas
Wheeler Ridge-Maricopa Water Storage District
12109 Hwy 166
Bakersfield, CA 93313

Subject: South of Kern River Groundwater Sustainability Plan Implementation Support July through September 2023
Kern County Subbasin, Kern County
(EKI C3-164)

Dear Mr. Nicholas:

Wheeler Ridge-Maricopa Water Storage District (WRMWSO, District, or Client) has requested that EKI Environment and Water, Inc. (EKI) prepare a scope to support Groundwater Sustainability Plan (GSP) implementation activities for the South of Kern River (SOKR) Groundwater Sustainability Agencies (GSAs) in 2023. The Client approved a previous Task Order, dated 3 March 2023, that covers SOKR GSP Implementation Support through June 2023. This Task Order extends the scope of the previous agreement and covers SOKR GSP implementation activities from July through September 2023.

BACKGROUND

The SOKR GSP was adopted in July 2022 by the Arvin GSA, Wheeler Ridge-Maricopa GSA, and Tejon-Castac Water District (TCWD) GSA. The SOKR GSAs have jointly adopted a Memorandum of Agreement (MOA) that describes the coordinated implementation of the SOKR GSP, including (1) establishment of the Executive Committee to provide a forum wherein the GSAs may organize joint development and implementation of a sustainable groundwater management program, and coordinate with the other Kern Subbasin GSPs; (2) coordination and support amongst the three SOKR GSAs; (3) timely adoption of GSP amendment(s) or other actions necessary for implementation; (4) equally borne costs incurred to retain consultants to assist with GSP implementation and perform studies as recommended by the Executive Committee; and (5) designation of principal contact persons for each GSA. As outlined in the MOA, Arvin GSA is responsible for coordinating meetings with the Executive Committee and principal contacts (“SOKR Managers”) and Wheeler Ridge-Maricopa GSA will serve as the fiscal agent for coordinating each GSA’s payment of its allocated share of joint expenses for SOKR GSP development and implementation.

The SOKR GSP identifies the key technical aspects of GSP implementation that are the responsibility of each GSA within their respective management areas, all of which will occur to some degree during WY 2022-2023, including: (1) Monitoring, Data Collection and Data Gap Filling; (2) Projects & Management Action (P/MA) implementation; (3) Intrabasin Coordination; (4) Stakeholder Engagement; (5) Reporting; and (6) Enforcement and Response Actions. As described in the MOA, each GSA is responsible for implementing the SOKR GSP within its respective management area, bearing its own costs with respect to activities and responsibilities under the MOA, and no GSA will implement the GSP within any other GSA’s management area without consent. Therefore, the scope of work below does not address these

GSA-specific efforts, but is rather focused exclusively on coordinated SOKR GSP work efforts related to GSA administration, coordination and implementation.

On 2 March 2023, DWR released its determination that the Revised 2020 GSPs for the Kern County Subbasin were Inadequate, transitioning the Subbasin oversight to the State Water Resources Control Board (SWRCB). An Inadequate determination requires ongoing Plan revisions and coordination with the SWRCB. In response to the Inadequate determination, the Coordination Committee established the Technical Working Group (TWG) which has been tasked with conducting technical analyses to support recommendations to address the three deficiencies identified by DWR and to work with SWRCB Staff prior to the SWRCB noticing and holding a probationary hearing.

In the 4 April 2023 SWRCB meeting, SWRCB directed Staff to provide some additional recommendations for prioritizing probationary status in two months. It is anticipated more information will be forthcoming on probationary status timelines in either the 6 June 2023 or 20 June 2023 SWRCB meetings.

SCOPE OF WORK

The tasks listed below are to facilitate coordination and administration of the SOKR GSP amongst the three SOKR GSAs through 31 September 2023.

Task 1 – GSA Coordination and Administration

EKI will support the SOKR GSAs to coordinate, participate in, and manage the following SOKR GSP meetings scheduled through 31 September 2023, including development of meeting agendas, as-needed PowerPoint presentations, meeting minutes, as-needed meeting packet memoranda and supporting documents:

- Up to three monthly SOKR Managers meetings. EKI has assumed virtual attendance at all SOKR Managers meetings. It is assumed that these meetings will be one hour in length and will include discussion of key technical matters, as well as development of agendas for the SOKR Executive Committee meetings.
- Up to three monthly SOKR Executive Committee meetings. EKI has assumed virtual attendance at the Executive Committee meetings, and that these meeting will be one and a half hours in length.

EKI assumes that SOKR GSAs will maintain and post materials to both the SOKR GSP website and their own individual GSA websites. EKI will work with the SOKR GSAs to ensure all meeting materials are posted to websites under Brown Act noticing requirements.

Task 2 – GSP Implementation Support

Task 2 involves intrabasin coordination. Specifically, EKI will support the SOKR GSAs involvement with Basin-wide activities, attendance of Basin coordination meetings with other Kern Subbasin GSAs, including attendance at the semi-regular “managers meetings” and provision of as-needed support for Kern Subbasin Coordination Committee meetings. EKI has assumed virtual attendance and/or support at up to five meetings.

Additionally, Task 2 involves ongoing technical support with developing a subbasin-wide strategic response. This includes participation in the TWG, TWG sub-committees, conducting subbasin-wide analyses to facilitate technical recommendations in addressing deficiencies, and as-needed support for and attendance at meetings with SWRCB Staff.

Task 3 – Project Management

EKI will provide project management and as-needed consultation services during the GSP implementation process. This task includes coordination and communications with the SOKR GSAs, and project management services by EKI including the preparation of invoices, coordination of staff, and monthly progress reports.

PERSONNEL

EKI's staff members who will lead this project include Anona Dutton, P.G., C.Hg. (Officer) and Christina Lucero, P.G. (Associate 1), with technical and strategic support provided by Chris Heppner, P.G. (Supervising 1), Aaron Lewis (Grade 1), and Sarah Hodson (Grade 4); grades in parentheses are for purposes of billing in accordance with the attached Schedule of Charges (see Attachment A). Other EKI staff members will be assigned to assist with the performance of the tasks as required to meet project commitments.

TERMS AND CONDITIONS

All work performed by EKI under this Task Order will be performed pursuant to the Terms and Conditions of our existing Agreement with Wheeler Ridge-Maricopa Water Storage District.

COMPENSATION

Inasmuch as the exact level of effort required to complete the above Scope of Work cannot be known precisely, EKI proposes to perform the work on a time and materials expense reimbursement basis in accordance with our current Schedule of Charges (Attachment A). The estimated budget for this scope of work is \$90,900 (see also Table 1) and we will inform you if the level of effort exceeds this anticipated amount.

Table 1. Estimated Budget

TASK	Cost Estimate
Task 1 – GSA Coordination and Administration	\$24,700
Task 2 – GSP Implementation Support	\$63,000
Task 3 – Project Management	\$3,200
TOTAL:	\$90,900

SCHEDULE

Upon authorization to proceed, EKI is prepared to start work on the above Scope of Work immediately. This Scope of Work will cover work efforts conducted from 1 July 2023 through 31 September 2023. EKI will inform the SOKR GSAs of any issues that arise that may affect the schedule for completion or impact the anticipated level of effort. Given the uncertainty with the SWRCB probationary designation, this Task Order covers a three-month period. EKI will present an additional Task Order at the September SOKR Executive Committee meeting to cover the anticipated level of effort to support the remaining SOKR 2023 GSP implementation.

We are happy to discuss the proposed approach and anticipated level of effort for these tasks in more detail with you and look forward to working with you on this important project. If this Task Order meets with your approval, please sign where noted below and return a fully executed copy to our office to confirm authorization to proceed. Please call if you have any questions or wish to discuss this proposal in greater detail.

Very truly yours,

EKI ENVIRONMENT & WATER, INC.



Anona L. Dutton, P.G., C.Hg.
Vice President / Principal-In-Charge

AUTHORIZATION
WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT (CLIENT)

By _____

Title _____

Date _____

Attachments

Attachment A. 2023 Schedule of Charges

Client/Address: Wheeler Ridge-Maricopa Water Storage District
12109 Hwy 166
Bakersfield, CA 93313



Proposal/Agreement Date: 25 May 2023

EKI Proposal/Project # C3-164

SCHEDULE OF CHARGES FOR EKI ENVIRONMENT & WATER, INC.

1 January 2023

<u>Personnel Classification</u>	<u>Hourly Rate</u>
Officer and Chief Engineer-Scientist	332
Principal Engineer-Scientist	320
Supervising I, Engineer-Scientist	309
Supervising II, Engineer-Scientist	298
Senior I, Engineer-Scientist	286
Senior II, Engineer-Scientist	275
Associate I, Engineer-Scientist	264
Associate II, Engineer-Scientist	248
Engineer-Scientist, Grade 1	231
Engineer-Scientist, Grade 2	218
Engineer-Scientist, Grade 3	200
Engineer-Scientist, Grade 4	178
Engineer-Scientist, Grade 5	157
Engineer-Scientist, Grade 6	138
Project Assistant	130
Technician	125
Senior GIS / Database Analyst	162
CADD Operator / GIS Analyst	144
Senior Administrative Assistant	159
Administrative Assistant	124
Secretary	104

Direct Expenses

Reimbursement for direct expenses, as listed below, incurred in connection with the work will be at cost plus fifteen percent (15%) for items such as:

- a. Maps, photographs, reproductions, printing, equipment rental, and special supplies related to the work.
- b. Consultants, soils engineers, surveyors, drillers, laboratories, and contractors.
- c. Rented vehicles, local public transportation and taxis, travel, and subsistence.
- d. Special fees, insurance, permits, and licenses applicable to the work.
- e. Outside computer processing, computation, and proprietary programs purchased for the work.

A Communication charge for e-mail access, web conferencing, cellphone calls, messaging and data access, file sharing, local and long distance telephone calls and conferences, facsimile transmittals, standard delivery U.S. postage, and incidental in-house copying will be charged at a rate of 4% of labor charges. Large volume copying of project documents, e.g., bound reports for distribution or project-specific reference files, will be charged as a project expense as described above.

Reimbursement for company-owned automobiles, except trucks and four-wheel drive vehicles, used in connection with the work will be at the rate of sixty cents (\$0.60) per mile. The rate for company-owned trucks and four-wheel drive vehicles will be seventy-five cents (\$0.75) per mile. There will be an additional charge of thirty dollars (\$30.00) per day for vehicles used for field work. Reimbursement for use of personal vehicles will be at the federally allowed rate plus fifteen percent (15%).

CADD and other specialized software computer time will be charged at twenty dollars (\$20.00) per hour. In-house material and equipment charges will be in accordance with the current rate schedule or special quotation. Excise taxes, if any, will be added as a direct expense.

Rate for professional staff for legal proceedings or as expert witnesses will be at a rate of one and one-half times the Hourly Rates specified above.

The foregoing Schedule of Charges is incorporated into the Agreement for the Services of EKI Environment & Water, Inc. and may be updated annually.



CALIFORNIA DEPARTMENT OF WATER RESOURCES

SUSTAINABLE GROUNDWATER MANAGEMENT OFFICE

715 P Street | Sacramento, CA 95814 | P.O. Box 942836 | Sacramento, CA 94236-0001

May 2, 2023

Kristin Pittack
Kern County Subbasin Point of Contact
Quad Knopf, Inc
Kristin.Pittack@qkinc.com

Re: Periodic Evaluation Requirements for Inadequate Basins

Dear Kristin Pittack,

The Department of Water Resources (Department) is clarifying the requirements for groundwater sustainability agencies (GSAs) in basins where groundwater sustainability plans (Plans) have been determined by the Department to be inadequate.

On March 2, 2023, the Department determined that the Plan for the Kern Subbasin was inadequate. On March 29, 2023, the Department transmitted its determination and assessment to the State Water Resources Control Board (SWRCB). As indicated in my previous letter, the Department's inadequate determination triggers state intervention procedures in Sustainable Groundwater Management Act (SGMA) Chapter 11 (Water Code §10735 *et seq.*), which are administered by the SWRCB. Questions regarding procedures and processes under Chapter 11 should be directed to the SWRCB.

Since our inadequate determinations, the Department has received numerous inquiries from GSAs regarding the SGMA requirement for GSAs to periodically evaluate their GSPs, sometimes referred to as 5-year updates (see Water Code §10728.2, 23 CCR §356.4). This periodic evaluation was previously referenced in the Department's March 2, 2023, letter to you. To be clear, however, DWR will not require basins with GSPs that have been determined inadequate to submit a periodic evaluation by January 2025. DWR will only conduct periodic plan reviews for basins with approved Plans. (23 CCR §355.6.)

The primary intent and purpose of periodic evaluations is to track Plan implementation to ensure GSAs are managing groundwater as described in their Plans and evaluate whether basins are on track to achieve their sustainability goals within 20 years. To meet this deadline, the Department recommends that GSAs continue to implement parts of their Plans while subject to state intervention. However, the Department anticipates that addressing deficiencies may involve significant revisions, additions, and amendments to Plans. The Department does not want preparation and submission of the 2025 periodic evaluation to detract resources or focus from the efforts of GSAs to develop adequate Plans to retain or regain local control. Accordingly, GSAs with inadequate Plans should concentrate their efforts on resolving deficiencies in their Plans as directed by the SWRCB. Under SGMA Chapter 11, the SWRCB can consult with and request additional assessments from the Department on any amended Plans that are prepared and submitted by GSAs to the SWRCB to avoid or discontinue state intervention procedures. (Water Code §10735.2(b).)

Ms. Kristin Pittack
Page 2
May 2, 2023

Although the Department will not require or review periodic evaluations from inadequate basins, SGMA imposes other requirements that the Department expects GSAs to fulfill regardless of Plan status, including the following:

- Submission of annual reports by April 1 of each year following Plan adoption. (Water Code §10728; 23 CCR §356.2.)
- GSAs should ensure that information on the SGMA Portal remains accurate and up to date. This includes, for instance, changes regarding local and basin points of contact, GSA boundaries, membership or governance structure, public outreach and engagement plans, and other relevant information or actions.
- GSAs should continue with Plan implementation including carrying out the 2022 grant awards.

If you have any questions, please contact the Sustainable Groundwater Management Office by emailing sgmps@water.ca.gov.

Sincerely,

Paul Gosselin

Deputy Director
Sustainable Groundwater Management

cc: Natalie Stork, State Water Resources Control Board, Natalie.Stork@Waterboards.ca.gov

NORTH CENTRAL KERN GSA GROUP



May 16th, 2023

Kern Groundwater Authority (KGA) Board of Directors
c/o Patricia Poire
1800 30th Street, Suite 280
Bakersfield, CA 93301

RE: Notice of Intent to Withdraw from KGA and File Separate Groundwater Sustainability Plan

KGA Directors,

Shafter-Wasco Irrigation District (SWID), North Kern Water Storage District (NKWSD), Cawelo Water District (CWD), and Southern San Joaquin Municipal Utility District (SSJMUD), hereby provide 30-days' notice of our intent to withdraw from the KGA and develop a single Groundwater Sustainability Plan (GSP). All four Districts are or have elected to form exclusive GSAs, and are collectively referred to as the North Central Kern GSA (NCKGSA) Group.

In January of 2022, the Kern County Subbasin (Subbasin) received an Incomplete Determination of its 2020 GSPs from the Department of Water Resources (DWR). In March of 2023, the Subbasin received an Inadequate Determination of its Revised 2020 GSPs. At the heart of both letters was the same message – inadequate Subbasin-wide coordination.

The NCKGSA Group sincerely believes that the only path to an approved set of Subbasin GSPs is through better and more consistent Subbasin-wide coordination. We are ultimately electing to withdraw from the KGA and KGA JPA because it will allow us the opportunity to be more fully engaged in Subbasin-wide coordination efforts by increasing the number of direct Subbasin Coordination Committee participants. The NCKGSA Group views this as an opportunity to improve and advance the effort to achieve approved GSPs through Subbasin wide coordination in the most efficient and timely manner possible.

The North Central Kern GSAs remain committed to coordinating with the KGA, and look forward to becoming a Party to the Kern County Subbasin Coordination Agreement, pursuant to section 10.2.2 of that agreement.

Sincerely,

Craig Fulwyler
SWID Board President

Kevin Andrew
NKWSD Board President

Keith Watkins
CWD Board President

John Fisher
SSJMUD Board President

CC: Natalie Stork, State Water Resources Control Board
Paul Gosselin, Department of Water Resources
Kern River GSA
Buena Vista GSA
Henry Miller GSA
Olcese GSA
South of Kern River GSAs
KGA Members
Kristin Pittack, Kern Subbasin Coordination Committee



May 16, 2023

Kern Groundwater Authority Board of Directors
1800 30th Street, Suite 280
Bakersfield, CA 93301

Re: Notice of Intent to Withdraw from Kern Groundwater Authority Joint Powers Authority

Directors,

Rosedale-Rio Bravo Water Storage District (Rosedale) is providing this letter as its notice of intent to withdraw from the Kern Groundwater Authority (KGA) and to develop and implement a single Groundwater Sustainability Plan (GSP) covering the lands within Rosedale's management area. As you know, Rosedale elected to form an exclusive Groundwater Sustainability Agency (GSA) covering such lands. The KGA discussed and approved of our election to become a GSA at its meeting on February 22, 2023. Rosedale's election to become a GSA is expected to be effective as of July 7, 2023, and we intend for our withdrawal to take effect that same day.

Upon withdrawal, Rosedale intends to continue to manage the lands (and implement projects and management actions) within its GSA boundaries pursuant to its adopted *2020 Revision – Groundwater Sustainability Plan Chapter for the Rosedale-Rio Bravo Management Area* until such time as coordinated amendments to such plan can be made. We believe this is consistent with the Department of Water Resources' (DWR) directives in its letter to the Subbasin Point of Contact on May 2, 2023.

DWR's recent determination that the subbasin's revised 2020 GSP's were inadequate have led us to the conclusion that Rosedale's withdrawal from the KGA will better facilitate basin-wide coordination and ensure that we are fully-engaged in the process of achieving basin-wide sustainability and obtaining approval of a basin-wide plan. We look forward to working collaboratively with the KGA (and all other Kern Subbasin GSA's) towards that end.

We are prepared to become a party to the *Kern County Coordination Agreement* and to working with the KGA to ensure an orderly transition.

Sincerely,

Roy Pierucci
President

CC: Natalie Stork, State Water Resources Control Board
Paul Gosselin, Department of Water Resources
Kern Subbasin GSAs
KGA Members