KERN NON-DISTRICTED LAND AUTHORITY

(FORMERLY KERN GROUNDWATER AUTHORITY)

3200 Rio Mirada Drive Bakersfield, CA 93308
Regular Meeting of the Board of Directors
September 23, 2024, 2:00 p.m.

To virtually attend the meeting and to be able to view any presentations or additional materials provided at the meeting, please join online using the link and information below:
https://us02web.zoom.us/j/81772344478?pwd=PcXVFaF8lakOR2MQ3r6CRQetwmaHbt.1
Telephone Dial-in: (669) 900-6833
Meeting ID: 817 7234 4478
Password: 533602

KERN NON-DISTRICTED LAND AUTHORITY BOARD OF DIRECTORS AGENDA

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

1. **Roll Call - Quorum Determination**
   In the absence of a quorum the Board will handle only those items not needing a quorum.

2. **Flag Salute**

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

4. **Approval of Minutes**
   - **a.** *August 26, 2024 (Valerie)

5. **Financial Report**
   - **a.** *Financial Report & Accounts Payable (Skye)

6. **Administration**
   - **a.** *Consideration of circulation of RFP for Executive Officer (Barry)
   - **b.** Website Development (Rachelle)
   - **c.** Ethics Training Requirements (Rachelle)

7. White Area Representatives

- **a.** Update on White Area Representatives Adhoc (Barry)

8. DWR Grant Administration

- **a.** Report on DWR Grant Administration (Jason)

9. County of Kern Participation

- **a.** Kern County Participation Adhoc Committee Report (Rodney)

10. Kern Subbasin Groundwater Sustainability Plan

- **a.** Report on the establishment of Representative Monitor Wells (Jeevan)
- **b.** Report on 2024 GSP Development (Stephanie)

11. Legal

12. New Business

13. Correspondence

- **a.** Clean Water Action Letter dated August 30, 2024

14. Closed Session

- **a.** *Consideration of Public Employment - Government Code Section 54957(b)(1)

15. Adjournment

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

JPA Board Meeting Minutes
Kern Non-Districted Land Authority (KNDLA)
Monday, August 26, 2022, at 2:30 p.m.

JPA DISTRICT REPRESENTATIVES AND ALTERNATES PRESENT

Derek Yurosek, Arvin Edison
Spencer Birch, Cawelo
Tom McCarthy, ID4
Rodney Palla, Kern Delta
Andrew Hart, Kern Tulare
Kevin Andrew, North Kern
Royce Fast, Pioneer
Barry Watts, Rosedale
Dan Waterhouse, Semitropic
Randy Bloemhof, Shafter-Wasco/7th Standard Annex
Bret Sill, Shafter-Wasco/7th Standard Annex
Gary Morris, West Kern
Rob Goff, Westside
Michael Blaine, Wheeler Ridge

JPA DISTRICT REPRESENTATIVES AND ALTERNATES LISTENED BY TELECONFERENCE

Jeff Siemens, Olcese
Amrit Mangat, Buena Vista
Brandon Morris, Southern San Joaquin
Chad Hathaway, Eastside
Angelica Martin, Tejon Ranch

1. **Roll Call**
    a. Quorum Determination – Chairman Watts called the meeting to order at 2:35 p.m. after it was confirmed there was a quorum. The Board met the threshold for a quorum under the JPA and operated under it.
2. **Flag Salute**
    a. Completed
3. **Public Input**
    a. None
4. **Approval of Minutes**
    a. Changes to the minutes to reflect that Dave Halapoff and Donna Semar were present. A motion was made by Director Hart and seconded by Director Goff to approve the July 15, 2024, Regular Board Meeting Minutes with changes to the attendance list. Directors Morris, Yurosek, and McCarthy abstained. Despite abstentions, the motion was successfully passed.
5. **KGA Close Out Matters**
    a. **Summary of KGA Close Out Process (KGA Close out Ad hoc memo)**

i. Ms. Kincaid briefed the Board on the KGA close-out process. The overview included KGA expenses incurred through June 1, 2024, bank administration changes, and continuing grant administration. There were a few questions from Directors regarding auditing and the overall JPA structure. Ms. Kincaid addressed questions and transitioned to the next agenda item.

b. <u>Consideration of Resolution 2024-01 Change of Check Signers and Administrators</u>

i. Ms. Grass briefed the Board on Resolution No. 2024-01 for the change of check signers and administrators to be consistent with the new KNDLA officers. A motion was made by Director Goff and seconded by Director Fast to change signers from Dan Waterhouse and Kim Brown to Barry Watts (Chairman), Royce Fast (Vice Chairman), and Andrew Hart (Treasurer). The motion was unanimously passed.

Ayes: Directors Derek Yurosek, Spencer Birch, Tom McCarthy, Rodney Palla, Andrew Hart, Kevin Andrew, Royce Fast, Barry Watts, Dan Waterhouse, Randy Bloemhof, Gary Morris, Rob Goff, and Michael Blaine
Noes: None
Abstaining: None

c. <u>Motion directing KGA Ad hoc to close out KGA accounting based KGA incurred debts up to June 1; develop close out financial report, until that is accomplished provide updates to KNDLA.</u>

i. Ms. Kincaid briefed the Board regarding the KGA accounting closeout. The Board discussed that all costs incurred by the KGA will be paid by the KGA with the June 1st deadline. A motion was made by Director Goff and seconded by Director Fast to direct the KGA Ad hoc to close out accounting through June 1 and to develop a closeout financial report. The motion was unanimously approved.

6. <u>Financial Report</u>

a-b. <u>May and June Financials</u> - Ms. Kincaid reviewed the Financial Report and Accounts Payable for May- June 2024. She highlighted cash calls, deposits, disbursements, receivables, and grant balances for both May and June 2024. Ms. Kincaid requested approval for the disbursement of accounts payable in the amount of $192,779.54 as presented in Exhibit E for May 31, 2024, and the amount of $608,529.31 as presented in Exhibit E for June 30, 2024. A motion was made by Director Birch and seconded by Director Yurosek to approve the financial reports and disbursement of payments as advised by Ms. Kincaid. The motion was unanimously carried.

c. <u>July Financials</u> – Ms. Kincaid briefed the Board regarding July financials. The Board was advised to modify the motion and pay the CPA $1,000 for July. A motion was made by Director Andrew and seconded by Director Hart. The motion was unanimously carried.

7. <u>KNDLA Budget</u>

a. **Consideration of June-December 2024 Budget and Cash Call (Budget Ad hoc)**
    i. Ms. Yap briefed the Board regarding the Budget Ad hoc meeting. She provided an overview and recommendations for the remaining 2024 budget and considerations for the 2025 budget. She presented two options for the 2024 budget. Considerations for both budget options included costs for administration, legal services, CPA services, grant administration, and outreach. Ms. Yap recommended approving the proposed 2024 Budget (Option 1) and authorizing a cash call from the 20 agencies. The Board discussed the budgets and the potential to appoint an Executive Director later. A motion was made by Director Hart and seconded by Director Goff to adopt the 2024 Budget (Option 1) with a cash call. The motion was unanimously carried.

8. **Administration**
    a. **Consideration of Executive Committee**
        i. Chairman Watts opened the floor for discussion regarding the consideration of an Executive Committee. There were various discussions amongst the Board members regarding the formation of a small executive committee versus having the whole group meet more frequently. The discussion was tabled and to be decided at a later date.
    b. **Consideration of Website/Logo Proposals**
        i. Ms. Echeverria briefed the Board on two proposals received for the consideration of a new KNDLA website, including a description of each proposal, and the costs associated. She specified that the simplest option would be to continue with Provost and Pritchard under their Existing Phase Amendment of $6,000 and to consider a more robust redesign effort later. Discussions continued amongst Board members regarding the costs of proposals. A motion was made by Director Waterhouse and seconded by Director Andrew to move forward with Provost and Pritchard's proposal to not exceed $6,000.
        Director Palla voted no; Director Hart abstained; all other Directors voted in support and the motion passed.
    c. **Form 700s and Sexual Harassment Requirements**
        i. Ms. Echeverria briefed the Board on the requirements to complete and return Form 700 Statement of Economic Interests and to provide verification of 2-hours of sexual harassment training. Ms. Echeverria stated she would follow up with the Board members for documentation.
    d. **Mapping Efforts**
        i. Ms. Yap briefly presented to the Board how to use the Kern County GIS online tool to view white lands by parcel inside the Kern GSA. She concluded by stating she would send out a description of how to navigate the website and post it on the KNDLA website.
    e. **Existing Agreements**

i. Ms. Kincaid briefed the Board on the number of agreements that the KGA holds. She discussed that there is more to be done for item 8e and that it would be kept on the agenda for next month's meeting.

9. **White Area Representatives**
    a. **Review and consider DRAFT white area representative appointment process**
        i. Ms. Kincaid briefed the Board on the requirements and various processes to solicit recommendations for Non-Districted Representatives (NDR). She discussed outreach for recommended candidates, mechanisms for making recommendations, timelines, eligibility requirements, closure of recommendations, and the processes for the appointment of White Area Representatives. Board members discussed the various voting and appointment options, as well as definitions for eligibility. Director Fast recommended creating a form for the NDRs to complete in order to indicate a willingness to participate. The decision to finalize the appointment process was tabled for further discussions at the next meeting. Chairman Watts transitioned the discussion to item 9b.
    b. **Appointment of a White Land Ad hoc Committee to address Nomination and Outreach (Barry)**
        i. Chairman Watts appointed an open White Land Ad hoc Committee to develop recommendations to the Board on white land nominations and outreach procedure. After the Board discussion, Chairman Watts advised that item 8b will stay on the agenda to continue receiving nominations and he would conduct outreach to pull together an Ad hoc.
10. **DWR Grant Administration**
    a. **Report on DWR Grant Administration (Jason)**
        i. Jason Gianquinto provided a brief update to the Board on the modified grant agreement. He updated the Board that USGS is back on-site drilling a deep extensometer.
    b. **Ratification of Amendment Request No.2**
        i. Jason Gianquinto presented the Grant Amendment Request No. 2. A motion was made by Director Hart and seconded by Director Fast to ratify Amendment Request No. 2. The motion was unanimously carried.
11. **County of Kern Participation**
    a. **Appointment of Grant Ad hoc Committee to encourage County of Kern Participation (Barry)**
        i. Director Palla briefed the Board on a constructive 2-hour meeting with the County regarding the State Water Resources Control Board (SWRCB) probation process under the Sustainable Groundwater Management Act (SGMA), and the Couty's level of collaboration with KNDLA. Director Fast also added that the meeting was very productive, and Director Yurosek thanked the County for their cooperation. Chairman Watts advised Director Palla and Fast to continue their efforts.
12. **Kern Subbasin Groundwater Sustainability Plan**
    a. **Report on the establishment of Representative Monitoring Wells**

i. Mr. Bartel briefed the Board on the establishment of Representative Monitoring Wells and highlighted the wells that he and Mr. Muhar are working on.

b-f. <u>Consideration of GSP release for public review; Consideration of Self-Help Enterprises (SHE) Letter of Intent; Consideration of MOU Water Collaborative; Consideration of Subbasin Coordination Agreement; Consideration of Subbasin Exceedance Policy</u>

ii. Ms. Kincaid advised Chairman Watts to approve agenda items 12b-f as presented. A motion was made by Director Hart and seconded by Director Morris. Director Blaine abstained, but all other Directors voted in support and the motion was unanimously carried.

13. <u>Legal</u>

a. <u>Consideration of Legal Counsel</u>

i. Chairman Watts opened the floor for discussion regarding the potential for change in legal counsel. After discussions, it was agreed by the Board that agenda item 13a would be discussed at the next Board meeting in closed session.

14. <u>New Business</u>

a. Following the virtual workshop hosted by the State Water Resources Control Board (SWRCB), Director Yurosek advised that KNDLA should have a representative to speak on behalf of the White Lands at similar meetings moving forward to ensure their interests are better represented.

15. <u>Correspondence</u>

a. None

16. <u>Adjournment</u>

a. Chair requested motion to adjourn. Director Yurosek made the motion, Director Fast made the second and all Directors voted in support of adjourndment.

ANDREA R. HILL, CPA
An Accountancy Corporation

August 26, 2024

TO: Kern Groundwater Authority Members

FROM: Andrea R. Hill CPA, AAC

SUBJECT: July 2024 Accountant's Report

DISCUSSION

Exhibit A is the Accountant's Report for the Authority's financial activities from July 1, 2024, through July 31, 2024. There were $643,676.30 of deposits during the month. There were $667,820.37 of disbursements issued during the month. The cash balance on July 31, 2024, is $71,013.15. There were $10,192.30 of subsequent deposits as shown on **Exhibit B**.

The Accounts Receivable balance from Members on July 31, 2024, was $10,192.27 as shown on **Exhibit C**. Receivable from Grants on July 31, 2024, totaled $455,573.14 as detailed on **Exhibit D.** The combined total of Receivables on July 31, 2024, was $465,765.41.

Exhibit E is the detail of Accounts Payable for the month of July 2024, reflecting total payables on July 31, 2024, of $475,544.34. At this time, invoices totaling $14,708.00 are being requested for payment approval and disbursement.

Exhibit F is the Authority's unaudited financial statements on July 31, 2024. They include a Statement of Net Position as of July 31, 2024, and a Statement of Revenues and Expenses for the seven months ended July 31, 2024. We believe both statements fairly present the financial position and results of the Authority's activities for the general JPA membership and each specific Special Activity Agreements at this time.

Exhibit A
Kern Groundwater Authority
Accountant's Report - through July 31, 2024

CURRENT ACTIVITY

Cash Balance, Prior Report June 30, 2024)				**$ 95,157.22**
Deposits	**Date**	**Purpose**	**Amount**	
State of California - Dept. of Water Resource	7/19/2024	SGMA Planning Grant #6	643,676.30	
Total Deposits				**643,676.30**
Disbursements	**Date**	**Ck #**	**Amount**	
Andrea R. Hill CPA, AAC.	7/15/24	3136	1,015.00	
Andrea R. Hill CPA, AAC.	7/15/24	3137	1,000.00	
Kern County Farm Bureau	7/15/24	3138	250.00	
Kern County Farm Bureau	7/15/24	3139	250.00	
Paris Kincaid Wasiewski	7/15/24	3140	8,942.50	
Paris Kincaid Wasiewski	7/15/24	3141	9,344.00	
Provost & Pritchard	7/15/24	3142	1,662.80	
Provost & Pritchard	7/15/24	3143	1,679.77	
Arvin Edison Water Storage District	7/22/24	3144	32,010.60	
Eastside Water Management Area	7/22/24	3145	3,621.10	
Land IQ LLC	7/22/24	3146	219,731.85	
Provost & Pritchard	7/22/24	3147	3,830.30	
Todd Groundwater	7/22/24	3148	182,128.25	
U.S. Geological Survey	7/22/24	3149	194,376.00	
West Kern Water District	7/22/24	3150	7,586.10	
Wheeler Ridge-Maricopa Water Storage	7/22/24	3151	392.10	
Total Disbursements				667,820.37
Cash Balance, Current Report (July 31, 2024)				**71,013.15**
Accounts Receivable				
Receivables from Members - Exhibit C			10,192.27	
Grant Receivables:				
DMS Grant - 10% retention Req #1		8,984.24		
DMS Grant - 10% retention Req #2		4,206.06		
DMS Grant - 10% retention Req #3		1,732.83		
DMS Grant - 10% retention Req #4		13,568.24		
DMS Grant - Req #5		2,102.04		
DMS Grant - Req #6		6,291.31		
DMS Grant - Req #7		9,648.65		
SGMA Grant - Inv #7		409,039.77		
Grant Receivable - see Exhibit D			455,573.14	
Total Receivables				**465,765.41**
Accounts Payable				
See Attached A/P Detail - Exhibit E				14,708.00
Less July payables submitted for payment				-
Accrued Payables - DMS grant - Exhibit E				46,533.37
Accrued Payables - SGMA Planning grant - Exhibit E				414,302.97
Total Accounts Payable and Accrued Payables				**475,544.34**
Net Assets, July 31, 2024				**$ 61,234.22**

Exhibit B

Kern Groundwater Authority

Accountant's Report - Subsequent Deposits through August 26, 2024

		Dep Date	Amount	
Southern San Joaquin Municipa Utility	2024 Initial Cash Call	8/132024	$ 5,096.15	
Westside District Water Authority	2024 Initial Cash Call	8/13/2024	$ 5,096.15	
Deposits - Other				**10,192.30**
	Total Deposits (thru 8/26/24)			**$ 10,192.30**

Exhibit C

Kern Groundwater Authority

Accountant's Report - Accounts Receivable detail as of July 31, 2024

Customer	Description	Invoice #	Invoice Date	Invoice Amount
Southern San Joaquin Municipal Utility	2024 Intitial Cash Call	KG202513	12/18/2023	5,096.15
Westside District Water Auth	2024 Intitial Cash Call	KG202515	12/18/2023	5,096.12
	TOTAL RECEIVABLES from MEMBERS @ 07/31/24			**$ 10,192.27**

Exhibit D

Kern Groundwater Authority

Accountant's Report - Grant Detail as of July 31, 2024

Agency	Description		Date of Submittal	Invoice Amount	Amount Received	Date Received	Rem. Balance Due	Retention %
DWR	DMS Grant Draw#1:	(Inv#10)	8/25/2021	89,842.43	80,858.19	12/9/2021	8,984.24	10%
DWR	DMS Grant Draw#2:	(Inv#11)	11/29/2021	42,060.63	37,854.57	3/15/2022	4,206.06	10%
DWR	DMS Grant Draw#3:	(Inv#12)	2/28/2022	17,328.32	15,595.49	7/5/2022	1,732.83	10%
DWR	DMS Grant Draw#4:	(Inv#13)	5/27/2022	135,682.43	122,114.19	11/29/2022	13,568.24	10%
DWR	DMS Grant Draw#5:	(Inv#14)	8/26/2022	21,020.36	18,918.32	5/9/2023	2,102.04	10%
DWR	DMS Grant Draw#6:	(Inv#15)	11/30/2022	62,913.11	56,621.80	7/10/2023	6,291.31	10%
DWR	DMS Grant Draw#7	(Inv#16)	2/28/2023	96,486.51	86,837.86	11/17/2023	9,648.65	10%
				DMS GRANTS OUTSTANDING as of 7/31/2024			**46,533.37**	
DWR	SGMA Grant	(Inv #7)	6/26/2024	409,039.77	-	-	409,039.77	100%
				SGMA GRANTS OUTSTANDING as of 7/31/2024			**409,039.77**	
				TOTAL GRANTS OUTSTANDING as of 07/31/24			**455,573.14**	

Exhibit E

Kern Groundwater Authority

Accountant's Report - Accounts Payable detail as of July 31, 2024 and subsequent payables through 8/21/24

Vendor	Description	Invoice #	Invoice Date	Invoice Amount	
Andrea R. Hill CPA, AAC	June Services & Finance Charge	33967	7/31/2024	$ 1,030.00	
Provost & Pritchard Consulting Group	June Services	111510	7/18/2024	$ 2,443.00	
Paris Kincaid Wasiewski LLP	July Services	2586	8/1/2024	$ 9,088.50	
Provost & Pritchard Consulting Group	July Services	112274	8/21/2024	$ 2,146.50	
	TOTAL PAYABLES REQUESTED AT THIS MEETING			**$ 14,708.00**	
INVOICES ON HOLD:					
DMS Grant (Pending Grant Proceeds):					
GEI Consultants	Kern Subbasin DMS Program	3090794	6/4/2021	$ 3,382.92	10% grant retention-Draw #1-Inv10
	Kern Subbasin DMS Program	3094374	8/12/2021	5,601.32	10% grant retention-Draw #1-Inv10
	Kern Subbasin DMS Program	3098501	10/21/2021	4,206.06	10% grant retention-Draw #2-Inv11
	Kern Subbasin DMS Program	3100303	11/22/2021	355.53	10% grant retention-Draw #3-Inv12
	Kern Subbasin DMS Program	3101973	12/23/2021	1,377.30	10% grant retention-Draw #3-Inv12
	Kern Subbasin DMS Program	3094492	8/13/2021	3,786.94	10% grant retention- Draw #4-Inv13
	Kern Subbasin DMS Program	3102874	1/17/2022	278.80	10% grant retention- Draw #4-Inv13
	Kern Subbasin DMS Program	3105117	2/21/2022	848.11	10% grant retention- Draw #4-Inv13
	Kern Subbasin DMS Program	3107022	3/25/2022	6,465.17	10% grant retention- Draw #4-Inv13
	Kern Subbasin DMS Program	3108998	5/9/2022	2,189.22	10% grant retention- Draw #4-Inv13
	Kern Subbasin DMS Program	3110073	5/23/2022	1,294.35	10% grant retention- Draw #5-Inv14
	Kern Subbasin DMS Program	3111068	6/9/2022	670.62	10% grant retention- Draw #5-Inv14
	Kern Subbasin DMS Program	3113595	7/18/2022	137.07	10% grant retention- Draw #5-Inv14
	Kern Subbasin DMS Program	3114995	8/15/2022	208.48	10% grant retention-Draw #6-Inv15
	Kern Subbasin DMS Program	3119205	10/25/2022	6,082.83	10% grant retention-Draw #6-Inv15
	Kern Subbasin DMS Program	3120753	11/18/2022	3,042.83	10% grant;pending receipt #7-Inv16
	Kern Subbasin DMS Program	3122932	12/27/2022	3,797.04	10% grant;pending receipt #7-Inv16
	Kern Subbasin DMS Program-Dec22	3124804	1/26/2023	2,808.78	10% grant;pending receipt #7-Inv16
				46,533.37	25,014.52 Accrued Payables
SGMA Planning Grant (Pending Grant Submittal/Proceeds):					
Arvin Edison Water Storage District	SGMA Implementation Grant	Jan-Mar	6/26/2024	50,204.99	100% grant; to be submitted
Eastside Water Management Area	SGMA Implementation Grant	Jan-Mar	6/26/2024	635.00	100% grant; to be submitted
Land IQ LLC	SGMA Implementation Grant	5822-Jan	6/26/2024	73,243.95	100% grant; to be submitted
	SGMA Implementation Grant	5882-Feb	6/26/2024	73,243.95	100% grant; to be submitted
	SGMA Implementation Grant	5933-Mar	6/26/2024	73,243.95	100% grant; to be submitted
Provost & Pritchard	SGMA Implementation Grant	107371	2/20/2024	2,019.60	100% grant; to be submitted
	SGMA Implementation Grant	104944	3/13/2024	1,276.00	100% grant; to be submitted
	SGMA Implementation Grant	109261	4/23/2024	603.40	100% grant; to be submitted
	SGMA Implementation Grant	110652	5/31/2024	1,303.80	100% grant; to be submitted
	SGMA Implementation Grant	111520	7/18/2024	2,621.20	100% grant; to be submitted
	SGMA Implementation Grant	112324	7/31/2024	1,338.20	100% grant; to be submitted
Todd Groundwater	SGMA Implementation Grant	83501-224	6/26/2024	42,360.00	100% grant; to be submitted
	SGMA Implementation Grant	83501-324	6/26/2024	20,101.25	100% grant; to be submitted
	SGMA Implementation Grant	83501-424	6/26/2024	14,611.25	100% grant; to be submitted
	SGMA Implementation Grant	91159501	5/2/2024	29,916.00	100% grant; to be submitted
West Kern Water District	SGMA Implementation Grant	Jan-Mar	6/26/2024	8,317.28	100% grant; to be submitted
Wheeler Ridge-Maricopa Water Dist	SGMA Implementation Grant	Jan-Mar	6/26/2024	19,263.15	100% grant; to be submitted
				414,302.97	
	PAYABLES/INVOICES ON HOLD pending Grant Proceeds			**$ 460,836.34**	
	TOTAL PAYABLES Outstanding at 08/21/24			**$ 475,544.34**	
	LESS AUGUST PAYABLE SUBMITTED FOR PAYMENT			**-**	
	TOTAL PAYABLES Outstanding at 07/31/2024			**$ 475,544.34**	

Exhibit F

Kern Groundwater Authority
Statement of Net Position
As of July 31, 2024

Assets

Current Assets		
Cash		$ 71,013
Accounts Receivable-Members		10,192
Accounts Receivable-Grants		455,573
Total Current Assets		536,778
Total Assets		$ 536,778

Liabilities and Net Position

Current Liabilities		
Accounts Payable/Accrued Payables		$ 475,544
Total Current Liabilities		475,544
Net Position		
KGA JPA - #100		
Current Earnings	$ (89,268)	
Net Position - Prior Year (as originally presented)	103,959	14,691
Evapotranspiration Study - SAA 1 - #110		
Current Earnings	-	
Net Position - Prior Year	(13,626)	(13,626)
Kern River GSA Groundwater Model - #130-133 (combined)		
Current Earnings	-	
Net Position - Prior Year	45	45
KGA GSP - SAA 4 - #140		
Current Earnings	-	
Net Position - Prior Year	60,124	60,124
Total Net Position		61,234
Total Liabilities and Net Position		$ 536,778

Kern Groundwater Authority
Statement of Revenues and Expenses
7 Months Ended July 31, 2024

	Current Month								Year to Date - 2024							
	KGA JPA Dept. 100	ET Study SAA #1 Dept. 110	Phase 1 - RMC Peer Review - Dept. 131	Phase 2 - RMC Peer Review - Dept. 133	TODD GW MODELING Dept. 132	KGA GSA SAA #3 Dept. 120	KGA GSP SAA #4 Dept. 140	Combined	KGA JPA Dept. 100	ET Study SAA #1 Dept. 110	Phase 1 - RMC Peer Review - Dept. 131	Phase 2 - RMC Peer Review - Dept. 133	TODD GW MODELING Dept. 132	KGA GSA SAA #3 Dept. 120	KGA GSP SAA #4 Dept. 140	Combined
Member Contributions (Refunds)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Grant Revenue (Member Refunds)	643,676	-	-	-	-	-	-	643,676	1,052,716	-	-	-	-	-	-	1,052,716
Total Revenue	643,676	-	-	-	-	-	-	643,676	1,052,716	-	-	-	-	-	-	1,052,716
Accounting	2,030	-	-	-	-	-	-	2,030	6,337	-	-	-	-	-	-	6,337
Engineering	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Legal	9,089	-	-	-	-	-	-	9,089	66,578	-	-	-	-	-	-	66,578
Fees	-							-	-							-
Office Supplies / Bank Charges	-	-	-	-	-	-	-	-	160	-	-	-	-	-	-	160
Other Outside Services	524,717	-	-	-	-	-	-	524,717	1,068,910	-	-	-	-	-	-	1,068,910
Total Expenses	535,835	-	-	-	-	-	-	535,835	1,141,984	-	-	-	-	-	-	1,141,984
Change in Net Position - Current Earnings	$ 107,841	$ -	$ -	$ -	$ -	$ -	$ -	$ 107,841	$ (89,268)	$ -	$ -	$ -	$ -	$ -	$ -	$ (89,268)

ANDREA R. HILL, CPA
An Accountancy Corporation

September 18, 2024

TO: Kern Non-Districted Land Authority

FROM: Andrea R. Hill CPA, AAC

SUBJECT: August 2024 Accountant's Report

DISCUSSION

Exhibit A is the Accountant's Report for the Authority's financial activities from August 1, 2024, through August 31, 2024. There were $10,192.30 of deposits during the month. There were $15,708.00 of disbursements issued during the month. The cash balance on August 31, 2024, is $65,497.45. There were $0 of subsequent deposits as shown on **Exhibit B**.

The Accounts Receivable balance from Members on August 31, 2024, was a credit balance of $0.03 as shown on **Exhibit C**. Receivable from Grants on August 31, 2024, totaled $455,573.14 as detailed on **Exhibit D.** The combined total of Receivables on August 31, 2024, was $474,577.92.

Exhibit E is the detail of Accounts Payable for the month of August 2024, reflecting total payables on August 31, 2024, of $475,544.34. At this time, invoices totaling $14,708.00 are being requested for payment approval and disbursement.

Exhibit F is the Authority's unaudited financial statements on August 31, 2024. They include a Statement of Net Position as of August 31, 2024, and a Statement of Revenues and Expenses for the eight months ended August 31, 2024. We believe both statements fairly present the financial position and results of the Authority's activities for the general JPA membership and each specific Special Activity Agreements at this time.

Exhibit A
Kern Non-Districted Land Authority
Accountant's Report - through August 31, 2024

CURRENT ACTIVITY

Cash Balance, Prior Report July 31, 2024)				$ 71,013.15
Deposits	**Date**	**Purpose**	**Amount**	
Southern San Joaquin Municipal Utilitiy	8/13/24	2024 Initial Cash Call	5,096.15	
Westide District Water Authority	8/13/24	2024 Initial Cash Call	5,096.15	
Total Deposits				10,192.30
Disbursements	**Date**	**Ck #**	**Amount**	
Andrea R. Hill CPA, AAC.	8/22/24	3152	1,030.00	
Provost & Pritchard Consulting Group	8/26/24	3153	2,443.00	
Paris Kincaid Wasiewski LLP	8/26/24	3154	9,088.50	
Provost & Pritchard Consulting Group	8/26/24	3155	2,146.50	
Andrea R. Hill CPA, AAC.	8/26/24	3156	1,000.00	
Total Disbursements				15,708.00
Cash Balance, Current Report (August 31, 2024)				65,497.45
Accounts Receivable				
Receivables from Members - Exhibit C			(0.03)	
Grant Receivables:				
DMS Grant - 10% retention Req #1		8,984.24		
DMS Grant - 10% retention Req #2		4,206.06		
DMS Grant - 10% retention Req #3		1,732.83		
DMS Grant - 10% retention Req #4		13,568.24		
DMS Grant - Req #5		2,102.04		
DMS Grant - Req #6		6,291.31		
DMS Grant - Req #7		9,648.65		
SGMA Grant - Inv #7		409,039.77		
Grant Receivable - see Exhibit D			455,573.14	
Total Receivables				455,573.11
Accounts Payable				
See Attached A/P Detail - Exhibit E				12,296.38
Less Septebmer payables submitted for payment				-
Accrued Payables - DMS grant - Exhibit E				46,533.37
Accrued Payables - SGMA Planning grant - Exhibit E				415,748.17
Total Accounts Payable and Accrued Payables				474,577.92
Net Assets, August 31, 2024				$ 46,492.64

Exhibit B

Kern Non-Districted Land Authority

Accountant's Report - Subsequent Deposits through September 18, 2024

	Dep Date	Amount
No subsequent deposits		
Deposits - Other		-
Total Deposits (thru 9/18/24)		$ -

Exhibit C

Kern Non-Districted Land Authority

Accountant's Report - Accounts Receivable detail as of August 31, 2024

Customer	Description	Invoice #	Invoice Date	Invoice Amount
Westside District Water Auth	overpaid balance applied to September KNDLA invoice			(0.03)
	TOTAL RECEIVABLES from MEMBERS @ 08/31/24			$ (0.03)

Exhibit D

Kern Non-Districted Land Authority

Accountant's Report - Grant Detail as of August 31, 2024

Agency	Description		Date of Submittal	Invoice Amount	Amount Received	Date Received	Rem. Balance Due	Retention %
DWR	DMS Grant Draw#1:	(Inv#10)	8/25/2021	89,842.43	80,858.19	12/9/2021	8,984.24	10%
DWR	DMS Grant Draw#2:	(Inv#11)	11/29/2021	42,060.63	37,854.57	3/15/2022	4,206.06	10%
DWR	DMS Grant Draw#3:	(Inv#12)	2/28/2022	17,328.32	15,595.49	7/5/2022	1,732.83	10%
DWR	DMS Grant Draw#4:	(Inv#13)	5/27/2022	135,682.43	122,114.19	11/29/2022	13,568.24	10%
DWR	DMS Grant Draw#5:	(Inv#14)	8/26/2022	21,020.36	18,918.32	5/9/2023	2,102.04	10%
DWR	DMS Grant Draw#6:	(Inv#15)	11/30/2022	62,913.11	56,621.80	7/10/2023	6,291.31	10%
DWR	DMS Grant Draw#7	(Inv#16)	2/28/2023	96,486.51	86,837.86	11/17/2023	9,648.65	10%
					DMS GRANTS OUTSTANDING as of 8/31/2024		46,533.37	
DWR	SGMA Grant	(Inv #7)	6/26/2024	409,039.77	-	-	409,039.77	100%
					SGMA GRANTS OUTSTANDING as of 8/31/2024		409,039.77	
				TOTAL GRANTS OUTSTANDING as of 08/31/24			455,573.14	

Exhibit E

Kern Non-Districted Land Authority

Accountant's Report - Accounts Payable detail as of August 31, 2024 and subsequent payables through 9/18/24

Vendor	Description	Invoice #	Invoice Date	Invoice Amount	
Paris Kincaid Wasiewski LLP	August Services	2609	9/1/2024	$ 10,694.50	
Provost & Pritchard Consulting Group	August Services	112939	9/12/2024	$ 1,601.88	
	TOTAL PAYABLES REQUESTED AT THIS MEETING			$ 12,296.38	
INVOICES ON HOLD:					
DMS Grant (Pending Grant Proceeds):					
GEI Consultants	Kern Subbasin DMS Program	3090794	6/4/2021	$ 3,382.92	10% grant retention-Draw #1-Inv10
	Kern Subbasin DMS Program	3094374	8/12/2021	5,601.32	10% grant retention-Draw #1-Inv10
	Kern Subbasin DMS Program	3098501	10/21/2021	4,206.06	10% grant retention-Draw #2-Inv11
	Kern Subbasin DMS Program	3100303	11/22/2021	355.53	10% grant retention-Draw #3-Inv12
	Kern Subbasin DMS Program	3101973	12/23/2021	1,377.30	10% grant retention-Draw #3-Inv12
	Kern Subbasin DMS Program	3094492	8/13/2021	3,786.94	10% grant retention- Draw #4-Inv13
	Kern Subbasin DMS Program	3102874	1/17/2022	278.80	10% grant retention- Draw #4-Inv13
	Kern Subbasin DMS Program	3105117	2/21/2022	848.11	10% grant retention- Draw #4-Inv13
	Kern Subbasin DMS Program	3107022	3/25/2022	6,465.17	10% grant retention- Draw #4-Inv13
	Kern Subbasin DMS Program	3108998	5/9/2022	2,189.22	10% grant retention- Draw #4-Inv13
	Kern Subbasin DMS Program	3110073	5/23/2022	1,294.35	10% grant retention- Draw #5-Inv14
	Kern Subbasin DMS Program	3111068	6/9/2022	670.62	10% grant retention- Draw #5-Inv14
	Kern Subbasin DMS Program	3113595	7/18/2022	137.07	10% grant retention- Draw #5-Inv14
	Kern Subbasin DMS Program	3114995	8/15/2022	208.48	10% grant retention-Draw #6-Inv15
	Kern Subbasin DMS Program	3119205	10/25/2022	6,082.83	10% grant retention-Draw #6-Inv15
	Kern Subbasin DMS Program	3120753	11/18/2022	3,042.83	10% grant;pending receipt #7-Inv16
	Kern Subbasin DMS Program	3122932	12/27/2022	3,797.04	10% grant;pending receipt #7-Inv16
	Kern Subbasin DMS Program-Dec22	3124804	1/26/2023	2,808.78	10% grant;pending receipt #7-Inv16
				46,533.37	25,014.52 Accrued Payables
SGMA Planning Grant (Pending Grant Submittal/Proceeds):					
Arvin Edison Water Storage District	SGMA Implementation Grant	Jan-Mar	6/26/2024	50,204.99	100% grant; to be submitted
Eastside Water Management Area	SGMA Implementation Grant	Jan-Mar	6/26/2024	635.00	100% grant; to be submitted
Land IQ LLC	SGMA Implementation Grant	5822-Jan	6/26/2024	73,243.95	100% grant; to be submitted
	SGMA Implementation Grant	5882-Feb	6/26/2024	73,243.95	100% grant; to be submitted
	SGMA Implementation Grant	5933-Mar	6/26/2024	73,243.95	100% grant; to be submitted
Provost & Pritchard	SGMA Implementation Grant	107371	2/20/2024	2,019.60	100% grant; to be submitted
	SGMA Implementation Grant	104944	3/13/2024	1,276.00	100% grant; to be submitted
	SGMA Implementation Grant	109261	4/23/2024	603.40	100% grant; to be submitted
	SGMA Implementation Grant	110652	5/31/2024	1,303.80	100% grant; to be submitted
	SGMA Implementation Grant	111520	7/18/2024	2,621.20	100% grant; to be submitted
	SGMA Implementation Grant	112324	7/31/2024	1,338.20	100% grant; to be submitted
	SGMA Implementation Grant	112968	8/31/2024	1,445.20	100% grant; to be submitted
Todd Groundwater	SGMA Implementation Grant	83501-224	6/26/2024	42,360.00	100% grant; to be submitted
	SGMA Implementation Grant	83501-324	6/26/2024	20,101.25	100% grant; to be submitted
	SGMA Implementation Grant	83501-424	6/26/2024	14,611.25	100% grant; to be submitted
	SGMA Implementation Grant	91159501	5/2/2024	29,916.00	100% grant; to be submitted
West Kern Water District	SGMA Implementation Grant	Jan-Mar	6/26/2024	8,317.28	100% grant; to be submitted
Wheeler Ridge-Maricopa Water Dist	SGMA Implementation Grant	Jan-Mar	6/26/2024	19,263.15	100% grant; to be submitted
				415,748.17	
	PAYABLES/INVOICES ON HOLD pending Grant Proceeds			$ 462,281.54	
	TOTAL PAYABLES Outstanding at 09/17/24			$ 474,577.92	
	LESS SEPTEMBER PAYABLE SUBMITTED FOR PAYMENT			-	
	TOTAL PAYABLES Outstanding at 08/31/2024			$ 474,577.92	

Exhibit F

Kern Non-Districted Land Authority
Statement of Net Position
As of August 31, 2024

Assets

Current Assets		
Cash		$ 65,497
Accounts Receivable-Members		(0)
Accounts Receivable-Grants		455,573
Total Current Assets		521,070
Total Assets		$ 521,070

Liabilities and Net Position

Current Liabilities		
Accounts Payable/Accrued Payables		$ 474,578
Total Current Liabilities		474,578
Net Position		
KGA JPA - #100		
Current Earnings	$ (104,010)	
Net Position - Prior Year (as originally presented)	103,959	(50)
Evapotranspiration Study - SAA 1 - #110		
Current Earnings	-	
Net Position - Prior Year	(13,626)	(13,626)
Kern River GSA Groundwater Model - #130-133 (combined)		
Current Earnings	-	
Net Position - Prior Year	45	45
KGA GSP - SAA 4 - #140		
Current Earnings	-	
Net Position - Prior Year	60,124	60,124
Total Net Position		46,492
Total Liabilities and Net Position		$ 521,070

Kern Non-Districted Land Authority
Statement of Revenues and Expenses
8 Months Ended August 31, 2024

	Current Month								Year to Date - 2024							
	KGA JPA Dept. 100	ET Study SAA #1 Dept. 110	Phase 1 - RMC Peer Review - Dept. 131	Phase 2 - RMC Peer Review - Dept. 133	TODD GW MODELING Dept. 132	KGA GSA SAA #3 Dept. 120	KGA GSP SAA #4 Dept. 140	Combined	KGA JPA Dept. 100	ET Study SAA #1 Dept. 110	Phase 1 - RMC Peer Review - Dept. 131	Phase 2 - RMC Peer Review - Dept. 133	TODD GW MODELING Dept. 132	KGA GSA SAA #3 Dept. 120	KGA GSP SAA #4 Dept. 140	Combined
Member Contributions (Refunds)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Grant Revenue (Member Refunds)	-	-	-	-	-	-	-	-	1,052,716	-	-	-	-	-	-	1,052,716
Total Revenue	-	-	-	-	-	-	-	-	1,052,716	-	-	-	-	-	-	1,052,716
Accounting	1,000	-	-	-	-	-	-	1,000	7,337	-	-	-	-	-	-	7,337
Engineering	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Legal	10,695	-	-	-	-	-	-	10,695	77,273	-	-	-	-	-	-	77,273
Fees	-							-	-							-
Office Supplies / Bank Charges	-	-	-	-	-	-	-	-	160	-	-	-	-	-	-	160
General Administration Support	683	-	-	-	-	-	-	683	683	-	-	-	-	-	-	683
General Technical Support	360	-	-	-	-	-	-	360	360	-	-	-	-	-	-	360
Grant Administration	1,546	-	-	-	-	-	-	1,546	1,546	-	-	-	-	-	-	1,546
Rent Expense	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Website Management	457	-	-	-	-	-	-	457	457	-	-	-	-	-	-	457
Other Outside Services	-	-	-	-	-	-	-	-	1,068,910	-	-	-	-	-	-	1,068,910
Total Expenses	14,741	-	-	-	-	-	-	14,741	1,156,726	-	-	-	-	-	-	1,156,726
Change in Net Position - Current Earnings	$ (14,741)	$ -	$ -	$ -	$ -	$ -	$ -	$ (14,741)	$ (104,010)	$ -	$ -	$ -	$ -	$ -	$ -	$ (104,010)

KERN NON-DISTRICTED LANDS AUTHORITY

REQUEST FOR PROPOSALS FOR CONSULTING SERVICES

RE: REQUEST FOR PROPOSALS FOR THE POSITION OF EXECUTIVE DIRECTOR FOR THE KERN NON-DISTRICTED LANDS AUTHORITY

INTRODUCTION

The 2014 Sustainable Groundwater Management Act (SGMA) requires prioritized California groundwater basins to be managed by a Groundwater Sustainability Agency (GSA) and for "critically overdrafted" basins, including Kern County Subbasin, to adopt a Groundwater Sustainability Plan (GSP) by January 31, 2020, and achieve sustainability by January 31, 2040.

The Kern Non-Districted Lands Authority (KNDLA) was formed through a Joint Exercise of Powers Agreement (JPA) among 20 public agencies (Members). A copy of the restated JPA dated June 2024 is attached for further reference and includes the membership in Exhibit A. The intent of KNDLA is to provide GSA coverage for non-districted land within the Kern Subbasin and, in some cases, offer regulatory jurisdiction to certain members for lands outside their service area boundaries as defined in the JPA.

POSITION

The KNDLA is soliciting proposals from an individual and/or organization to provide administrative oversight and leadership for the KNDLA, as directed by the Board of Directors (Board), as it seeks to comply with the requirements of SGMA, coordinate efforts within the Basin, and engage stakeholders, policy makers and regulators on issues pertaining to the preparation and administration of a GSP.

The individual shall act in the capacity of Executive Director for the KNDLA and report directly to the Board. The position of Executive Director is a contract position and not an employee of the KNDLA. Under direction of the Board, the essential job duties and responsibilities of this position include:

A. Provides leadership and direction to Members within the KNDLA to ensure all necessary administrative actions required for compliance with SGMA are achieved; acts on behalf of the Board of Directors as directed and to perform other duties as required.

B. Provides day-to-day coordination for and professional assistance to the KNDLA and its Members on issues related to compliance with SGMA.

C. Provides oversight and assistance with the coordination and preparation of various memoranda, reports, and publications as needed for SGMA compliance.

D. Develops the annual budget.

E. Represents KNDLA with regulatory groups and business organizations and acts as KNDLA liaison on various inter-agency coordination projects.

F. Provides advice and consultation on the development of KNDLA services, functions, and policies.

G. Communicates and provides feedback to KNDLA consultants to assure direction and work products meet KNDLA mission and vision.

H. Assists in the development and management of various programs under the Board of Directors responsibility.

I. Maintains excellent public relations through communication with Members, landowners, and the general public.

REQUIREMENTS:

Bachelor's degree with background in water management, groundwater, hydrology, and/or regulatory compliance is preferred; or professional registration/certification in a related field. Five years of increasingly responsible experience in a municipality, special district or technical trade requiring regulatory compliance and reporting. The candidate must be a resident of Kern County.

This position requires detail orientation, exceptional communication (oral and written) skills, time management and proficiency in Word/Excel/Outlook as well as GIS and Database experience.

The Executive Director position, would need to provide or otherwise cover the duties of an Administrative Assistant, who shall provide technical, logistical, and administrative support.

ORGANIZATION AND CONTENTS OF PROPOSAL

Responses to this RFP must be made according to the requirements set forth in this section for content and sequence. Failure to adhere to these requirements or to include conditions, limitations or misrepresentations may be cause for rejection of the proposal. Any correction and resubmission by the proposer will not extend the time for evaluation of the proposal. Responses to this RFP shall be prepared as concise as possible.

Proposals shall include a cover letter; one page for general firm and/or individual information; a cost proposal; and the resumes for the individuals put forward for the positions.

The cost proposal shall include an hourly rate, inclusive of all overhead and administrative expenses (insurance etc.). Mileage and travel expenses shall be reimbursed at the then current IRS rate. Assume a combined 80 hours per month for the positions.

SELECTION AND APPROVAL PROCESS

Prior to award of contract the KNDLA shall schedule a meeting with each final candidate to provide the candidate an opportunity to detail their qualifications and for members of the KNDLA to ask questions of the candidate and their respective proposal.

In the discretion of KNDLA, an award of contract shall be made to the candidate who provides the best overall response to the requirements of this RFP. KNDLA may select whichever consultant or consultants it determines will best serve its interests. Upon completion of the evaluation process, initial discussions may be conducted between the KNDLA and consultants to clarify the scope of services, staffing schedules, level of effort, and contract costs immediately after the rankings. KNDLA may enter final negotiations with the selected candidate with the intent of agreeing on a mutually acceptable contract.

Proposals should be received no later than close of business (5:00pm) October 18, 2024. Interviews will be scheduled for the following week. Please send proposals to the attention of KNDLA Chair Barry Watts, at bwwatts@msn.com.

Sent via email

August 30, 2024

Kristin Pittack, *Kern Plan Manager, kpittack@rinconconsultants.com*
Valerie Kincaid, *General Manager, Kern Non-Districted Land Authority GSA3 (formerly Kern Groundwater Authority GSA), vkincaid@pariskincaid.com*
Jason Gianquinto, *General Manager, Semitropic Water Storage District GSA, jgianquinto@semitropic.com*
Laura Gage, *District Secretary, lgage@semitropic.com*

Re: Recommendations for Semitropic Water Storage District & Kern County Subbasin on Revised 2024 Groundwater Sustainability Plans

Dear Semitropic WSD & Kern Subbasin,

On behalf of Clean Water Action, Central California Environmental Justice Network, and the undersigned organizations, we are submitting public comments on the Revised 2024 Kern County Subbasin Groundwater Sustainability Plan (GSP) and Semitropic Water Storage District (SWSD) Groundwater Sustainability Plan (GSP). Our organizations are deeply committed to the successful implementation of the Sustainable Groundwater Management Act (SGMA), as well as ensuring that all beneficial users dependent on groundwater as their main source of drinking water are protected from significant and unreasonable impacts. Unfortunately, the revised plan posted on June 1, 2024 still fails to address protections to drinking water users and disadvantaged communities that rely on groundwater as their main source. **The Kern Subbasin GSAs, and Semitropic WSD in particular, must ensure their revised GSPs comply with SGMA, the Human Right to Water, and relevant state and federal laws**.

We want to provide a summary of community specific concerns to illustrate the high stakes of this GSP revision, and how this GSP's deficiencies affect Kern residents. Residents whose water access is managed under the GSA often have to pay twice for water. First, when they pay their water bill, and second, when buying bottled water becomes an essential substitute for well water.

In Lost Hills (Population of 2,400), residents are entirely dependent on groundwater from two public supply wells serviced through Lost Hills Public Utilities District (LHPUD) within SWSD

as their source of drinking water, with a water use rate of approximately 400 acre-feet per year. Lost Hills is already an overburdened community with multiple pollution sources, including the 6th largest producing oil field in California, a gas plant, a hazardous waste facility, a 4-lane Highway going through the center of the community, a major freeway adjacent and the Wonderful company fields north of town.

No public meetings for the GSA have been held in Lost Hills, either for the original 2022 plan or the 2024 revised plan. Meanwhile, Semitropic in 2023 negotiated a reduction in groundwater extraction for this disadvantaged community by providing unreliable State Water Project supplies in lieu of groundwater.

As public agencies, GSAs must adhere to the public participation and inclusivity requirements laid out in SGMA. SGMA regulations require that, "the groundwater sustainability agency shall encourage the active involvement of diverse social, cultural, and economic elements of the population within the groundwater basin prior to and during the development and implementation of the groundwater sustainability plan."[1] In addition, "Disadvantaged communities, including, but not limited to, those served by private domestic wells or small community water systems."[2]

Although Semitropic has made significant improvements in addressing deficiencies identified via the Department of Water Resources (DWR) 2022 GSP deficiency report, we will highlight several deficiencies that remain in the Revised 2024 GSP that will continue to lead to significant and unreasonable impacts in the region. Among the deficiencies are:

1. Unresolved Deficiencies in 2020 GSP that Remain in the Revised 2024 GSP

- **I. The Revised 2024 GSP Fails to Demonstrate Effective Coordination Across the Subbasin**
- **II. The Revised 2024 GSP Fails to Adequately Define & Avoid Undesirable Results for Groundwater Levels and Groundwater Quality**

2. New Deficiencies Identified by SWRCB & NGO Review of Revised 2024 GSP

- **I. The Revised 2024 GSP is Inadequate Due to the Lack of a Stakeholder Community Engagement Plan (SCEP)**
- **II. The Revised 2024 GSP Does Not Feature a Well Mitigation Plan**
- **III. The Revised 2024 GSP Fails to Adequately Address Ongoing Degradation of Groundwater Quality**

[1] Cal. Water Code § 10727.8(a)
[2] Cal. Water Code § 10723.2(i)

1. Unresolved Deficiencies in 2020 GSP that Remain in the Revised 2024 GSP

I. The Revised 2024 GSP Fails to Demonstrate Effective Coordination Across the Subbasin

Our organizations are deeply concerned that the fragmented coordination efforts of the Kern Non-Districted Land Authority (KNDLA) will exacerbate existing problems in the basin by allowing significant localized exceedances of maximum contaminant levels (MCLs) and declining groundwater levels. The decision by the Semitropic Water Storage District (Semitropic) not to participate in the KNDLA only worsens the situation.

We agree with the State Water Resources Control Board (SWRCB) staff report that the GSAs of the Kern Subbasin need to revise their Coordination Agreement to incorporate a comprehensive minimum threshold exceedance plan for the whole subbasin. In addition, at the basic level, it is necessary for the GSAs to develop clear and coordinated definitions of undesirable results, distinguish GSA boundaries, GSA relationships in the subbasin, and responsibilities between Kern GSAs that are consistent with the requirements of SGMA. As it stands now, the Kern Subbasin will fail to reach sustainability under these conditions.

a. Well Monitoring Networks Do Not Adequately Monitor Shallow Groundwater

Our organizations are deeply concerned that the current monitoring network is insufficient to protect the communities we work with from the impacts of groundwater overdraft and groundwater quality contamination. The calculation of minimum thresholds and undesirable results will not be accurate if the GSA fails to measure water quality and water level impacts in the vicinity of shallow domestic and public supply wells.

We recommend extensive amendments to the monitoring network and monitoring strategies in the Kern Subbasin and for comprehensive monitoring networks to be a substantial consideration in any revisions of the Plan and Coordination Agreement. We agree with SWRCB staff on their characterization of the issue as presented in the Revised 2024 GSP. The plan does not account for the nuances of effective monitoring well networks in instances of differentiation of confining layers (E-clay)[3]. Most of the wells within the GSA's network screen for the confined aquifer, this leaves a massive gap in data monitoring for the unconfined aquifer. This is to the direct detriment of beneficial users in the Kern Subbasin, especially those who draw from the unconfined aquifer for drinking water or other supplies. When groundwater quality degrades or groundwater levels drop in the unconfined aquifer, the GSA is unable to adequately measure this shift due to the gaps in their monitoring network.

[3]Semitropic Water Storage District Groundwater Sustainability Agency. (2024). *Revised 2024 Groundwater Sustainability Plan. Basin Setting - Hydrogeologic Conceptual Model, ES-6.*

These insufficiencies in turn inform all Sustainable Management Criteria (SMC), monitoring networks, well impact analyses, and development of well mitigation plans. This ensures, from top to bottom, that the GSA's management of groundwater resources in the Kern Subbasin will be inadequate and will not be protective of beneficial uses and users.

b. The Revised 2024 GSP's Groundwater Levels Minimum Thresholds Are Inappropriately Averaged

By averaging groundwater level trends across the basin, the Plan will ignore localized impacts and fail to trigger a minimum threshold and necessary project and management to prevent undesirable results. We agree with SWRCB's assessment of this phenomena as it was identified in a preliminary review of the Revised 2024 GSP.[4] The Revised 2024 GSP utilizes an average rate of declining groundwater level trends across the subbasin. This methodology creates acute variation in groundwater level minimum thresholds between hydrological areas in the Kern Subbasin. This in turn results in a skew of the data and lowers thresholds of groundwater levels in wells close to Kern communities. The method, as it is laid out in the revised 2024 GSP, is not consistent with the established scientific literature on best practices for measuring groundwater levels. We recommend reevaluating the methodology that creates this skew in MTs and consulting SGMA guidelines provided by both DWR and SWRCB on correcting this error.

II. The Revised 2024 GSP Fails to Adequately Define & Avoid Undesirable Results for Groundwater Levels and Groundwater Quality

The Revised 2024 GSP proposes a dramatic lowering of a number of minimum thresholds (MTs). Some of the MTs described in the GSP were lowered by 50 feet to 100 feet from the MTs in the 2020 plans, and the Revised 2024 GSP's methodology is described in such a way that groundwater levels throughout the subbasin could deplete past the lowest historical groundwater levels without triggering management actions.[5]

a. Groundwater Levels Should Not be Used as Proxy for Groundwater Quality Measurements

Moreover, in the 2022 GSP and Revised 2024 GSP, groundwater levels appear to have been substituted for groundwater quality measurements. This guarantees that the GSP fails to adequately describe the impacts of groundwater levels on groundwater quality if their definitions appear interchangeable in the implementation of the GSA's proposed Revised 2024 GSP. To that same point, the revised 2024 GSP fails to adequately set

[4]State Water Resources Control Board. (2024). *Kern County Subbasin Probationary Hearing Draft Staff Report. 4.1.6 Preliminary Review of 2024 Draft Groundwater Sustainability Plans*

[5]Semitropic Water Storage District Groundwater Sustainability Agency. (2024). *Revised 2024 Groundwater Sustainability Plan. 7-Hydrogeologic Conceptual Model.*

minimum thresholds and, in fact, utilizes the same faulty method for determining MTs challenged by DWR in their 2022 inadequate determinations.[6]

This altogether is extremely concerning and dangerous for small water systems and domestic wells reliant on shallow wells. A number of wells could go dry that vulnerable disadvantaged communities depend on, and no management action will be taken with the triggers set as this revised 2024 GSP proposes.

SGMA requires watershed basins to avoid chronic lowering of groundwater levels as a pillar of achieving sustainability.[7] Lowering groundwater levels contributes to worsening conditions of groundwater quality, subsidence, and further depletion of interconnected surface waters. We understand that for the overdrafted basins, lowered groundwater levels are likely to occur, but we want to emphasize that this situation necessitates a robust, long-term strategy in the plan to mitigate the impacts of that decline.

2. New Deficiencies Identified by SWRCB & NGO Review of Revised 2024 GSP

I. The Revised 2024 GSP is Inadequate Due to the Lack of a Stakeholder Communication and Engagement Plan (SCEP)

SGMA requires GSAs to include a public engagement plan that determines how they will identify all beneficial uses and users to effectively engage in planning implementation processes in their GSP.[8] While the GSP document references such a plan, there is no Appendix H in either the original or revised plan. The Kern Revised 2024 GSP fails to take into account the impacts of its groundwater management on all beneficial uses and users of groundwater within their basin.[9] Drinking water well users and disadvantaged communities are dependent on the success of SGMA, and are undoubtedly the most vulnerable to the impacts of undesirable results and exceedance of SMCs.[10]As our organizations have stated in past comment letters, "residents of [the] Lost Hills community depend solely on groundwater from Semitropic, their input and consideration in GSP

[6] Department of Water Resources. (2022). *RE: Incomplete Determination of the 2020 Groundwater Sustainability Plans Submitted for the San Joaquin Valley – Kern County Subbasin.*

[7] Cal. Wat. Code § 10721 ((x.1-6)) ["Chronic lowering of groundwater levels indicating a significant and unreasonable depletion of supply if continued over the planning and implementation horizon."].

[8] Department of Water Resources. (2018). *Guidance Document for Groundwater Sustainability Plan Stakeholder Communication and Engagement*. Available at: https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Assistance-and-Engagement/Files/Guidance-Doc-for-GSP---Stakeholder-Communication-and-Engagement.pdf.

[9] Department of Water Resources. (2023). *Guidance for Sustainable Groundwater Management Act Implementation: Considerations for Identifying and Addressing Drinking Water Well Impacts*. Available at: https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Files/Considerations-for-Identifying-and-Addressing-Drinking-Water-Well-Impacts_FINAL.pdf?utm_medium=email&utm_source=govdelivery.

[10] Dobbin, Kristin B., and Mark Lubell. "Collaborative governance and environmental justice: Disadvantaged community representation in California sustainable groundwater management." *Policy Studies Journal* 49.2 (2021): 562-590. Available at: https://doi.org/10.1111/psj.12375.

development and implementation is critical to the success of the plan. Lost Hills is one of just two community water systems drawing water from this subbasin, and it is susceptible to the impacts of groundwater level decline as well as groundwater quality degradation. Our review of the revised plan found stakeholder engagement to vulnerable communities was essentially nonexistent."[11]

The GSA MUST comply with SGMA and immediately publish for review and implement a Stakeholder Communications and Engagement Plan. This plan must include a plan for engaging disadvantaged communities and assessing the impacts of the plan on those communities. The Kern County Subbasin must fulfill its obligation under SGMA to meaningfully engage impacted groundwater users. Similarly, the Semitropic GSP must identify how it engaged communities in the development and implementation of the plan. The GSAs MUST develop and implement comprehensive Stakeholder and Community Engagement Plans, assess how stakeholder engagement impacts continued GSP implementation, and examine how stakeholder engagement is administered across the Subbasin and is used to address the deficiencies determined by DWR.

II. The Revised 2024 GSP Does Not Provide a Well Mitigation Plan

We are encouraged by the Kern GSAs indicating their commitment to develop and implement a well mitigation plan in conjunction with consultants from Self-Help Enterprises. However, that mitigation plan has not been published for our review and no financing plan has been provided. Until such time as that happens, this plan remains inadequate and subject to the probationary process. We highly recommend Kern GSAs use the resources available to them to produce a robust and equitable well mitigation plan. Consulting DWR's *Considerations for Identifying and Addressing Drinking Water Well Impacts Guidance*[12] and the *Drinking Water Well Mitigation Framework*[13] are a good place to start.

a. The Revised GSP Fails to Clearly Explain Management Actions in the instances of Groundwater Quality Exceedance

In connection to the issue of lacking a well mitigation plan, a major problem with this GSP is a lack of follow through on management actions. If groundwater quality exceedance occurs, the GSP lacks clear details on what response the GSAs will have. It is unclear what additional water sampling and monitoring the GSAs would employ, and how well water would be restored to safe levels. With parameters for investigation wobbly, the Revised

[11] Re: Comments on the Revised Semitropic Water Storage District Groundwater Sustainability Plan. (2022)

[12] Department of Water Resources. (2023). *Guidance for Sustainable Groundwater Management Act Implementation: Considerations for Identifying and Addressing Drinking Water Well Impacts.* Available at: https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Files/Considerations-for-Identifying-and-Addressing-Drinking-Water-Well-Impacts_FINAL.pdf?utm_medium=email&utm_source=govdelivery

[13] Self-Help Enterprises, Community Water Center and Leadership Counsel for Justice and Accountability. (2022). *Framework for a Drinking Water Well Impact Mitigation Program.* Available at: https://www.selfhelpenterprises.org/wp-content/uploads/2022/07/Well-Mitigation-English.pdf

2024 GSP proves itself to be insufficient in addressing groundwater quality exceedance and protecting safe drinking water for beneficial users.

III. The Revised 2024 GSP Fails to Adequately Address Ongoing Degradation of Groundwater Quality

Setting SMCs for groundwater quality is another area of sustainable management adversely affected by the subbasin's fragmented approach, and we agree with SWRCB staff's identification of the issues. With the 2022 Kern Coordination Agreement, definitions of groundwater level MT triggers were agreed upon and set to trigger when a management area experiences groundwater level decline above historic "MTs in 40% or more RMSs, within the Management Area over four consecutive bi-annual SGMA required monitoring events."[14] Regardless of the Coordination Agreemnet's promises however, GSAs in the subbasin employ inconsistent methods to set SMCs. Moreover, that data itself that GSAs in the Kern Subbasin pull from is inconsistent.

SGMA requires groundwater management implemented by GSAs be effective at preventing, "significant and unreasonable degraded water quality, including the migration of contaminant plumes that impair water supplies."[15] Due to the exacerbation of the fragmented approach, we agree with SWRCB staff's assessment and recommend Kern GSAs commit to a comprehensive system of data reporting on the status of MT exceedances and include this data in their annual reports.

The standard this GSP sets for groundwater quality is concerning, however. To rectify this, we overall recommend that the subbasin GSAs revise their Coordination Agreement to incorporate considerations for groundwater quality using consistent data and methodologies across the subbasin.[16]

Every deficiency we find with the Kern Subbasin's revised 2024 GSP is exacerbated by the fragmentation of groundwater management entities in the Kern subbasin. As it stands now the revised 2024 GSPs will undoubtedly result in considerable impacts to communities that depend on domestic wells for all essential uses of clean and safe water. Their needs are our foremost concern. Sustainability is far out of reach, and undesirable results are all but assured unless the Kern Subbasin as a whole changes course. This GSP is insufficient for any of the GSAs to credible claim to qualify for the good actor clause. **To best protect the beneficial use and users of groundwater**

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[14] State Water Resources Control Board. (2024). *Kern County Subbasin Probationary Hearing Draft Staff Report. 4.1.4 Deficiency GWQ – Degraded Groundwater Quality.*

[15] Wat.Code, § 10721, subd. (x.4)) [""Undesirable result" means one or more of the following effects caused by groundwater conditions occurring throughout the basin: (4) Significant and unreasonable degraded water quality, including the migration of contaminant plumes that impair water supplies."].

[16] State Water Resources Control Board. (2022). Groundwater Quality Considerations For High And Medium Priority Groundwater Basins. Available at: https://www.waterboards.ca.gov/water_issues/programs/sgma/docs/comments-to-dwr/groundwater-quality-considerations-letter-20221121.pdf.

in the Kern Subbasin, this 2024 Revised GSP must be deemed inadequate and the subbasin moved into probation.

While our priorities for comment on the plan center on necessary improvements to coordination across the Kern Subbasin, groundwater levels, equitable stakeholder engagement, establishing a robust well mitigation plan, and groundwater quality; we concur with SWRCB's other identified deficiencies with Land Subsidence and Interconnected Surface Waters (ISW). **We strongly encourage the Kern Subbasin GSAs to build and maintain strong and reliable coordination across the subbasin for the benefit of their work and to reach SGMA's goal of sustainability.**

Sincerely,

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