

KERN COUNTY WATER AGENCY

Stuart T. Pyle Water Resources Center

3200 Rio Mirada Drive

Bakersfield, California

Notice of Special Board Meeting

March 27, 2025

Conference Line: [+1 \(571\) 317-3122](tel:+15713173122)

Access Code: 863-465-805#

<https://global.gotomeeting.com/join/863465805>

REVISED AGENDA

- I. Call to Order – 11:00 a.m.
- II. Directors' Forum
- III. Public Comment
Anyone may comment on any subject within Agency jurisdiction whether or not it is on the agenda. Time for such comment may be limited.
- IV. Report of the General Manager
- V. Review of the Kern County Water Agency General Fund and State Contract Payment Fund Budgets and Cash Flow Projections
- VI. Report of the General Counsel
 - A. Authorization for Closed Session regarding:
 1. Conference with Legal Counsel – Existing Litigation (Government Code section 54956.9, subdivision (a)):
 - a. Applications Filed for Kern River Water
 - b. California Department of Water Resources v. All Persons Interested in the Matter of the Contract Extension Amendments
 - c. North Coast Rivers Alliance, et al. v. California Department of Water Resources (COA CEQA)
 - d. California Department of Water Resources v. All Persons Interested in the Matter of the Authorization of Delta Program Revenue Bonds
 - e. Rosedale-Rio Bravo Water Storage District, *et al.* v. Kern County Water Agency, *et al.* (CVC Issues)
 - f. Kern Delta Water District, *et al.* v. Rosedale-Rio Bravo Water Storage District (Onyx CEQA)

- g. Rosedale-Rio Bravo Water Storage District v. Buena Vista Water Storage District, *et al.* (Onyx Water Rights)
- h. California Sportfishing Protection Alliance, *et al.* v. California State Water Resources Control Board, *et al.*, Sacramento County Superior Court, Case No. 34-2021-80003761 (2021 Order Re Temporary Urgency Change Petition)
- i. California Sportfishing Protection Alliance, *et al.* v. State Water Resources Control Board, *et al.*, Sacramento County Superior Court, Case No. 34-2021-80003763 (2021 Order Re Shasta Temporary Management Plan)
- j. California Water Impact Network v. Department of Water Resources, Sacramento County Superior Court Case No. 34-2020-80003492; North Coast Rivers Alliance v. Department of Water Resources, Sacramento County Superior Court Case No. 34-2020-80003491 (Water Management Tools)
- k. Pacific Coast Federation of Fishermen's Associations, *et al.* v. Ross,., E.D. Cal., Case No. 1:20-cv-00431 & California Natural Resources Agency, *et al.* v. Ross, *et al.*, E.D. Cal., Case No. 1:20-cv-00426 (Long-term Operations)
- l. State Water Board Cases, Sacramento County Superior Court Case No. JCCP 5013 (Water Quality Control Plan Phase 1 Litigation)
- m. Oroville Dam Cases, Sacramento County Superior Court Case No. JCCP 4974
- n. Long-term State Water Project Operations Cases, Sacramento County Superior Court Case No. JCCP 5117
- o. Temporary Applications Filed for Kern River Water
- p. Bring Back the Kern, *et al.* v. City of Bakersfield, *et al.*, Kern County Superior Court Case No. BCV-22-103220
- q. Delta Conveyance Project Litigation, Court Case No. 24WM000017
- r. California Sportsfishing Alliance, *et al.* v. California Department of Water Resources and California Department of Fish and Wildlife, *et al.*, Sacramento County Superior Court Case No. 24WM000181; Tehama-Colusa Canal Authority, *et al.* v. California Department of Water Resources and California Department of Fish and Wildlife, *et al.*, Sacramento County Superior Court Case No. 24WM000183; San Francisco Baykeeper, *et al.* v. California Department of Water Resources, Sacramento County Superior Court Case No. 24WM000185; and Central Delta Water Agency and South Delta Water Agency v. California Department of Water Resources, Sacramento County Superior Court Case No. 24WM000186 (2024 Incidental Take Permit Litigation)

- s. Mass X, Inc. v. Kern County Water Agency, et al., Kern County Superior Court Case No. BCV-24-104394
 - t. Department of Water Resources v. All Persons Interested in the Matter of Delta Conveyance Project Program Revenue Bonds etc. (2025 DWR Validation Action), Sacramento County Superior Court Case No. 25 CV000704
 - u. Melva Hodge v. City of Bakersfield, et al., Kern County Superior Court Case No. BCV-25-100081
- 2. Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation: (Government Code section 54956.9, subdivision (d)(2)):
 - a. Two potential suits
 - 3. Conference with Real Property Negotiator (Government Code section 54956.8):
 - a. Negotiator: Water Resources Manager
Property: State Water Project Water
Parties: California Department of Water Resources and State Water Project Contractors
Under Negotiation: Price & Terms

VII. Adjournment

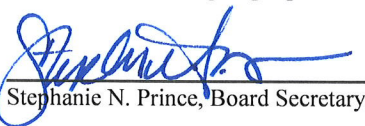
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DECLARATION OF POSTING: I declare under penalty of perjury, that I am employed by the Kern County Water Agency and that I posted the foregoing Agenda at the Agency Office on March 24, 2025.


Stephanie N. Prince, Board Secretary

Requests for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Secretary in advance of the meeting to ensure availability of the requested service or accommodation.



KERN COUNTY WATER AGENCY

Stuart T. Pyle Water Resources Center

3200 Rio Mirada Drive
Bakersfield, California 93308

Notice of BOARD OF DIRECTORS MEETING

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Under Negotiation: Price & Terms

III. Directors' Forum

- A. Report from the State Water Contractors General Manager

IV. Public Comment

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V. Minutes of Board Meetings and Committee Meetings –

Special Board Meeting	February 27, 2025
Regular Board Meeting	February 27, 2025

VI. Report of the General Manager

VII. Advisory Committee Reports

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

VIII. Board Committee Reports

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

A. ADMINISTRATIVE COMMITTEE – Director Cattani, Chair

1. Report of the Administrative Operations Manager
2. Payment of the Bills
3. Financial Report
4. Appointment of Association of California Water Agencies Joint Powers Insurance Authority Director and Alternate Directors
5. Authorization to Execute the Kern County Water Agency Contract for Heating, Ventilating and Air Conditioning Unit for the Stuart T. Pyle Water Resources Center
6. Consideration of a Policy Regarding the Authority of the General Manager to Incur Obligations Without Prior Approval from the Board of Directors

B. POLICY COMMITTEE – Director Milobar, Chair

1. Update on Delta Conveyance Activities
2. Delta Conveyance Project – Additional Funding Approval
 - a. Presentation on Delta Conveyance Project
 - b. Consideration and possible Approval of Resolution No. 08-25, a Resolution of the Board of Directors of Kern County Water Agency: (1) Considering the Final Environmental Impact Report for the Delta Conveyance Project (State Clearinghouse No. 2020010227) and Approving Notice of Determination; (2) Making Responsible Agency Findings for the Delta Conveyance Project Pursuant to the California Environmental Quality Act (“CEQA”) and State CEQA Guidelines Section 15096; (3) Adopting CEQA Findings of Fact for the Delta Conveyance Project under State CEQA Guidelines Section 15091; (4) Adopting a Statement of Overriding Considerations under State CEQA Guidelines Section 15093 for Pre-Construction Work related to the Delta Conveyance Project; (5) Authorizing the General Manager to Enter into Amendment No. 2 to the Contract Between Kern County Water Agency and its Member Units for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project; and (6) Authorizing the General Manager to Execute a Letter Setting Forth the Agency’s Agreement to Advance or Contribute Additional Money to the Department of Water Resources for the Agency’s Share of the Delta Conveyance Project Planning and Pre-Construction Costs for Calendar Years 2026-2027

3. Approval of Memorandum of Understanding Among State Water Contractors regarding State Water Project Transactions
4. Update on Legislative Activities

C. WATER RESOURCES COMMITTEE – Director Fast, Chair

1. Report of the Water Resources Manager
2. Report on the State Water Contractors Board Meeting
3. Report on 2025 State Water Project and Central Valley Project Allocations and Operations
4. Water Delivery Operations
 - a. Report on Kern County Water Agency California Aqueduct Deliveries
 - b. Update on Water Transfers, Exchanges and Purchases
 - c. Authorization to Execute an Agreement for Transfer of Plumas County Flood Control and Water Conservation District's State Water Project Article 56 Carryover Water to Kern County Water Agency, SWP #25004
 - d. Authorization to Execute an Agreement Among the Department of Water Resources of the State of California, Kern County Water Agency, San Geronio Pass Water Agency and Antelope Valley-East Kern Water Agency for Conveyance of Non-Project Water, SWP #25005
 - e. Authorization to Execute an Agreement for Transfer of Oak Flat Water District's State Water Project Article 56 Carryover Water to Kern County Water Agency, SWP #25011
5. Authorization to Execute the State Water Contractors Municipal Water Quality Investigations Program Specific Project Agreement
6. Authorization to Execute the Municipal Water Quality Investigations Specific Project Cost Allocation Agreement Between the Kern County Water Agency and Tejon-Castac Water District
7. Report on the Kern Non-Districted Lands Authority Meeting

D. WATER MANAGEMENT COMMITTEE

1. Report of the Engineering and Groundwater Services Manager

- a. Update on Groundwater Banking Construction/Maintenance Projects
- b. Update on Pioneer Project Recharge Facilities – Basin 11
2. Report on 2025 Water Operations
3. Authorization to Execute Change Order No. 4 for the KCWA Well 38 & 39 Well Equipping Project – Contract No. KCWA 2021-09B
4. Authorization to Execute Amendment No. 2 to the Kern County Water Agency Agreement for a Groundwater Sustainability Plan Consultant for the Kern Subbasin Cost Sharing Agreement for Revising Groundwater Sustainability Plans
5. Authorization to Execute Amendment No. 3 to the Kern County Water Agency Agreement for an Engineering and Land Surveying Consultant for the South Pioneer Boundary Survey and Record of Survey
6. Report on Kern Water Bank Activities

E. CROSS VALLEY CANAL COMMITTEE – Director Lundquist, Chair

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

F. URBAN BAKERSFIELD COMMITTEE – Director Wulff, Chair

1. Report of the Improvement District No. 4 Manager
 - a. Report on the Kern River Groundwater Sustainability Agency Meeting
 - b. Update on the Improvement District No. 4 Water Education Program
2. Authorization to Set Groundwater Charges Within Improvement District No. 4 for Fiscal Year 2025-26
3. Report on the Improvement District No. 4 2025 Water Supply and Management Plan
4. Report on the Henry C. Garnett Water Purification Plant

- a. Authorization to Increase the Fiscal Year 2024-25 Expenditure Limit for Treated Water Chemicals
- b. Authorization to Request Bids for Chemicals Used in the Water Treatment Process
- c. Authorization to Execute Amendment No. 1 to the Kern County Water Agency Agreement for an Engineering Consultant for the Hageman Flyover Project

IX. Correspondence

X. Brief Report on Potential New Business

XI. Adjournment

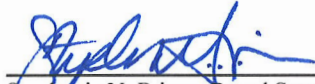
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Stephanie N. Prince, Board Secretary

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KERN COUNTY WATER AGENCY
Elected Seven-Member Board

General Counsel

James Ciampa
Lagerlof, LLP

General Manager

Thomas D. McCarthy

Executive Assistant

Stephanie N. Prince

Human Resources Manager

Christina M. Van Meter
Human Resources Analyst
Jessica L. Massey (III)

**ADMINISTRATIVE
OPERATIONS**

AO Manager
Nick L. Pavletich

Business Manager
Audrey A. Garcia
IT Coordinator
Vacant
Office Assistant
Madison R. Brown

Controller
Taylor N. White
Accountant
Fletcher D. Fick (II)
Accounting Clerk
Elizabeth Perez (II)

**ENGINEERING AND
GROUNDWATER SERVICES**

EGS Manager
J.T. Gardiner

Geologist
Michelle L. Anderson (III)
Water Resources Planner
Maegan A. Allen (III)
Engineer
Scott T. Chambless (III)
David M. Pieper (III)
Vacant

**IMPROVEMENT DISTRICT
NO. 4**

ID4 Manager
Vacant

Management Assistant
Denise D. Kini (II)

Water Resources Planner
Donna E. Semar (III)

WPP Superintendent
Vacant

Operations Supervisor
Gabriel A. Ornelas

Water Purification Plant Operator
John M. Annear (IV)
Brenner J. Corbett (IV)
Omar Zavala (IV)
Anthony R. Ledesma (III)
Eliseo Barajas (II)
Enrique Galvan III (Trainee)

Laboratory Supervisor
Paul A. Wagner

Laboratory Analyst
Rosa A. Torres (III)
Vacant

Maintenance Supervisor
Jason R. Lancaster

Electrical & Control Technician
Zachary R. Howell (III)
Morris J. Maytubby (II)

Maintenance Foreman
James M. Fleming

Journeyman Maint. Mechanic
D.J. Billiard
Miguel G. De La Torre

Maintenance Mechanic
Justin Nunez (II)
Aiden T. Kelly (II)

**WATER
RESOURCES**

WR Manager
Lauren A. Bauer

Management Assistant
Vacant

State Water Project Manager
Craig A. Wallace

Bay-Delta Manager
Vacant

Water Resources Planner IV
Monica Tennant

Water Resources Planner
Micah L. Clark (II)
Veronica Arreola (II)
Courtney B. Pasquini (I)
Chelsea M. Palmer (I)
Vacant

O&M Superintendent
Steve W. Yoder

O&M Supervisor
Martin J. Ansolabehere

Electrical & Control Technician
Brian J. Null (III)

Pump Maintenance Technician
David S. Downs (II)

Heavy Equip./Systems Operator
Levi F. Smith III

Systems/Heavy Equip. Operator
William P. Barrett

Systems Operator
Kent G. Thompson (II)
Daniel J. Hernandez (II)
Anthony J. Vasquez (II)
Caleb E. Ruiz (I)
Desmond R. Stancil (I)

Filled Positions:	52
Vacant Positions:	8

UPDATE ON STATE WATER CONTRACTOR ACTIVITIES

JENNIFER PIERRE
MARCH 27, 2025



THE “STATE WATER CONTRACTORS”



- Distinct From Individual SWP Contractors
- Non-Profit Mutual Benefit Corporation
- Membership Open to all Contractors
- 27 of 29 Contractors Represented
- 9 Board of Directors (Kern holds 1 seat)

STATE WATER CONTRACTORS APPROACH

- Limited Staff (9)
- “Translate” to/from DWR
- Emphasis on Leveraging Staff Efforts through working with DWR
- Eyes, ears, mouth of the SWP contractors
- Work with Staff and DWR Executives



6 PROPOSED OBJECTIVES FOR 2025/26

- Business Practices
- Energy
- Infrastructure
- Outreach
- Science
- Water Supply



BUSINESS PRACTICES



- Protest Item Resolution
- Contract Extension Implementation
- Process of Affordability

ENERGY

- Renewed contractor engagement and strategy development
- SB1020 implementation
 - Affordability and equity
- Oroville pumped storage
- FERC Relicensing- Oroville and SoCal facilities
- Tracking Rate Cases and legislative activity
- Energy Roadmap



INFRASTRUCTURE

- DWR's Strategic Asset Management Plan
 - Affordability and reliability
- Aqueduct Subsidence
- SWP Dam Safety
 - Sisk Dam
 - Oroville Comprehensive Needs Assessment
- SWP/SWC Storage Investigations



OUTREACH



- SWP education and awareness
- Highlighting research programs and results
- Advocacy and engagement in the State Capitol and in DC
- Legislative tours, lunches, meetings
- Regular speaking and conference participation, engagement with the press

LEGISLATIVE/BUDGET FOCUS



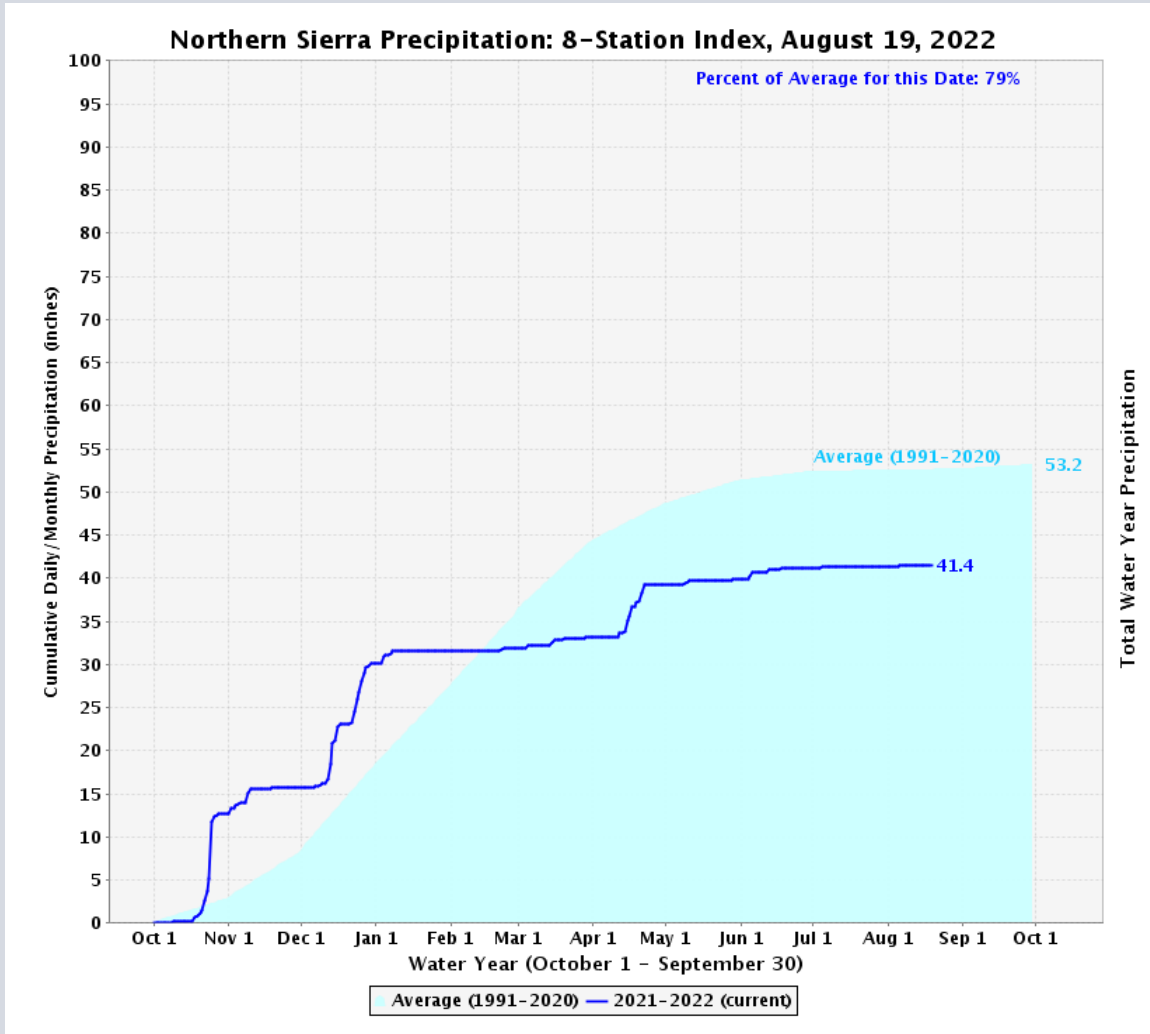
- Budget
 - Oroville Pumped Storage
 - Prop 4: subsidence and invasive species funding
 - Sisk Dam raise
- Policy Bills
 - Clean up SB 1020
 - Energy grid 'regionalization'
 - Water Quality Control Plan
 - CEQA streamlining for water infrastructure

SCIENCE

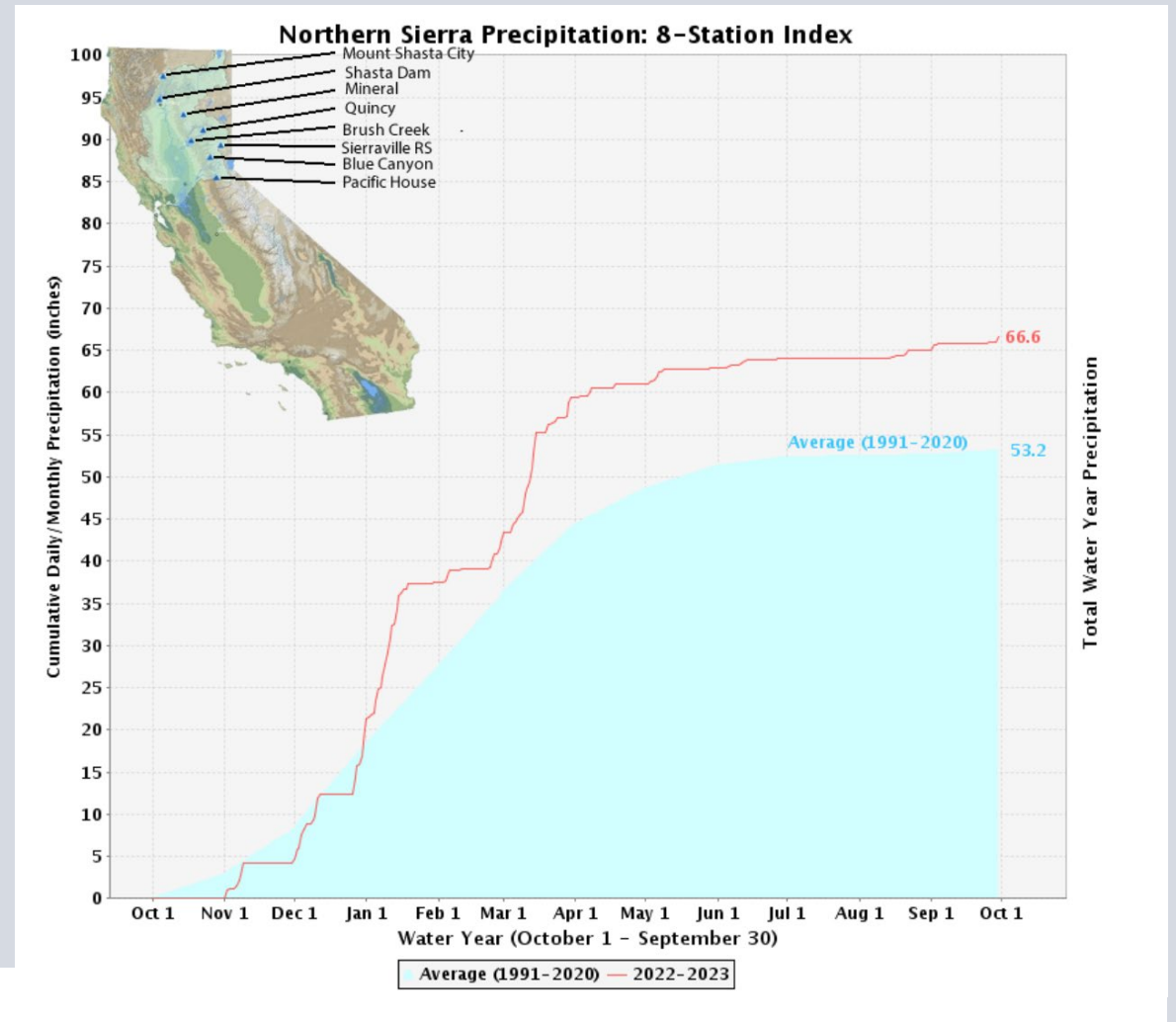
- Administering approx. 20 contracts
- Science Program Solicitation and administration
- Coordinating PWA efforts
- CSAMP and CAMT participation
- Salmon recovery



2021-22 Drought Year



2022-23 Wet Year



Prominent stair step patterns - need to take water and store when available for when it's not.

WATER SUPPLY



- Maximizing water supply
- Science-based permits for ongoing operations
- Voluntary Agreements/Healthy Rivers and Landscapes
- Delta Conveyance
- Groundwater recharge partnerships

2024 ESA AND CESA PERMITS (REDUX?)



- ESA/CESA requirements for spring outflow consistent with the reduced Delta diversions proposed under the Voluntary Agreements by CVP/SWP exporters
- Criteria for:
 - Cold water pool
 - Entrainment risk reduction
 - Monitoring and adaptive management
 - Mitigation actions
- Operations consistent between DWR and Reclamation
- Cost sharing consistent between CVP and SWP
- Total costs of ITP reduced by more than \$75M over 10-year permit

NEW WORK

Implement President's and Governor's Executive Orders

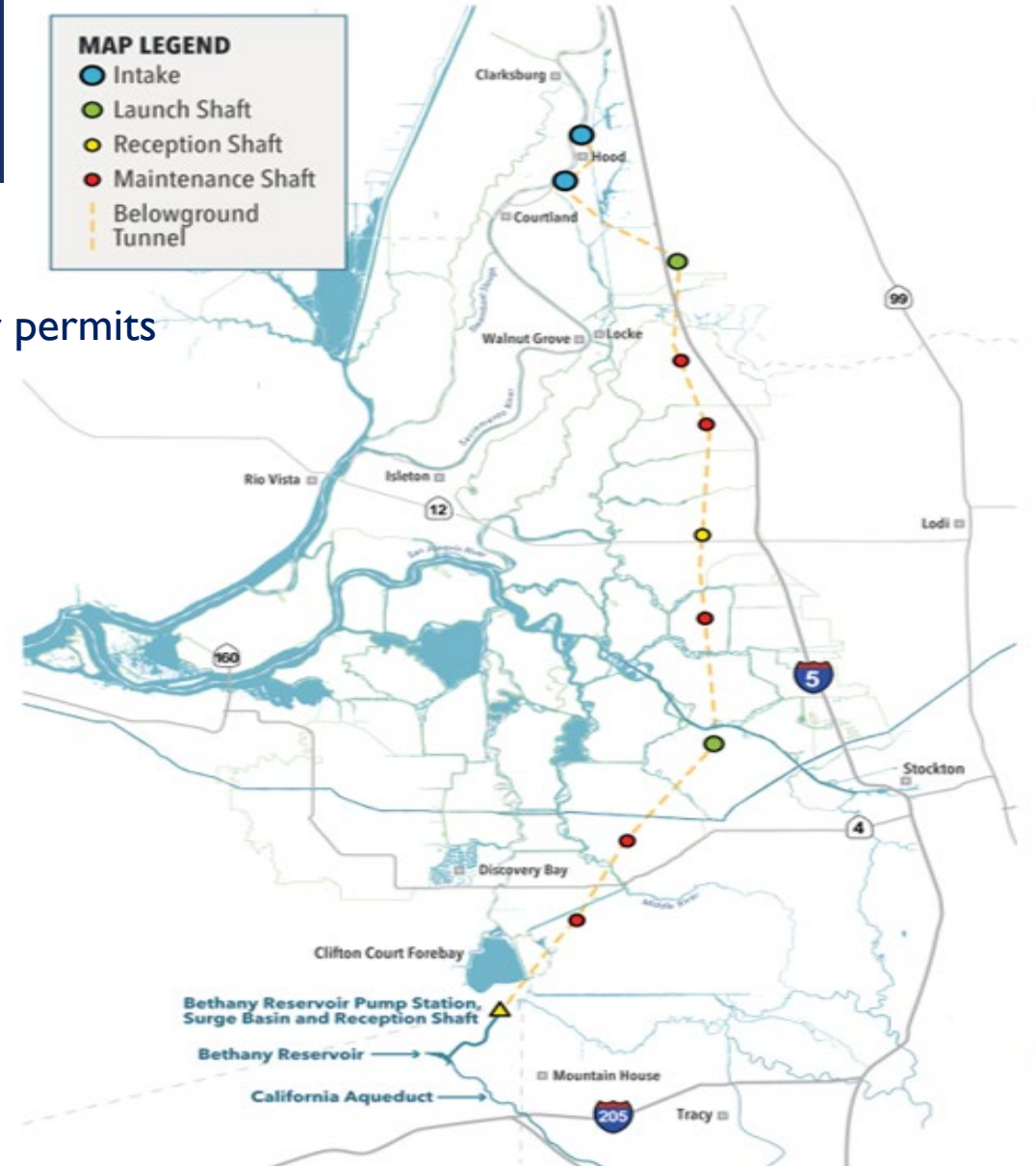
HEALTHY RIVERS AND LANDSCAPES/WATER QUALITY CONTROL PLAN

- SWB will make a decision on an updated Water Quality Control Plan in 2025
- Expect that there will be dual pathways for compliance
 - Unimpaired flow/flow only
 - Healthy Rivers and Landscapes/flow and habitat
- Integration with Phase I VA parties
- Tribal and NGO engagement



DELTA CONVEYANCE PROJECT

- Commitment from Governor to have remainder of major permits done by 2026
 - Water rights change in point of diversion
 - Delta Stewardship Council consistency determination
- Complete contract amendment
- CEQA litigation
- Settlement agreements
- ESA/CESA permits
- Continued project design



2024 HIGHLIGHTS

Water Supply

- Fall X2 offramp
- Completion of new LTO EIR, EIS, ITP, and Biological Opinions that coordinate operations with the CVP and address all of the issues raised in SWP lawsuits.
- Increased frequency of water operations committee.

DCP

- Submitted DCP CPOD application. Received ESA and CESA Permits.
- Significant number of Board votes in support of continued planning funding.

Energy

- Awarded DOE grants
- Increased awareness of SWP energy issues
- Continued to advocate for funding for Oroville Pump Storage
- Continued intervention in Formula Rate and Annual Transmission rates
- Updated Energy Forecast model

Infrastructure

- Completed business case evaluations and value engineering for Castaic High Tower valve activation, Hyatt Intake Gate, and the South Bay Aqueduct Landslide
- SWP Storage workgroup.
- Subsidence repair coordination with Reclamation and CVP contractors.

2024 HIGHLIGHTS

Business Processes

- Complete execution of the Tenth amendment to the Tolling and Waiver agreement, by the end of December 31, 2023.
- Update the SWC SWP Forecasting Model and provide contractors with long-term charge forecasts for the SWP existing facilities.
- Support the development of a PWA SWP Financial Management Roadmap.
- In coordination with DWR, support DWR's efforts on the completion of the SWRDS financial statement, analysis of the reported deferred amounts, and alignment with the future phases of the GAAP Compliance Project.
- Begin transitioning contractors to DWR's CABS remote access.
- Develop SharePoint Site for Affordability Workgroup, and SWRDS Finance Committee.
- Update the SWC SWP Forecasting Model and provide contractors with long-term charge forecasts for the proposed DCP facilities under different financing scenarios including reporting results by \$/AF.

Science

- Completed a science program tracking database to help organize science contracts.
- Initiated synthesis of science findings from 2018-2024 and will issue a report in 2025.
- Initiated a 5-year roadmap based on preliminary findings from the synthesis and in consideration of upcoming regulatory needs.
- Initiated a plan for strategic science communication of findings from SWC funded studies.
- Administration of 20 contracts.

OVERALL 2025/26 PRIORITIES

Improved financial tracking and understanding;
AFFORDABILITY

Stabilization of Delta operations/proceeding with Agreements to Support Health Rivers

Clear path for SB 1020 Implementation

Continued science and research engagement

Delta Conveyance permitting

SWP Storage

Continue public outreach on SWP priorities



QUESTIONS?

DRAFT

February 27, 2025

The Board of Directors (Board) of the Kern County Water Agency (Agency) conducted its special meeting of the Board at the hour of 11:00 a.m., at the Stuart T. Pyle Water Resources Center, 3200 Rio Mirada Drive, in Bakersfield, California and via teleconference and go to meeting.

Present Directors: President Eric L. Averett, Vice President Martin Milobar, Directors Royce Fast, Charles (Bill) W. Wulff, Jr., Gene A. Lundquist, Laura Cattani and Ted R. Page

Absent Directors: None

Present for the Agency: Thomas D. McCarthy, General Manager
Stephanie N. Prince, Board Secretary
James D. Ciampa, Lagerlof, LLP

Present for the Member Units: Becky Ortiz, Semitropic Water Storage District

President Averett called the meeting to order at 11:01 a.m.

Director Page joined the meeting at 11:02 a.m.

Subject: Directors' Forum

Director Wulff reported that he participated in the California Farm Water Coalition Board of Directors meeting and provided an update on the meeting.

Subject: Public Comment

None.

Subject: Report of the General Manager

Tom McCarthy had nothing to report under the Report of the General Manager.

Agency staff provided a presentation on the Agency's General Fund and State Contract Payment Fund budgets, and related cash flow projections.

Subject: Report of the General Counsel

Outside counsel, Jim Ciampa of Lagerlof, LLP, advised the Board of the need for closed session, and the following motion was made:

Action: Director Wulff made a motion and Director Page seconded that, upon advice of legal counsel, the Board finds that there is need for discussion of items as stated in the agenda pursuant to the authorities set forth in the agenda and therefore approves a closed session to be convened on this day at the end of the Board meeting.

Ayes: Fast, Wulff, Lundquist, Milobar, Cattani, Page and Averett
Noes: None
Absent: None

President Averett adjourned the meeting to closed session at 11:26 a.m.

President Averett adjourned closed session at 11:43 a.m.

President Averett reconvened the meeting to open session at 11:44 a.m.

Mr. Ciampa reported that no reportable actions were taken in closed session.

President Averett adjourned the meeting at 11:45 a.m.

Minutes approved by the Board of Directors of the Kern County Water Agency this 27th day of
March, 2025.

BOARD OF DIRECTORS OF THE
KERN COUNTY WATER AGENCY

ATTEST:

By: _____
President

By: _____
Board Secretary

DRAFT

February 27, 2025

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Absent Directors: None

Present for the Agency: Thomas D. McCarthy, General Manager
Stephanie N. Prince, Board Secretary
James D. Ciampa, Lagerlof, LLP

Present for the Member Units: Mark Gilkey, Belridge Water Storage District,
Berrenda Mesa Water District and Lost Hills Water District
Jamie Marquez, Belridge Water Storage District,
Berrenda Mesa Water District and Lost Hills Water District
Tim Ashlock, Buena Vista Water Storage District
Richard Iger, Kern Delta Water District
Steven Teglia, Kern Delta Water District
Roy Pierucci, Rosedale-Rio Bravo Water Storage District
Trent Taylor, Rosedale-Rio Bravo Water Storage District
Gary Unruh, Rosedale-Rio Bravo Water Storage District
Barry Watts, Rosedale-Rio Bravo Water Storage District
Jason Gianquinto, Semitropic Water Storage District
Dan Waterhouse, Semitropic Water Storage District
Becky Ortiz, Semitropic Water Storage District
Greg Hammett, West Kern Water District
Eric McDaris, Wheeler Ridge-Maricopa Water Storage District
Sheridan Nicholas, Wheeler Ridge-Maricopa Water Storage District

President Averett called the meeting to order at 12:00 p.m.

Subject: Board of Directors

Director Lundquist took the Oath of Office for Director of Division 7 of the Agency.

Subject: Report of the General Counsel

Outside counsel, Jim Ciampa of Lagerlof, LLP, advised the Board of the need to add two items to the Agenda. These items required immediate action and came to the attention of staff after the Agenda

was posted. Mr. Ciampa recommended adding the following items to the Agenda pursuant to Government Code section 54954.2(b)(2) and the following motion was made:

Action: Director Wulff made a motion and Director Page seconded, that the Board found that the following items require immediate action and came to the attention of Agency staff after the Agenda for this meeting was posted: (1) to add one item to the Water Resources Committee, Agenda Item No. IX.C.10., entitled “Authorization to Enter into an Agreement with Wheeler Ridge-Maricopa Water Storage District for the Review of the Battery Energy Storage System Project”; and (2) to add one item to the Water Management Committee, Agenda Item No. IX.D.4., entitled “Authorization to Send a Notice of Intent to Adopt an Amended Groundwater Sustainability Plan for the Pioneer Groundwater Sustainability Agency”.

Ayes: Fast, Wulff, Lundquist, Milobar, Cattani, Page and Averett
Noes: None
Absent: None

Mr. Ciampa advised the Board of the need for closed session, and the following motion was made:

Action: Director Lundquist made a motion and Director Wulff seconded that, upon advice of legal counsel, the Board finds that there is need for discussion of items as stated in the agenda pursuant to the authorities set forth in the agenda and therefore approves a closed session to be convened on this day at the beginning of the Board meeting.

Ayes: Fast, Wulff, Lundquist, Milobar, Cattani, Page and Averett
Noes: None
Absent: None

President Averett adjourned the meeting to closed session at 12:04 p.m.

President Averett adjourned closed session at 1:25 p.m.

President Averett reconvened the meeting to open session at 1:31 p.m.

Mr. Ciampa reported that no reportable actions were taken in closed session.

President Averett reported that Adrienne (Ann) Mathews, a former Agency Board member, passed away on February 4, 2025. Ms. Mathews was appointed as the Agency’s Director for Division 5 in 1986 and remained in that role until 2015. A moment of silence followed in remembrance of Ms. Mathews.

Subject: Directors’ Forum

None.

Subject: Public Comment

John Gaugle of Wonderful Orchard requested clarity regarding the groundwater transfer process.

Agency staff informed the Board that the Water Resources Manager is authorized to approve routine annual water transfers, exchanges and purchases, to ensure that participation in these water transfers, exchanges and purchases occurs in a timely manner. Agency staff will follow up with Mr. Gaugle to further discuss this request regarding the transfer process.

Subject: Minutes of Board Meetings

Action: Director Wulff made a motion and Director Milobar seconded to approve the January 23, 2025 regular Board meeting minutes.

Ayes:	Fast, Wulff, Lundquist, Milobar, Cattani, Page and Averett
Noes:	None
Absent:	None

Subject: Report of the General Manager

Tom McCarthy reported that on February 22, 2025, Enrique Galvan III was promoted to Water Purification Plant Operator Trainee at the Henry C. Garnett Water Purification Plant (Plant) for Improvement District No. 4 (ID4). Enrique joined the Agency as a Laboratory Analyst I for ID4 in April 2023. During his time as a Laboratory Analyst I, Enrique has grown in his knowledge and understanding of laboratory operations, including water sampling and water quality analyses. In his new role, Enrique will be responsible for participating in the operation, monitoring and maintenance of the HCGWPP and distribution system. Enrique’s experience working in ID4 and enthusiasm for increasing his job knowledge will continue to be an asset to the Agency.

Mr. McCarthy recognized Brian Sarver, Water Purification Plant Superintendent, in the ID4 Department for his retirement after 32 years of service on March 7, 2025. Mr. Sarver will be greatly missed.

Mr. McCarthy reported that former Agency employee, Frans Henket recently passed away. Mr. Henket worked at the ID4 Plant from 1977 to 1986 as Senior Operator and then as Superintendent.

Subject: Cross Valley Canal Advisory Committee

Lauren Bauer reported that the Cross Valley Canal (CVC) Advisory Committee did not meet this month.

Subject: Improvement District No. 3 Advisory Committee

Lauren Bauer reported that the Improvement District No. 3 Advisory Committee did not meet this month.

Subject: Urban Bakersfield Advisory Committee

Tom McCarthy reported that the Urban Bakersfield Advisory Committee conducted its regular meeting on February 26, 2025, and Directors Lundquist, Milobar, Page and Wulff attended the meeting. Items discussed at the meeting will be covered under the Urban Committee agenda item.

Subject: Administrative Committee

Nick Pavletich reported that Agency staff and the Audit ad hoc committee (Directors Averett, Cattani, and Lundquist) met with the Agency’s audit firm representative on February 26, 2025, and that the fiscal year 2023-24 audit is now complete.

Action: Director Cattani made a motion and Director Lundquist seconded to approve payment of the bills for the month of February 2025 in the amount of \$10,766,730.86 for all cost centers except Improvement District No. 4, and \$1,088,177.86 for Improvement District No. 4.

Ayes: Fast, Wulff, Lundquist, Milobar, Cattani, Page and Averett
Noes: None
Absent: None

Nick Pavletich provided an update on the Financial Report.

Action: Director Cattani made a motion and Director Fast seconded to adopt Resolution No. 04-25 authorizing the sale of Kern County Water Agency surplus equipment.

Roll call vote: Ayes: Fast, Wulff, Lundquist, Milobar, Cattani, Page and Averett
Noes: None
Absent: None

Action: Director Cattani made a motion and Director Page seconded to waive formal reading and adopt Ordinance No. 25-01.

Roll call vote: Ayes: Fast, Wulff, Lundquist, Milobar, Cattani, Page and Averett
Noes: None
Absent: None

Subject: Policy Committee

Craig Wallace provided an update on Delta Conveyance activities.

Craig Wallace reported on the State and Federal Contractors Water Agency Board meeting.

Tom McCarthy provided an update on Legislative Activities.

Subject: Water Resources Committee

Lauren Bauer reported on the increase of State Water Project 2025 Allocation to 35 percent and Kern Fan banking projects bank accounts.

Craig Wallace reported on the State Water Contractors Board meeting.

Craig Wallace provided a report on 2025 State Water Project and Central Valley Project allocations and operations.

Chelsea Palmer provided a report on Kern County Water Agency California Aqueduct deliveries.

Courtney Pasquini provided an update on Water Transfers, Exchanges and Purchases.

Action: Director Fast made a motion and Director Cattani seconded to authorize approval of a transfer and to enter into an indemnification agreement for Berrenda Mesa Water District's State Water Project Table 1 Water to Semitropic Water Storage District, subject to approval of General Counsel as to legal form, as outlined in the February 27, 2025 staff memorandum to the Water Resources Committee, Agenda Item No. 4c.

Ayes: Fast, Wulff, Lundquist, Milobar, Cattani and Page

Noes: None

Absent: None

Abstain: Averett

Action: Director Fast made a motion and Director Lundquist seconded to authorize approval of a transfer and to enter into an indemnification agreement for Central Valley Project Water supplies, subject to approval of General Counsel as to legal form, as outlined in the February 27, 2025 staff memorandum to the Water Resources Committee, Agenda Item No. 4d.

Ayes: Fast, Wulff, Lundquist, Milobar, Cattani, Page and Averett

Noes: None

Absent: None

Action: Director Fast made a motion and Director Cattani seconded to adopt Resolution No. 05-25 ratifying the Article 55 Agreement Between the Department of Water Resources of the State of California and Kern County Water Agency for Conveyance of Westlands Water District's 2024-2025 Central Valley Project Water, SWP #25002.

Roll call vote: Ayes: Fast, Wulff, Lundquist, Milobar, Cattani, Page and Averett

Noes: None

Absent: None

Action: Director Fast made a motion and Director Wulff seconded to authorize the Water Resources Manager to execute the Municipal Water Quality Investigations Agreement Between the State of California Department of Water Resources, State Water Contractors and Participating Urban State Water Project Contractors, subject to approval of General Counsel as to legal form, as outlined in the February 27, 2025 staff memorandum to the Water Resources Committee, Agenda Item No. 5.

Ayes: Fast, Wulff, Lundquist, Milobar, Cattani, Page and Averett

Noes: None

Absent: None

Action: Director Fast made a motion and Director Wulff seconded to authorize the Water Resources Manager to execute the Municipal Water Quality Investigations Program Cost Allocation Agreement Between the Kern County Water Agency and Tejon-Castac Water District, subject to approval of General Counsel as to legal form, as outlined in the February 27, 2025 staff memorandum to the Water Resources Committee, Agenda Item No. 6.

Ayes: Fast, Wulff, Lundquist, Milobar, Cattani, Page and Averett

Noes: None

Absent: None

The item entitled, “Authorization to Execute the State Water Contractors Municipal Water Quality Investigations Program Specific Project Agreement” was tabled.

The item entitled, “Authorization to Execute the Municipal Water Quality Investigations Specific Project Cost Allocation Agreement Between the Kern County Water Agency and Tejon-Castac Water District” was tabled.

Michelle Anderson provided a report on the Kern Non-Districted Lands Authority Meetings.

Action: Director Fast made a motion and Director Cattani seconded to authorize the Water Resources Manager to execute an agreement with Wheeler Ridge-Maricopa Water Storage District for review of the Battery Energy Storage System Project, subject to the approval of General Counsel as to legal form, as outlined in the February 27, 2025 staff memorandum to the Water Resources Committee, Agenda Item No. 10.

Ayes: Fast, Wulff, Lundquist, Milobar, Cattani, Page and Averett
Noes: None
Absent: None

Subject: Water Management Committee

J.T. Gardiner announced that the American Council of Engineering Companies recognized the Agency and the Agency’s engineering consultant Provost & Pritchard Consulting Group with an engineer excellence award for the Cross Valley Canal – Pool No. 8 Lining Project.

J.T. Gardiner provided an update on groundwater banking construction/maintenance projects.

Lauren Bauer provided an update on Pioneer Project Recharge Facilities – Basin 11.

Micah Clark provided a status report on 2025 water operations, and Michelle Anderson provided information regarding the current water levels in the aquifer.

Tom McCarthy provided a report on Kern Water Bank Activities.

Action: Director Page made a motion and Director Lundquist seconded to approve authorization to send a Notice of Intent to Adopt an Amended Groundwater Sustainability Plan for the Pioneer Groundwater

Sustainability Agency, subject to approval of General Counsel as to legal form, as outlined in the February 27, 2025, staff memorandum to the Water Management Committee, Agenda Item No. 4.

Ayes: Fast, Wulff, Lundquist, Milobar, Cattani, Page and Averett

Noes: None

Absent: None

Subject: Cross Valley Canal Committee

Lauren Bauer provided an update regarding CVC operational losses and reported that staff and outside consultants continue to meet to resolve this issue. A presentation will be provided at the next meeting.

Lauren Bauer provided a report on CVC construction/maintenance projects.

Action: Director Lundquist made a motion and Director Wulff seconded to appoint Jamie Marquez as the second alternate member to represent the Kern County Water Agency on the Cross Valley Canal Advisory Committee, as outlined in the February 27, 2025 staff memorandum to the Cross Valley Canal Committee, Agenda Item No. 1b.

Ayes: Fast, Wulff, Lundquist, Milobar, Cattani, Page and Averett

Noes: None

Absent: None

Monica Tennant provided a report on CVC operations and deliveries.

Subject: Urban Bakersfield Committee

Tom McCarthy reported on operations at the plant, continuing lab quarterly sampling and maintenance, and noted that Water Education Consultant Sarah Clayton completed a successful Project

WET (Water Education for Teachers) Presentation with 15 Bakersfield City School District teachers on January 30 and 31, 2025.

Tom McCarthy reported on the Kern River Groundwater Sustainability Agency meeting.

Donna Semar provided a report on the ID4 2025 water supply and management plan.

Action: Director Wulff made a motion and Director Page seconded to adopt Resolution No. 06-25 authorizing the Secretary of the Board of Directors to publish the Notice of Public Hearing setting the public hearing to be held on March 17, 2025 at 3:00 p.m. to consider findings in the 2024 Report on Water Conditions Within Improvement District No. 4.

Roll call vote:	Ayes:	Fast, Wulff, Lundquist, Milobar, Cattani, Page and Averett
	Noes:	None
	Absent:	None

Gabriel Ornelas provided a report on the Henry C. Garnett Water Purification Plant.

Action: Director Wulff made a motion and Director Lundquist seconded to authorize to approve the Improvement District No. 4 Procurement of a Motor Control Center for the Oswell Regulating Facility Booster Pump Station for an amount not to exceed \$156,750, subject to approval of General Counsel as to legal form, as outlined in the February 27, 2025 staff memorandum to the Urban Bakersfield Committee, Agenda Item No. 5.

	Ayes:	Fast, Wulff, Lundquist, Milobar, Cattani, Page and Averett
	Noes:	None
	Absent:	None

Subject: Correspondence

None.

Subject: New Business

None.

President Averett adjourned the meeting at 2:54 p.m.

Minutes approved by the Board of Directors of the Kern County Water Agency this 27th day of March, 2025.

BOARD OF DIRECTORS OF THE
KERN COUNTY WATER AGENCY

By: _____
President

ATTEST:

By: _____
Board Secretary

Administrative Committee

MINUTE ORDER
APPROVAL PAGE

March 27, 2025

Total Amounts Approved for Payment:

Exhibit	"A"	9,833,293.57
Exhibit	"B"	

REVIEWED AND APPROVED BY:

PRESIDENT

DIRECTOR

It was moved by Director _____ and seconded by Director _____
Motion to approve the claims for the claimants set forth on Exhibit A attached
hereto and to approve payment of the bills therefore in the amount of:

\$9,833,293.57

VENDOR NAME	COMMENTS	TOTAL	GENERAL FUND	STATE CONTRACT PAYMENT FUND	CROSS VALLEY CANAL FUND	PIONEER PROJECT FUND	OTHER FUNDS	NAME OF OTHER FUNDS
Department of Water Resources	State Water Project Costs	8,096,567.00		8,096,567.00				
Payroll Costs	Pay Periods 25-04, 25-05	828,585.15 [1]					828,585.15	Multiple Funds
Pacific Gas & Electric	January-February Charges	567,931.65 *	16,625.02		536,761.01	14,044.41	501.21	KCWA/BM
Three Way Chevrolet	Vehicle Purchase	50,170.08			50,170.08			
Daniells Phillips Vaughan & Bock	Audit Services	49,100.00	49,100.00					
TerraServe Inc.	Weed Maintenance	42,000.00 *				42,000.00		
Nossaman LLP	Legal Services	21,020.75 *		21,020.75				
Somach Simmons & Dunn	Legal Services	18,063.08					18,063.08	Lower River
Lagerlof LLP	Legal Services	17,548.75 *					17,548.75	Multiple Funds
US Bank	See Exhibit "C"	15,728.43					15,728.43	Multiple Funds
Secure Systems	Alarm System for O&M Center	14,000.00 *			14,000.00			
The Gualco Group Inc.	State Legislative Analyst	12,645.55	505.82	12,139.73				
Hall Letter Shop Inc.	Mailing Services	11,597.50 *	11,597.50					
Wheeler Ridge-Maricopa Water Storage District	Refund of Cofferdam Revenue	10,130.70			10,130.70			
Providence Strategic Consulting Inc.	Public Information Consulting	8,506.73	7,031.63	1,475.10				
Woodard & Curran	Technical Support for Pioneer GSP	8,352.50 *				8,352.50		
CalNeva Water	Legal Services	7,892.50 *				7,892.50		
Semitropic Water Storage District	Refund of Cofferdam Revenue	7,873.62			7,873.62			
Belridge Water Storage District	Refund of Cofferdam Revenue	5,322.08			5,322.08			
Lost Hills Water District	Refund of Cofferdam Revenue	5,217.05			5,217.05			
Berrenda Mesa Water District	Refund of Cofferdam Revenue	5,032.70			5,032.70			
Securitas Security Services USA, Inc.	February Patrol Service	4,306.00	4,306.00					
Dee Jaspar & Associates Inc.	Engineering Consulting	3,762.58				3,762.58		
Sagaser, Watkins & Wieland PC	Legal Services	3,420.00 *			3,420.00			
Employee Expense Claims	See Exhibit "C"	2,877.25 *					2,877.25	Multiple Funds
Meyer Civil Engineering Inc.	Engineering Consulting	2,506.50				2,326.50	180.00	ID1
Cawelo Water District	Refund of Cofferdam Revenue	1,971.01			1,971.01			
Henry Miller Water District	Refund of Cofferdam Revenue	1,828.66			1,828.66			
Nomos LLP	Legal Services	1,560.00 *	40.00		1,520.00			
Rosedale-Rio Bravo Water Storage District	Refund of Cofferdam Revenue	1,533.01			1,533.01			
West Kern Water District	Refund of Cofferdam Revenue	1,379.71			1,379.71			
GEI Consultants	Engineering Consulting	1,324.00			1,324.00			
Kern Delta Water District	Refund of Cofferdam Revenue	1,314.01			1,314.01			
Buena Vista Water Storage District	Refund of Cofferdam Revenue	1,097.20			1,097.20			
Tehachapi-Cummings County Water District	Refund of Cofferdam Revenue	876.01			876.01			
Tejon-Castac Water District	Refund of Cofferdam Revenue	251.81			251.81			
PAGE TOTALS		9,833,293.57	89,205.97	8,131,202.58	651,022.66	78,378.49	883,483.87	

[1] Invoice Previously Paid

[*] Invoice added after Board mailout

Note: An expense reimbursement report pursuant to Government Code Section 53065.5 is available.

MINUTE ORDER SUPPLEMENT
 EMPLOYEES AND DIRECTORS CLAIMS

March 27, 2025

EXHIBIT "C"

	EMPLOYEE PAID AGENCY EXPENDITURES	AGENCY PAID CREDIT CARD PURCHASES	TOTAL EXPENDITURES
Anderson, Michelle	389.20 *	556.49	945.69
Bauer, Lauren		795.34	795.34
Clark, Micah		1,049.00	1,049.00
Fast, Royce	529.95 *		529.95
Gardiner, James		27.00	27.00
McCarthy, Thomas	205.00 *	4,847.33	5,052.33
Milobar, Martin	406.00		406.00
Nuñez, Justin	205.25 *		205.25
Palmer, Chelsea		1,049.00	1,049.00
Pavletich, Nick		6,206.86	6,206.86
Van Meter, Christina		193.05	193.05
Wallace, Craig	1,141.85	1,004.36	2,146.21
TOTAL EMPLOYEE REIMBURSEMENTS	2,877.25		
TOTAL CREDIT CARD PURCHASES		15,728.43	
TOTAL EMPLOYEE & CREDIT CARD PURCHASES			18,605.68

MINUTE ORDER
APPROVAL PAGE

March 27, 2025

Total Amounts Approved for Payment:

Exhibit	"A"	7,467,181.20
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REVIEWED AND APPROVED BY:

PRESIDENT

DIRECTOR

MINUTE ORDER

March 27, 2025
 EXHIBIT "A"
 Page One

It was moved by Director _____ and seconded
 by Director _____ that the following claims
 for the claimants hereinafter set forth be approved;

7,467,181.20

VENDOR NAME	COMMENTS	IMPROVEMENT DISTRICT #4
Bank of New York Mellon	Semi-Annual Loan Payment	6,995,610.87 *
Pacific Gas & Electric	January-February Charges	311,881.74 *
Black & Veatch	Engineering Consulting	39,268.75 *
Enviroclear Technologies	Chemicals	33,445.60
Northern Digital Inc.	Engineering Consulting	30,229.68
Securitas Security Services USA, Inc.	February Patrol Service	14,832.38
Lower-Tule River Irrigation District	CVC O & M Costs	14,812.55
Central California Appraisals	Appraisal Consulting	10,000.00
Sarah Clayton	Water Education Consultant	8,598.36
CalNeva Water	Legal Consulting	7,892.50 *
Providence Strategic Consulting	Public Information Consulting	368.77
Nomos LLP	Legal Services	240.00 *

PAGE TOTALS

7,467,181.20

[1] Invoice Previously Paid

[*] Invoice added after Board mailout

Note: An expense reimbursement report pursuant to Government Code Section 53065.5 is available

Kern County Water Agency
Payment Summary by Amount
02/01/2025 - 02/28/2025

Payee Name	Check Number	Check Date	Amount
Department of Water Resources	132057	02/27/2025	7,490,606.00
State Water Contractors	132058	02/27/2025	1,627,044.00
Pacific Gas and Electric	132123	02/28/2025	352,332.21
ACWA JPIA	132158	02/28/2025	329,945.21
Pacific Gas and Electric	132125	02/28/2025	321,890.18
KCERA	131947	02/04/2025	271,803.15
Asure-Payroll	ACH Debit	02/28/2025	191,291.00
Kern Water Bank Authority	132107	02/28/2025	173,799.52
Asure-Payroll	ACH Debit	02/03/2025	171,769.14
KCERA	132102	02/28/2025	128,134.63
Kern-Tulare Water District	131951	02/04/2025	91,386.00
BNY Mellon	Wire Transfer	01/01/2025	89,198.46
IRS/EDD - Payroll Tax Deposit	ACH Debit	02/04/2025	88,527.73
IRS/EDD - Payroll Tax Deposit	ACH Debit	02/18/2025	78,331.74
Kern Delta Water District	132104	02/28/2025	54,706.75
Haddad Dodge	132096	02/28/2025	52,786.39
Department of Water Resources	131984	02/10/2025	43,039.00
Empower Retirement	ACH Debit	02/19/2025	35,954.74
Pacific Gas and Electric	132032	02/20/2025	33,586.01
Venable's Autumn Leaf Tree Svc. Inc.	132152	02/28/2025	29,795.00
North Kern Water Storage District	131955	02/04/2025	29,581.80
Woodard & Curran Inc.	132156	02/28/2025	28,086.25
JCI Jones Chemicals Inc.	131945	02/04/2025	26,875.04
General Tree Service	132091	02/28/2025	26,600.00
Northern Digital Inc	132117	02/28/2025	24,896.50
ACWA JPIA	132159	02/28/2025	24,084.74
Lagerlof LLP	132108	02/28/2025	23,252.50
Sun Life Financial	132039	02/20/2025	23,049.50
North Kern Water Storage District	132116	02/28/2025	22,579.55
Carney's Business Technology Center	132075	02/28/2025	22,013.04
Terra Serve Inc.	131977	02/04/2025	21,570.00
Pacific Gas and Electric	132121	02/28/2025	20,599.34
Securitas Security Services USA Inc.	132139	02/28/2025	20,518.20
Daniells Phillips Vaughan & Bock	132083	02/28/2025	20,500.00
ECO Services Operations Corp.	131934	02/04/2025	19,614.25
JCI Jones Chemicals Inc.	132101	02/28/2025	17,890.32
Oaks, Robin	132165	02/28/2025	15,936.00
Kern Non-Districted Land Authority	132106	02/28/2025	13,115.00
Gualco Group,The	132093	02/28/2025	12,846.10
SD Myers LLC	131971	02/04/2025	12,783.61
Target Specialty Products	131975	02/04/2025	12,271.18
Industrial Machine Works	132099	02/28/2025	11,843.46
CalNeva Water	132074	02/28/2025	10,505.00
Flyers Energy LLC	132090	02/28/2025	10,279.23

Kern County Water Agency

Payment Summary by Amount

02/01/2025 - 02/28/2025

Payee Name	Check Number	Check Date	Amount
Clayton, Sarah	132056	02/27/2025	10,095.81
Pacific Gas and Electric	132122	02/28/2025	8,621.57
Brenntag Pacific Inc.	131925	02/04/2025	8,395.61
Providence Strategic Consulting Inc	132132	02/28/2025	8,149.00
Brenntag Pacific Inc.	132070	02/28/2025	8,094.47
Liebert Cassidy Whitmore	132164	02/28/2025	7,830.00
Nossaman LLP	132118	02/28/2025	7,000.75
Bakersfield Machine Company	131997	02/20/2025	6,931.75
Meyer Civil Engineering Inc.	132112	02/28/2025	6,928.50
Shar-Craft Incorporated	132036	02/20/2025	6,707.74
ECO Services Operations Corp.	132087	02/28/2025	6,559.77
Hall Letter Shop	132162	02/28/2025	6,450.00
Senator Seagate L.P.	132060	02/27/2025	6,188.07
U.S. Bank Corporate Payment Systems	131985	02/10/2025	6,027.14
WESCO Distribution Inc.	131983	02/04/2025	5,640.18
Univar Solutions USA Inc.	132149	02/28/2025	5,316.16
Univar Solutions USA Inc.	132044	02/20/2025	5,302.69
Liebert Cassidy Whitmore	131952	02/04/2025	5,176.50
AT&T Mobility	131996	02/20/2025	4,863.19
Prestige Worldwide Inc.	132131	02/28/2025	4,689.00
Flex-Claims	132015	02/20/2025	4,659.62
Kern County Superintendent of Schools	132027	02/20/2025	4,299.77
Hillcrest Air Conditioning & Sheet Metal	132019	02/20/2025	4,200.00
WESCO Distribution Inc.	132050	02/20/2025	3,957.36
CS-amsco	132082	02/28/2025	3,722.16
VWR International Inc.	132154	02/28/2025	3,598.36
Ryan Herco Products Corp.	132136	02/28/2025	3,561.31
Valley Ag Water Coalition	131980	02/04/2025	3,500.00
Agilent Technologies Inc.	131921	02/04/2025	3,426.11
Zalco Laboratories Inc	132157	02/28/2025	3,390.00
Best Best & Krieger LLP	132068	02/28/2025	3,348.20
Clerou Tire Company Inc.	132005	02/20/2025	3,319.35
Clinisys	131930	02/04/2025	3,304.35
McCormick Landscape Service Inc.	132110	02/28/2025	3,270.00
Delaney Manufacturing Inc.	132009	02/20/2025	3,234.51
Hillcrest Air Conditioning & Sheet Metal	131940	02/04/2025	3,213.25
City of Bakersfield	132077	02/28/2025	3,188.98
Airgas USA LLC	132062	02/28/2025	3,100.91
Evoqua Water Technologies LLC	131937	02/04/2025	3,054.94
CS-amsco	131932	02/04/2025	2,925.77
Unum Life Insurance Co. of America	132045	02/20/2025	2,493.20
Unum Life Insurance Co. of America	132047	02/20/2025	2,493.20
Westcoast Hydraulics Inc.	132052	02/20/2025	2,421.76
SEIU	131972	02/04/2025	2,412.64

Kern County Water Agency

Payment Summary by Amount

02/01/2025 - 02/28/2025

Payee Name	Check Number	Check Date	Amount
Life Saver Safety	131953	02/04/2025	2,384.70
Hach Company	132095	02/28/2025	2,202.58
Hillcrest Air Conditioning & Sheet Metal	132097	02/28/2025	2,150.25
Grainger	132092	02/28/2025	2,131.99
Airgas USA LLC	131923	02/04/2025	2,120.90
Digital Assurance Certification LLC	132086	02/28/2025	2,000.00
Kern Fan Monitoring Committee	131949	02/04/2025	1,854.00
South Valley Biology Consulting LLC	132142	02/28/2025	1,836.65
Simplify Compliance LLC	131974	02/04/2025	1,824.90
Touch of Glass Cleaning	132144	02/28/2025	1,650.00
American Business Machines Co.	132064	02/28/2025	1,616.50
Pacific Gas and Electric	132119	02/28/2025	1,595.28
Delta Liquid Energy	132010	02/20/2025	1,567.74
PerkinElmer US LLC	132129	02/28/2025	1,555.25
Vestis	132153	02/28/2025	1,469.84
Nomos LLP	132115	02/28/2025	1,440.00
Mr. Fix-It Professional Handyman Services	132029	02/20/2025	1,434.01
USA Blue Book	132150	02/28/2025	1,430.00
Sequoia Sandwich Company	132141	02/28/2025	1,387.30
Personal Pest Prevention	132130	02/28/2025	1,352.00
Mr. Fix-It Professional Handyman Services	132114	02/28/2025	1,314.50
Kern County Superintendent of Schools	132103	02/28/2025	1,304.03
Environmental Resource Association	131936	02/04/2025	1,291.88
Home Depot Credit Services	132020	02/20/2025	1,248.28
SEIU	132140	02/28/2025	1,205.53
Idexx Distribution Corp.	131944	02/04/2025	1,170.16
Agile Occupational Medicine	131988	02/20/2025	1,135.00
BSK Associates	131927	02/04/2025	1,081.00
Vestis	131981	02/04/2025	1,049.83
Dale Fye DBA Developing Solutions	131933	02/04/2025	1,017.50
Wallace, Craig	132059	02/27/2025	976.18
Provost & Pritchard Inc.	132133	02/28/2025	973.40
Control Fire Protection Inc.	132079	02/28/2025	900.00
Trinity Safety Company	131978	02/04/2025	885.18
Three-Way Chevrolet	132040	02/20/2025	812.85
Vestis	132049	02/20/2025	752.87
Carney's Business Technology Center	132000	02/20/2025	750.00
UBEO	132042	02/20/2025	727.88
Rain for Rent Irrigation	131967	02/04/2025	714.65
Jack Davenport Sweeping Services Inc.	132100	02/28/2025	710.00
Kern Drywall	132105	02/28/2025	700.00
Amazon Capital Services	131990	02/20/2025	696.98
Unum Life Insurance Co. of America	132046	02/20/2025	640.80
Unum Life Insurance Co. of America	132048	02/20/2025	640.80

Kern County Water Agency

Payment Summary by Amount

02/01/2025 - 02/28/2025

Payee Name	Check Number	Check Date	Amount
Secure Systems	132138	02/28/2025	619.05
Pacific West Sound Inc.	132128	02/28/2025	607.50
City of Bakersfield	132004	02/20/2025	600.91
City of Bakersfield	132076	02/28/2025	600.91
Grainger	132018	02/20/2025	597.79
Hach Company	131939	02/04/2025	597.15
Industrial Shoeworks	132023	02/20/2025	592.22
A-1 Battery Co.	131986	02/20/2025	583.80
Verified First LLC	132167	02/28/2025	558.88
Pacific Gas and Electric	131966	02/04/2025	536.06
H & S Hose & Supply Inc.	132094	02/28/2025	519.57
Varner Brothers Inc.	132151	02/28/2025	512.68
Colonial Life Insurance	132006	02/20/2025	482.61
Kern County Public Works	132026	02/20/2025	470.77
McCarthy, Thomas Daniel	132109	02/28/2025	465.76
AgSpray Equipment	131922	02/04/2025	462.31
United Rentals Inc.	132043	02/20/2025	458.08
Farwest Corrosion Control Co.	132013	02/20/2025	453.03
Applied Industrial Technologies Inc.	131991	02/20/2025	437.24
Home Depot Credit Services	131941	02/04/2025	430.52
Avadine	132067	02/28/2025	400.00
Capital Industrial Medical Supply	131999	02/20/2025	399.57
KBA Document Solutions LLC	131946	02/04/2025	391.64
Performance Truck & Diesel	132033	02/20/2025	390.00
Tennant, Monica	131976	02/04/2025	385.40
ENV Services	131935	02/04/2025	380.00
Ken's Optical	132163	02/28/2025	375.00
Comcast	132007	02/20/2025	371.45
VWR International Inc.	131982	02/04/2025	370.83
Ryan Herco Products Corp.	131970	02/04/2025	343.56
Thermo Electron North America LLC	132143	02/28/2025	322.59
McMaster-Carr Supply Co.	132111	02/28/2025	317.60
Shar-Craft Incorporated	131973	02/04/2025	311.71
California Water Service Company	132072	02/28/2025	306.60
Environmental Resource Association	132088	02/28/2025	304.35
Adobe Inc.	132061	02/28/2025	302.37
BSK Associates	132071	02/28/2025	297.00
Charter Communications	132002	02/20/2025	286.39
Office Depot	132030	02/20/2025	284.32
Amazon Capital Services	132063	02/28/2025	268.44
Grainger	131938	02/04/2025	262.94
CoreLogic Solutions LLC	132081	02/28/2025	258.33
United Site Services of CA Inc.	132148	02/28/2025	256.48
Red Wing Business Advantage Account	131968	02/04/2025	253.29

Kern County Water Agency

Payment Summary by Amount

02/01/2025 - 02/28/2025

Payee Name	Check Number	Check Date	Amount
Core & Main LP	132080	02/28/2025	251.77
Charter Communications	132003	02/20/2025	229.98
AgSpray Equipment	131989	02/20/2025	228.61
Silvas Oil Company Inc.	132037	02/20/2025	228.19
Cole-Parmer Instrument Co.	132078	02/28/2025	226.60
HR Specialist	131943	02/04/2025	211.00
United Rentals Inc.	131979	02/04/2025	196.22
United Rentals Inc.	132147	02/28/2025	196.22
WestAir Gases & Equipment Inc.	132051	02/20/2025	195.33
Home Depot Credit Services	132098	02/28/2025	185.25
Champion Hardware Inc.	132001	02/20/2025	180.98
Royal Industrial Solutions	132135	02/28/2025	178.99
Royal Industrial Solutions	131969	02/04/2025	178.48
Stinson's	132038	02/20/2025	177.49
AT&T	131992	02/20/2025	176.19
Trinity Safety Company	132145	02/28/2025	161.42
Ameriflex	ACH Debit	02/03/2025	160.00
David Janes Company	132084	02/28/2025	154.17
Sagaser Watkins & Wieland PC	132137	02/28/2025	150.00
Advanced Data Storage	131920	02/04/2025	149.00
Advanced Data Storage	132160	02/28/2025	149.00
McMaster-Carr Supply Co.	132028	02/20/2025	148.91
AT&T Mobility	131995	02/20/2025	148.79
White Cap L.P.	132053	02/20/2025	139.39
David Janes Company	132008	02/20/2025	138.68
TruckPro LLC	132146	02/28/2025	132.09
SAMBA Holdings Inc.	132166	02/28/2025	130.05
Open & Shut Enterprises	132031	02/20/2025	130.00
McMaster-Carr Supply Co.	131954	02/04/2025	122.39
Brandco	132069	02/28/2025	119.08
GCI Equipment Rental	132017	02/20/2025	119.08
Pacific Gas and Electric	131962	02/04/2025	118.30
California Water Service Company	132073	02/28/2025	117.09
California Water Service Company	131998	02/20/2025	116.17
SAMBA Holdings Inc.	132034	02/20/2025	114.53
Pacific Gas and Electric	131959	02/04/2025	108.81
FedEX	132014	02/20/2025	108.21
Pacific Gas and Electric	131957	02/04/2025	107.86
Kern County Public Works	131948	02/04/2025	104.64
Pacific Gas and Electric	131961	02/04/2025	92.38
Fuller, Paul	132055	02/26/2025	90.40
Jim Burke Ford	132025	02/20/2025	87.70
Pacific Gas and Electric	131960	02/04/2025	79.80
AT&T	131993	02/20/2025	78.44

Kern County Water Agency
Payment Summary by Amount
02/01/2025 - 02/28/2025

Payee Name	Check Number	Check Date	Amount
Pacific Gas and Electric	131964	02/04/2025	77.72
Sequoia Sandwich Company	132035	02/20/2025	73.60
Clerou Tire Company Inc.	131929	02/04/2025	73.20
AT&T	131994	02/20/2025	65.68
Jerry and Keith's Inc.	132024	02/20/2025	62.58
Pacific Gas and Electric	131963	02/04/2025	58.49
Pacific Gas and Electric	132127	02/28/2025	58.48
Rain for Rent Irrigation	132134	02/28/2025	55.81
Applied Technology Group Inc.	132065	02/28/2025	55.00
Brown, Madison	131926	02/04/2025	54.80
Motion Industries Inc	132113	02/28/2025	53.95
County of Kern	131931	02/04/2025	50.00
County of Kern	132054	02/26/2025	50.00
Pacific Gas and Electric	131956	02/04/2025	46.33
Pacific Gas and Electric	131965	02/04/2025	46.33
Pacific Gas and Electric	131958	02/04/2025	45.87
Pacific Gas and Electric	132120	02/28/2025	43.43
Hydraulic Controls Inc.	132022	02/20/2025	40.98
Delta Liquid Energy	132085	02/28/2025	35.45
AT&T	132161	02/28/2025	33.00
AT&T	132066	02/28/2025	31.74
FedEX	132089	02/28/2025	26.22
Tractor Supply Co.	132041	02/20/2025	22.16
Pacific Gas and Electric	132124	02/28/2025	9.84
Pacific Gas and Electric	132126	02/28/2025	9.84
Amazon Capital Services	131924	02/04/2025	5.29
WESCO Distribution Inc.	132155	02/28/2025	4.59
Home Depot Credit Services	132021	02/20/2025	2.98
Total			\$ 12,426,222.05

Legend:

County EFT (Electronic Funds Transfer)

- Transfer from the Agency account to the County General account.

ACH Debit (Automated Clearing House)

- Automatic withdrawal from the Agency's checking account by the vendor.

Wire Transfer

- Transfer from the Agency checking account to the vendor.

Financial Report

Presented to:

**KCWA
Board of Directors**

February 2025

Prepared by:

**Administrative
Operations
Department**

March 27, 2025

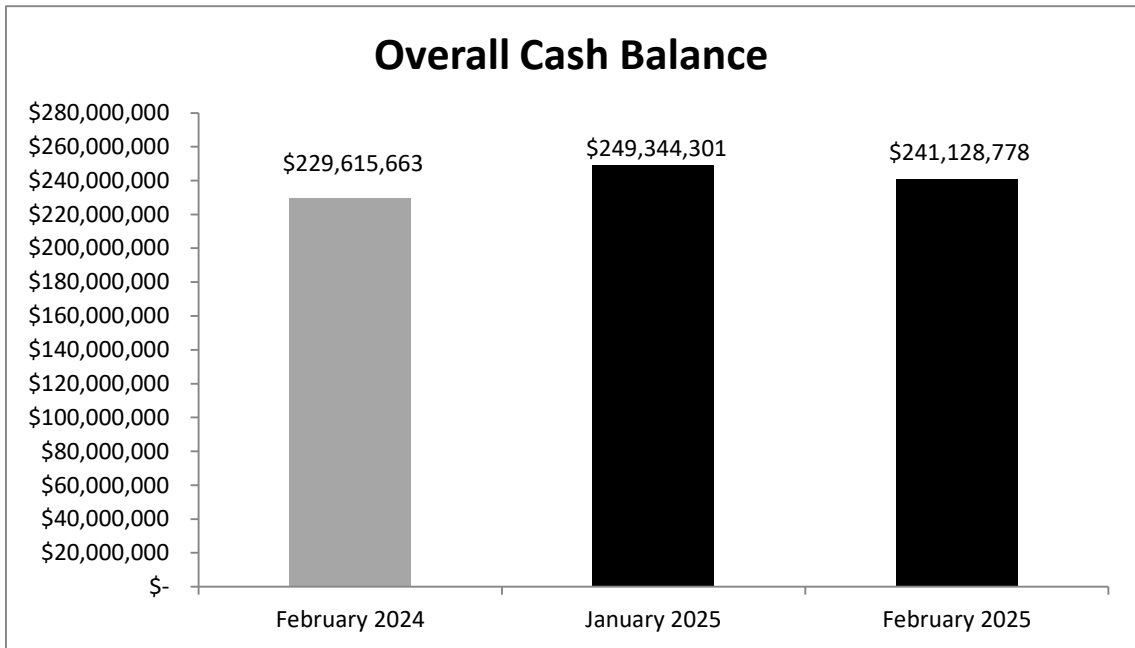


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**February 28, 2025
Cash Report
(All funds combined)**

	February 2024	January 2025	February 2025
Beginning Cash Balance:	\$ 242,107,032	\$ 235,961,942	\$ 249,344,301
Total Cash Receipts:	\$ 2,296,238	\$ 54,434,359	\$ 4,210,699
Total Cash Disbursements:	\$ (14,787,607)	\$ (41,052,000)	\$ (12,426,222)
Ending Cash Balance:	\$ 229,615,663	\$ 249,344,301	\$ 241,128,778



**KERN COUNTY WATER AGENCY
CASH BALANCES - ALL FUNDS [1]
February 28, 2025**

FUND NAME	REGULAR CASH	RESTRICTED CASH	FOOT-NOTE	ADD: ACCOUNTS RECEIVABLE	LESS: LIABILITIES/ ENCUMBRANCES	NET NON-DISCRETIONARY	NET DISCRETIONARY
General Fund	\$46,923,148	\$312,281	[B]	\$0	\$8,549	\$0	\$47,226,879
State Contract Payment	31,298,177	349,479	[A]	22,596,985	54,244,642	0	0
Kern Fan Monitoring Comm	(110,428)	0		0	0	(110,428)	0
Kern Water Bank	126,616	0		0	0	126,616	0
Zone of Benefit #7	34,130,828	5,936,161	[C]	0	0	40,066,989	0
Zone of Benefit #17	29,107,230	0		0	0	29,107,230	0
Zone of Benefit #18	3,479,642	0		0	0	3,479,642	0
Zone of Benefit #19	26,143,285	0		0	0	26,143,285	0
Western Hills	67,651	0		9,698,419	0	9,766,070	0
Lower Kern River	4,079,171	0		0	0	4,079,171	0
Entitlement Retention	(853,589)	0		0	0	0	(853,589)
Water Management	24,899,613	1,000,000	[D]	0	0	1,000,000	24,899,613
Improvement District No. 1	620,993	0		0	1,620	619,373	0
Improvement District No. 3	(564,139)	20,418	[E]	0	0	20,418	(564,139)
Improvement District No.4	4,035,348	0		525,087	27,197	4,533,238	0
Imp. District No.4 Bonds	7,753,026	0		0	89,185	7,663,841	0
CVC Operations	5,475,960	0		(5,041)	0	5,470,919	0
CVC Power	(861,310)	0		31,832	137,016	(966,494)	0
CVC Replacement	168,540	0		5,471	0	174,011	0
CVC Third Party	540,021	0		0	0	540,021	0
KCWA/BMWD Jt. Banking	1,487,578	0		0	659	1,486,918	0
Pioneer Project	11,910,907	0		0	70,930	11,839,977	0
Westlands Payback	1,572,613	0		0	0	1,572,613	0
MU Participation in CVC	(611,889)	0		0	0	(611,889)	0
Section 125 Plan	12,337	0		0	0	12,337	0
Unallocated Interest	2,679,101	0		0	0	0	2,679,101
TOTAL KCWA CASH	\$233,510,439	\$7,618,339		\$32,852,753	\$54,579,799	\$146,013,858	\$73,387,865

Total \$ 241,128,778

[1] This schedule is intended only to provide the cash balances for each fund administered by KCWA, increased by accounts receivable and reduced by liabilities and encumbrances. Since reserves are not considered, it does not reflect cash available for appropriations.

[A] ZOB 14, 15 & 16 restricted cash

[B] Remainder of the 1996 KCWA Pool Program \$3 million transfer from Allocation Settlement Fund.

[C] Per Resolution 6-96 : Water Replacement Account for the acquisition of additional water supplies for ID4.

[D] Chevron Pipeline Settlement

[E] To be used for capital improvements for flood control in the Kelso Creek area.

**Kern County Water Agency
Accounts Receivable Aging
February 28, 2025**

	<u>Total</u>	<u>Current</u>	<u>1-30 Days</u>	<u>31-60 Days</u>	<u>61-90 Days</u>	<u>Over 90 Days</u>
State Contract Payment Fund						
Belridge WSD	\$5,103,945.00	\$2,200.00	\$0.00	\$5,101,745.00	\$0.00	\$0.00
Berrenda Mesa WD	\$3,666,850.54	\$5,200.00	\$0.00	\$3,661,650.54	\$0.00	\$0.00
Cawelo WD	\$3,198.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,198.00
Lost Hills WD	\$3,982,619.31	\$0.00	\$0.00	\$3,982,619.31	\$0.00	\$0.00
Rosedale-Rio Bravo WSD	\$6,700.00	\$6,700.00	\$0.00	\$0.00	\$0.00	\$0.00
West Kern WD	\$2,000.00	\$2,000.00	\$0.00	\$0.00	\$0.00	\$0.00
Wheeler Ridge-Maricopa WSD	\$9,831,672.00	\$0.00	\$0.00	\$9,831,672.00	\$0.00	\$0.00
State Contract Payment Fund Total:	\$22,596,984.85	\$16,100.00	\$0.00	\$22,577,686.85	\$0.00	\$3,198.00
Western Hills Fund						
Western Hills WD	\$9,698,419.00	\$0.00	\$0.00	\$1,101,662.00	\$0.00	\$8,596,757.00
Western Hills Fund Total:	\$9,698,419.00	\$0.00	\$0.00	\$1,101,662.00	\$0.00	\$8,596,757.00
Impr. Dist. No. 4 Operations						
City of Bakersfield DWR	\$22,509.47	\$22,509.47	\$0.00	\$0.00	\$0.00	\$0.00
California Water Service	\$336,713.87	\$164,579.21	\$0.00	\$172,134.66	\$0.00	\$0.00
East Niles CSD	\$113,134.71	\$113,134.71	\$0.00	\$0.00	\$0.00	\$0.00
North of the River MWD	\$52,729.06	\$52,729.06	\$0.00	\$0.00	\$0.00	\$0.00
Impr. Dist. No. 4 Operations Total:	\$525,087.11	\$352,952.45	\$0.00	\$172,134.66	\$0.00	\$0.00
Cross Valley Canal Operations						
Pacific Gas & Electric	\$429.62	\$429.62	\$0.00	\$0.00	\$0.00	\$0.00
Rosedale-Rio Bravo WSD	\$31,832.00	\$31,832.00	\$0.00	\$0.00	\$0.00	\$0.00
Cross Valley Canal Operations Total:	\$32,261.62	\$32,261.62	\$0.00	\$0.00	\$0.00	\$0.00
Report Total:	\$32,852,752.58	\$401,314.07	\$0.00	\$23,851,483.51	\$0.00	\$8,599,955.00

**Kern County Water Agency
Summary of Consultant Fees
(Cash Basis)**

CONSULTANT	EIGHT MONTHS ENDED FEBRUARY 28, 2025												
	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	TOTAL
CONSULTING ENGINEERS													
Meyer Civil Engineering Inc.	5,777	26,804	-	2,708	5,061	43,271	52,745	6,929					143,294
Dee Jaspar & Associates, Inc.	-	17,877	1,457	1,437	1,247	8,872	3,808	-					34,697
Soils Engineering Inc.	12,433	3,518	-	-	1,535	-	-	-					17,485
Black & Veatch Corporation	-	4,470	-	8,163	-	-	-	-					12,633
V & A Inc.	-	8,452	-	-	-	-	-	-					8,452
Provost & Pritchard Inc.		98	-	-	2,406	-	2,090	973					5,567
GEI Consultants Inc.	-	-	-	1,136	-	690	568	-					2,394
NV5 Inc.	2,135	-	-	-	-	-	-	-					2,135
SUBTOTAL	20,345	61,219	1,457	13,443	10,249	52,833	59,211	7,902	-	-	-	-	226,658
AUDIT SERVICES													
Ernst & Young	-	-	46,650	31,100	31,100	31,100	15,550	-					155,500
Daniells Phillips Vaughan & Bock	-	-	-	-	-	-	-	20,500					20,500
SUBTOTAL	-	-	46,650	31,100	31,100	31,100	15,550	20,500	-	-	-	-	176,000
OTHER CONSULTANTS													
The Gualco Group	12,648	12,825	12,652	12,640	12,825	12,640	12,640	12,846					101,715
Carney's Business Technology Center	-	-	40,000	-	-	20,000	-	20,000					80,000
Northern Digital Inc.	3,237	3,473	13,511	2,963	2,273	3,393	3,005	24,897					56,750
Providence Strategic Consulting	5,615	5,357	6,918	6,541	3,546	4,330	4,998	8,149					45,454
Sarah Clayton	1,290	4,924	5,509	5,281	7,751	4,583	3,916	9,393					42,646
Woodard & Curran Inc.	1,609	-	-	9,059	-	-	-	28,086					38,754
Highland Economics LLC	-	19,500	-	-	-	-	-	-					19,500
Dale Fye dba Developing Solutions LLC	-	4,868	3,273	-	605	3,823	2,090	1,018					15,675
Milliman	-	-	-	14,770	-	-	-	-					14,770
Electrical Power Systems Inc.	-	-	-	9,230	-	-	-	-					9,230
Zanjero	-	-	-	6,183	-	2,885	-	-					9,068
South Valley Biology Consulting	-	857	1,125	-	-	806	-	1,837					4,624
SUBTOTAL	24,398	51,803	82,985	66,666	27,000	52,459	26,650	106,225	-	-	-	-	438,187
TOTAL CONSULTANT FEES	\$ 44,743	\$ 113,022	\$ 131,092	\$ 111,210	\$ 68,350	\$ 136,392	\$ 101,410	\$ 134,626	\$ -	\$ -	\$ -	\$ -	\$ 840,844

Fund 001 General Fund
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Prop. Tax/Assess	86,204	196,000	(109,796)	43	4,883,141	4,810,500	72,641	101	7,935,000	61
Reimbursements	296,125	319,446	(23,321)	92	2,369,000	2,392,263	(23,263)	99	3,576,730	66
Interest Income	(82)	0	(82)		976,456	650,000	326,456	150	1,300,000	75
Other Revenue	0	0	0		109	0	109		0	
Total Revenues	382,247	515,446	(133,199)	74	8,228,706	7,852,763	375,942	104	12,811,730	64
Expenditures										
Labor Costs	327,064	265,770	(61,294)	123	1,944,648	2,281,780	337,132	85	3,452,630	56
Operations	12,409	200	(12,209)	6,204	23,043	4,350	(18,693)	529	6,400	360
Maintenance	41,097	20,700	(20,397)	198	189,479	225,450	35,971	84	315,500	60
Administration	24,661	34,379	9,718	71	263,641	341,303	77,662	77	469,204	56
Prof Services	78,410	29,952	(48,458)	261	226,147	341,380	115,233	66	406,200	55
Capital Outlays	2,395	0	(2,395)		23,085	373,450	350,365	6	373,450	6
Other Expenses	6,343	23,600	17,257	26	63,119	238,220	175,101	26	348,920	18
Total Expenditures	492,379	374,601	(117,777)	131	2,733,162	3,805,933	1,072,771	71	5,372,304	50
Interfund Transfers										
Transfers Out	0	0	0		3,300,000	0	(3,300,000)		7,440,426	44
Net Transfers	0	0	0		(3,300,000)	0	(3,300,000)		(7,440,426)	44
Net After Transfers	(110,136)	140,845	(250,982)	(78)	2,195,542	4,046,829	(1,851,287)	54	(1,000)	(219,545)

Fund 001 General Fund
Core 01 General Fund Revenues
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Prop. Tax/Assess	86,204	196,000	(109,796)	43	4,883,141	4,810,500	72,641	101	7,935,000	61
Reimbursements	296,125	296,116	8	100	2,369,000	2,368,933	66	100	3,553,400	66
Interest Income	(82)	0	(82)		976,456	650,000	326,456	150	1,300,000	75
Total Revenues	382,247	492,116	(109,869)	77	8,228,597	7,829,433	399,163	105	12,788,400	64
Expenditures										
Administration	0	0	0		4	100	96	4	100	4
Prof Services	514	515	1	99	3,563	15,130	11,567	23	17,200	20
Other Expenses	0	15,000	15,000		0	150,000	150,000		225,000	
Total Expenditures	514	15,515	15,001	3	3,567	165,230	161,663	2	242,300	1
Interfund Transfers										
Transfers Out	0	0	0		3,300,000	0	(3,300,000)		7,440,426	44
Net Transfers	0	0	0		(3,300,000)	0	(3,300,000)		(7,440,426)	44
Net After Transfers	381,734	476,601	(94,867)	80	4,925,028	7,664,203	(2,739,174)	64	5,105,673	96

Fund 001 General Fund
Core 05 Budget & Treasury
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Expenditures										
Labor Costs	9,106	15,910	6,804	57	42,845	133,910	91,065	31	204,410	20
Administration	0	450	450		3,763	4,850	1,087	77	9,450	39
Prof Services	0	0	0		28	10,000	9,972		10,000	
Other Expenses	0	100	100		234	800	566	29	1,200	19
Total Expenditures	9,106	16,460	7,354	55	46,870	149,560	102,690	31	225,060	20
Net After Transfers	(9,106)	(16,460)	7,353	55	(46,869)	(149,560)	102,690	31	(225,060)	20

Fund 001 General Fund
Core 06 Administrative Facilities
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Expenditures										
Labor Costs	7,302	8,810	1,508	82	32,734	74,350	41,616	44	113,460	28
Operations	0	0	0		200	250	50	80	500	40
Maintenance	3,522	15,200	11,678	23	68,962	122,050	53,088	56	183,300	37
Administration	12,448	9,250	(3,198)	134	83,243	97,450	14,207	85	135,650	61
Prof Services	0	500	500		320	30,000	29,680	1	32,000	1
Capital Outlays	608	0	(608)		1,131	210,000	208,869		210,000	
Other Expenses	420	0	(420)		5,953	1,300	(4,653)	457	2,600	228
Total Expenditures	24,300	33,760	9,460	71	192,543	535,400	342,857	35	677,510	28
Net After Transfers	(24,297)	(33,760)	9,462	71	(192,541)	(535,400)	342,858	35	(677,510)	28

Fund 001 General Fund
Core 10 Board Policy
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Expenditures										
Labor Costs	9,487	0	(9,487)		21,963	0	(21,963)		0	
Administration	1,253	0	(1,253)		3,042	0	(3,042)		0	
Prof Services	3,480	0	(3,480)		7,920	0	(7,920)		0	
Other Expenses	0	0	0		0	0	0		0	
Total Expenditures	14,220	0	(14,220)		32,925	0	(32,925)		0	
Net After Transfers	(14,222)	0	(14,222)		(32,922)	0	(32,922)		0	

Fund 001 General Fund
Core 11 KCWA Management
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Expenditures										
Labor Costs	28,993	0	(28,993)		59,439	0	(59,439)		0	
Administration	37	0	(37)		238	0	(238)		0	
Prof Services	0	0	0		0	0	0		0	
Other Expenses	0	0	0		0	0	0		0	
Total Expenditures	29,030	0	(29,030)		59,677	0	(59,677)		0	
Net After Transfers	(29,030)	0	(29,030)		(59,676)	0	(59,676)		0	

Fund 001 General Fund
Core 14 Non SWP/Non MU Water Mgmt
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Expenditures										
Labor Costs	4,586	8,910	4,324	51	34,287	82,270	47,983	41	121,510	28
Operations	0	0	0		7	100	93	7	100	7
Maintenance	0	0	0		0	100	100		100	
Administration	0	5,466	5,466		2,924	13,143	10,219	22	17,120	17
Prof Services	5,174	2,687	(2,487)	192	23,229	21,500	(1,729)	108	32,250	72
Other Expenses	0	0	0		279	0	(279)		0	
Total Expenditures	9,760	17,063	7,303	57	60,726	117,113	56,387	51	171,080	35
Net After Transfers	(9,760)	(17,063)	7,302	57	(60,727)	(117,113)	56,385	51	(171,080)	35

Fund 001 General Fund
Core 52 Operations Group Home Cost Ctr
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Expenditures										
Labor Costs	53,236	0	(53,236)		112,532	0	(112,532)		0	
Operations	12,231	0	(12,231)		19,421	0	(19,421)		0	
Maintenance	890	0	(890)		21,270	0	(21,270)		0	
Administration	2,944	0	(2,944)		14,865	0	(14,865)		0	
Prof Services	16	0	(16)		16	0	(16)		0	
Capital Outlays	0	0	0		0	0	0		0	
Other Expenses	0	0	0		140	0	(140)		0	
Total Expenditures	69,317	0	(69,317)		168,244	0	(168,244)		0	
Net After Transfers	(69,314)	0	(69,314)		(168,245)	0	(168,245)		0	

Fund 001 General Fund
Core 85 Water Well Ordinance
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Reimbursements	0	23,330	(23,330)		0	23,330	(23,330)		23,330	
Total Revenues	0	23,330	(23,330)		0	23,330	(23,330)		23,330	
Expenditures										
Labor Costs	1,043	1,720	677	60	3,353	15,280	11,927	21	22,930	14
Administration	0	0	0		282	400	118	70	400	70
Total Expenditures	1,043	1,720	677	60	3,635	15,680	12,045	23	23,330	15
Net After Transfers	(1,041)	21,610	(22,651)	(4)	(3,635)	7,650	(11,285)	(47)	0	

Fund 001 General Fund
Core 86 EGS Home Code
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Expenditures										
Labor Costs	39,752	0	(39,752)		98,174	0	(98,174)		0	
Operations	0	0	0		151	0	(151)		0	
Maintenance	230	0	(230)		461	0	(461)		0	
Administration	6,450	0	(6,450)		7,068	0	(7,068)		0	
Prof Services	16	0	(16)		3,124	0	(3,124)		0	
Other Expenses	0	0	0		0	0	0		0	
Total Expenditures	46,448	0	(46,448)		108,978	0	(108,978)		0	
Net After Transfers	(46,448)	0	(46,448)		(108,977)	0	(108,977)		0	

Fund 001 General Fund
Core 87 Groundwater Activities
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Expenditures										
Labor Costs	20,582	28,360	7,778	72	247,330	275,510	28,180	89	400,470	61
Operations	0	0	0		2,402	2,400	(2)	100	3,400	70
Maintenance	0	0	0		1,274	2,300	1,026	55	3,300	38
Administration	0	0	0		8,691	9,940	1,249	87	9,940	87
Prof Services	0	0	0		11,633	10,750	(883)	108	10,750	108
Capital Outlays	0	0	0		0	3,000	3,000		3,000	
Other Expenses	0	0	0		5,130	7,900	2,770	64	7,900	64
Total Expenditures	20,582	28,360	7,778	72	276,460	311,800	35,340	88	438,760	63
Net After Transfers	(20,584)	(28,360)	7,775	72	(276,463)	(311,800)	35,336	88	(438,760)	63

Fund 001 General Fund
Core 88 Intertie Activities
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Expenditures										
Labor Costs	0	140	140		0	1,180	1,180		1,800	
Administration	0	0	0		24	100	76	24	100	24
Total Expenditures	0	140	140		24	1,280	1,256	1	1,900	1
Net After Transfers	0	(140)	140		(24)	(1,280)	1,256	1	(1,900)	1

Fund 001 General Fund
Core 89 Indian Wells Valley
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Expenditures										
Labor Costs	473	5,150	4,677	9	23,696	46,240	22,544	51	68,940	34
Operations	0	0	0		18	0	(18)		0	
Administration	0	0	0		905	2,250	1,345	40	2,800	32
Capital Outlays	0	0	0		0	0	0		0	
Other Expenses	0	0	0		725	800	75	90	800	90
Total Expenditures	473	5,150	4,677	9	25,344	49,290	23,946	51	72,540	34
 Net After Transfers	 (474)	 (5,150)	 4,675	 9	 (25,343)	 (49,290)	 23,946	 51	 (72,540)	 34

Fund 001 General Fund
Core 93 Risk Management and Safety
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Expenditures										
Labor Costs	1,551	5,670	4,119	27	10,560	47,820	37,260	22	72,960	14
Administration	0	75	75		2,904	2,250	(654)	129	2,800	103
Prof Services	0	0	0		0	6,000	6,000		6,000	
Total Expenditures	1,551	5,745	4,194	26	13,464	56,070	42,606	24	81,760	16
Net After Transfers	(1,549)	(5,745)	4,195	26	(13,464)	(56,070)	42,605	24	(81,760)	16

Fund 001 General Fund
Core 94 Human Resources
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Expenditures										
Labor Costs	56,737	61,430	4,693	92	432,694	517,360	84,666	83	788,910	54
Operations	178	125	(53)	142	767	1,000	233	76	1,500	51
Maintenance	8	150	142	5	24	1,200	1,176	2	1,800	1
Administration	197	2,825	2,628	6	41,747	55,644	13,897	75	65,194	64
Prof Services	25,302	1,250	(24,052)	2,024	67,306	10,000	(57,306)	673	40,000	168
Capital Outlays	0	0	0		2,206	450	(1,756)	490	450	490
Other Expenses	1,306	1,000	(306)	130	15,948	16,720	772	95	20,720	76
Total Expenditures	83,728	66,780	(16,948)	125	560,692	602,374	41,682	93	918,574	61
Net After Transfers	(83,730)	(66,780)	(16,950)	125	(560,690)	(602,374)	41,683	93	(918,574)	61

Fund 001 General Fund
Core 95 Accounting and Finance
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Expenditures										
Labor Costs	52,154	52,340	186	99	468,266	440,100	(28,166)	106	671,040	69
Maintenance	0	0	0		21,773	26,000	4,227	83	26,000	83
Administration	56	1,200	1,144	4	13,611	27,900	14,289	48	31,800	42
Prof Services	21,740	25,000	3,260	86	21,940	60,000	38,060	36	80,000	27
Other Expenses	0	0	0		854	700	(154)	122	700	122
Total Expenditures	73,950	78,540	4,590	94	526,444	554,700	28,256	94	809,540	65
Net After Transfers	(73,951)	(78,540)	4,588	94	(526,442)	(554,700)	28,257	94	(809,540)	65

Fund 001 General Fund
Core 96 Administrative Grounds Maint
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Expenditures										
Labor Costs	3,147	6,400	3,253	49	21,485	53,440	31,955	40	81,280	26
Maintenance	33,065	5,000	(28,065)	661	61,751	65,000	3,249	95	85,000	72
Administration	0	30	30		2,888	3,460	572	83	17,600	16
Prof Services	918	0	(918)		918	750	(168)	122	750	122
Total Expenditures	37,130	11,430	(25,700)	324	87,042	122,650	35,608	70	184,630	47
Net After Transfers	(37,130)	(11,430)	(25,700)	324	(87,043)	(122,650)	35,606	70	(184,630)	47

Fund 001 General Fund
Core 97 General Support Services
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Other Revenue	0	0	0		109	0	109		0	
Total Revenues	0	0	0		109	0	109		0	
Expenditures										
Labor Costs	38,915	70,930	32,015	54	335,290	594,320	259,030	56	904,920	37
Operations	0	75	75		77	600	523	12	900	8
Maintenance	3,382	350	(3,032)	966	13,964	8,800	(5,164)	158	16,000	87
Administration	1,276	15,083	13,807	8	77,442	123,816	46,374	62	176,250	43
Prof Services	21,250	0	(21,250)		86,150	177,250	91,100	48	177,250	48
Capital Outlays	1,787	0	(1,787)		19,748	160,000	140,252	12	160,000	12
Other Expenses	4,617	7,500	2,883	61	33,856	60,000	26,144	56	90,000	37
Total Expenditures	71,227	93,938	22,711	75	566,527	1,124,786	558,259	50	1,525,320	37
Net After Transfers	(71,227)	(93,938)	22,710	75	(566,418)	(1,124,786)	558,368	50	(1,525,319)	37

Fund 002 State Contract Payment Fund
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Water Sales	0	0	0		164,768,795	236,534,852	(71,766,057)	69	236,534,852	69
User Charges	0	0	0		0	0	0		0	
Reimbursements	16,100	19,000	(2,900)	84	6,660,454	345,500	6,314,954	1,927	421,500	1,580
Interest Income	0	0	0		485,815	300,000	185,815	161	660,000	73
Total Revenues	16,100	19,000	(2,900)	84	171,915,064	237,180,352	(65,265,288)	72	237,616,352	72
Expenditures										
Labor Costs	129,162	253,030	123,868	51	1,183,315	2,225,950	1,042,635	53	3,346,500	35
Wtr Purch & Fees	7,893,799	0	(7,893,799)		139,314,467	236,534,852	97,220,385	58	237,194,852	58
Operations	6,188	100	(6,088)	6,188	51,204	800	(50,404)	6,400	96,200	53
Maintenance	0	0	0		0	250	250		500	
Administration	1,708,102	87,245	(1,620,857)	1,957	2,432,731	2,683,000	250,269	90	3,073,030	79
Prof Services	31,160	37,775	6,615	82	379,808	433,700	53,892	87	498,800	76
Capital Outlays	0	0	0		4,940	0	(4,940)		0	
Other Expenses	60,000	0	(60,000)		71,516	4,500	(67,016)	1,589	4,500	1,589
Total Expenditures	9,828,411	378,150	(9,450,261)	2,599	143,437,981	241,883,052	98,445,071	59	244,214,382	58
Interfund Transfers										
Transfers In	0	0	0		3,300,000	0	3,300,000		6,598,030	50
Net Transfers	0	0	0		3,300,000	0	3,300,000		6,598,030	50
Net After Transfers	(9,812,314)	(359,150)	(9,453,164)	2,732	31,777,084	(4,702,700)	36,479,784	(675)	0	

Fund 002 State Contract Payment Fund

Core 12 Sacramento Office

Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Expenditures										
Labor Costs	444	0	(444)		1,334	0	(1,334)		0	
Operations	6,188	0	(6,188)		50,055	0	(50,055)		0	
Administration	83	0	(83)		10,034	0	(10,034)		0	
Capital Outlays	0	0	0		257	0	(257)		0	
Total Expenditures	6,715	0	(6,715)		61,680	0	(61,680)		0	
Net After Transfers	(6,715)	0	(6,715)		(61,679)	0	(61,679)		0	

Fund 002 State Contract Payment Fund

Core 16 State Activities

Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
User Charges	0	0	0		0	0	0		0	
Reimbursements	0	0	0		206,874	196,500	10,374	105	196,500	105
Total Revenues	0	0	0		206,874	196,500	10,374	105	196,500	105
Expenditures										
Labor Costs	50,600	123,400	72,800	41	490,564	1,091,000	600,436	44	1,638,240	29
Operations	0	100	100		0	800	800		76,200	
Maintenance	0	0	0		0	250	250		500	
Administration	1,027,094	41,070	(986,024)	2,500	1,335,465	1,480,300	144,835	90	1,673,380	79
Prof Services	19,916	28,450	8,534	70	257,707	257,100	(607)	100	284,900	90
Other Expenses	0	0	0		8,729	4,500	(4,229)	193	4,500	193
Total Expenditures	1,097,610	193,020	(904,590)	568	2,092,465	2,833,950	741,485	73	3,677,720	56
Interfund Transfers										
Transfers In	0	0	0		3,300,000	0	3,300,000		3,481,220	94
Net Transfers	0	0	0		3,300,000	0	3,300,000		3,481,220	94
Net After Transfers	(1,097,611)	(193,020)	(904,591)	568	1,414,410	(2,637,450)	4,051,860	(53)	0	

Fund 002 State Contract Payment Fund

Core 17 Local Activities

Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Reimbursements	16,100	19,000	(2,900)	84	110,170	149,000	(38,830)	73	225,000	48
Interest Income	0	0	0		0	0	0		0	
Total Revenues	16,100	19,000	(2,900)	84	110,170	149,000	(38,830)	73	225,000	48
Expenditures										
Labor Costs	69,542	71,670	2,128	97	590,387	627,100	36,713	94	944,090	62
Operations	0	0	0		1,149	0	(1,149)		0	
Administration	23,655	25,450	1,795	92	273,670	298,050	24,380	91	401,550	68
Prof Services	240	0	(240)		16,305	25,000	8,695	65	25,000	65
Capital Outlays	0	0	0		4,683	0	(4,683)		0	
Other Expenses	60,000	0	(60,000)		61,811	0	(61,811)		0	
Total Expenditures	153,437	97,120	(56,317)	157	948,005	950,150	2,145	99	1,370,640	69
Interfund Transfers										
Transfers In	0	0	0		0	0	0		1,145,640	
Net Transfers	0	0	0		0	0	0		1,145,640	
Net After Transfers	(137,336)	(78,120)	(59,216)	175	(837,834)	(801,150)	(36,684)	104	0	

Fund 002 State Contract Payment Fund

Core 18 Bay-Delta Activities

Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Expenditures										
Labor Costs	8,576	57,960	49,384	14	101,030	507,850	406,820	19	764,170	13
Operations	0	0	0		0	0	0		20,000	
Administration	657,270	20,725	(636,545)	3,171	813,562	904,650	91,088	89	998,100	81
Prof Services	11,004	9,325	(1,679)	118	105,796	151,600	45,804	69	188,900	56
Capital Outlays	0	0	0		0	0	0		0	
Other Expenses	0	0	0		976	0	(976)		0	
Total Expenditures	676,850	88,010	(588,840)	769	1,021,364	1,564,100	542,736	65	1,971,170	51
Interfund Transfers										
Transfers In	0	0	0		0	0	0		1,971,170	
Net Transfers	0	0	0		0	0	0		1,971,170	
Net After Transfers	(676,851)	(88,010)	(588,841)	769	(1,021,364)	(1,564,100)	542,735	65	0	

Fund 002 State Contract Payment Fund

Core 19 State Contract Payment

Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Water Sales	0	0	0		164,768,795	236,534,852	(71,766,057)	69	236,534,852	69
Reimbursements	0	0	0		6,343,410	0	6,343,410		0	
Interest Income	0	0	0		485,815	300,000	185,815	161	660,000	73
Total Revenues	0	0	0		171,598,020	236,834,852	(65,236,832)	72	237,194,852	72
Expenditures										
Wtr Purch & Fees	7,893,799	0	(7,893,799)		139,314,467	236,534,852	97,220,385	58	237,194,852	58
Total Expenditures	7,893,799	0	(7,893,799)		139,314,467	236,534,852	97,220,385	58	237,194,852	58
Net After Transfers	(7,893,799)	0	(7,893,799)		32,283,552	300,000	31,983,552	10,761	0	

Fund 007 Kern Fan Monitoring Committee
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
User Charges	0	0	0		29,282	66,600	(37,318)	43	133,870	21
Interest Income	0	0	0		(1,874)	0	(1,874)		0	
Total Revenues	0	0	0		27,408	66,600	(39,192)	41	133,870	20
Expenditures										
Labor Costs	2,676	6,620	3,944	40	32,390	59,160	26,770	54	88,560	36
Operations	91	0	(91)		3,380	2,100	(1,280)	160	2,500	135
Maintenance	0	0	0		497	200	(297)	248	400	124
Administration	3,283	3,300	17	99	28,377	28,100	(277)	100	41,450	68
Other Expenses	0	0	0		975	960	(15)	101	960	101
Total Expenditures	6,050	9,920	3,870	60	65,619	90,520	24,901	72	133,870	49
Net After Transfers	(6,049)	(9,920)	3,870	60	(38,211)	(23,920)	(14,291)	159	0	

Fund 008 Kern Water Bank
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Reimbursements	0	59,930	(59,930)		297,533	780,553	(483,020)	38	1,622,500	18
Interest Income	0	0	0		(11,988)	0	(11,988)		0	
Total Revenues	0	59,930	(59,930)		285,545	780,553	(495,008)	36	1,622,500	17
Expenditures										
Labor Costs	11,294	46,446	35,152	24	101,267	324,620	223,353	31	387,740	26
Wtr Purch & Fees	(32,118)	3,733	35,851	(860)	34,065	212,399	178,334	16	592,400	5
Operations	88	2,079	1,991	4	4,675	15,101	10,426	30	20,355	22
Maintenance	0	1,433	1,433		3,943	13,242	9,299	29	22,530	17
Administration	11,426	12,743	1,317	89	99,502	107,803	8,301	92	156,815	63
Prof Services	80	0	(80)		480	72,500	72,020		72,500	
Capital Outlays	0	0	0		0	370,000	370,000		370,000	
Other Expenses	0	88,744	88,744		601	532,464	531,863		532,465	
Total Expenditures	(9,230)	155,179	164,409	(5)	244,533	1,648,132	1,403,599	14	2,154,805	11
Net After Transfers	9,227	(95,249)	104,476	(9)	41,013	(867,579)	908,593	(4)	(532,304)	(7)

Fund 008 Kern Water Bank
Core 81 KWB Recharge Operations
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Reimbursements	0	0	0		40,107	420,973	(380,866)	9	1,262,920	3
Interest Income	0	0	0		(11,988)	0	(11,988)		0	
Total Revenues	0	0	0		28,119	420,973	(392,854)	6	1,262,920	2
Expenditures										
Labor Costs	5,234	9,480	4,246	55	25,279	93,440	68,161	27	156,560	16
Wtr Purch & Fees	(32,118)	0	32,118		34,065	190,000	155,935	17	570,000	5
Operations	0	0	0		0	2,626	2,626		7,880	
Maintenance	0	0	0		0	4,642	4,642		13,930	
Administration	5,713	5,713	0	100	50,631	50,390	(240)	100	76,550	66
Prof Services	80	0	(80)		480	68,000	67,520		68,000	
Capital Outlays	0	0	0		0	370,000	370,000		370,000	
Total Expenditures	(21,091)	15,193	36,284	(138)	110,455	779,100	668,645	14	1,262,920	8
Net After Transfers	21,090	(15,193)	36,283	(138)	(82,334)	(358,127)	275,793	22	0	(20,583,53)

Fund 008 Kern Water Bank
Core 83 Kern Water Bank Recovery
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Reimbursements	0	59,930	(59,930)		257,426	359,580	(102,154)	71	359,580	71
Total Revenues	0	59,930	(59,930)		257,426	359,580	(102,154)	71	359,580	71
Expenditures										
Labor Costs	6,060	36,966	30,906	16	75,988	231,180	155,192	32	231,180	32
Wtr Purch & Fees	0	3,733	3,733		0	22,399	22,399		22,400	
Operations	88	2,079	1,991	4	4,675	12,474	7,799	37	12,475	37
Maintenance	0	1,433	1,433		3,943	8,599	4,656	45	8,600	45
Administration	5,713	7,030	1,317	81	48,871	57,412	8,541	85	80,265	60
Prof Services	0	0	0		0	4,500	4,500		4,500	
Other Expenses	0	88,744	88,744		601	532,464	531,863		532,465	
Total Expenditures	11,861	139,986	128,125	8	134,078	869,032	734,954	15	891,885	15
Net After Transfers	(11,863)	(80,056)	68,193	14	123,347	(509,452)	632,799	(24)	(532,304)	(23)

Fund 014 Zone of Benefit No. 7
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Prop. Tax/Assess	229,566	264,000	(34,434)	86	10,726,351	11,978,000	(1,251,649)	89	19,345,000	55
Interest Income	(433)	0	(433)		792,100	450,000	342,100	176	900,000	88
Total Revenues	229,133	264,000	(34,867)	86	11,518,451	12,428,000	(909,549)	92	20,245,000	56
Expenditures										
Wtr Purch & Fees	0	0	0		12,736,042	11,607,000	(1,129,042)	109	52,629,337	24
Other Expenses	0	0	0		0	0	0		45,000	
Total Expenditures	0	0	0		12,736,042	11,607,000	(1,129,042)	109	52,674,337	24
Net After Transfers	229,132	264,000	(34,867)	86	(1,217,589)	821,000	(2,038,589)	(148)	(32,429,337)	3

Fund 019 Zone of Benefit No. 17
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Prop. Tax/Assess	99,890	363,000	(263,110)	27	6,094,129	11,954,000	(5,859,871)	50	19,734,000	30
Interest Income	(134)	0	(134)		679,740	460,000	219,740	147	920,000	73
Total Revenues	99,756	363,000	(263,244)	27	6,773,869	12,414,000	(5,640,131)	54	20,654,000	32
Expenditures										
Wtr Purch & Fees	0	0	0		9,292,613	19,734,000	10,441,387	47	53,464,364	17
Total Expenditures	0	0	0		9,292,613	19,734,000	10,441,387	47	53,464,364	17
Net After Transfers	99,756	363,000	(263,243)	27	(2,518,744)	(7,320,000)	4,801,255	34	(32,810,364)	7

Fund 020 Zone of Benefit No. 18
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Prop. Tax/Assess	13	15,000	(14,987)		602,659	1,310,400	(707,741)	45	2,248,000	26
Interest Income	(5)	0	(5)		82,062	36,000	46,062	227	72,000	113
Total Revenues	8	15,000	(14,992)		684,721	1,346,400	(661,679)	50	2,320,000	29
Expenditures										
Wtr Purch & Fees	0	0	0		1,058,595	2,248,000	1,189,405	47	6,208,474	17
Other Expenses	0	0	0		0	0	0		5,000	
Total Expenditures	0	0	0		1,058,595	2,248,000	1,189,405	47	6,213,474	17
Net After Transfers	7	15,000	(14,992)		(373,872)	(901,600)	527,727	41	(3,893,474)	9

Fund 021 Zone of Benefit No. 19
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Prop. Tax/Assess	102,420	271,000	(168,580)	37	5,310,671	9,476,000	(4,165,329)	56	17,486,000	30
Interest Income	(145)	0	(145)		610,677	250,000	360,677	244	500,000	122
Total Revenues	102,275	271,000	(168,725)	37	5,921,348	9,726,000	(3,804,652)	60	17,986,000	32
Expenditures										
Wtr Purch & Fees	0	0	0		8,234,018	17,486,000	9,251,982	47	47,712,821	17
Other Expenses	0	0	0		0	0	0		35,000	
Total Expenditures	0	0	0		8,234,018	17,486,000	9,251,982	47	47,747,821	17
Net After Transfers	102,274	271,000	(168,725)	37	(2,312,670)	(7,760,000)	5,447,329	29	(29,761,821)	7

Fund 025 Western Hills Fund
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Water Sales	0	0	0		1,951,905	1,784,000	167,905	109	1,784,000	109
Interest Income	0	0	0		6,188	0	6,188		0	
Total Revenues	0	0	0		1,958,093	1,784,000	174,093	109	1,784,000	109
Expenditures										
Labor Costs	3,279	2,840	(439)	115	18,822	24,690	5,868	76	37,310	50
Wtr Purch & Fees	0	0	0		4,941	1,993,000	1,988,059		8,266,121	
Administration	2,025	2,025	0	100	18,229	18,530	301	98	26,630	68
Prof Services	1,062	0	(1,062)		8,679	0	(8,679)		0	
Other Expenses	0	0	0		325,834	358,950	33,116	90	358,950	90
Total Expenditures	6,366	4,865	(1,501)	130	376,505	2,395,170	2,018,665	15	8,689,011	4
Net After Transfers	(6,365)	(4,865)	(1,500)	130	1,581,589	(611,170)	2,192,759	(258)	(6,905,011)	(22)

Fund 026 Lower Kern River Fund
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Water Sales	0	0	0		(685)	0	(685)		0	
User Charges	8,777	0	8,777		106,306	0	106,306		0	
Reimbursements	0	0	0		588,577	588,577	0	100	588,577	100
Interest Income	0	0	0		84,936	7,500	77,436	1,132	15,000	566
Other Revenue	0	0	0		0	2,300	(2,300)		979,015	
Total Revenues	8,777	0	8,777		779,134	598,377	180,757	130	1,582,592	49
Expenditures										
Labor Costs	1,497	8,040	6,543	18	33,588	69,920	36,332	48	105,580	31
Wtr Purch & Fees	0	0	0		89,518	0	(89,518)		808,044	11
Administration	5,117	6,367	1,250	80	44,028	54,133	10,105	81	79,600	55
Prof Services	5,336	0	(5,336)		169,737	187,350	17,613	90	189,800	89
Other Expenses	3,189	0	(3,189)		471,484	490,500	19,016	96	492,000	95
Total Expenditures	15,139	14,407	(732)	105	808,355	801,903	(6,452)	100	1,675,024	48
Interfund Transfers										
Transfers In	0	180,000	(180,000)		0	180,000	(180,000)		180,000	
Transfers Out	0	0	0		0	1,048,058	1,048,058		1,119,400	
Net Transfers	0	180,000	(180,000)		0	(868,058)	868,058		(939,400)	
Net After Transfers	(6,363)	165,593	(171,956)	(3)	(29,222)	(1,071,584)	1,042,361	2	(1,031,832)	2

Fund 027 Entitlement Retention Fund
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Water Sales	0	0	0		548,710	1,767,600	(1,218,890)	31	1,767,600	31
Interest Income	0	0	0		(8,797)	0	(8,797)		0	
Total Revenues	0	0	0		539,913	1,767,600	(1,227,687)	30	1,767,600	30
Expenditures										
Labor Costs	132	910	778	14	132	8,170	8,038	1	12,220	1
Wtr Purch & Fees	0	0	0		1,150,496	1,767,600	617,104	65	1,767,600	65
Administration	517	517	0	100	4,431	5,143	712	86	7,210	61
Prof Services	0	0	0		1,606	1,700	94	94	1,700	94
Total Expenditures	649	1,427	778	45	1,156,665	1,782,613	625,948	64	1,788,730	64
Interfund Transfers										
Transfers In	0	0	0		0	0	0		21,130	
Net Transfers	0	0	0		0	0	0		21,130	
Net After Transfers	(647)	(1,427)	779	45	(616,750)	(15,013)	(601,737)	4,108	0	

Fund 029 Water Management Fund
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Interest Income	0	0	0		513,437	200,000	313,437	256	400,000	128
Other Revenue	977,032	0	977,032		977,032	0	977,032		0	
Total Revenues	977,032	0	977,032		1,490,469	200,000	1,290,469	745	400,000	372
Expenditures										
Wtr Purch & Fees	0	0	0		0	0	0		66,101,839	
Administration	75	75	0	100	600	600	0	100	900	66
Total Expenditures	75	75	0	100	600	600	0	100	66,102,739	
Interfund Transfers										
Transfers In	0	0	0		0	0	0		2,997,666	
Transfers Out	0	0	0		0	0	0		1,299,400	
Net Transfers	0	0	0		0	0	0		1,698,266	
Net After Transfers	976,956	(75)	977,031	(1,302,60)	1,489,868	199,400	1,290,468	747	(64,004,472)	(2)

Fund 031 Improvement District No. 1
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Prop. Tax/Assess	1,507	2,000	(493)	75	85,531	77,000	8,531	111	121,000	70
Interest Income	(1)	0	(1)		11,644	6,000	5,644	194	10,000	116
Total Revenues	1,506	2,000	(494)	75	97,175	83,000	14,175	117	131,000	74
Expenditures										
Labor Costs	372	1,400	1,028	26	1,709	12,820	11,111	13	19,000	8
Operations	0	0	0		0	1,000	1,000		1,000	
Administration	1,642	1,700	58	96	13,357	13,300	(57)	100	20,000	66
Prof Services	1,620	0	(1,620)		5,695	23,000	17,305	24	31,000	18
Capital Outlays	0	0	0		0	125,000	125,000		125,000	
Other Expenses	0	0	0		0	0	0		1,400	
Total Expenditures	3,634	3,100	(534)	117	20,761	175,120	154,359	11	197,400	10
Net After Transfers	(2,129)	(1,100)	(1,029)	193	76,412	(92,120)	168,532	(82)	(66,400)	(115)

Fund 033 Improvement District No. 3
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Prop. Tax/Assess	317	0	317		10,055	8,000	2,055	125	13,500	74
Interest Income	0	0	0		(10,576)	0	(10,576)		0	
Total Revenues	317	0	317		(521)	8,000	(8,521)	(6)	13,500	(3)
Expenditures										
Labor Costs	1,472	1,880	408	78	22,332	19,290	(3,042)	115	27,930	79
Operations	0	0	0		132	0	(132)		0	
Maintenance	0	0	0		19	0	(19)		0	
Administration	3,333	3,633	300	91	27,625	28,496	871	96	43,180	63
Prof Services	0	0	0		3,118	5,600	2,482	55	5,600	55
Other Expenses	0	0	0		106	90	(16)	117	190	55
Total Expenditures	4,805	5,513	708	87	53,332	53,476	144	99	76,900	69
Interfund Transfers										
Transfers In	0	0	0		0	0	0		62,400	
Net Transfers	0	0	0		0	0	0		62,400	
Net After Transfers	(4,486)	(5,513)	1,026	81	(53,852)	(45,476)	(8,376)	118	(1,000)	5,385

Fund 034 Impr. Dist. No. 4 Operations
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Water Sales	0	0	0		10,703,250	10,703,250	0	100	10,703,250	100
User Charges	554,899	385,208	169,690	144	4,925,258	6,189,964	(1,264,706)	79	9,275,630	53
Grnd Wtr Charges	695,169	0	695,169		1,334,206	1,251,400	82,806	106	2,215,120	60
Reimbursements	245,900	0	245,900		245,900	0	245,900		320,000	76
Interest Income	0	0	0		88,111	100,000	(11,889)	88	200,000	44
Other Revenue	0	0	0		8,425	10,000	(1,575)	84	20,000	42
Total Revenues	1,495,968	385,208	1,110,759	388	17,305,150	18,254,614	(949,464)	94	22,734,000	76
Expenditures										
Labor Costs	414,111	411,976	(2,134)	100	3,120,714	3,690,283	569,569	84	5,505,500	56
Wtr Purch & Fees	165,135	45,833	(119,301)	360	2,037,693	3,007,856	970,163	67	3,846,180	52
Operations	74,624	202,991	128,367	36	1,423,291	1,624,108	200,817	87	2,436,250	58
Power	692,678	643,979	(48,698)	107	4,080,553	5,151,839	1,071,286	79	7,727,760	52
Maintenance	47,508	58,937	11,429	80	528,927	482,613	(46,313)	109	720,880	73
Administration	114,748	133,799	19,051	85	1,239,972	1,386,962	146,990	89	1,859,840	66
Prof Services	44,882	18,916	(25,965)	237	154,408	645,633	491,225	23	721,300	21
Capital Outlays	134,818	0	(134,818)		354,067	1,053,800	699,733	33	1,053,800	33
Debt Repayment	0	0	0		22,774	178,400	155,626	12	178,400	12
Other Expenses	17,054	19,674	2,620	86	280,834	228,919	(51,914)	122	307,620	91
Total Expenditures	1,705,558	1,536,110	(169,447)	111	13,243,233	17,450,416	4,207,183	75	24,357,530	54
Interfund Transfers										
Transfers Out	0	0	0		789,204	789,210	6	99	789,210	99
Net Transfers	0	0	0		(789,204)	(789,210)	6	99	(789,210)	99
Net After Transfers	(209,584)	(1,150,902)	941,317	18	3,272,717	14,987	3,257,729	21,835	(2,412,736)	(135)

Fund 034 Impr. Dist. No. 4 Operations
Core 42 Maintenance Dept Home Code
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Expenditures										
Labor Costs	31,830	0	(31,830)		64,998	0	(64,998)		0	
Operations	2,957	0	(2,957)		4,549	0	(4,549)		0	
Maintenance	1,787	0	(1,787)		5,592	0	(5,592)		0	
Administration	1,160	0	(1,160)		4,826	0	(4,826)		0	
Capital Outlays	0	0	0		0	0	0		0	
Other Expenses	0	0	0		0	0	0		0	
Total Expenditures	37,734	0	(37,734)		79,965	0	(79,965)		0	
Net After Transfers	(37,732)	0	(37,732)		(79,965)	0	(79,965)		0	

Fund 034 Impr. Dist. No. 4 Operations
Core 43 ID#4 Water Sup.- Groundwater
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
User Charges	0	0	0		210,760	1,695,000	(1,484,240)	12	2,678,200	7
Reimbursements	245,900	0	245,900		245,900	0	245,900		320,000	76
Total Revenues	245,900	0	245,900		456,660	1,695,000	(1,238,340)	26	2,998,200	15
Expenditures										
Labor Costs	2,563	11,816	9,253	21	24,902	102,113	77,211	24	154,150	16
Wtr Purch & Fees	94,908	0	(94,908)		540,974	1,531,190	990,216	35	1,816,180	29
Operations	0	833	833		597	6,666	6,069	8	10,000	5
Power	5,254	170,854	165,600	3	237,224	1,366,839	1,129,615	17	2,050,260	11
Maintenance	132	3,125	2,993	4	61,608	26,333	(35,274)	233	39,500	155
Administration	3,008	3,029	21	99	51,068	55,331	4,263	92	68,150	74
Capital Outlays	78,891	0	(78,891)		254,435	0	(254,435)		0	
Other Expenses	0	0	0		104	0	(104)		0	
Total Expenditures	184,756	189,658	4,902	97	1,170,912	3,088,474	1,917,562	37	4,138,240	28
Net After Transfers	61,141	(189,658)	250,800	(32)	(714,251)	(1,393,474)	679,223	51	(1,140,039)	62

Fund 034 Impr. Dist. No. 4 Operations

Core 44 Impr. District No. 4 Admin

Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Interest Income	0	0	0		88,111	100,000	(11,889)	88	200,000	44
Total Revenues	0	0	0		88,111	100,000	(11,889)	88	200,000	44
Expenditures										
Labor Costs	26,534	38,491	11,957	68	257,773	356,913	99,140	72	526,630	48
Operations	0	0	0		26	125	99	20	250	10
Maintenance	0	0	0		1,309	1,750	441	74	2,000	65
Administration	11,101	10,970	(130)	101	107,525	121,866	14,341	88	168,250	63
Prof Services	11,234	8,375	(2,859)	134	55,674	72,000	16,326	77	105,500	52
Capital Outlays	0	0	0		0	2,500	2,500		2,500	
Other Expenses	703	2,083	1,380	33	18,703	16,786	(1,916)	111	25,120	74
Total Expenditures	49,572	59,920	10,348	82	441,010	571,941	130,931	77	830,250	53
Interfund Transfers										
Transfers Out	0	0	0		789,204	789,210	6	99	789,210	99
Net Transfers	0	0	0		(789,204)	(789,210)	6	99	(789,210)	99
Net After Transfers	(49,572)	(59,920)	10,348	82	(1,142,104)	(1,261,151)	119,046	90	(1,419,459)	80

Fund 034 Impr. Dist. No. 4 Operations

Core 45 ID#4 Surface Water Supply

Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
User Charges	0	0	0		0	0	0		150,000	
Total Revenues	0	0	0		0	0	0		150,000	
Expenditures										
Labor Costs	3,911	14,470	10,559	27	36,325	126,000	89,675	28	190,390	19
Wtr Purch & Fees	70,227	45,833	(24,393)	153	1,496,719	1,476,666	(20,052)	101	2,030,000	73
Administration	3,767	3,766	(0)	100	116,462	116,563	101	99	142,630	81
Prof Services	0	0	0		16,108	16,800	692	95	16,800	95
Other Expenses	0	0	0		69,461	0	(69,461)		0	
Total Expenditures	77,905	64,069	(13,835)	121	1,735,075	1,736,029	954	99	2,379,820	72
Net After Transfers	(77,905)	(64,069)	(13,835)	121	(1,735,074)	(1,736,029)	955	99	(2,229,819)	77

Fund 034 Impr. Dist. No. 4 Operations
Core 46 Impr. Dist. No. 4 Groundwater
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Grnd Wtr Charges	695,169	0	695,169		1,334,206	1,251,400	82,806	106	2,215,120	60
Total Revenues	695,169	0	695,169		1,334,206	1,251,400	82,806	106	2,215,120	60
Expenditures										
Labor Costs	20,388	15,250	(5,138)	133	140,384	131,560	(8,824)	106	198,920	70
Operations	0	208	208		12	1,716	1,704		2,600	
Power	1,083	1,666	583	64	3,861	13,333	9,472	28	20,000	19
Maintenance	0	416	416		964	4,283	3,319	22	7,300	13
Administration	10,387	4,724	(5,662)	219	102,808	146,949	44,141	69	166,300	61
Prof Services	7,753	208	(7,544)	3,721	21,480	1,666	(19,813)	1,288	2,500	859
Other Expenses	0	0	0		1,159	0	(1,159)		0	
Total Expenditures	39,611	22,474	(17,136)	176	270,668	299,509	28,841	90	397,620	68
Net After Transfers	655,559	(22,474)	678,034	(2,916)	1,063,537	951,890	111,646	111	1,817,500	58

Fund 034 Impr. Dist. No. 4 Operations
Core 47 Impr. Dist. No. 4 Treated Watr
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Water Sales	0	0	0		10,703,250	10,703,250	0	100	10,703,250	100
Total Revenues	0	0	0		10,703,250	10,703,250	0	100	10,703,250	100
Expenditures										
Labor Costs	304,176	297,753	(6,422)	102	2,329,344	2,676,236	346,892	87	3,986,760	58
Operations	71,667	201,158	129,491	35	1,415,454	1,609,266	193,812	87	2,413,900	58
Power	131,442	86,250	(45,192)	152	578,780	690,000	111,220	83	1,035,000	55
Maintenance	43,738	46,354	2,616	94	366,084	371,083	4,999	98	556,750	65
Administration	76,007	98,983	22,976	76	731,492	792,501	61,009	92	1,110,960	65
Prof Services	25,815	8,666	(17,148)	297	41,721	351,833	310,112	11	386,500	10
Capital Outlays	55,927	0	(55,927)		94,005	441,300	347,295	21	441,300	21
Other Expenses	14,299	12,591	(1,707)	113	173,094	162,633	(10,460)	106	213,000	81
Total Expenditures	723,071	751,757	28,686	96	5,729,974	7,094,854	1,364,880	80	10,144,170	56
Net After Transfers	(723,071)	(751,757)	28,685	96	4,973,276	3,608,395	1,364,880	137	559,080	889

Fund 034 Impr. Dist. No. 4 Operations
Core 48 Impr. Dist. No. 4 Distribution
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
User Charges	554,899	385,208	169,690	144	4,714,498	4,494,964	219,533	104	6,447,430	73
Other Revenue	0	0	0		8,425	10,000	(1,575)	84	20,000	42
Total Revenues	554,899	385,208	169,690	144	4,722,923	4,504,964	217,958	104	6,467,430	73
Expenditures										
Labor Costs	24,709	34,195	9,486	72	266,988	297,460	30,472	89	448,650	59
Operations	0	791	791		2,653	6,333	3,680	41	9,500	27
Power	554,899	385,208	(169,690)	144	3,260,688	3,081,666	(179,021)	105	4,622,500	70
Maintenance	1,851	9,041	7,190	20	93,370	79,163	(14,206)	117	115,330	80
Administration	9,318	12,324	3,006	75	125,791	153,750	27,959	81	203,550	61
Prof Services	80	1,666	1,586	4	19,425	203,333	183,908	9	210,000	9
Capital Outlays	0	0	0		5,627	610,000	604,373		610,000	
Debt Repayment	0	0	0		22,774	178,400	155,626	12	178,400	12
Other Expenses	2,052	5,000	2,948	41	18,313	49,500	31,187	36	69,500	26
Total Expenditures	592,909	448,228	(144,680)	132	3,815,629	4,659,606	843,977	81	6,467,430	58
Net After Transfers	(38,003)	(63,019)	25,016	60	907,300	(154,642)	1,061,942	(586)	0	252,027,7

Fund 036 Impr. Dist. No. 4 Bonds
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
User Charges	0	0	0		8,377,054	8,377,060	(6)	99	8,377,060	99
Interest Income	0	0	0		112,196	80,000	32,196	140	160,000	70
Total Revenues	0	0	0		8,489,250	8,457,060	32,190	100	8,537,060	99
Expenditures										
Prof Services	0	0	0		0	0	0		3,000	
Debt Repayment	0	0	0		2,169,896	2,170,630	734	99	9,166,260	23
Other Expenses	2,000	0	(2,000)		3,250	8,000	4,750	40	10,000	32
Total Expenditures	2,000	0	(2,000)		2,173,146	2,178,630	5,484	99	9,179,260	23
Interfund Transfers										
Transfers In	0	0	0		789,204	789,210	(6)	99	789,210	99
Net Transfers	0	0	0		789,204	789,210	(6)	99	789,210	99
Net After Transfers	(2,000)	0	(2,000)		7,105,307	7,067,640	37,667	100	147,010	4,833

Fund 051 Cross Valley Canal Operations
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
User Charges	31,832	647,857	(616,025)	4	6,185,319	10,660,431	(4,475,112)	58	15,656,930	39
Reimbursements	430	0	430		81,876	0	81,876		0	
Interest Income	0	0	0		99,326	53,500	45,826	185	107,000	92
Other Revenue	0	0	0		(116,843)	0	(116,843)		0	
Total Revenues	32,262	647,857	(615,595)	4	6,249,678	10,713,931	(4,464,253)	58	15,763,930	39
Expenditures										
Labor Costs	86,095	164,333	78,238	52	1,070,478	1,454,876	384,398	73	2,174,680	49
Operations	119	9,166	9,047	1	34,228	73,332	39,104	46	110,000	31
Power	0	647,857	647,857		1,838,489	5,182,861	3,344,372	35	7,774,290	23
Maintenance	12,986	49,709	36,723	26	542,173	537,667	(4,505)	100	736,500	73
Administration	51,293	56,925	5,632	90	555,654	652,201	96,547	85	882,225	62
Prof Services	7,206	3,333	(3,873)	216	114,973	1,327,416	1,212,443	8	1,340,750	8
Capital Outlays	0	0	0		0	3,325,000	3,325,000		3,325,000	
Other Expenses	0	583	583		9,332	11,266	1,934	82	138,600	6
Total Expenditures	157,699	931,906	774,207	16	4,165,327	12,564,620	8,399,293	33	16,482,045	25
Net After Transfers	(125,436)	(284,049)	158,613	44	2,084,353	(1,850,689)	3,935,042	(112)	(718,114)	(290)

Fund 051 Cross Valley Canal Operations
Core 55 Cross Valley Canal Operations
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
User Charges	0	0	0		3,228,873	5,477,570	(2,248,697)	58	7,762,640	41
Reimbursements	430	0	430		81,876	0	81,876		0	
Interest Income	0	0	0		112,825	50,000	62,825	225	100,000	112
Other Revenue	0	0	0		(116,843)	0	(116,843)		0	
Total Revenues	430	0	430		3,306,731	5,527,570	(2,220,839)	59	7,862,640	42
Expenditures										
Labor Costs	85,254	164,333	79,079	51	1,069,637	1,454,876	385,239	73	2,174,680	49
Operations	119	9,166	9,047	1	34,228	73,332	39,104	46	110,000	31
Maintenance	12,986	49,709	36,723	26	542,173	537,667	(4,505)	100	736,500	73
Administration	51,293	56,925	5,632	90	555,654	652,201	96,547	85	882,225	62
Prof Services	7,206	3,333	(3,873)	216	114,973	1,327,416	1,212,443	8	1,340,750	8
Capital Outlays	0	0	0		0	3,325,000	3,325,000		3,325,000	
Other Expenses	0	583	583		9,332	11,266	1,934	82	13,600	68
Total Expenditures	156,858	284,049	127,191	55	2,325,997	7,381,759	5,055,762	31	8,582,755	27
Net After Transfers	(156,427)	(284,049)	127,622	55	980,736	(1,854,189)	2,834,925	(52)	(720,114)	(136)

Fund 051 Cross Valley Canal Operations
Core 56 Cross Valley Canal Power
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
User Charges	31,832	647,857	(616,025)	4	2,949,864	5,182,861	(2,232,997)	56	7,774,290	37
Interest Income	0	0	0		(28,073)	0	(28,073)		0	
Total Revenues	31,832	647,857	(616,025)	4	2,921,791	5,182,861	(2,261,070)	56	7,774,290	37
Expenditures										
Labor Costs	841	0	(841)		841	0	(841)		0	
Power	0	647,857	647,857		1,838,489	5,182,861	3,344,372	35	7,774,290	23
Total Expenditures	841	647,857	647,016		1,839,330	5,182,861	3,343,531	35	7,774,290	23
Net After Transfers	30,990	0	30,990		1,082,460	0	1,082,460		0	

Fund 051 Cross Valley Canal Operations
Core 57 Cross Valley Canal Replacement
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
User Charges	0	0	0		6,582	0	6,582		0	
Interest Income	0	0	0		3,449	1,000	2,449	344	2,000	172
Total Revenues	0	0	0		10,031	1,000	9,031	1,003	2,000	501
Net After Transfers	0	0	0		10,031	1,000	9,031	1,003	2,000	501

Fund 051 Cross Valley Canal Operations
Core 58 Cross Valley Canal Third Party
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
User Charges	0	0	0		0	0	0		120,000	
Interest Income	0	0	0		11,125	2,500	8,625	445	5,000	222
Total Revenues	0	0	0		11,125	2,500	8,625	445	125,000	8
Expenditures										
Other Expenses	0	0	0		0	0	0		125,000	
Total Expenditures	0	0	0		0	0	0		125,000	
Net After Transfers	0	0	0		11,124	2,500	8,624	444	0	

Fund 070 KCWA/BM Banking Program
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Water Sales	0	0	0		0	61,200	(61,200)		183,600	
User Charges	0	365,186	(365,186)		474,150	2,487,859	(2,013,709)	19	2,592,140	18
Interest Income	0	0	0		28,033	32,315	(4,282)	86	64,630	43
Total Revenues	0	365,186	(365,186)		502,183	2,581,374	(2,079,191)	19	2,840,370	17
Expenditures										
Labor Costs	4,461	24,584	20,123	18	37,596	170,436	132,840	22	201,550	18
Wtr Purch & Fees	0	17,970	17,970		12,550	203,160	190,610	6	393,840	3
Operations	0	1,668	1,668		838	10,520	9,682	7	11,060	7
Power	529	271,383	270,854		3,715	1,628,300	1,624,585		1,628,300	
Maintenance	50	44,216	44,166		33,061	286,266	253,205	11	292,210	11
Administration	9,745	9,984	239	97	87,425	93,482	6,057	93	132,080	66
Prof Services	0	0	0		1,576	6,000	4,424	26	6,000	26
Capital Outlays	0	0	0		0	175,000	175,000		175,000	
Other Expenses	0	209,660	209,660		324	1,258,281	1,257,957		1,258,291	
Total Expenditures	14,785	579,465	564,680	2	177,085	3,831,445	3,654,360	4	4,098,331	4
Net After Transfers	(14,786)	(214,279)	199,492	6	325,093	(1,250,070)	1,575,164	(26)	(1,257,960)	(25)

Fund 070 KCWA/BM Banking Program
Core 70 BMWD/KCWA Administration
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
User Charges	0	0	0		148,050	94,600	53,450	156	94,600	156
Interest Income	0	0	0		28,033	32,315	(4,282)	86	64,630	43
Total Revenues	0	0	0		176,083	126,915	49,168	138	159,230	110
Expenditures										
Labor Costs	550	1,418	868	38	6,085	15,506	9,421	39	21,740	27
Maintenance	0	0	0		32,000	18,000	(14,000)	177	18,000	177
Administration	9,583	9,593	10	99	79,810	78,772	(1,038)	101	117,250	68
Prof Services	0	0	0		1,576	2,000	424	78	2,000	78
Other Expenses	0	0	0		177	240	63	73	240	73
Total Expenditures	10,133	11,011	878	92	119,648	114,518	(5,130)	104	159,230	75
Net After Transfers	(10,132)	(11,011)	878	92	56,434	12,397	44,037	455	0	

Fund 070 KCWA/BM Banking Program

Core 71 BMWD/KCWA Recovery

Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
User Charges	0	365,186	(365,186)		292,750	2,341,119	(2,048,369)	12	2,341,120	12
Total Revenues	0	365,186	(365,186)		292,750	2,341,119	(2,048,369)	12	2,341,120	12
Expenditures										
Labor Costs	3,527	23,166	19,639	15	26,538	139,000	112,462	19	139,000	19
Wtr Purch & Fees	0	17,970	17,970		0	107,820	107,820		107,820	
Operations	0	1,668	1,668		838	10,300	9,462	8	10,300	8
Power	529	271,383	270,854		3,715	1,628,300	1,624,585		1,628,300	
Maintenance	50	44,216	44,166		1,061	265,300	264,239		265,450	
Administration	162	391	229	41	7,587	13,159	5,572	57	13,160	57
Prof Services	0	0	0		0	2,000	2,000		2,000	
Capital Outlays	0	0	0		0	175,000	175,000		175,000	
Other Expenses	0	209,660	209,660		147	1,258,041	1,257,894		1,258,051	
Total Expenditures	4,268	568,454	564,186		39,886	3,598,920	3,559,034	1	3,599,081	1
Net After Transfers	(4,268)	(203,268)	198,999	2	252,861	(1,257,800)	1,510,662	(20)	(1,257,960)	(20)

Fund 070 KCWA/BM Banking Program

Core 72 BMWD/KCWA Recharge

Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Water Sales	0	0	0		0	61,200	(61,200)		183,600	
User Charges	0	0	0		33,350	52,140	(18,790)	63	156,420	21
Total Revenues	0	0	0		33,350	113,340	(79,990)	29	340,020	9
Expenditures										
Labor Costs	384	0	(384)		4,973	15,930	10,957	31	40,810	12
Wtr Purch & Fees	0	0	0		12,550	95,340	82,790	13	286,020	4
Operations	0	0	0		0	220	220		760	
Maintenance	0	0	0		0	2,966	2,966		8,760	
Administration	0	0	0		28	1,551	1,523	1	1,670	1
Prof Services	0	0	0		0	2,000	2,000		2,000	
Total Expenditures	384	0	(384)		17,551	118,007	100,456	14	340,020	5
Net After Transfers	(385)	0	(385)		15,797	(4,667)	20,464	(338)	0	

Fund 075 Pioneer Project
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Water Sales	0	0	0		0	888,000	(888,000)		1,224,000	
User Charges	0	1,417,971	(1,417,971)		6,686,178	11,312,174	(4,625,996)	59	14,209,660	47
Reimbursements	0	0	0		689,432	300,000	389,432	229	300,000	229
Interest Income	0	0	0		174,713	0	174,713		0	
Other Revenue	510	0	510		993	0	993		0	
Total Revenues	510	1,417,971	(1,417,461)		7,551,316	12,500,174	(4,948,858)	60	15,733,660	47
Expenditures										
Labor Costs	56,074	105,873	49,799	52	451,081	743,632	292,551	60	898,290	50
Wtr Purch & Fees	0	35,940	35,940		128,128	1,430,320	1,302,192	8	2,419,680	5
Operations	48	15,141	15,093		8,965	96,213	87,248	9	105,380	8
Power	2,373	725,000	722,627		34,926	4,407,000	4,372,074		4,521,000	
Maintenance	364	90,318	89,954		112,268	608,112	495,844	18	680,300	16
Administration	44,439	38,157	(6,281)	116	349,319	530,355	181,036	65	674,680	51
Prof Services	42,813	1,333	(41,479)	3,210	125,919	672,416	546,497	18	677,750	18
Capital Outlays	0	500	500		268,210	5,532,100	5,263,890	4	5,533,600	4
Other Expenses	0	744,733	744,733		4,773	4,469,223	4,464,450		4,469,277	
Total Expenditures	146,111	1,756,997	1,610,886	8	1,483,589	18,489,373	17,005,784	8	19,979,957	7
Net After Transfers	(145,605)	(339,026)	193,421	42	6,067,727	(5,989,199)	12,056,927	(101)	(4,246,295)	(142)

Fund 075 Pioneer Project
Core 74 Pioneer Recharge - Reserve
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
User Charges	0	0	0		8,874	24,000	(15,126)	36	72,000	12
Total Revenues	0	0	0		8,874	24,000	(15,126)	36	72,000	12
Net After Transfers	0	0	0		8,874	24,000	(15,126)	36	72,000	12

Fund 075 Pioneer Project
Core 75 Pioneer Proj - Administration
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
User Charges	0	0	0		1,168,450	1,355,600	(187,150)	86	1,355,600	86
Interest Income	0	0	0		174,713	0	174,713		0	
Total Revenues	0	0	0		1,343,163	1,355,600	(12,437)	99	1,355,600	99
Expenditures										
Labor Costs	13,926	9,680	(4,246)	143	152,453	93,690	(58,763)	162	136,680	111
Operations	0	475	475		71	4,330	4,259	1	6,230	1
Maintenance	0	10,858	10,858		80,765	86,936	6,171	92	130,370	61
Administration	43,981	35,127	(8,853)	125	336,887	489,699	152,812	68	630,170	53
Prof Services	35,459	0	(35,459)		83,871	272,750	188,879	30	272,750	30
Capital Outlays	0	0	0		0	178,600	178,600		178,600	
Other Expenses	0	0	0		2,999	800	(2,199)	374	800	374
Total Expenditures	93,366	56,140	(37,225)	166	657,046	1,126,806	469,760	58	1,355,600	48
Net After Transfers	(93,366)	(56,140)	(37,225)	166	686,117	228,793	457,324	299	0	857,647,2

Fund 075 Pioneer Project
Core 76 Pioneer Project - Recharge
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Water Sales	0	0	0		0	888,000	(888,000)		1,224,000	
User Charges	0	0	0		628,547	560,680	67,867	112	1,682,040	37
Other Revenue	0	0	0		483	0	483		0	
Total Revenues	0	0	0		629,030	1,448,680	(819,650)	43	2,906,040	21
Expenditures										
Labor Costs	20,378	10,050	(10,328)	202	76,815	90,626	13,811	84	144,640	53
Wtr Purch & Fees	0	0	0		109,260	1,214,680	1,105,420	8	2,204,040	4
Operations	0	0	0		1,929	3,583	1,654	53	10,750	17
Power	444	0	(444)		21,438	57,000	35,562	37	171,000	12
Maintenance	0	0	0		927	44,415	43,488	2	73,170	1
Administration	0	0	0		1,824	3,973	2,149	45	6,360	28
Prof Services	0	0	0		2,504	11,000	8,496	22	11,000	22
Capital Outlays	0	0	0		0	285,000	285,000		285,000	
Other Expenses	0	0	0		381	26	(354)	1,429	80	476
Total Expenditures	20,822	10,050	(10,772)	207	215,078	1,710,305	1,495,227	12	2,906,040	7
Net After Transfers	(20,819)	(10,050)	(10,769)	207	413,951	(261,625)	675,576	(158)	0	121,750,3

Fund 075 Pioneer Project
Core 77 Pioneer Project - Recovery
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
User Charges	0	960,940	(960,940)		912,493	5,765,640	(4,853,147)	15	5,765,640	15
Reimbursements	0	0	0		0	300,000	(300,000)		300,000	
Other Revenue	510	0	510		510	0	510		0	
Total Revenues	510	960,940	(960,430)		913,003	6,065,640	(5,152,637)	15	6,065,640	15
Expenditures										
Labor Costs	9,480	73,106	63,626	12	109,232	447,640	338,408	24	447,640	24
Wtr Purch & Fees	0	35,940	35,940		18,868	215,640	196,772	8	215,640	8
Operations	48	14,666	14,618		6,880	87,999	81,119	7	88,000	7
Power	1,929	725,000	723,071		13,488	4,350,000	4,336,512		4,350,000	
Maintenance	364	79,460	79,096		30,576	476,759	446,183	6	476,760	6
Administration	458	2,658	2,200	17	10,138	27,499	17,361	36	27,500	36
Prof Services	0	833	833		2,375	36,666	34,291	6	40,000	5
Capital Outlays	0	0	0		0	420,000	420,000		420,000	
Other Expenses	0	744,733	744,733		742	4,468,396	4,467,654		4,468,397	
Total Expenditures	12,279	1,676,398	1,664,119		192,299	10,530,603	10,338,304	1	10,533,937	1
Net After Transfers	(11,774)	(715,458)	703,684	1	720,702	(4,464,963)	5,185,665	(16)	(4,468,296)	(16)

Fund 075 Pioneer Project
Core 78 Pioneer Project - Development
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
User Charges	0	432,031	(432,031)		3,963,544	3,456,254	507,290	114	5,184,380	76
Reimbursements	0	0	0		689,432	0	689,432		0	
Total Revenues	0	432,031	(432,031)		4,652,976	3,456,254	1,196,722	134	5,184,380	89
Expenditures										
Labor Costs	12,290	13,037	747	94	112,452	111,676	(776)	100	169,330	66
Operations	0	0	0		85	300	215	28	400	21
Administration	0	371	371		470	9,183	8,713	5	10,650	4
Prof Services	7,354	500	(6,854)	1,470	37,169	352,000	314,831	10	354,000	10
Capital Outlays	0	500	500		268,210	4,648,500	4,380,290	5	4,650,000	5
Other Expenses	0	0	0		651	0	(651)		0	
Total Expenditures	19,644	14,408	(5,235)	136	419,037	5,121,659	4,702,622	8	5,184,380	8
Net After Transfers	(19,644)	417,622	(437,267)	(4)	4,233,940	(1,665,405)	5,899,346	(254)	0	2,116,970

Fund 075 Pioneer Project
Core 79 Pioneer Project - Recovery Res
Feb 28, 2025

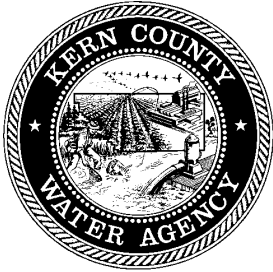
	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
User Charges	0	25,000	(25,000)		4,270	150,000	(145,730)	2	150,000	2
Total Revenues	0	25,000	(25,000)		4,270	150,000	(145,730)	2	150,000	2
Expenditures										
Labor Costs	0	0	0		129	0	(129)		0	
Total Expenditures	0	0	0		129	0	(129)		0	
Net After Transfers	0	25,000	(25,000)		4,141	150,000	(145,858)	2	150,000	2

Fund 097 Westlands Payback Fund
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
Interest Income	0	0	0		32,397	0	32,397		0	
Total Revenues	0	0	0		32,397	0	32,397		0	
Net After Transfers	0	0	0		32,397	0	32,397		0	

Fund 102 Agency Participation in CVC
Feb 28, 2025

	Current Month Actuals	Current Month Budget	Variance Better (Worse)	% of Budget	YTD Actuals	YTD Budget	Variance Better (Worse)	% of Budget	Total Annual Budget	% of Annual Budget
Revenues										
User Charges	0	0	0		681,316	547,125	134,191	124	729,500	93
Reimbursements	0	0	0		47,500	0	47,500		0	
Interest Income	0	0	0		(9,153)	0	(9,153)		0	
Total Revenues	0	0	0		719,663	547,125	172,538	131	729,500	98
Expenditures										
Wtr Purch & Fees	0	0	0		1,098,841	543,675	(555,166)	202	724,900	151
Administration	350	350	0	100	3,042	3,200	158	95	4,600	66
Total Expenditures	350	350	0	100	1,101,883	546,875	(555,008)	201	729,500	151
Net After Transfers	(350)	(350)	0	100	(382,219)	250	(382,469)	(152,887)	0	



MEMORANDUM

20.2.1

TO: Administrative Committee
Agenda Item No. 4

FROM: Nick Pavletich

DATE: March 27, 2025

SUBJECT: Appointment of Association of California Water Agencies Joint Powers
Insurance Authority Director and Alternate Directors

Issue:

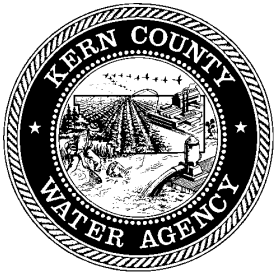
Consider appointments of designated director and alternate directors to the Association of California Water Agencies Joint Powers Insurance Authority Board of Directors.

Recommended Motion:

Appoint Charles (Bill) W. Wulff, Jr. as the designated director, and Royce Fast, Thomas McCarthy and Nick Pavletich as alternate directors to the Association of California Water Agencies Joint Powers Insurance Authority Board of Directors, as outlined in the March 27, 2025 staff memorandum to the Administrative Committee, Agenda Item No. 4.

Discussion:

The Kern County Water Agency (Agency) is a member agency of the Association of California Water Agencies Joint Powers Insurance Authority (JPIA), a pooled insurance program primarily offering liability, property, workers' compensation and health-related insurance. As a JPIA member agency, the Agency is required by JPIA to appoint an Agency director as a JPIA designated director to the JPIA Board of Directors. The Agency may also appoint as many alternate directors to the JPIA Board of Directors as the Agency deems appropriate. The designated director, or an alternate director in the absence of the designated director, may exercise the Agency's right to vote at JPIA Board of Directors meetings, which are generally held twice each year just prior to the Association of California Water Agencies spring and fall conferences. Since JPIA member agencies must be present to vote at JPIA Board of Director meetings, it is prudent to have at least one authorized alternate director available to vote should the designated director be unavailable.



MEMORANDUM

20.2.1

TO: Administrative Committee
Agenda Item No. 5

FROM: Nick Pavletich

DATE: March 27, 2025

SUBJECT: Authorization to Execute the Kern County Water Agency Contract for Heating, Ventilating and Air Conditioning Unit for the Stuart T. Pyle Water Resources Center

Issue:

Consider authorizing the Administrative Operations Manager to execute the Kern County Water Agency Contract for Heating, Ventilating and Air Conditioning Unit for the Stuart T. Pyle Water Resources Center.

Recommended Motion:

Authorize the Administrative Operations Manager to execute the Kern County Water Agency Contract for Heating, Ventilating and Air Conditioning Unit for the Stuart T. Pyle Water Resources Center with Mesa Energy Services, Inc., for an amount not to exceed \$110,000, subject to approval of General Counsel as to legal form, as outlined in the March 27, 2025 staff memorandum to the Administrative Committee, Agenda Item No. 5.

Discussion:

The heating, ventilating and air conditioning (HVAC) infrastructure at the Stuart T. Pyle Water Resources Center (STPWRC), which is approximately 15 years old, is experiencing increased maintenance demands due to its age and condition. A 12-ton HVAC unit, vital for maintaining office temperatures in the east wing, is in critical condition and requires replacement prior to the summer months.

The Kern County Water Agency (Agency) has a history of successful HVAC service with Mesa Energy Services, Inc. (Mesa), whose technicians possess valuable familiarity with the STPWRC building and its existing equipment. Therefore, staff recommend utilizing a cooperative agreement to procure and install a replacement HVAC unit from Mesa, with funding sourced from the General Fund. The proposed agreement is provided as Attachment 1.

**KERN COUNTY WATER AGENCY
CONTRACT FOR
HEATING, VENTILATING AND AIR CONDITIONING UNIT
FOR THE STUART T. PYLE WATER RESOURCES CENTER**

This Contract, made and entered into by and between the Kern County Water Agency, hereinafter referred to as “Agency” and Mesa Energy Services, Inc., hereinafter referred to as “Contractor.”

Agency and Contractor agree as follows:

- 1) **SCOPE OF WORK**: Contractor will perform all the work and furnish all the materials described in Agency’s Scope of Work (Scope of Work) as shown in Attachment A, which is attached hereto and incorporated herein by reference.
- 2) **TERM**: This Contract shall become effective March 27, 2025 and shall terminate June 30, 2025. The Agency and/or Contractor may terminate this Contract for any reason with thirty (30) days written notice. In the event of termination, the Agency shall pay Contractor for all authorized services performed and all authorized expenses incurred to date of termination of the Contract.
- 3) **COMPENSATION**: Compensation under this Contract shall not exceed \$110,000 in total without express written approval of the General Manager as authorized by the Agency Board of Directors.
- 4) **PAYMENTS**: Payment by the Agency shall be made within 60 days of receipt of each undisputed invoice. Detailed invoices shall be submitted in duplicate to the Kern County Water Agency, 3200 Rio Mirada Drive, Bakersfield, CA 93308, Attention: Accounts Payable. Contractor shall keep adequate records of all services and charges to the Agency and make them available if requested by the Agency.
- 5) **PREVAILING WAGE**: Pursuant to Labor Code sections 1720 *et seq.* and 1770 *et seq.*, Contractor shall pay not less than the prevailing rate of per diem wages as determined by the Director of the California Department of Industrial Relations (DIR). Prevailing wage schedules for Kern County are available from the Department of Industrial Relations - Division of Labor Statistics and Research via the Internet at www.dir.ca.gov. A prevailing wage scale is also on file in the office of the Agency and copies may be obtained upon request. Should Contractor intend to use a craft or classification not shown on the prevailing rate determinations, Contractor may be required to pay the rate of the craft or classification most closely related to it.
- 6) **DIR REGISTRATION**: Contractor shall be registered pursuant to Labor Code section 1725.5.
- 7) **CONTRACT DOCUMENTS**: The complete agreement of the parties includes this Contract, the Scope of Work and any supplemental agreements between the Agency and Contractor.
- 8) **INDEMNITY**: To the fullest extent permitted by law, Contractor shall hold harmless, defend at its own expense, and indemnify Agency, its directors, officers, employees, and authorized volunteers against any and all liability, claims, losses, damages, or expenses, including reasonable attorney’s fees and costs, arising from all acts or omissions of Contractor or its officers, agents, or employees in rendering services under this contract; excluding, however, such liability, claims, losses, damages, or expenses arising from Agency’s sole negligence or willful acts.

- 9) INSURANCE REQUIREMENTS: Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder and the results of that work by the Contractors, his agents, representatives, employees, or subcontractors. Coverage shall be at least as broad as the following:
- a. Commercial General Liability – Insurance Services Office (ISO) Commercial General Liability Coverage (Occurrence Form CG 00 01) including products and completed operations, property damage, bodily injury, personal and advertising injury with limit of at least two million dollars (\$2,000,000) per occurrence or the full per occurrence limits of policies available, whichever is greater. Agency, its directors, officers, employees, and authorized volunteers shall be named as Additional Insured with respect to liability arising out of work or operations performed by or on behalf of the Contractors including materials, parts, or equipment furnished in connection with such work or operations. Contractor’s insurance shall be primary and not contribute with any insurance maintained by Agency.
 - b. Auto Liability – Insurance Services Office (ISO) Business Auto Coverage (Form CA 00 01) covering all owned, non-owned and hired automobiles in the amount of one million dollars (\$1,000,000) per each accident.
 - c. Workers’ Compensation – as required by the State of California with Statutory Limits, and Employer’s Liability insurance with a limit no less than one million dollars (\$1,000,000) per accident for bodily injury or disease.

If the Contractor maintains broader coverage and/or higher limits than the minimums shown above, the Agency requires and shall be entitled to the broader coverage and/or higher limits maintained by the Contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to Agency. Each insurance policy required above shall provide that coverage shall not be canceled except with thirty (30) day notice to Agency. Contractor shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein, and Contractor shall ensure that Kern County Water Agency, its directors, officers, employees, and authorized volunteers are an additional insured on insurance required from subcontractors.

- 10) COMPLIANCE WITH LAW; PERMITTING: Contractor will comply with all local, state and federal regulations and statutes including Cal/OSHA requirements that are applicable to the work and services provided under this Contract. Any permits required by governmental authorities will be obtained at Contractor’s expense.
- 11) NOTICE: Any notice or instrument required to be given or delivered by this Contract may be given or delivered by personal delivery or by depositing the same in a United States Post Office, registered or certified, postage prepaid, addressed to:

AGENCY: Kern County Water Agency
ATTN: Business Manager
3200 Rio Mirada Drive
Bakersfield, CA 93308

CONTRACTOR: Mesa Energy Systems, Inc.
2 Cromwell
Irvine, CA 92618

This Contract is executed by the Agency pursuant to an action of its Governing Body authorizing the same, and Contractor has caused this Contract to be duly executed.

Agency

Contractor

By: _____

By: _____

Title: _____

Title: _____

Dated: _____, 2025

Dated: _____, 2025

Attachment A

Scope of Work

Heating, Ventilating and Air Conditioning Unit for the Stuart T. Pyle Water Resources Center

Any changes beyond the performance of work described herein shall be made in writing.

All work performed under this Contract shall be performed during Normal Working Hours (Monday through Friday from 7:00 a.m. to 5:00 p.m.), unless otherwise specifically agreed upon by both parties.

This contract covers the following:

1. Disconnect (1) old 12 ton Daikin VRV Condenser from existing refrigerant lines, electrical wiring and control wiring
2. Provide and install (1) new 12 ton Daikin VRV Condenser to existing refrigerant lines, electrical wiring and control wiring
3. Disconnect (6) old Branch Selectors from existing refrigerant lines and electrical wiring
4. Provide and install (6) new Branch Selectors to existing refrigerant lines and electrical wiring
5. Disconnect (7) old Fan Coils from existing electrical wiring, ductwork, condensate and control wiring
6. Provide and install (7) new Fan Coils to existing electrical wiring, ductwork, condensate and control wiring
7. Provide and install the new Fan Coil in the same locations as old Fan Coils using existing mounting and hanging hardware, ensuring they are securely mounted and appropriately aligned with ducts or piping connections
8. Provide and install new remote controllers
9. Integrate new system with existing i-Touch Hub
10. Crane and rigging of old and new condensers
11. Conduct a vacuum process to remove air and moisture from the refrigerant circuit before charging
12. Check for refrigerant leaks using a leak detector and correct any issues before fully charging the system
13. Perform start-up and operational checks on the system
14. Properly dispose of the old equipment, ensuring compliance with local regulations regarding refrigerant recovery and disposal of electrical and mechanical components.

The Contractor shall provide a one-year warranty for all equipment, parts and/or labor installed by Contractor. Contractor warrants repair or replacement parts and equipment furnished by it to be free from defect for a period of one (1) year from the date of delivery. Contractor's warranty includes the cost of Contractor's labor for correcting defects for a period of sixty (60) days after installation. Contractor's labor for warranty purposes shall be provided during Normal Working Hours. Any labor provided outside Normal Working Hours shall be paid by Agency at Contractor's applicable rate.



MEMORANDUM

20.2.1

TO: Administrative Committee
Agenda Item No. 6

FROM: Nick Pavletich

DATE: March 27, 2025

SUBJECT: Consideration of a Policy Regarding the Authority of the General Manager to Incur Obligations Without Prior Approval from the Board of Directors

Issue:

Consider adopting Resolution No. 07-25 approving a policy regarding the authority of the General Manager to incur obligations without prior approval from the Board of Directors.

Recommended Motion:

Adopt Resolution No. 07-25 approving a policy regarding the authority of the General Manager to incur obligations without prior approval from the Board of Directors.

Discussion:

The Kern County Water Agency (Agency) Board of Directors (Board) and Agency staff have previously implemented policies that govern the authority to incur obligations of the Agency. Staff desires to promote efficiency by increasing the level of authority. Currently, the General Manager may obligate the Agency for any purpose in all amounts up to and including \$5,000 without prior approval. The General Manager's authority extends to \$30,000 for operations, maintenance and repairs services and supplies, provided that obligations for the Cross Valley Canal and Improvement District No. 4 are approved by the Cross Valley Canal or Urban Bakersfield Advisory Committee, respectively.

Exhibit A to Resolution No. 07-25 is a proposed policy governing the General Manager's authority to incur Agency obligations (Policy). A summary of the Policy is as follows:

- The General Manager's maximum authority to obligate the Agency for any purpose is increased to \$25,000;
- The General Manager's authority with respect to operations, maintenance and repair services and supplies is increased to \$50,000, provided that the appropriate advisory committee approves of the obligation if required and other legal requirements are met;
- The General Manager may delegate the authority granted therein; and
- The General Manager may obligate the Agency in any amount during emergency circumstances pursuant to Resolution No. 60-06

The Policy allows the General Manager to delegate the authority granted therein to other Agency employees, which is consistent with the current practice. Currently the General Manager has delegated authority to Executive Managers to obligate the Agency in amounts up to and including \$500. The General Manager has also delegated the authority to obligate the Agency in all amounts allowed of the General Manager to the Administrative Operations Manager.

BEFORE THE BOARD OF DIRECTORS
OF THE
KERN COUNTY WATER AGENCY

In the matter of:

ADOPTION OF A POLICY *
REGARDING THE AUTHORITY *
OF THE GENERAL MANAGER *
TO INCUR OBLIGATIONS *
WITHOUT PRIOR APPROVAL *
FROM THE BOARD OF *
DIRECTORS *

I, Stephanie N. Prince, Secretary of the Board of Directors of the Kern County Water Agency, of the County of Kern, State of California, do hereby certify that the following resolution proposed by Director _____, and seconded by Director _____, was duly passed and adopted by said Board of Directors at an official meeting hereof this 27th day of March, 2025 by the following vote, to wit:

Ayes:

Noes:

Absent:

Secretary of the Board of Directors
of the Kern County Water Agency

Resolution No. 07-25

WHEREAS, the Kern County Water Agency (Agency) Board of Directors (Board) and Agency staff have previously implemented policies that govern the authority of staff to incur obligations of the Agency; and

WHEREAS, staff and the Board desire to promote efficiency by increasing the level of authority governing obligations; and

WHEREAS, staff has presented a proposed policy regarding the authority of staff to incur Agency obligations (Policy), which is attached hereto as Exhibit A and incorporated herein by reference; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Kern County Water Agency that:

1. The foregoing recitals are found to be true and correct.
2. Exhibit A to this resolution is hereby adopted as the policy of the Agency governing the authority of staff to incur Agency obligations.
3. The General Manager is authorized and directed to implement policies providing for internal controls on staff's ability to incur Agency obligations.

**GENERAL MANAGER'S AUTHORITY TO
INCUR OBLIGATIONS WITHOUT PRIOR APPROVAL FROM THE
BOARD OF DIRECTORS**

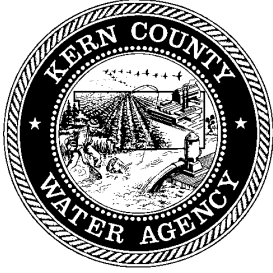
The General Manager is authorized to obligate the Agency for any purpose, by contract, purchase order or otherwise, in all amounts up to and including \$25,000. Individual obligations of more than \$25,000 require authorization by the Board of Directors, unless the obligation is for operations, maintenance and repair services and supplies, in which case the General Manager may obligate the Agency subject to the procedure set forth herein.

In the event an obligation is for operations, maintenance and repair services and supplies, and the cost is more than \$25,000 up to and including \$50,000, subject to compliance with all legal requirements, the General Manager may obligate the Agency without prior approval by the Board of Directors. In such cases where the obligation is for the Cross Valley Canal or Improvement District No. 4, the General Manager must obtain approval of the Cross Valley Canal or Urban Bakersfield Advisory Committee, respectively.

The General Manager may delegate the authority granted hereunder to any other Agency employee(s). The authority granted in this policy shall not affect any Agency obligation existing on the date this policy is adopted.

In the event of an emergency, the General Manager is authorized to obligate the Agency in any amount in accordance with the authority granted in Resolution No. 60-06.

Policy Committee



MEMORANDUM

20.2.1

TO: Policy Committee
Agenda Item No. 1

FROM: Craig Wallace

DATE: March 27, 2025

SUBJECT: Update on Delta Conveyance Activities

Issue:

Update on Delta Conveyance Activities.

Recommended Motion:

None – information only.

Discussion:

The California Department of Water Resources (DWR) certified the Final Environmental Impact Report (EIR) for the Delta Conveyance Project (DCP) on December 21, 2023. The DCP would construct a tunnel under the Sacramento-San Joaquin Delta (Delta) to deliver water from the Sacramento River to State Water Project facilities in the South Delta.

On May 16, 2024, DWR released the updated cost estimate for the DCP. The total project cost for the 6,000 cubic feet per second Bethany Reservoir Alignment is \$20.12 billion in 2023 dollars.

DWR's Delta Conveyance Office is responsible for the EIR and other permitting activities and is coordinating with the Delta Conveyance Design and Construction Authority (DCA). DWR is continuing to take the next steps to pursue numerous state and federal permits for authorizations, including those required by the State Water Resources Control Board (SWB), the Delta Stewardship Council (DSC), and compliance with state and federal Endangered Species acts. The SWB hearing process started on February 18, 2025, with Policy Statements in the morning and a conference on procedural issues in the afternoon. The hearing will continue March 24, 2025 for multiple days in March and April. The California Department of Fish and Wildlife signed an Incidental Take Permit for the Delta Conveyance Project on February 14, 2025. The permit addresses construction, operations, and maintenance of the project. DWR is working with the U.S. Fish and Wildlife Service and National Marine Fisheries Service to complete consultation efforts on project construction for the federal Endangered Species Act. DWR submitted a certification of consistency to the DSC for the planned 2024-2026 geotechnical activities. Four groups appealed for the certification. The DSC affirmed that DWR's planned geotechnical investigations are not a "Covered Action" under the Delta Reform Act. Therefore, the DSC dismissed all appeals on the grounds that it does not have jurisdiction over these planned geotechnical activities.

The project schedule is further described in Attachments 1 and 2. On December 16, 2022, the United States Army Corps of Engineers released the public Draft Environmental Impact Statement (EIS) for the DCP. The Final EIS is expected to be released in early 2025.

On January 14, 2025, DWR filed a second validation action with the Sacramento County Superior Court regarding DWR's authority to issue revenue bonds to finance the planning, design, construction and other capital costs of the proposed DCP.

The DCA Board of Directors (Board) did not meet this month. It will hold its next regular meeting on April 17, 2025. All regular DCA Board meetings are open to the public and are held on the third Thursday of every other month starting at 2:00 p.m.

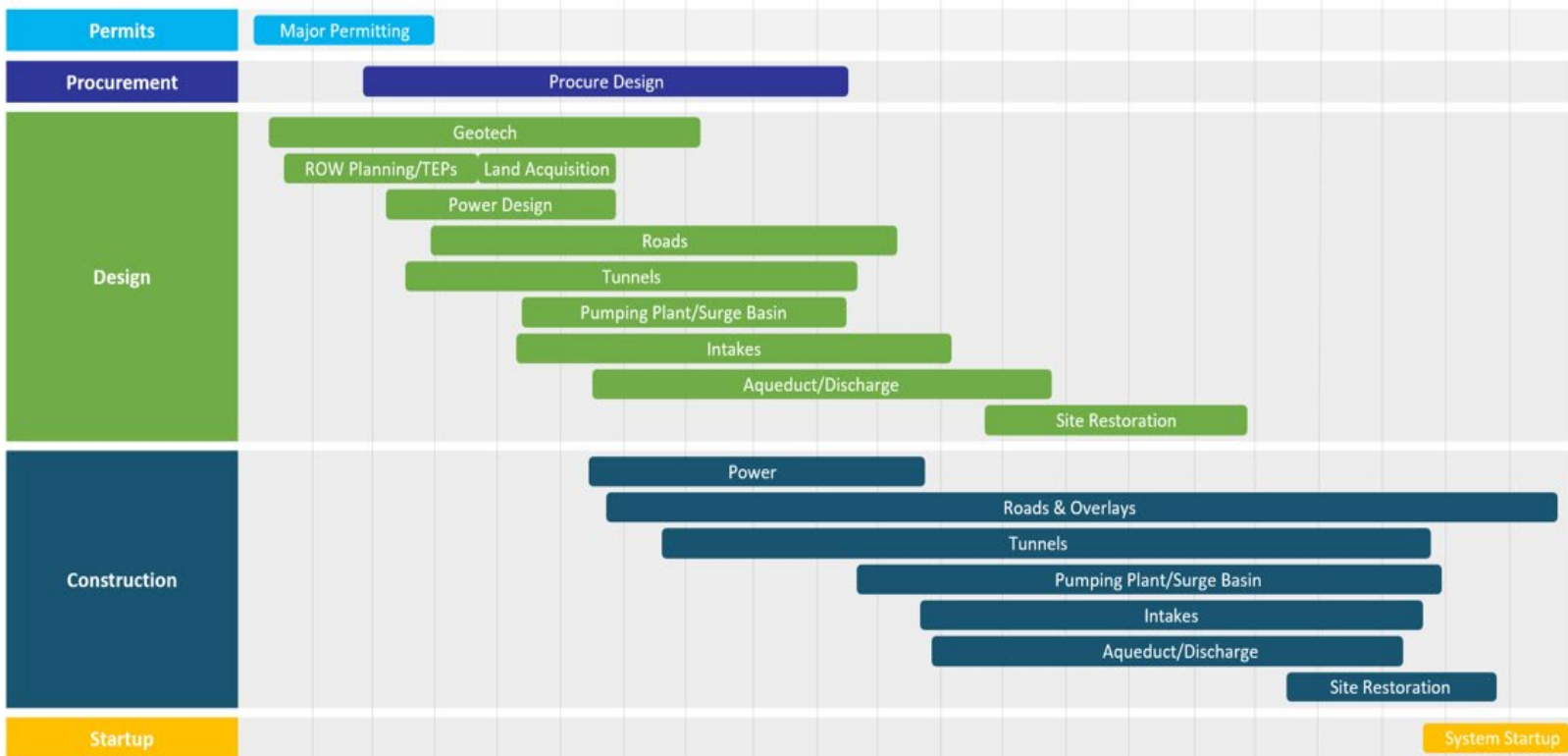


DCP Schedule



DCP Schedule Summary

2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044



Draft – Work in Progress; Subject to Change

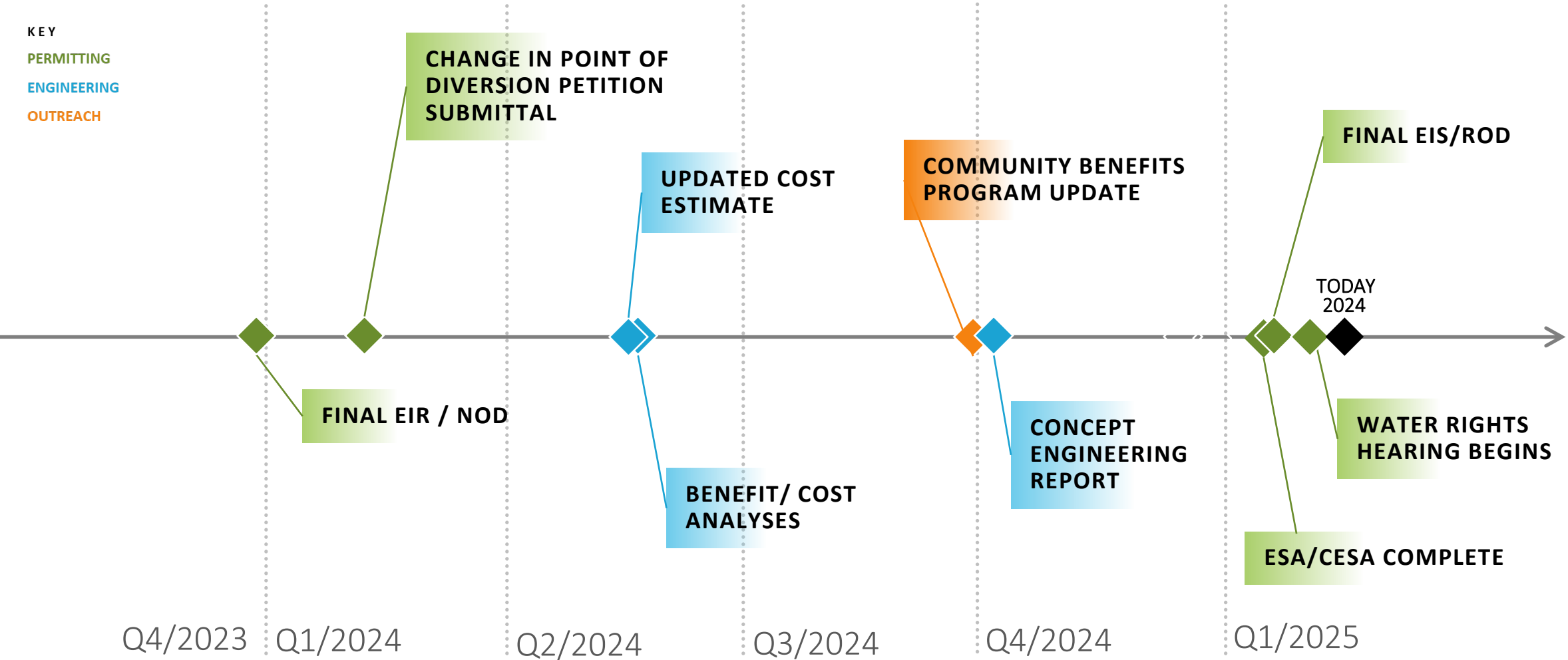
DCP 2024 Milestones



Attachment 2

KEY

- PERMITTING
- ENGINEERING
- OUTREACH



March 27, 2025

Kern County Water Agency



DCA

DELTA CONVEYANCE PROJECT

Briefing

(Prepared by the Delta Conveyance Authority)



Climate Models Predict “Weather Whiplash”

-32% to +47%
changes in
projected annual runoff!

Increased
precipitation falling as
rain instead of snow

More extreme
drought and flood cycles

Intense precipitation
events scattered within
dry stretches

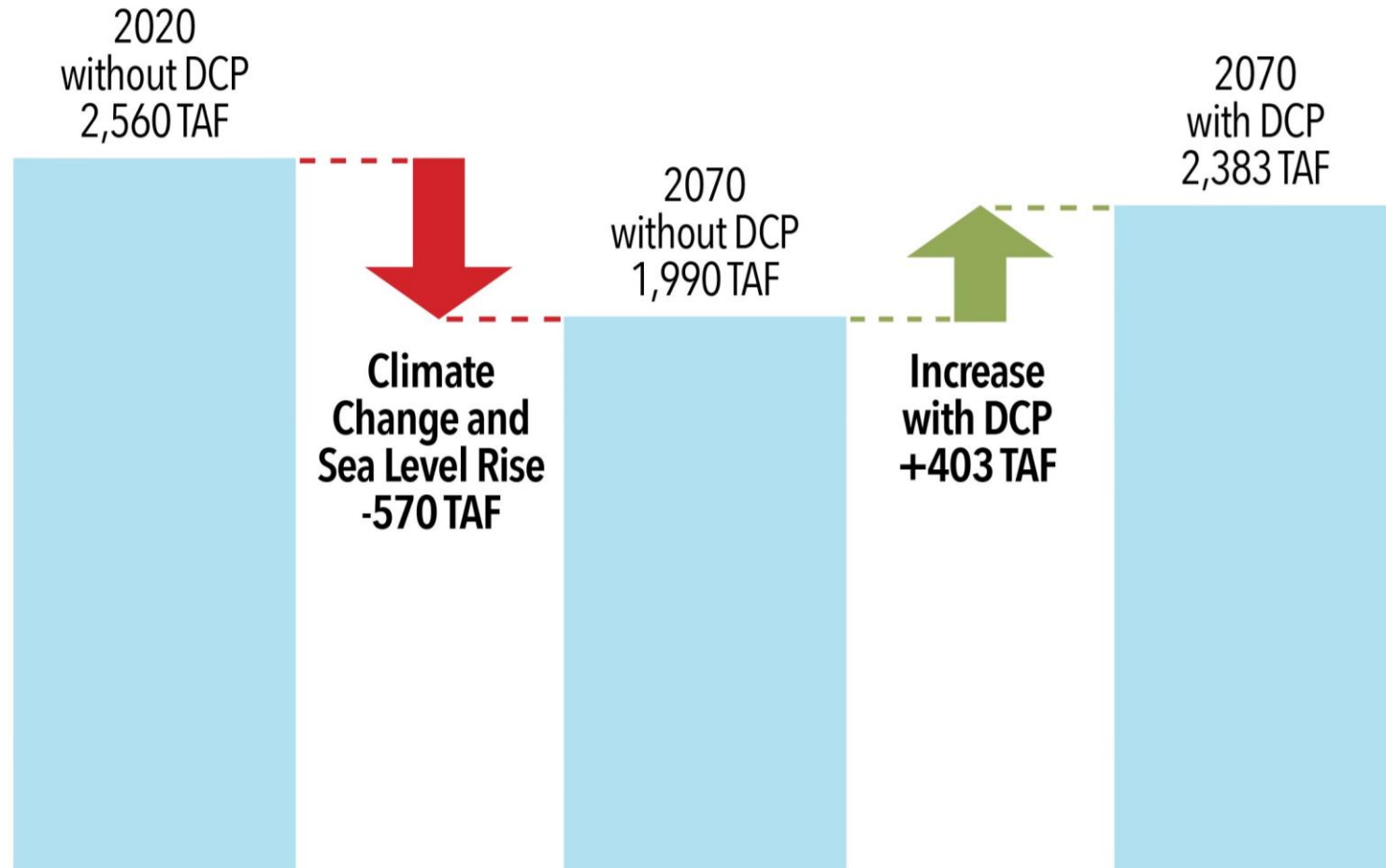
➤ *Extreme precipitation events with high water flows cannot be fully captured and moved by current system*

How would the Delta Conveyance Project Help?

- Adding ***intakes in the north Delta*** would allow the ***capture and movement of water in the winter*** that would otherwise be unavailable.
- North Delta intakes would add capacity to ***safely divert in the winter during high flow conditions***, while meeting water quality and species protections.
- This added ability to divert high flows will help ***guard against declining baseline water deliveries***, protect water agencies' baseline supplies, and ***minimize future losses***.
- Modernizing the aging SWP infrastructure will ***protect against seismic risk and sea level rise*** and aid in ensuring that we capture, move and store water when it is available and when it is safe for fish and water quality.



State Water Project Deliveries:



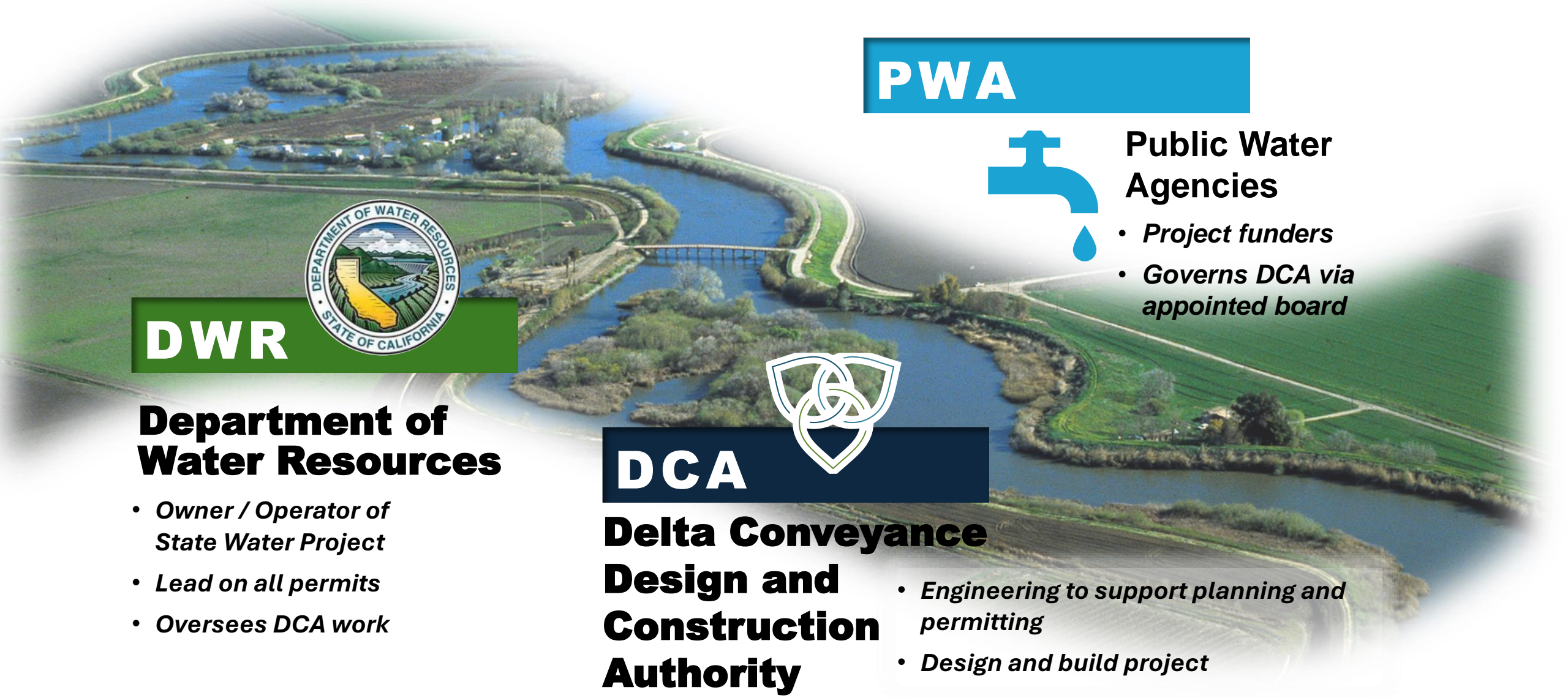
Missed Opportunities



If the Delta Conveyance Project was operational during the high rain events of winter 2021-2022, January 2023 and January 1 through June 13, 2024, a significant amount of water could have been captured and moved.

	Winter 2021-2022	January 2023	January 1-June 13, 2024
Amount of water that could have been captured: 	236,000 acre-feet	228,000 acre-feet	941,000 acre-feet

Delta Conveyance Project Team



DWR



Department of Water Resources

- *Owner / Operator of State Water Project*
- *Lead on all permits*
- *Oversees DCA work*

PWA



Public Water Agencies

- *Project funders*
- *Governs DCA via appointed board*

DCA



Delta Conveyance Design and Construction Authority

- *Engineering to support planning and permitting*
- *Design and build project*

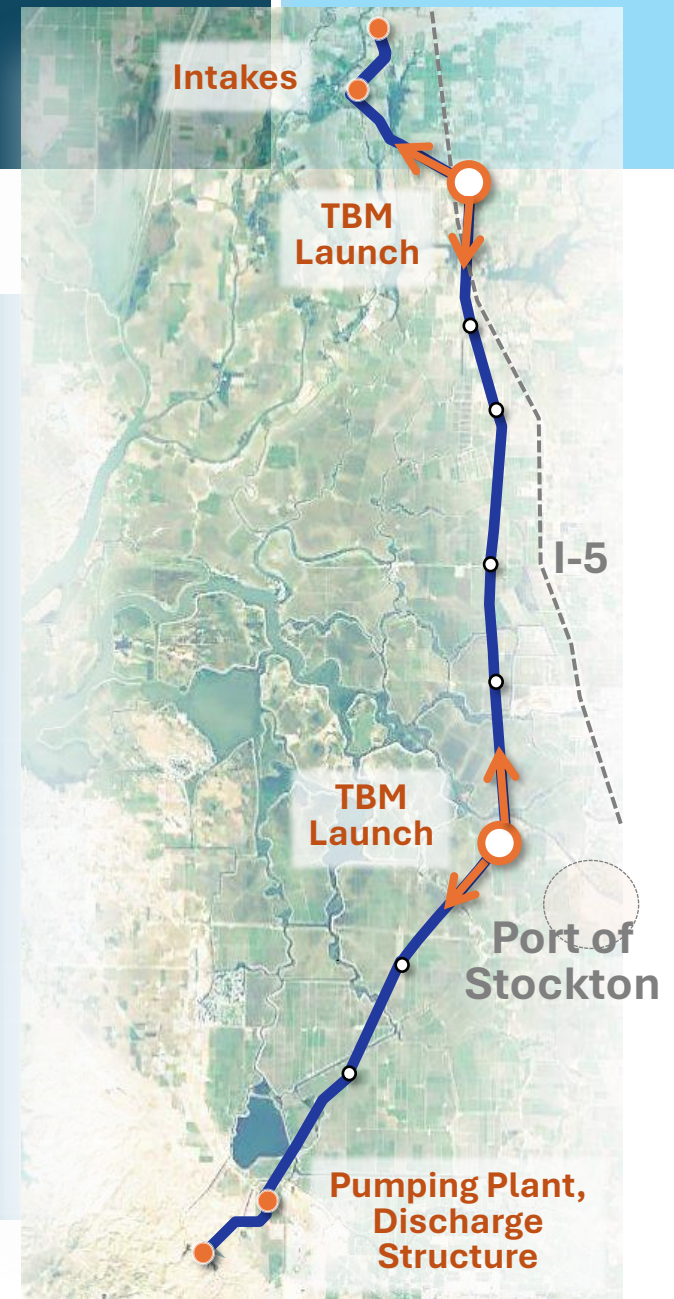
Bethany Reservoir Alignment – A Very Different Project

Bethany Reservoir Alignment – 6,000 cfs (~10% design)

- Two (2) new intakes in the North Delta
- Conveyance tunnel: 45 miles of 36-ft ID single tunnel, 11 shafts
- New pumping plant, aqueducts and discharge structure connecting directly to Bethany Reservoir

Project developed to reduce impacts:

- Focused on siting major facilities, understanding local traffic conditions, and reducing construction effects
- Smaller footprint – considered ways to minimize noise, traffic, power needs, aesthetic effects, boating and waterway effects, and land disturbance
- Route avoids heart of the Delta





DCP Cost Estimate Update

- **2020 Cost Assessment = \$15.9B (2020\$, undiscounted)**
- **2024 Cost Estimate = \$20.1B (2023\$, undiscounted)**
 - Costs based on Bethany Reservoir Alignment engineering documentation, unit rates, quantities, and durations
 - Includes \$960M for mitigation and \$200M for Community Benefits Program
 - Uncertainty addressed through contingency and risk treatment costs
 - Multiple reconciliations with independent estimates to improve confidence

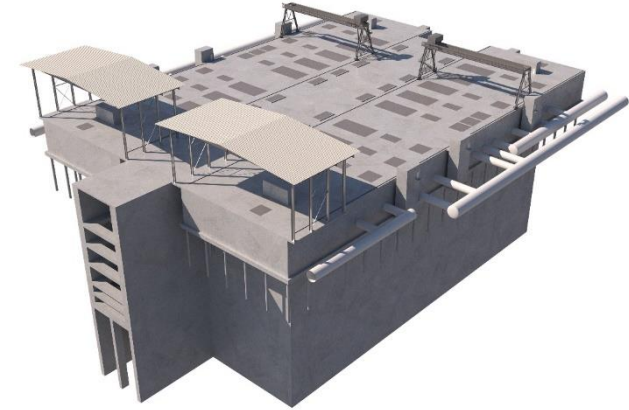


\$15.9B (2020) escalates to \$20.2B (2023) vs. \$20.1B (2023)

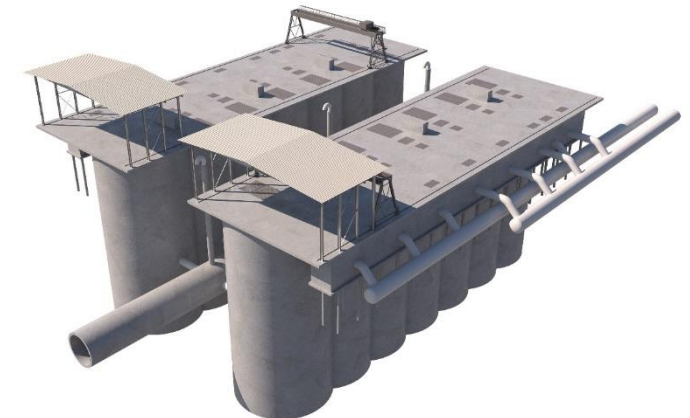
Evaluation of Cost-Saving Innovations

- **Evaluating potential innovations to reduce cost, impacts or improve constructability**
 - Validating design assumptions
 - Incorporating new geotechnical data
 - Industry innovation
- **Do not currently represent changes in the Project Description – DWR will determine permitting requirements**
- **Early potential innovations reduce total project cost by \$1.23B (\$18.9B) , or 6% of total cost**
- **Will require further study to understand potential schedule and risk benefits**

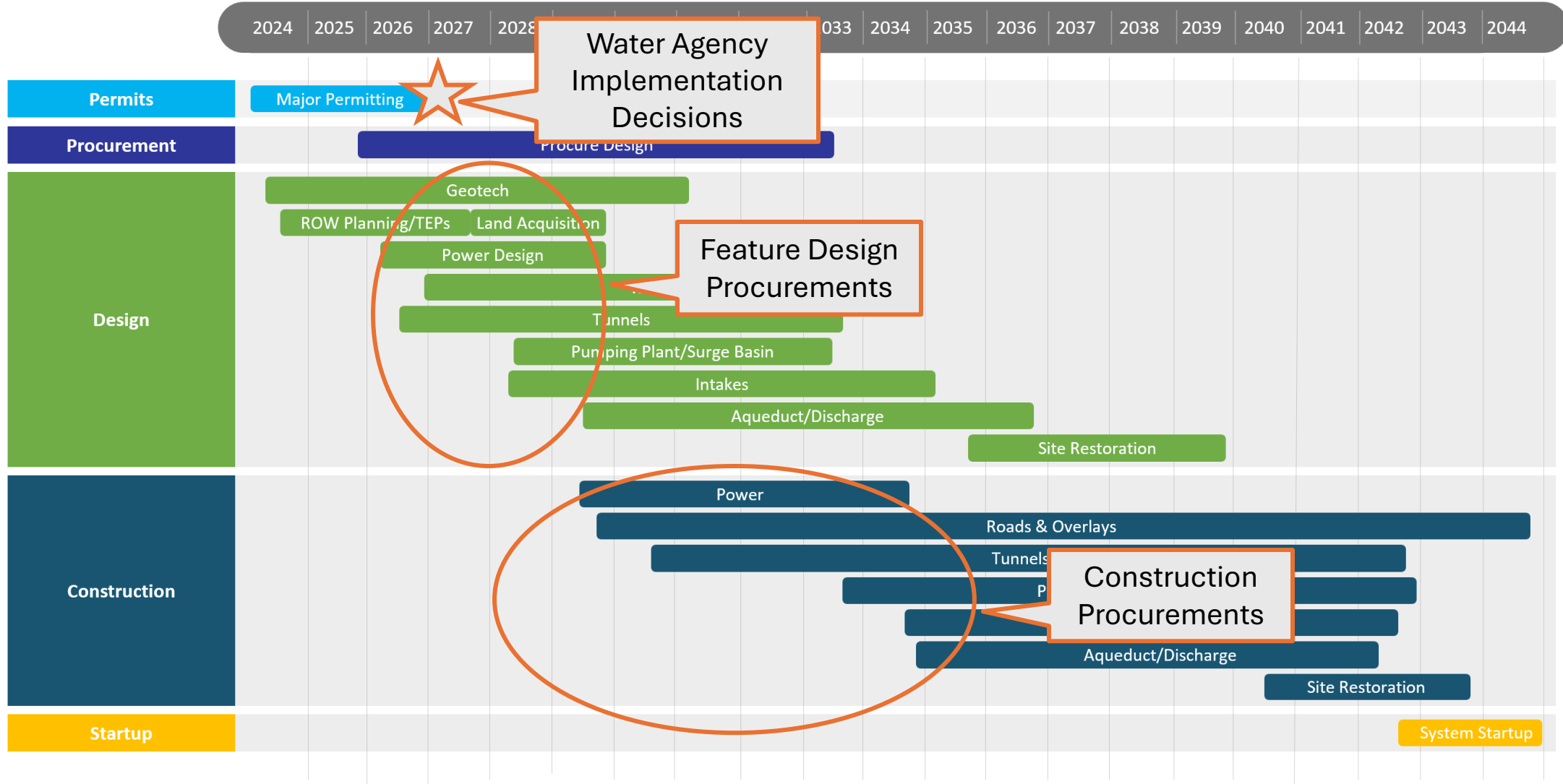
Bethany Reservoir Pumping Plant



Innovation replaces diaphragm wall boxes with tunnel extension and interlocking shafts – reduces construction effort and materials



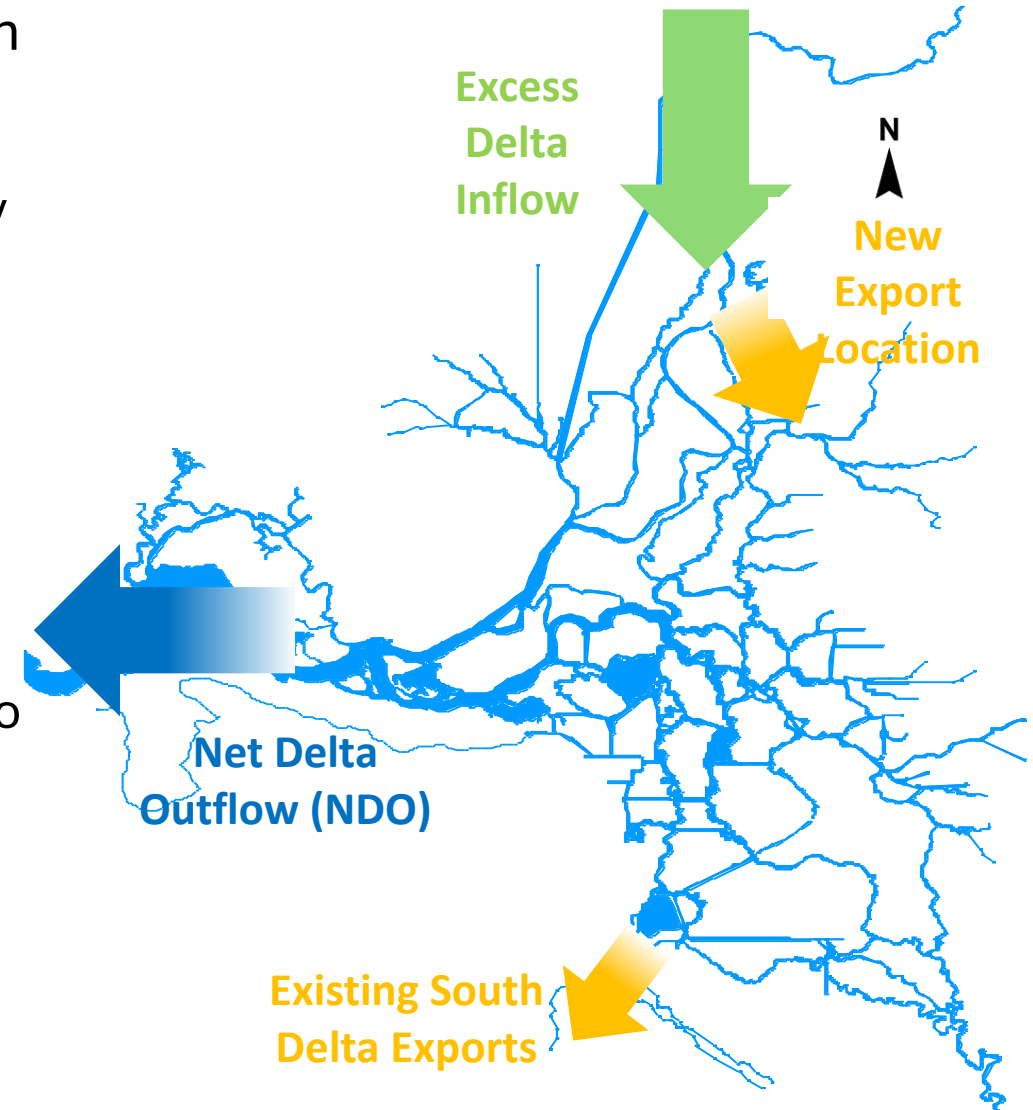
DCP Schedule Summary



Draft – Work in Progress; Subject to Change

DCP Operations Plan – Key Takeaways

- **Integrated** into SWP operations and **consistent** with
 - Existing applicable water right permits
 - Any applicable laws or regulatory obligations and any subsequent updates
 - Any permit issued for the project
 - Any other permit conditions
- **No changes** to operations for upstream reservoirs
- New intakes will augment existing facilities:
 - **Winter/Spring:** augment excess flow diversions on to of permitted diversion at south Delta intakes
 - **Summer/Fall:** manage water quality
- **Bypass flow criteria** to protect aquatic resources





Next Steps for DCA

➤ **Continue to identify design and construction innovations to improve constructability and manage costs and risks**

➤ **Conduct investigations and surveys to better define site conditions and advance the engineering of the project**

➤ **Secure key permits related to water rights, state and federal Endangered Species Act, and Delta Plan consistency**

➤ **Advance planning efforts for the Community Benefits Program and use of water management tools**

Bethany Cost Estimate



Benefit Cost Analysis



Stay Informed



DWR: deltaconveyanceproject.com

DCA: dcdca.org



DWR: DeltaConveyance@water.ca.gov

DCA: info@dcdca.org



Multilingual Project Hotline

866.924.9955





Thank You!
Questions?

Next Steps for KCWA

- 1) Update on Agency level of participation
- 2) Consider adopting resolution including:
 - a) Considering the Final Environmental Impact Report for the Delta Conveyance Project
 - b) Making Responsible Agency Findings for the Delta Conveyance Project Pursuant to the California Environmental Quality Act (“CEQA”) and State CEQA Guidelines.
 - c) Adopting CEQA Findings of Fact for the Delta Conveyance Project under State CEQA Guidelines.
 - d) Adopting a Statement of Overriding Considerations under State CEQA Guidelines.
 - e) Consider Authorizing the General Manager to Enter into Amendment No. 2 to the Contract Between Kern County Water Agency and its Member Units for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project.
 - f) Consider Authorizing the General Manager to Execute a Letter Setting Forth the Agency’s Agreement to Advance or Contribute Additional Money to the Department of Water Resources for the Agency’s Share of the Delta Conveyance Project Planning and Pre-Construction Costs for Calendar Years 2026-2027 including its 8,000 acre-feet share with funds expended from the Water Management Fund.



MEMORANDUM

TO: Policy Committee
Agenda Item No. 2b

FROM: Craig Wallace

DATE: March 27, 2025

SUBJECT: Consideration and possible Approval of Resolution No. 08-25, a Resolution of the Board of Directors of Kern County Water Agency: (1) Considering the Final Environmental Impact Report for the Delta Conveyance Project (State Clearinghouse No. 2020010227) and Approving Notice of Determination; (2) Making Responsible Agency Findings for the Delta Conveyance Project Pursuant to the California Environmental Quality Act ("CEQA") and State CEQA Guidelines Section 15096; (3) Adopting CEQA Findings of Fact for the Delta Conveyance Project under State CEQA Guidelines Section 15091; (4) Adopting a Statement of Overriding Considerations under State CEQA Guidelines Section 15093 for Pre-Construction Work related to the Delta Conveyance Project; (5) Authorizing the General Manager to Enter into Amendment No. 2 to the Contract Between Kern County Water Agency and its Member Units for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project; and (6) Authorizing the General Manager to Execute a Letter Setting Forth the Agency's Agreement to Advance or Contribute Additional Money to the Department of Water Resources for the Agency's Share of the Delta Conveyance Project Planning and Pre-Construction Costs for Calendar Years 2026-2027 including its 8,000 acre-feet share with funds expended from the Water Management Fund

Issue:

Consider adopting Resolution No. 08-25 which approves various CEQA documents in the Agency's status as a responsible agency, authorizes the General Manager to send a letter to the Department of Water Resources committing the Agency to provide additional funding for planning and pre-construction work costs of the Delta Conveyance Project and authorizes the General Manager to execute an amendment to the Agency's funding agreement with the participating Member Units relative to that additional funding.

Recommended Motion:

Adopt Resolution No. 08-25 approving various CEQA documents, including a Notice of Determination and Statement of Overriding Considerations, in the Agency's status as a responsible agency, authorizing the General Manager to send a letter to the Department of Water Resources committing the Agency to provide additional funding for planning and pre-construction work costs of the Delta Conveyance Project and authorizing the General Manager to execute an amendment to the Agency's funding agreement with the participating Member Units relative to that additional funding.

Discussion:

A. Background – Member Unit Participation. In November 2020, the Agency took action to provide initial funding for pre-construction activities relating to a potential Delta Conveyance project (“DCP”). That initial funding was to cover costs through 2024, but prudent management and unfortunate project delays due to litigation allowed those funds to be used through 2025. The Department of Water Resources (“DWR”) is now requesting entities participating in the DCP to provide funds for additional planning and pre-construction work totaling \$300 million for 2026 and 2027.

Over the past few weeks, some of the Agency’s Member Units have taken action to approve their participation in this next round of funding for the DCP. Those Member Units’ participation will be provided to the Board at this meeting as not all participation has been finalized as of the drafting of this Board memorandum. However, a table identifying the Member Units’ minimum participation level, the other Member Units’ participation levels and the total Agency participation level is provided as Attachment 1 and a table identifying the Member Units’ maximum participation level, the other Member Units’ participation levels and the total Agency participation level is provided as Attachment 2.

One of the actions being recommended to be taken at this meeting is approval of Amendment No. 2 to the Contract Between Kern County Water Agency and its Member Units for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project, Exhibit B of which will set forth each Member Unit’s commitment to participating in this next round of DCP funding. It must be emphasized that this funding and related CEQA actions relates only to planning and pre-construction work and is not an approval of the overall DCP.

B. Funding Commitment to DWR. The Agency’s funding commitment will consist of the cumulative participation by those Member Units who opt to participate in this round of funding for those pre-construction costs and the Agency’s Improvement District No. 4. That commitment will initially be memorialized in a letter the Agency will send to DWR, which will be in the form of Exhibit B to the 2020 initial funding agreement between the Agency and DWR (a draft of that letter is attached to this memorandum). The Agency will then enter into discussions with DWR to set forth various provisions relating to DCP funding, including possible funding deferrals and DCP planning milestones. That subsequent agreement with DWR will be brought back for Board approval in the coming few months.

C. California Environmental Quality Act. Under the California Environmental Quality Act (“CEQA”) and the State CEQA Guidelines, the Department of Water Resources (“DWR”), acting as Lead Agency, prepared and processed a Final Environmental Impact Report (“Final EIR”) for the Delta Conveyance Project (“DCP”). The DCP consists of the construction, operation, and maintenance of new State Water Project (“SWP”) water diversion and conveyance facilities in the Sacramento-San Joaquin Delta (“Delta”) that would be operated in coordination with existing SWP facilities. The DCP includes the following key components and actions:

- Two intake facilities along the Sacramento River in the north Delta near the community of Hood with on-bank intake structures that would include fish screens.
- A concrete-lined tunnel, and associated vertical tunnel shafts, to convey flow from the intakes about 45 miles to the south of the Bethany Reservoir Pumping Plant and Surge Basin at a location south of the existing SWP Clifton Court Forebay.

- A Bethany Reservoir Pumping Plant to lift the water from inside the tunnel below ground into the Bethany Reservoir Aqueduct for conveyance to the Bethany Reservoir Discharge Structure and into the existing Bethany Reservoir.
- Other ancillary facilities to support construction and operation of the conveyance facilities including, but not limited to, access roads, concrete batch plants, fuel stations, power transmission and/or distribution lines.
- Efforts to identify geotechnical, hydrogeologic, agronomic, and other field conditions that will guide appropriate construction methods and monitoring programs for final engineering design and construction data collection and field work investigations, including ground-disturbing geotechnical work, water quality and hydrogeologic investigations, agronomic testing, the installation of monitoring equipment, construction test projects, pre-construction design work, and engineering work (“Pre-Construction Work”).

DWR certified the Final EIR and approved the DCP on December 21, 2023. DWR also adopted CEQA Findings of Fact (“Findings”), a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program (“MMRP”), and filed a Notice of Determination (“NOD”) under CEQA. The Final EIR identifies the State Water Contractor member agencies, including the Agency, as responsible agencies for actions related to the DCP. DWR’s Final EIR, Findings, Statement of Overriding Considerations, MMRP, and NOD can be found at the official DWR website at: <https://www.deltaconveyanceproject.com/planning-processes/california-environmental-quality-act/final-eir/final-eir-document>. These documents are also available at the Agency’s office and are available for review and consideration by the Agency’s Board of Directors prior to taking any action on those documents.

Although DWR has approved the Delta Conveyance Project, **the Agency is not approving or committing to the broader Delta Conveyance Project at this time.** Instead, the narrow approval action before the Agency’s Board of Directors today is the provision of funding, at DWR’s request, that would allow DWR to undertake continued Pre-Construction Work. Thus, the Board of Directors is being presented with a potential action to authorize funding for that purpose.

Staff recommend that, prior to any approval of funding the Pre-Construction Work, the Board of Directors take actions under CEQA as a Responsible Agency, including by adopting the CEQA findings of the Lead Agency for the Delta Conveyance Project, and adopting a Statement of Overriding Considerations regarding the potentially significant impacts that may result from the Pre-Construction Work.

The resolution that would take those CEQA actions, approve an expenditure of funds for the Pre-Construction Work, authorize the General Manager to execute a letter in accordance with the Agency’s existing funding agreement with DWR to commit to contribute additional funding for the DCP (existing funding agreement and that letter are included for the Board’s consideration) and authorize the General Manager to execute the second amendment to the Agency’s contract with the Member Units for preliminary planning costs.

Attachments:

- Attachment 1 – Table identifying the Member Units’ minimum participation level, the other Member Units’ participation levels and the total Agency participation level;
- Attachment 2 – Table identifying the Member Units’ maximum participation level, the other Member Units’ participation levels and the total Agency participation level;

- Attachment 3 – Notice of Determination under CEQA;
- Attachment 4 – Agreement for the Advance or Contribution of Money to the Department of Water Resources by the Kern County Water Agency for Preliminary Planning and Design Costs related to a Potential Delta Conveyance Project [executed in 2020];
- Attachment 5 – Letter regarding Agency’s advancement of additional funds in accordance with Section 5 of the above-referenced agreement; and
- Attachment 6 – Amendment No. 2 to the Contract Between Kern County Water Agency and its Member Units for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project.
- Resolution No. 08-25, including:
 - Exhibit A – DWR’s CEQA Findings for the Delta Conveyance Project;
 - Exhibit B – Agency’s Statement of Overriding Considerations for the Pre-Construction Work;

Delta Conveyance Project -- Planning and Design Costs
Kern County Water Agency
Member Unit Participation (Minimum)

(1) (2) (3)

Member Unit	Firm Table 1 (af)	DCP Participation	
		(af)	(%)
Belridge Water Storage District	121,508	42,528	35.0000%
Berrenda Mesa Water District	92,600	46,300	50.0000%
Buena Vista Water Storage District	21,300	0	0.0000%
Cawelo Water District	38,200	7,640	20.0000%
Henry Miller Water District	35,500	0	0.0000%
Improvement District No. 4	82,946	82,946	100.0000%
Kern County Water Agency	8,000	8,000	100.0000%
Kern Delta Water District	25,500	0	0.0000%
Lost Hills Water District	119,110	59,555	50.0000%
Rosedale-Rio Bravo Water Storage District	29,900	29,900	100.0000%
Semitropic Water Storage District	155,000	31,000	20.0000%
Tehachapi-Cummings County Water District	19,300	19,300	100.0000%
Tejon-Castac Water District	5,278	5,278	100.0000%
West Kern Water District	31,500	25,000	79.3660%
Wheeler Ridge-Maricopa Water Storage District	197,088	63,070	32.0007%
Total	982,730	420,517	42.7907%

Delta Conveyance Project -- Planning and Design Costs
Kern County Water Agency
Member Unit Participation (Maximum)

(1) (2) (3)

Member Unit	Firm Table 1 (af)	DCP Participation	
		(af)	(%)
Belridge Water Storage District	121,508	42,528	35.0000%
Berrenda Mesa Water District	92,600	46,300	50.0000%
Buena Vista Water Storage District	21,300	21,300	100.0000%
Cawelo Water District	38,200	7,640	20.0000%
Henry Miller Water District	35,500	0	0.0000%
Improvement District No. 4	82,946	82,946	100.0000%
Kern County Water Agency	8,000	8,000	100.0000%
Kern Delta Water District	25,500	0	0.0000%
Lost Hills Water District	119,110	59,555	50.0000%
Rosedale-Rio Bravo Water Storage District	29,900	29,900	100.0000%
Semitropic Water Storage District	155,000	31,000	20.0000%
Tehachapi-Cummings County Water District	19,300	19,300	100.0000%
Tejon-Castac Water District	5,278	5,278	100.0000%
West Kern Water District	31,500	25,000	79.3660%
Wheeler Ridge-Maricopa Water Storage District	197,088	63,070	32.0007%
Total	982,730	441,817	44.9581%

NOTICE OF DETERMINATION

TO:	Office of Planning and Research 1400 Tenth Street Sacramento, CA 95814	FROM: Kern County Water Agency 3200 Rio Mirada Drive Bakersfield, CA 93308 Contact: Craig Wallace (661) 634-1400
	Alameda County Clerk 1106 Madison Street Oakland, CA 94607	
	Sacramento County Clerk 3636 American River Drive, Suite 110 Sacramento, CA 95864	
	Yolo County Clerk 625 Court Street, Room B-01 Woodland, CA 95695	
	San Joaquin County Clerk 44 North San Joaquin Street Second Floor, Suite 260 Stockton, CA 95202	
	Contra Costa County Clerk 555 Escobar Street Martinez, CA 94553	
	Solano County Clerk 675 Texas Street, Suite 2700 Fairfield, CA 94533	

Lead Agency:	California Department of Water Resources 1416 Ninth Street, Sacramento, CA 95814 Contact: Katherine Marquez Phone: (916) 651-7011
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SUBJECT: Filing of Notice of Determination in compliance with 21152 of the Public Resources Code.

State Clearinghouse Number:	2020010227
Project Title:	Delta Conveyance Project
Lead Agency and Project Applicant:	Department of Water Resources (“DWR”) 1516 9th Street, Sacramento, CA 95814 Contact: Marcus Yee Phone: (916) 699-8405

Responsible Agency:	<p>Kern County Water Agency 3200 Rio Mirada Drive Bakersfield, CA 93308</p> <p>Contact: Craig Wallace; (661) 634-1400</p>
Project Location:	<p>Pre-Construction Work for the Delta Conveyance Project will occur within the Sacramento-San Joaquin Delta (“Delta”) in Alameda, Contra Costa, Sacramento, Solano, San Joaquin, and Yolo Counties.</p>
Project Description:	<p>On December 21, 2023, DWR certified the environmental impact report (“EIR”) for, and approved, the Delta Conveyance Project. (State Clearinghouse No. 2020010227). The Delta Conveyance Project consists of the construction, operation, and maintenance of new State Water Project (“SWP”) water diversion and conveyance facilities in the Delta that would be operated in coordination with existing SWP facilities.</p> <p>The Delta Conveyance Project includes the following key components and actions:</p> <ul style="list-style-type: none"> • Two intake facilities along the Sacramento River in the north Delta near the community of Hood with on-bank intake structures that would include fish screens. • A concrete-lined tunnel, and associated vertical tunnel shafts, to convey flow from the intakes about 45 miles to the south of the Bethany Reservoir Pumping Plant and Surge Basin at a location south of the existing SWP Clifton Court Forebay. • A Bethany Reservoir Pumping Plant to lift the water from inside the tunnel below ground into the Bethany Reservoir Aqueduct for conveyance to the Bethany Reservoir Discharge Structure and into the existing Bethany Reservoir. • Other ancillary facilities to support construction and operation of the conveyance facilities including, but not limited to, access roads, concrete batch plants, fuel stations, and power transmission and/or distribution lines. • Efforts to identify geotechnical, hydrogeologic, agronomic, and other field conditions that will guide appropriate construction methods and monitoring programs for final engineering design and construction data collection and field work investigations, including ground-disturbing geotechnical work, water quality and hydrogeologic investigations, agronomic testing, the installation of monitoring equipment, construction test projects, pre-construction design work, and engineering work (“Pre-Construction Work”) <p>Kern County Water Agency (the “Agency”), as a responsible agency, has not approved the Delta Conveyance Project. The Agency has, however, issued a limited approval relating to funding of Pre-Construction Work for the Delta Conveyance Project.</p>

Person or entity undertaking the project pursuant to Public Resources Code section 21065	The Agency approved the contribution of additional monies under its funding agreement entered into with DWR for the Pre-Construction Work.
--	--

This is to advise that, on or about March 27, 2025, Kern County Water Agency, as a Responsible Agency, considered the EIR certified for the Delta Conveyance Project (State Clearinghouse No. 2020010227); made CEQA Findings of Fact pursuant to State CEQA Guidelines sections 15091 and 15096 for the Delta Conveyance Project; adopted a Statement of Overriding Considerations specific to Pre-Construction Work pursuant to State CEQA Guidelines section 15093; approved a resolution authorizing the District’s General Manager to execute a letter that commits the District to contribute additional funds for Pre-Construction Work for the Calendar Years 2026-2027 in an amount not to exceed \$ [REDACTED]; approved an amendment to the Agency’s agreement with its member units regarding funding for the Pre-Construction Work; and made the following determinations regarding the Pre-Construction Work:

- | | |
|----|--|
| 1. | The Pre-Construction Work will have a significant effect on the environment. |
| 2. | An EIR was previously prepared and certified by DWR for the Delta Conveyance Project, which included an analysis of the Pre-Construction, pursuant to the provisions of CEQA. |
| 3. | Mitigation measures were made a condition of the approval of the Delta Conveyance Project, including the Pre-Construction Work, by DWR. |
| 4. | A mitigation monitoring or reporting plan was adopted by DWR. |
| 5. | Findings were made pursuant to State CEQA Guidelines section 15091 and the provisions of CEQA for the Delta Conveyance Project. |
| 6. | A Statement of Overriding Considerations was adopted for the Pre-Construction Work. |

This is to certify that the above-referenced EIR and the record of proceedings relating to the District’s above-described action is available to the General Public at the following location:
3200 Rio Mirada Drive, Bakersfield, California 93308; www.kewa.com

Date: _____	_____ Thomas D. McCarthy, General Manager
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Date Received for Filing: _____

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

**State of California
California Natural Resources Agency
DEPARTMENT OF WATER RESOURCES**

**AGREEMENT FOR
THE ADVANCE OR CONTRIBUTION OF MONEY TO
THE DEPARTMENT OF WATER RESOURCES
BY
THE KERN COUNTY WATER AGENCY**

**FOR PRELIMINARY PLANNING AND DESIGN COSTS RELATED TO A
POTENTIAL DELTA CONVEYANCE PROJECT**

THIS AGREEMENT is made, pursuant to the provisions of all applicable laws of the State of California, between the State of California, acting by and through its Department of Water Resources (“Department” or “DWR”), and the Kern County Water Agency (“Contractor”), each herein referred to individually as a “Party” and collectively as the “Parties”.

Recitals

WHEREAS, DWR and the Contractor listed on the signature page hereto have entered into and subsequently amended a long-term water supply contract, herein referred to as a “Water Supply Contract,” providing that DWR will supply certain quantities of water to the Contractor, providing that Contractor shall make certain payments to DWR, and setting forth the terms and conditions of such supply and such payments; and

WHEREAS, the Bay Delta Conservation Plan (“BDCP”) process was initiated in 2005-2006 and the Delta Habitat Conservation and Conveyance Program (“DHCCP”) was initiated in 2008; and

WHEREAS, the Bay Delta Conservation Plan (“BDCP”) and (“DHCCP”) resulted in development of a project known as the California WaterFix (“WaterFix”); and

WHEREAS, on July 21, 2017, DWR approved the California WaterFix project; and

WHEREAS, certain Contractors have entered into that certain Joint Powers Agreement dated May 14, 2018 forming the Delta Conveyance Design and Construction Authority (“DCA”); and

WHEREAS, DWR and DCA have entered into that certain Joint Powers Agreement (“JEPA”), dated May 22, 2018, as amended and restated, and as the same has or may be further amended, wherein the DCA will provide preliminary design, planning and other preconstruction activities to

assist the environmental planning process for a potential Delta conveyance project under the supervision of DWR (the “Work” as defined in the JEPA); and

WHEREAS, a copy of the resolution of the Board of Directors of Contractor authorizing its General Manager to execute this Agreement is attached hereto as Exhibit A; and

WHEREAS, a State Agency may advance or contribute funds to DWR for SWP purposes pursuant to Water Code section 11135 and (ii) DWR may accept such advanced or contributed funds and thereafter use such funds in accordance with the terms of this Agreement pursuant to Water Code section 11141; and

WHEREAS, DWR and Contractor desire to enter into this funding Agreement to provide for the contribution or advance of funds to DWR and authorize the use of the contributed funds for purposes related to environmental review, planning and design of a Delta conveyance project as described below.

AGREEMENT

NOW, THEREFORE, it is mutually agreed by the Parties as follows:

1. When used in this Agreement, terms defined in the Water Supply Contract (as defined herein) shall be defined by reference to the Water Supply Contractor. In addition, the following definitions shall apply:
 - a. “**Calendar Year**” means the period January 1 through December 31.
 - b. “**Contributed Funds**” means money contributed or advanced to DWR by Contractor pursuant to this Agreement. The total initial amount Contractor agrees to provide is \$14,013,168 and is comprised of the following annual amounts to be paid to DWR in the manner described in Section 5 of this Agreement are \$7,093,085 for 2021, and \$6,920,083 for 2022.
 - c. “**Contribution Payment(s)**” means the payments of Contributed Funds that Contractor agrees to provide to DWR pursuant this Agreement
 - d. “**Contractor**” means a State Agency that is a party to a Water Supply Contract with DWR.
 - e. “**Department**” or “**DWR**” means the California Department of Water Resources.
 - f. “**Effective Date**” has the meaning ascribed to it in section 11 hereof.
 - g. “**JEPA**” means the Joint Exercise of Powers Agreement between DWR and the DCA dated May 22, 2018, as amended and restated and as may be further amended from time to time.

- h. **“Pay-Go Charge”** means the charge included on Contractor’s Statements of Charges for the purpose of collecting Contributed Funds that Contractor agrees to advance or contribute to DWR pursuant to this Agreement.
 - i. **“Party”** or **“Parties”** means DWR, the undersigned Contractor, or all signatories to this Agreement.
 - j. **“State Agency”** has the meaning ascribed to it by Water Code section 11102.
 - k. **“SWP”** or **“State Water Project”** means the State Water Project operated by DWR. The SWP generally includes the State Water Facilities, as defined in California Water Code section 12934(d), and certain facilities authorized by the Central Valley Project Act at section 11100 *et. seq.*
 - l. **“Water Supply Contract”** means the long-term water supply contract, as amended and as may be amended in the future, between Contractor and DWR.
 - m. **“Work”** has the meaning ascribed to it in the Recitals to this Agreement.
2. Effect of Agreement. DWR and Contractor agree that nothing in this Agreement supersedes previous funding agreements or the obligations under those funding agreements unless specifically addressed in this Agreement.
 3. Purposes of Agreement. This Agreement documents Contractor’s agreement to provide Contributed Funds to DWR for the purposes set forth in Section 4, the manner of providing those funds as set forth in Section 5, and the means by which future contributions may be made.
 4. Use of Funds. DWR shall use the Contributed Funds and any future Contributed Funds collected from Contractor pursuant to section 5 hereof, for the payment of DCA invoices submitted to DWR on or after October 1, 2020 for the Work done or costs incurred by DCA, or for Delta conveyance project planning work done by DWR through the Delta Conveyance Office (“DCO”) and any other purpose consistent with the JEPA, as the same has been, and may be, amended from time to time. DWR will not use funds provided under this Agreement for the activities described in the Mitigated Negative Declaration for Soil Investigations for Data Collection in the Delta adopted by DWR on July 9, 2020.
 5. Charge Procedure. Contractor shall pay its Pay-Go Charge on the date(s) and in the amount(s) set forth on the revised Statement of Charges for 2021, and subsequent Statements of Charges issued to Contractor by DWR. The annual amounts will be paid in twelve monthly installments. Contractor may agree, without amending this Agreement, to advance additional funds after the Effective Date, which shall be considered Contributed Funds, by delivery to DWR of a letter in substantially the form attached hereto as Exhibit B, which letter shall specify the amount to be advanced or contributed, whether the payments will be in the form of one or more lump sums or in 12 equal installments, and together with such other information the Parties deem necessary or desirable to effectuate

the advance or contribution. A copy of the resolution, or other Board authorization, of Contractor's Board of Directors approving the subject contribution shall be enclosed with the letter. Upon receipt of a contribution letter DWR shall indicate its agreement by returning a counter signed copy of the letter to Contractor. The agreed upon advance or contribution shall thereafter be included in Contractor's Statement of Charges or a revised Statement of Charges, as appropriate. The charge shall be designated by reference to the year in which the charge is to begin, followed, if there be more than one such subsequent advance or contribution in a year by a dash and an integer followed by the words Pay-Go Charge.

6. Limitation. With respect to the Work and the DCA, nothing in this Agreement imposes any duty or obligation either expressly or by implication on DWR other than the duty to use Contributed Funds to pay the undisputed portion of DCA invoices submitted to DWR during the term of this Agreement in accordance with the terms of this Agreement and the JEPA if, as and when Contributed Funds have been received by DWR under this Agreement and other similar agreements or arrangements with other Contractors for purposes substantially the same as those described herein and is available for the payment thereof.
7. Reporting. DWR, through its DCO and in coordination with its State Water Project Analysis Office (SWPAO), shall annually prepare a report summarizing the advances or contributions received, and expenditures made pursuant to, this Agreement. The first such report shall be completed not later than March 31, 2021 and thereafter not later than March 31 of each subsequent year. Contractor may request in writing a summary of the advances, contributions, and expenditures at any time during the term of this Agreement and DWR shall provide such within thirty (30) days of such written request.
8. Status of Project. Contractor recognizes that the funds contributed pursuant to this Agreement are for the planning activities in support of DWR's environmental review and permitting process, including but not limited to the Work, for a potential Delta Conveyance project. The advance or contribution of Contributed Funds is not contingent on, or in exchange for, DWR's agreement to exercise its discretion in future to approve a Delta conveyance project.
9. Unspent Funds. Upon termination of this Agreement, it is the intent of the Parties that any unspent Contributed Funds remaining after payment of all costs for which the funds were contributed will be returned to Contractor as a credit on Contractor's Statement of Charges in proportion to its percentage share of advances or contributions made by all Contractors that entered into Agreements similar to this Agreement.
10. Reimbursement of Contributed Funds. If a Delta conveyance project is approved by DWR and is implemented it is the intent of the Parties hereto that the Contributed Funds spent in accordance with this Agreement be reimbursed or credited to Contractor according to the relative amount each such Contractor paid pursuant to this Agreement, upon the issuance and sale of revenue bonds by either the Department or a Joint Powers Authority established, whichever occurs earlier, for the purpose of, among other things, funding a future Delta conveyance facility. The Department shall be under no obligation to issue and sell bonds

for the purpose(s) described in the foregoing sentence or to undertake any reimbursement or credit as so described, unless a determination is first made by DWR in its sole discretion that such issuance and sale of revenue bonds, such reimbursement, or such credit as applicable is consistent with applicable law, applicable judicial rulings, and applicable contractual obligations of DWR, and the Parties have negotiated and executed such further agreements as may be necessary to accomplish such credit or reimbursement on terms acceptable to DWR.

11. Effective Date and Term. This Agreement shall become effective on the date the last Party hereto signs the Agreement as set forth on the signature page(s) hereto (“Effective Date”) and shall continue in effect until terminated in writing by the Parties. The Parties obligations under Section 10 shall survive termination of this Agreement.

12. Invoices, Notices or Other Communications. All invoices, notices, or other communications required under this Agreement will be in writing, and will be deemed to have been duly given upon the date of service, if: (i) served personally on the Party to whom notice is to be given; (ii) sent by electronic mail, and the Party to whom notice is to be given confirms receipt; or (iii) on the third day after mailing, if mailed to the Party to whom invoice, notice or other communication is directed, by first-class mail, postage prepaid, and properly addressed to the designated representative(s) of the Party set forth below.

DWR: Pedro Villalobos
Chief, State Water Project Analysis Office
Department of Water Resources
1416 Ninth Street, Room 1620
Post Office Box 94236
Sacramento, California 94236-0001

Copy to:
Anthony Meyers
Executive Director, Delta Conveyance Office
Department of Water Resources
901 P Street, Room 413
Sacramento, California 94236-0001

Copy to:
Christopher Martin
Office of the Chief Counsel
Department of Water Resources
1416 Ninth Street, Room 1620
Post Office Box 94236
Sacramento, California 94236-0001

Contractor: Thomas McCarthy
General Manager
Kern County Water Agency
3200 Rio Mirada Drive
Bakersfield, CA 93308

Copy to:
Holly Melton
Water Resources Manager
Kern County Water Agency
3200 Rio Mirada Drive
Bakersfield, CA 93308

13. No Delegation of Authority. Nothing in this Agreement constitutes a delegation by any Party of its existing authority to make any decision it is mandated to make. Nothing in this Agreement shall limit DWR's final decision-making authority at the time of consideration of future Delta conveyance facility related approvals. All provisions of this Agreement are intended to be, and shall to the extent reasonable be interpreted to be, consistent with all applicable provisions of State and federal law. The undersigned recognize that the Parties are public agencies and have specific statutory responsibilities, and that actions of these public agencies must be consistent with applicable procedural and substantive requirements of State and federal law. Nothing in this Agreement is intended to, nor will have the effect of, constraining or limiting any public agency in carrying out its statutory responsibilities or requiring an agency to take any action inconsistent with applicable law. Nothing in this Agreement constitutes an admission by any Party as to the proper interpretation of any provision of law, nor will it have the effect of, waiving or limiting any public entity's rights and remedies under applicable law except as expressly provided elsewhere in this Agreement. Execution of this Agreement does not constitute pre-approval of any project or preferred project alternative, or waive or otherwise abridge responsible trustee duties required, or discretion authorized or granted by, State and federal law.
14. Amendment. Except as otherwise set forth above, this Agreement may only be amended or modified by a subsequent written agreement approved and executed by both Parties.
15. Applicable Law. This Agreement will be construed under and will be deemed to be governed by the laws of the United States and the State of California.
16. Integration. This Agreement constitutes the sole, final, complete, exclusive and integrated expression and statement of the terms of this Agreement among the Parties concerning the subject matter, and supersedes all prior negotiations, representations or agreement, either oral or written, that may be related to the subject matter of this Agreement.
17. Counterparts. This Agreement may be executed in counterparts, each of which shall constitute an original, but all of which shall constitute one and the same agreement. Each signing Party shall have received a copy of the signature page signed by every other Party.

Exhibits attached and incorporated herein:

Exhibit A Board Resolution or other Board Authorization

Exhibit B Form of Letter Regarding Future Contributions

IN WITNESS WHEREOF, the Parties hereto, by their authorized representatives, have executed this Agreement on the date(s) set forth below.

Approved as to Legal Form
and Sufficiency



Spencer Kenner, Chief Counsel

1/6/2021

Date

State of California
Department of Water Resources




Karla A. Nemeth,
Director

1/6/2021

Date

Approved as to Legal Form
and Sufficiency



Amelia T. Minaberrigarai,
General Counsel

December 15, 2020

Date

Kern County Water Agency



Holly Melton,
Water Resources Manager

December 15, 2020

Date

BEFORE THE BOARD OF DIRECTORS
OF THE
KERN COUNTY WATER AGENCY

In the matter of:

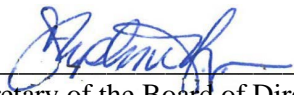
AUTHORIZING EXECUTION OF THE AGREEMENT *
FOR THE ADVANCE OR CONTRIBUTION OF *
MONEY TO THE DEPARTMENT OF WATER *
RESOURCES BY THE KERN COUNTY WATER *
AGENCY FOR PRELIMINARY PLANNING AND *
DESIGN COSTS RELATED TO A POTENTIAL *
DELTA CONVEYANCE PROJECT *

I, Stephanie N. Prince, Secretary of the Board of Directors of the Kern County Water Agency, of the County of Kern, State of California, do hereby certify that the following resolution proposed by Director Milobar, and seconded by Director Page, was duly passed and adopted by said Board of Directors at an official meeting hereof this 18th day of November, 2020, by the following vote, to wit:

Ayes: Page, Wulff, Lundquist, Milobar, Cerro and Fast

Noes: None

Absent: Hafenfeld


Secretary of the Board of Directors
of the Kern County Water Agency

Resolution No. 47-20

WHEREAS, the Kern County Water Agency (Agency) has a long-term water supply contract with the State of California Department of Water Resources (DWR) for the delivery of State Water Project (SWP) water; and

WHEREAS, on July 21, 2017, DWR approved the project known as the California WaterFix, which was a dual conveyance project that involved two new diversion points and two tunnels moving

water from the Sacramento River north of the Sacramento-San Joaquin Delta (Delta) under the Delta to SWP and Central Valley Project water pumping facilities in the South Delta; and

WHEREAS, the purpose of the WaterFix was to improve the reliability of SWP water for the Agency and other SWP contractors; and

WHEREAS, the Agency previously expressed interest in participating in WaterFix and participated in a funding agreement to pay a share of preconstruction planning activities associated with the WaterFix; and

WHEREAS, in 2019, Governor Newsom announced that he did not support the WaterFix but he instead supported a one tunnel conveyance project and DWR subsequently rescinded its approvals of the WaterFix and began planning for a single tunnel option; and

WHEREAS, DWR has requested that the Agency identify the level of its desired participation in a potential Delta Conveyance Project (DCP) assuming a 6,000 cubic feet per second (cfs) facility, which will be used to inform the percentage of DCP planning funding allocated to the Agency; and

WHEREAS, DWR has also requested that the Agency enter into a new funding agreement with DWR for an amount equal to the Agency's participation percentage of the preliminary design, environmental planning and other preconstruction activities for DCP; and

WHEREAS, the Agency's participating Basic Contract Member Units must provide their share of funds to the Agency for the Agency to advance funds to DWR; and

WHEREAS, the recommended action does not qualify as a "project" subject to California Environmental Quality Act (CEQA) because the action constitutes (1) continuing administrative or maintenance activities, such as general policy and procedure making; (2) government fiscal activities that do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment; and (3) organizational or administrative activities of a public agency that will not result in direct or indirect physical changes in the environment. (State CEQA Guidelines, § 15060(c)(3).) The recommended action does not constitute an approval by the Agency of the DCP nor does the action authorize or approve construction of the DCP. The recommended action does not

authorize any amendment to the long-term water supply contract with DWR. Further, the recommended action does not authorize or approve any actions by the Delta Conveyance Design and Construction Authority that may cause direct or reasonably foreseeable indirect environmental impacts. As such, the action recommended herein is not a “project” requiring environmental review under CEQA pursuant to State CEQA Guideline § 15378, subdivisions (a) and (b)(2), (b)(4) and (b)(5); and

WHEREAS, even if the actions were considered a CEQA “project,” these actions would be statutorily exempt from environmental review pursuant to CEQA Guideline § 15262 because the actions merely call for the funding and completion of feasibility and planning studies, including the completion of CEQA review itself. In addition, the actions are exempt under the “common sense” exemption in CEQA Guidelines § 15061, subdivision (b)(3) because it can be seen with certainty that there is no possibility that the actions may have a significant effect on the environment. Finally, none of the exceptions to the use of the “common sense” exemption as identified in CEQA Guidelines § 15300.2 exist here; and

WHEREAS, Agency staff will file a Notice of Exemption under CEQA for the recommended action.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Kern County Water Agency that:

1. The foregoing recitals are true and correct.
2. The Water Resources Manager is authorized, subject to prior execution of the Contract Between Kern County Water Agency and its Member Units for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project and approval of General Counsel as to legal form, to execute the Agreement for the Advance or Contribution of Money to the Department of Water Resources by the Kern County Water Agency for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project, attached hereto as Exhibit A.

Exhibit B

Form of Contribution Letter

[date]
[address]

Re: Contribution or Advance of Money for Delta Conveyance Planning Activities

Dear Mr. Villalobos:

This letter is sent pursuant to section 5 of the Agreement for the Advance of Contribution of Money to the Department of Water Resources for Preliminary Planning and Design Costs Related to a Potential Delta conveyance Project dated _____, 2019 between Department of Water Resources and the [agency] (“Funding Agreement”).

On [date] the Board of Directors of [agency] approved the contribution or advance of \$[amount] to the Department for use in accordance with the terms of the Funding Agreement. A copy of the Board’s resolution is enclosed with this letter. The contribution or advance will be collected from [agency] in [a lump sum][equal monthly installments] by inclusion of a charge [on its Statement of Charges for [year]][on a revised Statement of Charges for [year] that Department will issue to [agency]]. The charge shall be referred to as the [year] Pay-go Charge. As provided by section 5 of the Agreement the contribution or advance described herein will be subject to the terms and conditions of the Agreement.

Please confirm your agreement to the foregoing by countersigning in the space provided below and returning an original copy of this letter agreement to [agency] at [address].

[signature blocks for agency and Department]

Enclosure(s)

cc: Anthony Meyers, Executive Director of Delta Conveyance Office

[AGENCY LETTERHEAD]

March 26, 2025

[address]

Re: Contribution or Advance of Money for Delta Conveyance Planning Activities

Dear Ms. Lin:

This letter is sent pursuant to section 5 of the Agreement for the Advance of Contribution of Money to the Department of Water Resources for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project approved on November 18, 2020 between Department of Water Resources and the Kern County Water Agency (“Funding Agreement”).

On March 27, 2025, the Board of Directors of the Kern County Water Agency approved the contribution or advance of \$[amount] to the Department for use in accordance with the terms of the Funding Agreement. A copy of the Board’s resolution is enclosed with this letter. The contribution or advance will be collected from Kern County Water Agency by inclusion of a charge [on its Statement of Charges for [year]][on a revised Statement of Charges for [year] that Department will issue to [agency]]. The charge shall be referred to as the [year] Pay-go Charge. As provided by section 5 of the Agreement the contribution or advance described herein will be subject to the terms and conditions of the Funding Agreement.

Please confirm your agreement to the foregoing by countersigning in the space provided below and returning an original copy of this letter agreement to Kern County Water Agency at 3200 Rio Mirada Drive, Bakersfield, California 93308.

Thomas D. McCarthy, General Manager

Department of Water Resources

By _____

Its _____

Enclosure

cc: Anthony Meyers, Executive Director of Delta Conveyance Office

**AMENDMENT NO. 2 TO CONTRACT BETWEEN KERN COUNTY WATER AGENCY
AND ITS MEMBER UNITS FOR PRELIMINARY PLANNING AND DESIGN COSTS
RELATED TO A POTENTIAL DELTA CONVEYANCE PROJECT**

This Amendment No. 2 to the Contract Between Kern County Water Agency and its Member Units for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project (“Second Amendment”) is made by and between the KERN COUNTY WATER AGENCY (“Agency”) on behalf of itself and its IMPROVEMENT DISTRICT NO. 4, and BELRIDGE WATER STORAGE DISTRICT, BERRENDA MESA WATER DISTRICT, BUENA VISTA WATER STORAGE DISTRICT, CAWELO WATER DISTRICT, LOST HILLS WATER DISTRICT, ROSEDALE-RIO BRAVO WATER STORAGE DISTRICT, SEMITROPIC WATER STORAGE DISTRICT on behalf of itself and its BUTTONWILLOW IMPROVEMENT DISTRICT and POND-POSO IMPROVEMENT DISTRICT, TEHACHAPI-CUMMINGS COUNTY WATER DISTRICT, TEJON-CASTAC WATER DISTRICT, WEST KERN WATER DISTRICT AND WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT (each, a “Member Unit” and collectively, “Member Units”). The Agency and the Member Units are referred to individually as a “Party” and collectively as “Parties.”

WHEREAS, the Agency and the State of California, Department of Water Resources (“DWR” or the “Department”) have entered into and subsequently amended a long-term water supply contract providing that DWR shall supply certain quantities of water to the Agency, providing that the Agency shall make certain payments to the Department, and setting forth the terms and conditions of such supply and payments (“Master Contract”); and

WHEREAS, the Agency and each Member Unit have entered into and subsequently amended a water supply contract, (the “Member Unit’s Contract”) wherein the Agency agreed to deliver a portion of the annual water supply it receives from the Department under the Master Contract, and in return the Member Unit agreed to annually pay the Agency a percentage of the Agency’s obligation to pay the Department for that water; and

WHEREAS, on December 15, 2020 the Agency and the Member Units entered into the Contract Between Kern County Water Agency and its Member Units for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project (“Agreement”) to provide the Agency’s share of funding for the environmental review, planning and design of a potential Delta conveyance project for the first two years; and

WHEREAS, on January 6, 2021 the Agency entered into a funding agreement with the Department to pay for the Agency’s share of environmental review, planning and design

costs associated with a potential Delta conveyance project for the first two years, out of the four years of required funding; and

WHEREAS, in 2022, the Agency subsequently committed to provide additional funding to the Department for funding of environmental review, planning, and design costs of the proposed project through 2024, which monies have been conserved and will now be expended through 2025; and

WHEREAS, the Agency and the Member Units entered into Amendment No. 1 to the Contract Between Kern County Water Agency and its Member Units for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project (the “First Amendment”) with respect to the additional funding discussed in the preceding paragraph; and

WHEREAS, the Department is requesting each contractor who intends to participate in the potential Delta conveyance project to provide additional funding for environmental review, planning, and design costs of the proposed project for 2026 and 2027; and

WHEREAS, the Agency has provided the Member Units with monthly updates on the environmental review, planning and design of a potential Delta conveyance project, including budget and progress updates when available as required by Article 5 of the Agreement.

WHEREAS, prior to the Agency’s submittal of a letter and Board resolution to the Department committing to provide additional contributed funds for 2026 and 2027, the Agency has reviewed with the Member Units, as required by Article 5 of the Agreement, the progress of a potential Delta conveyance project, including its environmental review, planning and design, to determine whether the Member Units will contribute additional funds; and

WHEREAS, in order for the Agency to be able to provide its remaining share of the funding for the environmental review, planning and design of a potential Delta conveyance project, the Agency must receive additional funding from its Member Units.

NOW, THEREFORE, it is hereby mutually agreed by the Parties hereto as follows:

I. Exhibit B to the Contract Between Kern County Water Agency and its Member Units for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project dated December 15, 2020, as previously amended, is hereby replaced with the attached Exhibit B which has been updated to establish each participating Member Unit’s share of the Agency’s funding commitment for 2026 and 2027.

II. All other provisions of the Contract Between Kern County Water Agency and its Member Units for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project dated December 15, 2020 shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the date(s) set forth below.

KERN COUNTY WATER AGENCY
on behalf of itself and its IMPROVEMENT
DISTRICT NO. 4

BELRIDGE WATER STORAGE DISTRICT

Thomas D. McCarthy, General Manager

Mark Gilkey, General Manager

Date

Date

BERRENDA MESA WATER DISTRICT

BUENA VISTA WATER STORAGE DISTRICT

Mark Gilkey, General Manager

Tim Ashlock, General Manager

Date

Date

CAWELO WATER DISTRICT

LOST HILLS WATER DISTRICT

David Ansolabehere, General Manager

Mark Gilkey, General Manager

Date

Date

ROSEDALE-RIO BRAVO WATER
STORAGE DISTRICT

Dan Bartel, Engineer-Manager

Date

SEMITROPIC WATER STORAGE DISTRICT
on behalf of itself and its
BUTTONWILLOW IMPROVEMENT
DISTRICT and POND-POSO
IMPROVEMENT DISTRICT

Jason Gianquinto, General Manager

Date

TEHACHAPI-CUMMINGS COUNTY WATER
DISTRICT

Tom Neisler, General Manager

Date

TEJON-CASTAC WATER DISTRICT

Angelica Martin, Secretary

Date

WEST KERN WATER DISTRICT

Greg Hammett, General Manager

Date

WHEELER RIDGE-MARICOPA WATER
STORAGE DISTRICT

Sheridan Nicholas, Engineer-Manager

Date

BEFORE THE BOARD OF DIRECTORS
OF THE
KERN COUNTY WATER AGENCY

In the matter of:

AUTHORIZATION TO EXPEND ADDITIONAL *
FUNDS AND APPROVE VARIOUS *
ENVIRONMENTAL AND CONTRACTUAL *
DOCUMENTS RELATING TO PRELIMINARY *
PLANNING AND DESIGN COSTS RELATED TO *
A POTENTIAL DELTA CONVEYANCE PROJECT *

I, Stephanie N. Prince, Secretary of the Board of Directors of the Kern County Water Agency, of the County of Kern, State of California, do hereby certify that the following resolution proposed by Director _____, and seconded by Director _____, was duly passed and adopted by said Board of Directors at an official meeting hereof this 27th day of March, 2025, by the following vote, to wit:

Ayes:

Noes:

Absent:

Secretary of the Board of Directors
of the Kern County Water Agency

Resolution No. 08-25

Resolution of the Board of Directors of Kern County Water Agency: (1) Considering the Final Environmental Impact Report for the Delta Conveyance Project (State Clearinghouse No. 2020010227) and Approving Notice of Determination; (2) Making Responsible Agency Findings for the Delta Conveyance Project Pursuant to the California Environmental Quality Act (“CEQA”) and State CEQA Guidelines Section 15096; (3) Adopting CEQA Findings of Fact for the Delta Conveyance Project under State CEQA Guidelines Section 15091; (4) Adopting a Statement of Overriding Considerations under State CEQA Guidelines Section 15093 for Pre-Construction Work related to the Delta Conveyance Project;

(5) Authorizing the General Manager to Execute a Letter Setting Forth the Agency's Agreement to Advance or Contribute Additional Money to the Department of Water Resources for the Agency's Share of the Delta Conveyance Project Planning and Pre-Construction Costs for Calendar Years 2026-2027 in an Amount Not to Exceed \$32,677,093; and (6) Authorizing the General Manager to Enter into Amendment No. 2 to the Contract Between Kern County Water Agency and its Member Units for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project

WHEREAS, on April 29, 2019, Governor Gavin Newsom signed Executive Order N-10-19, directing the California Natural Resources Agency, California Environmental Protection Agency, and California Department of Food and Agriculture to develop a comprehensive strategy to build a climate-resilient water system and ensure healthy waterways through the twenty-first century; and

WHEREAS, after a public input period, on July 28, 2020, Governor Newsom released the California Water Resilience Portfolio, which identified a suite of complementary actions to ensure safe and resilient water supplies, flood protection, and healthy waterways for the state's communities, economy, and environment; among these actions was a project (the "**Delta Conveyance Project**") entailing new diversion and conveyance facilities in the Sacramento-San Joaquin Delta ("**Delta**") to safeguard the State Water Project ("**SWP**"); and

WHEREAS, the primary purpose of the SWP is to convey water to local and regional water suppliers across California that, in turn, supply end users engaged in the beneficial uses of that water; to this end, SWP has long-term contracts to supply water to 29 public water agencies, known as State Water Contractors, that distribute that water to farms, homes, and industry; and

WHEREAS, Kern County Water Agency (the "Agency") is one of the State Water Contractors, and it possesses a long-term water supply contract with the Department of Water Resources ("**DWR**"), which is the owner and operator of the SWP, which allows for the annual importation of water via the SWP; and

WHEREAS, there are thirteen member units of the Agency (the "Member Units") into which the Agency has entered contracts to receive a portion of the water the Agency receives under its SWP contract with DWR; and

WHEREAS, the Agency's allocation of imported SWP water, and resultingly the Member Units' respective supply of water through the Agency, fluctuates annually based on a variety of factors, including Delta conditions, reservoir levels, rainfall, snow pack, and pumping capacity in the Delta, as well as operational limits for fish and wildlife protection, water quality, and environmental and legal restrictions; and

WHEREAS, the infrastructure that enables the conveyance, or movement, of water supply from the Delta to the Agency and its Member Units is of great consequence to the Agency; and

WHEREAS, factors such as the continuing subsidence of lands, risk of seismic activity and any resulting impact on levees within the Delta, sea level rise, precipitation change, warmer temperatures, and wider variations in the hydrological conditions associated with climate change threaten the reliability of the current SWP water conveyance system; and

WHEREAS, the Delta Conveyance Project involves the construction and future operation of new water intake facilities on the Sacramento River in the north Delta and a single main tunnel to divert and move water entering the north Delta from the Sacramento Valley watershed to existing SWP facilities in the south Delta, which would result in a dual conveyance system in the Delta; and

WHEREAS, DWR's fundamental purpose in proposing to develop the Delta Conveyance Project is to restore and protect the reliability of SWP water deliveries to the State Water Contractors, including the Agency and ultimately its Member Units; and

WHEREAS, in January 2020, DWR, as lead agency for the Delta Conveyance Project under the California Environmental Quality Act ("CEQA"), filed and circulated a Notice of Preparation of an Environmental Impact Report ("EIR") for the Delta Conveyance Project;

WHEREAS, in July 2022, DWR circulated a Draft EIR (State Clearinghouse No. 2020010227) for the Delta Conveyance Project for a 92-day review period, beginning on July 27, 2022 and closing on October 27, 2022; and

WHEREAS, the EIR analyzed the potential environmental impacts of data collection and field work investigations, including ground-disturbing geotechnical work, water quality and hydrogeologic investigations, agronomic testing, the installation of monitoring equipment, construction test projects, pre-

construction design work, and engineering work (collectively, “**Pre-Construction Work**”) that would occur after certification of the EIR and that would guide the ultimate design, appropriate construction methods, and monitoring programs for the Delta Conveyance Project; and

WHEREAS, the EIR concluded that the Delta Conveyance Project, including the Pre-Construction Work, would have less than significant impacts without the implementation of mitigation as to some resources; less than significant impacts with the implementation of mitigation measures identified in a Mitigation Monitoring and Reporting Program (“**MMRP**”) as to other resources; and significant and unavoidable impacts as to Agricultural Resources, Aesthetics, Cultural Resources, Transportation, Air Quality, Noise, Paleontological Resources, and Tribal Cultural Resources; and

WHEREAS, on December 21, 2023, DWR certified the Final EIR for the Delta Conveyance Project, adopted the MMRP to require DWR’s implementation of the mitigation measures identified therein, adopted CEQA Findings of Fact pursuant to State CEQA Guidelines section 15091, adopted a Statement of Overriding Considerations relating to the Delta Conveyance Project’s significant and unavoidable environmental impacts pursuant to State CEQA Guidelines section 15093, and approved the Delta Conveyance Project; and

WHEREAS, the Final EIR certified by DWR and related CEQA documents can be found at DWR’s website, located at <https://www.deltaconveyanceproject.com/planning-processes/california-environmental-quality-act/final-eir/final-eir-document>. A copy of these documents has also been retained in the Agency’s files and has been made available to and considered by the Agency’s Board of Directors; and

WHEREAS, on November 18, 2020, the Agency previously entered into an Agreement for the Advance or Contribution of Money to DWR for preliminary planning and design costs related to a potential Delta Conveyance Project (the “**Agreement**”); and

WHEREAS, pursuant to Section 5 of the Agreement, the Agency will consider executing a letter that commits it to contribute additional funds for Pre-Construction Work for the Calendar Years 2026 and 2027, and the Agency will commit to paying \$32,677,093 for Pre-Construction Work in those years, as determined by its proportionate participation in the DCP; and

WHEREAS, the Agency only seeks to provide funding for Pre-Construction Work (as defined above), and the Agency is not approving or committing to its participation in the broader Delta Conveyance Project at this time; and

WHEREAS, the Agency is a responsible agency for the Delta Conveyance Project under CEQA, and pursuant to State CEQA Guidelines section 15096, the Agency hereby intends to adopt CEQA Findings of Fact under State CEQA Guidelines section 15091 and a Statement of Overriding Considerations under State CEQA Guidelines section 15093; and

WHEREAS, the Agency has heard, been presented with, reviewed, and considered all of the information and data presented to it, including the certified EIR for the Delta Conveyance Project; DWR's findings relating to the Delta Conveyance Project under State CEQA Guidelines sections 15091 and 15093; and all public comments; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE KERN COUNTY WATER AGENCY DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The foregoing recitals are true and correct and are incorporated herein and made an operative part of this Resolution.

SECTION 2. Adequacy of the EIR under CEQA. The Agency has independently reviewed and considered the certified EIR for the Delta Conveyance Project, DWR's record of proceedings, and the Agency's record of proceedings, and the Agency finds that the EIR adequately and properly analyzes the potential environmental impacts of the Delta Conveyance Project, including Pre-Construction Work that the Agency seeks to partially fund in proportion to its participation in the DCP.

The Agency further hereby finds that none of the conditions set forth in State CEQA Guidelines section 15162 that could potentially trigger the need for a Subsequent EIR or Subsequent Negative Declaration apply to the Pre-Construction Work. The Pre-Construction Work does not entail or propose any substantial changes to the Delta Conveyance Project that will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There have been no substantial changes that have occurred with respect to the circumstances under which the Pre-Construction Work, which was analyzed in the EIR, will be undertaken that will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified, which shows that (1) the Pre-Construction Work will have one or more significant effects not discussed in the EIR; (2) significant effects previously examined will be substantially more severe than shown in the EIR; (3) mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the Delta Conveyance Project or Pre-Construction Work; or (4) mitigation measures or alternatives which are considerably different from those analyzed in the EIR would substantially reduce

one or more significant effects on the environment. None of these conditions, as set forth in State CEQA Guidelines section 15162, apply here.

SECTION 3. Finding concerning Alternatives and Mitigation Measures. The Agency, as a responsible agency under CEQA, is more limited than the lead agency (i.e., DWR) when considering alternatives and mitigation measures for the Delta Conveyance Project. A responsible agency has responsibility for mitigating or avoiding only the direct or indirect environmental effects of those parts of a project that the responsible agency decides to carry out, finance, or approve; moreover, a responsible agency is required to adopt a feasible alternative or feasible mitigation measures for a project only if (1) such alternative or mitigation measures are within the responsible agency's powers, and (2) the alternative or mitigation measures would substantially lessen or avoid any significant effect the project would have on the environment.

Here, the Agency is not approving or committing to carrying out, financing, or approving its participation in the broader Delta Conveyance Project, nor does the Agency have legal authority or powers to approve or carry out modifications or operations to the State Water Project or the Delta Conveyance Project. Instead, the Agency seeks only to assist in the funding of the Pre-Construction Work, which entails data collection, research, and resource evaluation activities that precede any physical construction of the Delta Conveyance Project. The Agency finds that the mitigation measures to be implemented by DWR, as set forth in the EIR and the MMRP adopted by DWR, mitigate and avoid the Pre-Construction Work's potential environmental impacts to the extent feasible. The Agency finds there are no feasible alternatives or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the Pre-Construction Work would have on the environment beyond what was identified in the EIR and the MMRP.

SECTION 4. CEQA Findings of Fact under State CEQA Guidelines section 15091. The Agency adopts DWR's CEQA Findings of Fact, a true and correct copy of which is attached hereto as **Exhibit "A"** and incorporated herein by reference, as to the Pre-Construction Work.

SECTION 5. Statement of Overriding Considerations. The Agency finds that the Pre-Construction Work's economic, legal, social, technological, and other benefits outweigh, both individually and collectively, the Pre-Construction Work's potentially significant and unavoidable environmental effects. Pursuant to State CEQA Guidelines section 15093, the Agency hereby adopts the Statement of Overriding Considerations attached hereto and incorporated by reference as **Exhibit "B."**

SECTION 6. Approval of Funding for Pre-Construction Work. The Agency's Board of Directors hereby authorizes the Agency's General Manager to: (i) execute a letter, in the form set forth in Exhibit B to the Agreement with DWR, setting forth the Agency's financial commitment; and (ii) execute Amendment No. 2 to the Contract Between Kern County Water Agency and its Member Units for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project, setting forth the Agency's contribution of additional funds for Pre-Construction Work for the Calendar Years 2026 and 2027 in an amount not to exceed \$32,677,093.

SECTION 7. Notice of Determination. The Agency's Board of Directors hereby directs staff to prepare, file, and cause to be posted a Notice of Determination with the County Clerk or Clerk to the Board of Supervisors in the Counties of Alameda, Contra Costa, Sacramento, San Joaquin, Solano, and Yolo within five (5) working days of the approval of the Resolution.

SECTION 8. Custodian of Documents. The custodian of documents constituting the record of proceedings for this matter is Stephanie N. Prince, Secretary of the Board of Directors of the Agency. The documents constituting the record of proceedings for this matter are located at 3200 Rio Mirada Drive, Bakersfield, California 93308.

SECTION 9. Severability. If any provision of this Resolution is held invalid, the remainder of this Resolution shall not be affected by such invalidity, and the provisions of this Resolution are severable.

SECTION 10. Effective Date. This Resolution shall become effective immediately upon its adoption.

Exhibit "A"

Department Of Water Resources'

CEQA Findings Of Fact

1 **DELTA CONVEYANCE PROJECT**

2 **CEQA FINDINGS OF FACT AND**

3 **STATEMENT OF OVERRIDING**

4 **CONSIDERATIONS**

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Chapter 1

Introduction

Under the California Environmental Quality Act (CEQA), a state or local public agency decision maker, before approving a project for which an environmental impact report (EIR) was prepared, must make certain findings with respect to each significant impact identified in the EIR. (See Pub. Resources Code, § 21081, subd. (a); see also Cal. Code Regs., tit. 14, div. 6, ch. 3 (“CEQA Guidelines”), § 15091, subd. (a).) Such findings are one of the primary means by which California public agencies satisfy what the California Supreme Court has called the “substantive mandate” of CEQA, by which such agencies must substantially lessen or avoid the occurrence of significant environmental impacts to the extent feasible. (See *Mountain Lion Foundation v. Fish & Game Com.* (1997) 16 Cal.4th 105, 134; Pub. Resources Code, § 21002.)

With regard to each significant impact, the agency decisionmaker must make at least one of the following findings:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR;
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

(CEQA Guidelines, § 15091, subd. (a)(1)-(3).)

Additionally, the findings required under CEQA must be supported by substantial evidence. (CEQA Guidelines, § 15091, subd. (b).)

A typical set of CEQA findings identifies all adopted or rejected mitigation measures for the various significant environmental impacts of a proposed project. The findings then go on to explain why various project alternatives identified in EIRs are either infeasible or unnecessary to meet the substantive mandate of CEQA.

A related CEQA requirement is the need for the agency decision maker to adopt a “statement of overriding considerations” before approving any project with environmental effects that cannot feasibly be mitigated to a less than significant level. (Pub. Resources Code, § 21081, subd. (b); CEQA Guidelines, § 15093.) This separate requirement is not a substitute for the adoption of CEQA findings, but is an additional procedural step required as part of the project approval process. A statement of overriding considerations must identify “the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of [the] proposed project [that] outweigh the [project’s] unavoidable adverse environmental effects,” thereby rendering them “acceptable” to the decision maker. (CEQA Guidelines, § 15093, subd. (a).)

The document at hand is intended to satisfy both of the above-described CEQA requirements with respect to the project commonly known as the Delta Conveyance Project (the Project). As the CEQA lead agency, the California Department of Water Resources (DWR) has completed the Final

1 Environmental Impact Report (Final EIR) for the Project. As the final decision maker for DWR, the
2 Director of DWR (Director) has certified the EIR pursuant to CEQA Guidelines section 15090 and is
3 now in a position to consider approval of the Project.¹

4 Through this document, including its attachments, the Director hereby issues both the CEQA
5 Findings of Fact (Findings) and the Statement of Overriding Considerations necessary for the
6 Project. The Director does so after having received, reviewed, and considered not only the Final EIR,
7 but also the previously issued Draft Environmental Impact Report (Draft EIR), as well as public and
8 agency comments on those documents and all other information in DWR's record of proceedings.

9 The tables included in Exhibit A (CEQA Findings of Fact for the Project's Significant and Unavoidable
10 Impacts, Impacts that are Less Than Significant after Mitigation and Impacts that are Less Than
11 Significant/No Impact), contain findings that explain all of the mitigation measures proposed in the
12 Final EIR (including the Compensatory Mitigation Plan for Special-Status Species and Aquatic
13 Resources) have been adopted and incorporated into the enforceable Mitigation Monitoring and
14 Reporting Program (MMRP) for the Project. (See Pub. Resources Code, § 21081.6, subs. (a)(1) and
15 (b).) Likewise, the environmental commitments including best management practices (BMPs) set
16 forth in Appendix 3B, *Environmental Commitments and Best Management Practices*, of the Final EIR
17 have been incorporated into the MMRP.

18 As part of the narrative portion of these findings, the Director explains why the other project
19 alternatives analyzed in the Final EIR are being rejected. Each specific finding is supported by
20 substantial evidence in the record of proceedings.

21 The Statement of Overriding Considerations, found near the end of this document, then identifies the
22 specific economic, legal, social, technological, and other benefits of the Project that, in the Director's
23 view, outweigh the Project's significant and unavoidable environmental impacts. To the extent that
24 these Findings do not set forth in detail all of the evidence in support of the conclusions reached,
25 readers seeking additional information are directed to the Final EIR and supporting evidence in the
26 record of proceedings, which is hereby incorporated by reference.

27 In addition to these CEQA Findings and the Statement of Overriding Considerations, Exhibit B to
28 these CEQA Findings sets forth the Director's Public Trust Findings for the Project. The Public Trust
29 Findings consider the Project's potential effect on the public trust and the state's affirmative duty to
30 preserve, so far as consistent with the public interest, the resources and values protected by the
31 trust. While the Public Trust Findings constitute separate findings from the CEQA Findings, the
32 CEQA Findings and overall record of proceedings provide further evidentiary support for the
33 conclusions reached in the Public Trust Findings.

¹ Subsequent actions by other responsible agencies, such as the California Department of Fish and Wildlife, will also be required before Project construction and/or operation may commence. Before DWR commences any project operations, DWR and responsible agencies will take future discretionary actions identified in the EIR, and such future actions will be subject to CEQA.

Chapter 2 Record of Proceedings

For purposes of CEQA and these Findings, the Record of Proceedings for the Project consists of the following documents, at a minimum:

- The Notice of Preparation and all other public notices issued by DWR in conjunction with the Project.
- The Final EIR for the Project and any documents cited therein.
- All comments submitted by agencies or members of the public during the public comment period on the Draft EIR.
- All comments and correspondence submitted to DWR with respect to the Project, in addition to timely comments on the Draft EIR, including responses to the Notice of Preparation.
- The Mitigation Monitoring and Reporting Plan for the Project.
- All reports, studies, memoranda, maps, staff reports, or other planning documents in DWR's files relating to the Project prepared by DWR staff, consultants to DWR, and responsible or trustee agencies with respect to DWR's compliance with the requirements of CEQA and with respect to DWR's actions on the Project.
- All documents submitted to DWR by other public agencies or members of the public with respect to compliance with CEQA or with respect to the Project.
- Any minutes and/or verbatim transcripts of all public meetings held by DWR in connection with the Project.
- Any documentary or other evidence submitted to DWR regarding the Project.
- Matters of common knowledge to DWR, including, but not limited to federal, State, and local laws and regulations;
- Any documents expressly cited in the Final EIR, these findings, or the statement of overriding considerations in addition to those cited above; and
- Any other materials required to be in the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

The custodian of the documents comprising the record of proceedings: Marcus Yee, DWR, Program Manager III for the Project, 1516 9th Street, Sacramento, CA 95814. Many project-related documents that comprise the record of proceedings are also available on DWR's websites for the Project: <https://www.deltaconveyanceproject.com> and <https://water.ca.gov/deltaconveyance>.

1 The Director of DWR has relied directly or indirectly on all the documents listed above in reaching a
2 decision on the Project. Many of the documents listed above were prepared by, or submitted to,
3 DWR during preparation of the EIR for the Project. Other documents reflect prior planning or
4 legislative decisions with which the Director was aware in approving the Project. For that reason,
5 such documents form part of the underlying factual basis for the Director's decisions relating to
6 approval of the Project. (See Pub. Resources Code, § 21167.6, subd. (e)(10); *Browning-Ferris*
7 *Industries v. City Council of City of San Jose* (1986) 181 Cal.App.3d 852, 866; *Stanislaus Audubon*
8 *Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 155.)

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Chapter 3 Recirculation

3 Under section 15088.5 of the CEQA Guidelines, recirculation of an EIR is required when “significant
4 new information” is added to the EIR after public notice is given of the availability of the draft EIR
5 for public review but prior to certification of the final EIR. The term “information” can include
6 changes in the project or environmental setting, as well as additional data or other information. New
7 information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the
8 public of a meaningful opportunity to comment upon a substantial adverse environmental effect of
9 the project or a feasible way to mitigate or avoid such an effect (including a feasible project
10 alternative) that the project’s proponents have declined to implement. “Significant new information”
11 requiring recirculation includes, for example, a disclosure showing that:

12 (1) A new significant environmental impact would result from the project or from a new mitigation
13 measure proposed to be implemented.

14 (2) A substantial increase in the severity of an environmental impact would result unless mitigation
15 measures are adopted that reduce the impact to a level of insignificance.

16 (3) A feasible project alternative or mitigation measure considerably different from others previously
17 analyzed would clearly lessen the significant environmental impacts of the project, but the project’s
18 proponents decline to adopt it.

19 (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that
20 meaningful public review and comment were precluded.

21 (CEQA Guidelines, § 15088.5, subd. (a).)

22 Recirculation is not required where the new information added to the EIR merely clarifies or
23 amplifies or makes insignificant modifications in an adequate EIR. The above standard is “not
24 intend[ed] to promote endless rounds of revision and recirculation of EIR’s [sic]. Recirculation was
25 intended to be an exception, rather than the general rule.” (*Laurel Heights Improvement Assn. v.*
26 *Regents of the Univ. of Cal.* (1993) 6 Cal.4th 1112, 1132.)

27 CEQA case law emphasizes that “[t]he CEQA reporting process is not designed to freeze the ultimate
28 proposal in the precise mold of the initial project; indeed, new and unforeseen insights may emerge
29 during investigation, evoking revision of the original proposal.” (*Kings County Farm Bureau v. City of*
30 *Hanford* (1990) 221 Cal.App.3d 692, 736-737; see also *River Valley Preservation Project v.*
31 *Metropolitan Transit Development Bd.* (1995) 37 Cal.App.4th 154, 168, fn. 11.) “CEQA compels an
32 interactive process of assessment of environmental impacts and responsive project modification
33 which must be genuine. It must be open to the public, premised upon a full and meaningful
34 disclosure of the scope, purposes, and effect of a consistently described project, with flexibility to
35 respond to unforeseen insights that emerge from the process.’ [Citation.] In short, a project must be
36 open for public discussion and subject to agency modification during the CEQA process.” (*Concerned*
37 *Citizens of Costa Mesa, Inc. v. 32nd Dist. Agricultural Assn.* (1986) 42 Cal.3d 929, 936.) Similarly,
38 additional studies included in a final EIR that result in minor modifications or additions to analyses
39 concerning significant impacts disclosed in a draft EIR do not constitute “significant new
40 information” requiring recirculation of an EIR. (See *Mount Shasta Bioregional Ecology Center v.*
41 *County of Siskiyou* (2012) 210 Cal.App.4th 184, 220-221 [incorporation of technical studies in a final

1 EIR disclosing additional locations affected by a significant noise impact identified in the draft EIR
2 did not require recirculation].)

3 DWR recognizes that the Final EIR incorporates information obtained and produced after the Draft
4 EIR was completed, and that the Final EIR contains additions, clarifications, and modifications,
5 including data and information to further support the information presented in the EIR. Due to the
6 challenges in making a document with strikeouts ADA compliant and to improve the overall
7 readability of the Final EIR, the Final EIR includes a final clean version of the EIR including the
8 additions, clarifications, and modifications made to the Draft EIR. The Final EIR summarizes the key
9 additions, clarifications, and modifications made by DWR in Volume 2, Chapter 1, *Introduction and*
10 *Approach to Responses to Comments*. Furthermore, a track change version of the EIR is available to
11 other agencies and the public upon request. DWR has reviewed and considered the Final EIR
12 including all new information included therein. DWR finds that the new information added in the
13 Final EIR either provides additional discussion and analysis not required by CEQA that was included
14 for informational purposes or otherwise clarifies or makes minor changes to the adequate Draft EIR.

15 As explained further in Exhibit C to these CEQA Findings, none of the new information constitutes
16 significant new information requiring recirculation of the Draft EIR under CEQA. The new
17 information added to the EIR does not involve a new significant environmental impact, a substantial
18 increase in the severity of a previously identified significant environmental impact, or a feasible
19 mitigation measure or alternative that is considerably different from others previously analyzed
20 that would clearly lessen one or more significant environmental impacts of the Project and that
21 DWR declines to adopt.

22 DWR finds that the changes and modifications made to the EIR after the Draft EIR was circulated for
23 public review and comment do not individually or collectively constitute significant new
24 information within the meaning of Public Resources Code section 21092.1 or CEQA Guidelines
25 section 15088.5. No information indicates that the Draft EIR was inadequate or conclusory or that
26 the public was deprived of a meaningful opportunity to review and comment on the Draft EIR. Thus,
27 recirculation of the EIR is not required.

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Chapter 4

Subsequent Review

Prior to reaching decisions on the Project, responsible agencies must consider the environmental effects of the project as shown in the EIR and determine whether a subsequent or supplemental EIR is required pursuant to CEQA Guidelines sections 15162 or 15163. Furthermore, the EIR evaluates Project operations based on the Project design and what was known and reasonably foreseeable when the EIR was prepared, but DWR acknowledges that: (1) operations will not occur for well over 15 to 20 years due, in part, to the time required to complete construction of the project, and (2) new information of substantial importance or substantial changes could occur with respect to Project design or the circumstances under which the Project is undertaken. Under these conditions, prior to the commencement of operations, DWR would evaluate whether subsequent CEQA review is required before undertaking any discretionary actions that may be required to change Project design or operational criteria such that they are sufficiently protective to environmental resources.

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Chapter 5 Project Background

On April 29, 2019, Governor Newsom signed Executive Order N-10-19 directing the California Natural Resources Agency, California Environmental Protection Agency, and California Department of Food and Agriculture to develop a comprehensive strategy to build a climate-resilient water system and ensure healthy waterways through the twenty-first century. After a public input period, Governor Newsom released the *California Water Resilience Portfolio* on July 28, 2020. The *California Water Resilience Portfolio* identified a suite of complementary actions to ensure safe and resilient water supplies, flood protection, and healthy waterways for the state’s communities, economy, and environment. One of the projects identified in the portfolio is new diversion and conveyance facilities in the Sacramento–San Joaquin Delta (Delta) to safeguard the State Water Project (SWP).

In response to Governor Newsom’s water policy objectives, DWR as the owner and operator of the SWP, proposed to design and construct two diversion facilities, each at 3,000 cfs capacity, on the Sacramento River; a single tunnel for conveyance; tunnel shafts; and a pumping plant and appurtenant facilities. As discussed further below, DWR’s Notice of Preparation (NOP) for the Project EIR identified the proposed project as either the central or eastern alignment with pumping facilities in the south Delta near Clifton Court Forebay. These alternatives are identified as Alternatives 1 and 3 in the Draft EIR. After the process of identifying and screening alternatives evaluated in the Draft EIR (see Final EIR, Volume I, Appendix 3A, *Identification of Water Conveyance Alternatives*) and after an initial evaluation of the alternatives selected for detailed analysis in the Draft EIR, DWR selected a different alternative as the proposed project to analyze in the Draft EIR. Specifically, based on engineering feasibility, conceptual design, constructability, and potential to reduce key environmental impacts on cultural resources, important farmland, wetlands and other waters of the United States, wildlife habitat, transportation, air quality, noise, and Delta community effects, DWR selected the Bethany Reservoir alignment at 6,000 cfs conveyance capacity as the proposed project, which is identified as Alternative 5 in the EIR and referred to herein as the Project. Unlike Alternatives 1 and 3, the Project proposes to discharge water directly to the Bethany Reservoir along the California Aqueduct.

The primary purpose of the SWP is to convey water to local and regional water suppliers across California that, in turn, supply end users engaged in the beneficial uses of that water; it serves as the foundation for local water supplies. The SWP supplies water to 27 million people in northern California, the Bay Area, the San Joaquin Valley, the Central Coast, and southern California. SWP water also irrigates about 750,000 acres of farmland, mainly in the San Joaquin Valley (Final EIR, Volume 1, Chapter 2, *Purpose and Project Objectives*, p. 2-1). Other SWP functions include flood management, water quality maintenance, power generation, recreation, and fish and wildlife enhancement. The SWP was designed to deliver up to nearly 4.2 million acre-feet of water per year, depending on hydrologic conditions. The SWP has long-term contracts to supply water to 29 public water agencies that distribute it to farms, homes, and industry. During the 1999 to 2008 period, SWP deliveries averaged 2.86 MAF per year (California Department of Water Resources 2002, 2008a). But total SWP deliveries averaged about 1.96-million-acre feet (MAF) of water per year from 2009 to 2018 (California Department of Water Resources 2020:18). Of the contracted water supply, approximately 70% goes to municipal and industrial users and 30% to agricultural users (Santa Clara Valley Water 2022). Water supply depends on rainfall, snowpack, runoff, water in

1 storage facilities, and pumping capacity from the Delta, as well as operational limits for fish and
2 wildlife protection, water quality, and environmental and legal restrictions. The infrastructure that
3 enables the conveyance, or movement, of California’s water supply is critical to the health of
4 California’s economy.

5 Factors such as the continuing subsidence of lands, risk of seismic activity and levee failures within
6 the Delta, sea level rise, precipitation change, warmer temperatures, and wider variations in
7 hydrologic conditions associated with climate change threaten the reliability of the current SWP
8 water conveyance system. Additionally, as explained in Final EIR, Volume 1, Chapter 1, *Introduction*,
9 Section 1.2.3.4, *Regulatory Environment*, pumping restrictions applied by regulatory agencies to
10 address water quality and aquatic species concerns at the south Delta diversion continue to prevent
11 the SWP from reliably capturing water when it is available, especially from storm events.
12 Constraints on groundwater use imposed by the Sustainable Groundwater Management Act of 2014
13 could also increase the need for reliable SWP surface water supplies over time.

14 DWR’s proposal of the Project is informed by past efforts undertaken to address the long-standing
15 issues the SWP faces, including those undertaken through the CALFED Bay-Delta Program, the Delta
16 Risk Management Strategy, and the Bay Delta Conservation Plan/California WaterFix planning
17 process. The need for new Delta water conveyance infrastructure to help achieve the State’s coequal
18 goals of “providing a more reliable water supply for California and protecting, restoring, and
19 enhancing the Delta ecosystem” (Pub. Resources Code § 29702(a)) was recognized by the legislature
20 when it adopted the Sacramento–San Joaquin Delta Reform Act of 2009 (Water Code § 85000 et seq.,
21 discussed in Final EIR, Volume 1, Chapter 1, *Introduction*, Section 1.2.3.1, *California Water Supply*,
22 and Section 1.2.4.4, *The Bay Delta Conservation Plan and California WaterFix*).

23 5.1 Project Objectives

24 DWR’s fundamental purpose in proposing to develop new diversion and conveyance facilities in the
25 Delta is to restore and protect the reliability of SWP water deliveries and, potentially, Central Valley
26 Project (CVP) water deliveries south of the Delta, consistent with the State’s Water Resilience
27 Portfolio in a cost-effective manner.

28 The above stated purpose, in turn, gives rise to several related objectives of the Project, as follows:

- 29 • To help address anticipated rising sea levels and other reasonably foreseeable consequences of
30 climate change and extreme weather events.
- 31 • To minimize the potential for public health and safety impacts from reduced quantity and
32 quality of SWP water deliveries, and potentially CVP water deliveries, south of the Delta as a
33 result of a major earthquake that could cause breaching of Delta levees and the inundation of
34 brackish water into the areas where existing SWP and CVP pumping plants operate in the
35 southern Delta.
- 36 • To protect the ability of the SWP, and potentially the CVP, to deliver water when hydrologic
37 conditions result in the availability of sufficient amounts of water, consistent with the
38 requirements of state and federal law, including the California and federal Endangered Species
39 Acts (CESA and ESA, respectively) and Delta Reform Act, as well as the terms and conditions of
40 water delivery contracts and other existing applicable agreements.

- 1 • To provide operational flexibility to improve aquatic conditions in the Delta and better manage
2 risks of further regulatory constraints on project operations.

3 **5.2 Project Description²**

4 The Project involves the construction and future operation of new water intake facilities on the
5 Sacramento River in the north Delta and a single main tunnel to divert and move water entering the
6 north Delta from the Sacramento Valley watershed to existing SWP facilities in the south Delta,
7 which would result in a dual conveyance system in the Delta. The water intake facilities would divert
8 water through state-of-the-art fish screens. The proposed north Delta intakes would operate in
9 conjunction with the existing SWP intakes in the south Delta. The proposed intakes would augment
10 the ability to capture excess flows and improve the flexibility of the SWP operations such as for
11 meeting the State Water Board Decision 1641 Delta salinity requirements. The north Delta intakes
12 would be used to capture additional excess flows when the south Delta exports are limited and not
13 able to capture those flows.

14 Under the Project, two intakes (Intakes B and C as defined in the EIR) would together convey up to
15 6,000 cfs of water from the north Delta along an eastern alignment to the launch shaft at Lower
16 Roberts Island. From Lower Roberts Island, the single below ground tunnel would follow a route to
17 a location south of Clifton Court Forebay and terminate at the Bethany Complex. A map and a
18 schematic diagram depicting the conveyance facilities associated with the Project are provided in
19 Final EIR, Volume 1, Mapbook 3-3 as well as Figures 3-2 (Bethany Reservoir Alignment) and 3-30.
20 The Project would entail the continued use of the SWP south Delta export facilities as the primary
21 diversion location. The sections below provide details on key features of the Project along with a
22 summary of Project features.

23 **5.2.1 Intake Structure and Fish Screens**

24 Intakes B and C on the east bank of the Sacramento River would divert water and convey it through
25 a single main tunnel. Intake B would be just north of Hood, and Intake C would be between Hood
26 and Courtland (see Final EIR, Volume 1, Mapbook 3-3, Sheets 2 and 3). Intakes B and C would each
27 divert up to 3,000 cfs under the Project. Operated in a coordinated manner with the existing
28 facilities, the north Delta facilities would provide flexibility to alter the location, amount, timing, and
29 duration of diversions to help manage water quality in the Delta or when excess flows occur after all
30 other applicable Delta outflow requirements are met.

31 At each intake, water would flow through cylindrical tee fish screens mounted on the intake
32 structure to a sedimentation basin before reaching the intake outlet (tunnel inlet) shaft at each site.
33 The intake outlet shaft would serve as the tunnel boring machine reception or maintenance shaft
34 during construction and as the intake shaft and maintenance access during operation. These shafts
35 would have an inside diameter of 83 feet. From the intake outlet shaft, water would flow into a
36 single-bore main tunnel that connects the intakes to the Twin Cities Complex, from which the tunnel
37 route would extend south on the Bethany Reservoir alignment.

² This information is derived from Chapter 3, *Description of the Proposed Project and Alternatives*, of the Final EIR and outlines key features of the Project. For more information on the Project components, see Chapter 3 of the Final EIR.

1 Intake features would include state-of-the-art cylindrical tee fish screens, intake structures,
2 sedimentation basins, sediment drying lagoons, and flow control structures. Intakes would also
3 include associated facilities to support construction and operation of the intakes. Fish screens
4 installed on intake structures minimize aquatic species from being carried into the intake facilities
5 along with the diverted water. The intake screens are designed to draw in water at reduced
6 velocities to reduce potential effects to the subset of fish exposed to the intake screens.

7 The intake fish screens are part of an overall intake system that includes the screen units and an
8 integrated screen cleaning system, piping, and flow control features. The "tee-shaped" screen units
9 would consist of two fish screen cylinders installed on either side of a center manifold that would be
10 connected to the facility's intake opening. Each intake fish screen would extend about 12 feet from
11 the vertical face of the intake structure into the river. During diversion operations, water would flow
12 from the Sacramento River through the fish screens and a 60-inch diameter pipe and discharge into
13 the sedimentation basins. Control gates would regulate the flow through each screen unit to the
14 sedimentation basin.

15 **5.2.2 Construction of Intake Structures**

16 Installing the intake facility would require construction of a temporary cofferdam for in-river
17 portions of intake construction to divert water and aquatic organisms around the work site and
18 create a dry work area. Portions of the cofferdam would consist of interlocking steel sheet piles
19 installed using vibratory pile driving or, if necessary, a combination of vibratory and impact pile
20 driving. Vibratory pile driving is a method by which the pile is vibrated into the soil beneath the site
21 as opposed to being hammered in, as occurs in impact pile driving. Noise associated with the
22 vibratory pile driving is considerably lower than noise associated with impact hammer pile driving.
23 To minimize noise and other disturbances from pile driving, vibratory pile driving would be used to
24 the extent possible where supported by additional geotechnical information, thus eliminating or
25 minimizing impact pile driving. All pile driving would be restricted to the daytime hours between
26 7:00 a.m. and 7:00 p.m. and would not occur at night. It is estimated that the longest installation
27 period (at Intake C) would be no more than 255 hours over a 5- or 6- week period, including time for
28 handling and preliminary vibratory pile driving. Assuming 2 minutes of driving time for each sheet
29 pile pair, impact drive time (as a subset of the total installation period) would be a cumulative total
30 of 14 hours at Intake C with 3,000-cfs capacity, occurring over roughly 5 or 6 weeks. Each intake
31 sheet pile construction period would be staggered by about 1 year (Delta Conveyance Design and
32 Construction Authority 2022).

33 **5.2.3 Sedimentation Basins and Drying Lagoons**

34 Diverted water would contain sediment suspended in the river water, a portion of which would be
35 collected in a concrete-lined sedimentation basin. A deep soil-cement-bentonite perimeter wall
36 (cutoff wall) would serve to isolate the sediment basins from the local groundwater and the
37 Sacramento River. Each intake would have one sedimentation basin divided into two cells by a
38 turbidity curtain. Water would flow from the intake through the sedimentation basin and through a
39 flow control structure with radial gates into the outlet channel and shaft structure that would be
40 connected to the tunnel system.

41 The screen and intake design would allow sufficient flow velocities in diversion pipes to sweep
42 sediment into the sedimentation basin and prevent it from settling in the piping system. Once the
43 diverted water enters the sedimentation basins, larger sand and silt sediment particles would settle

1 while smaller silt and clay particles would be carried into the tunnel. A flow control structure with
2 four large radial gates and one smaller gate would control the water level in the sedimentation basin
3 and discharge flow into the intake outlet channel and outlet shaft. Tunnel and aqueduct velocity
4 would be sufficient to transport these smaller particles to Bethany Reservoir.

5 Each intake would have four concrete-lined sediment drying lagoons, each approximately 15 feet
6 deep, containing an average of 10 to 12 feet of water within its embankments when in use. Once a
7 year, during the summer months, the sedimentation basin would be dredged, one half at a time, and
8 sediment slurry discharged to drying lagoons, dewatered, and allowed to dry naturally. The
9 sediment is anticipated to be composed of large silt and sand particles with minimal organic
10 material. During dredging operations, sediment is expected to accumulate to a depth of about 1 foot,
11 distributed over the floor of the drying lagoons. Water drained from the sediment drying lagoon
12 outlet structures and underdrains would be pumped back into the sedimentation basin. The
13 sediment remaining would be dried for 2 to 6 days, which would reduce its moisture content to a
14 point at which the sediment can be removed and transported without creating dust. If sediment is
15 dried to a level that would create dust, the dust would be controlled by application of water from on-
16 site supplies. The dried sediment would be removed by truck for disposal at a permitted disposal
17 site or used for beneficial uses off-site. The fill and drain/dry sequence would take about 7 to 8 days,
18 which would approximately match the dredged material filling rate so continuous operation would
19 be possible. On average, each drying lagoon would fill about once every 4 to 8 days and contain up to
20 about 1,800 cubic yards of sediment. The volume of sediment collected would depend upon the
21 volume, suspended sediment concentration, and flow rate of water diverted at the intake. Intake
22 maintenance activities are described in Final EIR, Volume 1, Chapter 3, *Description of the Proposed*
23 *Project and Alternatives*, Section 3.16.5, *Intake Maintenance Activities*.

24 **5.2.4 Bethany Complex and Other facilities**

25 The Project would use Intakes B and C to convey up to 6,000 cfs of water from the north Delta along
26 an eastern alignment to the launch shaft at Lower Roberts Island. From Lower Roberts Island, the
27 tunnel would follow a route to a location south of Clifton Court Forebay and terminate at the
28 Bethany Complex. The Bethany Complex would include a pumping plant, a surge basin with
29 reception shaft, a buried pipeline aqueduct system, and a discharge structure to convey water to
30 Bethany Reservoir. The Bethany Complex would be constructed southeast of Clifton Court Forebay.
31 The Bethany Complex includes the Bethany Reservoir Pumping Plant which would be needed to lift
32 the water from the tunnel to Bethany Reservoir. The main tunnel from the intakes would terminate
33 at a reception shaft within the surge basin on the north side of the Bethany Reservoir Pumping
34 Plant. Water would enter the Bethany Reservoir Pumping Plant and be conveyed directly to Bethany
35 Reservoir in an aqueduct system. The Bethany Reservoir Pumping Plant would include the Bethany
36 Reservoir Surge Basin which would remain empty while the Bethany Reservoir Pumping Plant is
37 operating. The Bethany Reservoir Aqueduct system would consist of four 15-foot-diameter parallel
38 pipelines that would convey water from the Bethany Reservoir Pumping Plant to the Bethany
39 Reservoir Discharge Structure, a distance of approximately 2.5 miles each. Two separate aqueduct
40 reaches would require tunnels to carry each pipeline under existing features. The first reach would
41 be under the Jones Pumping Plant discharge pipelines (about halfway from the Bethany Reservoir
42 Pumping Plant to the discharge structure); at this location pipelines would run about 50 feet below
43 ground surface for about 200 feet. Tunnels would also be needed under the existing conservation
44 easement adjacent to Bethany Reservoir (at the last downstream reach of the aqueduct) for about
45 3,064 feet, ranging from 45 to 180 feet below ground surface. The aqueduct pipelines would

1 terminate near the bottom of four 55-foot-inside-diameter below ground vertical shafts at the
 2 Bethany Reservoir Discharge Structure. The pipelines would make a 90-degree bend upward inside
 3 the shafts, ending at the floor of the discharge structure and flowing through a concrete channel into
 4 Bethany Reservoir. Finally, the discharge structure portion of the Bethany Complex called the
 5 Bethany Reservoir Discharge Structure located near the bank of Bethany Reservoir includes the
 6 aqueduct conservation easement tunnel vertical exit shafts, contractor staging areas, and ancillary
 7 facilities. The proposed discharge structure site would be on a narrow strip of land between the
 8 conservation easement and Bethany Reservoir.

9 **Table 1. Summary of Project Features**

Characteristic	Description ^a
Alignment	Bethany Reservoir
Conveyance capacity	6,000 cubic feet per second
Number of Intakes	2; Intakes B and C at 3,000 cfs each
Tunnel from Intakes to Bethany Reservoir Pumping Plant	
Diameter	36 feet inside, 39 feet outside
Length	45 miles
Number of tunnel shafts	11 ^b
Launch shafts diameter	115 feet inside
Reception and maintenance shafts diameter	70 feet inside
Surge Basin reception shaft diameter	120 feet inside
Twin Cities Complex	Construction acres: 586 Permanent acres: 222
New Hope Tract Maintenance Shaft	Construction acres: 11 Permanent acres: 11
Canal Ranch Tract Maintenance Shaft	Construction acres: 11 Permanent acres: 11
Terminus Tract Reception Shaft	Construction acres: 13 Permanent acres: 13
King Island Maintenance Shaft	Construction acres: 12 Permanent acres: 12
Lower Roberts Island Double Launch Shaft site	Construction acres: 610 Permanent acres: 300
Upper Jones Tract Maintenance Shaft	Construction acres: 11 Permanent acres: 11
Union Island Maintenance Shaft	Construction acres: 14 Permanent acres: 14
Bethany Complex	
Bethany Reservoir Pumping Plant and Surge Basin site size (all facilities)	Construction acres: 213 Permanent acres: 184
Bethany Reservoir Pumping Plant pad site	1,166 foot wide x 1,260 feet long (approximately 34 acres)
Surge basin	815 feet wide x 815 feet long x 35 feet deep, approximately 15 acres

Characteristic	Description ^a
Bethany Reservoir Aqueduct	Four 15-foot-diameter parallel below-ground pipelines Approximately 14,900 linear feet each Construction acres: 128 acres Permanent acres: 68
Aqueduct tunnels	Four 20-foot-diameter parallel tunnels, two reaches
Bethany Reservoir Discharge Structure	Construction acres: 15 Permanent acres: 13
RTM Volumes and Storage	
Twin Cities Complex long-term RTM storage (approximate)	214 acres x 15 feet high
Lower Roberts Island long-term RTM storage (approximate)	189 acres x 15 feet high
Bethany Complex	No TBM RTM generated or stored
Total wet excavated RTM volume (for single main tunnel from intakes to Bethany Reservoir Surge Basin shaft)	14.4 million cubic yards

1 cfs = cubic feet per second; RTM = reusable tunnel material; TBM = tunnel boring machine. The height of the RTM
2 storage stockpiles would decrease as the RTM subsides into the ground over time.

3 ^a Acreage estimates represent the permanent surface footprints of selected facilities. Overall Project acreage includes
4 some facilities not listed, such as permanent access roads.

5 ^b Number of shafts for the main tunnel from intakes to Bethany Reservoir Surge Basin shaft, counting the double
6 shaft at Twin Cities Complex and the double shaft at Lower Roberts Island each as one shaft.

7 5.2.5 Water Conveyance Operational Components

8 The proposed north Delta intakes would operate in conjunction with the existing SWP. Operations of
9 the existing SWP facilities, and in coordination with CVP operations pursuant to the Coordinated
10 Operations Agreement, will be governed by the applicable regulatory requirements specified under
11 the State Water Board Water Quality Control Plan for the San Francisco Bay/Sacramento–San
12 Joaquin Delta Estuary (Bay-Delta Plan) and assigned to the SWP in the applicable water right
13 decision, applicable biological opinions under ESA, applicable incidental take permit under CESA,
14 and U.S. Army Corps of Engineers (USACE) Clifton Court diversion limits. The operations of the
15 proposed north Delta intakes would remain consistent with these existing regulatory requirements.
16 The Project is seeking a new point of diversion be added to DWR’s existing water rights, and is not
17 seeking to expand water right quantity. In addition, diversions at the proposed north Delta intakes
18 would be governed by new operational criteria specific to these intakes, such as the fish screen
19 approach velocity requirements, bypass flow requirements, and pulse protection. These new criteria
20 provide additional protections to the fish species over and above the protections from the state-of-
21 the-art positive barrier fish screens included at the proposed intakes. A detailed table describing the
22 proposed operational criteria is provided in Final EIR, Volume 1, Chapter 3, *Description of the*
23 *Proposed Project and Alternatives*, Table 3-14. Additional detail for the proposed north Delta intakes
24 is provided in Final EIR, Volume 1, Table 3-15 in Section 3.16.7, *Delta Conveyance Project*
25 *Preliminary Proposed Operations Criteria*. Also, in Final EIR, Volume 1, Section 3.16.7, Figure 3-37
26 provides a visual depiction of maximum allowable diversions in winter/spring and expected
27 diversions in summer/fall. Final EIR, Volume 1, Figure 3-38 provides a depiction of the north Delta
28 diversion operations concepts to minimize potential effects to aquatic species.

5.2.6 Adaptive Management and Monitoring

Adaptive management for the Project, as required by the Delta Reform Act and described in Appendix 1B of the Delta Plan, would encompass three major phases: planning, implementation, and evaluation and response (Delta Stewardship Council 2015; Cal. Code Regs., title 23, § 5002(b)(4)). The adaptive management plans and programs would document all activities associated with the planning phase of adaptive management and describe the process to be followed during the implementation and evaluation and response phases. Project objectives were taken into consideration in identifying where adaptive management would be most effective and applicable for the project. As appropriate, mitigation measures identified in the Final EIR, such as implementation of the habitat creation and restoration actions in the Compensatory Mitigation Plan (CMP), would integrate the concept of adaptive management in mitigation plan design, stand-alone site and/or resources-specific adaptive management plans would be adopted if the project is approved. In addition, an Operations Adaptive Management and Monitoring Program would be used to monitor and consider the design and operation of the new north Delta intakes and determine whether they result in unanticipated effects that may warrant refinements in design, management, and/or operation. For more information see Final EIR, Volume 1, Chapter 3, *Description of the Proposed Project and Alternatives*, Section 3.18, *Adaptive Management and Monitoring Program*.

5.3 Environmental Review Process

5.3.1 Alternatives Development and Screening Process

The 2020 NOP identified the proposed project as a 6,000 cfs diversion capacity alternative, to be located on either a central or eastern alignment from intakes in the north Delta to pumping facilities in the south Delta near Clifton Court Forebay. The EIR analyses were initiated with this concept of the proposed project, and with the knowledge that additional engineering refinements, preliminary findings about key environmental impacts, and input from the public and other interested parties may result in future changes. As the development of the EIR progressed, the evaluation provided additional information about the environmental impacts associated with the project alternatives. The preliminary impact assessment found that the Bethany Reservoir alignment had the potential to reduce environmental effects as compared to other project alternatives (see Section 7.3, *Summary Comparison*, for a discussion and comparison of project alternatives). As a result, DWR identified the Bethany Reservoir alignment (Alternative 5) as the proposed project in the EIR.

DWR began the alternatives development process by revisiting the scoping comments received on the Bay Delta Conservation Plan (BDCP) and California WaterFix, as described in Final EIR, Volume 1, Chapter 1, *Introduction*. During the 2009 BDCP EIR/EIS scoping process, 1,051 comments were received related to the development of alternatives. After publishing the Draft BDCP EIR/EIS, based on the Habitat Conservation Plan/Natural Community Conservation Plan approach in December 2013, and after reviewing critical public and fish and wildlife agency comments on that document, the lead agencies introduced a new proposed action called the California WaterFix in a Partially Recirculated Draft EIR/Supplemental Draft EIS in July 2015.

While the BDCP and then California WaterFix had different project objectives, some of these alternative comments or suggestions were applicable to the Delta Conveyance Project. The 2020 Delta Conveyance Project NOP described a new proposed single-tunnel project and solicited

1 additional suggestions about potential alternatives during the public scoping period. This involved
2 input from a large group of interested parties, an extensive evaluation of various options, and
3 analysis of the environmental impacts that goes beyond the normal scope of a CEQA review. These
4 processes were helpful in informing the public and gathering input on a project that would affect a
5 very complex estuary and a statewide water supply system.

6 The Project underwent a public scoping period of 93 days from January 15 to April 17, 2020, where
7 DWR received public comments from 2,000 individuals, organizations, and agencies on the scope of
8 issues to be considered in the Draft EIR. Eight scoping meetings, which hosted a total of more than
9 700 attendees, were held throughout the state to provide information on the project and gather
10 comments. The scoping period was originally scheduled for a period of 65 days ending on March 20,
11 2020, but was extended for an additional 28 days per the request of interested parties to allow for
12 additional time to review project information, and to accommodate unprecedented circumstances
13 related to the coronavirus disease 2019 (COVID-19) pandemic. During this period, the public was
14 invited to participate in the earliest phase of the environmental review process and DWR accepted
15 public comments on the proposed project as defined in the NOP. For more detailed information
16 about the scoping process and relevant outreach efforts, please see Final EIR, Volume 1, Appendix
17 1A, *Scoping Summary Report*.

18 Following the 2020 NOP and consideration of scoping comments, DWR screened a range of
19 alternatives and began evaluating potential impacts from constructing, operating, and maintaining
20 conveyance facility alternatives. Contemporaneously, the engineering team continued to refine
21 potential facility designs, construction approaches, and project operations to optimize the
22 conveyance facility approach and evaluate options to further reduce environmental effects.

23 The screening process for the Delta Conveyance Project EIR focused on identifying alternatives to
24 the proposed project, as defined in the NOP, and these alternatives were screened with the purpose
25 and objectives of the proposed project in mind. The proposed project identified in the NOP and
26 developed to specifically meet the stated project objectives, Dual Conveyance Central Tunnel
27 Alignment or Dual Conveyance Eastern Tunnel Alignment, with a maximum 6,000 cfs capacity, was
28 the basis against which alternatives were screened. The screening criteria were developed
29 consistent with the legal requirements of CEQA and the project objectives included in the NOP
30 published on January 15, 2020.

31 The alternatives were grouped into four categories of dual conveyance, isolated conveyance,
32 through-Delta conveyance with proposed diversion facility, and through-Delta conveyance with no
33 new diversion facilities. A fifth “other” category encompassed alternatives proposing other
34 technologies, including capping the California Aqueduct, use of an aboveground “tube” to convey
35 water, and desalination on barges in Monterey Bay. Not including the NOP identified alternatives
36 (Dual Conveyance Central Tunnel Alignment with 6,000-cfs 35 capacity and Dual Conveyance
37 Eastern Tunnel Alignment with 6,000-cfs capacity), a total of 21 alternatives were generated at this
38 stage. In some cases, multiple similar proposals were combined and evaluated as one. Each of the
39 screened alternatives is described in Final EIR, Volume 1, Appendix 3A, *Identification of Water
40 Conveyance Alternatives*.

41 The 21 potential alternatives to the proposed project were screened through a two-level filtering
42 process. Filter 1 assessed whether a proposed alternative could meet the project purpose and most
43 of the project objectives. Alternatives that met two or more of the following four Filter 1 criteria
44 summarizing the four project objectives were carried forward for screening under Filter 2. Final EIR,

1 Volume 1, Appendix 3A, Identification of Water Conveyance Alternatives, describes the following
2 Filter 1 criteria in more detail.

- 3 • **Climate resiliency.** Addresses anticipated sea level rise and other reasonably foreseeable
4 consequences of climate change and extreme weather events.
- 5 • **Seismic resiliency.** Minimizes health and safety risk to public from earthquake-caused
6 reductions in water delivery quality and quantity from the SWP.
- 7 • **Water supply reliability.** Restores and protects the ability of the SWP to deliver water in
8 compliance with regulatory limits and SWP contractual agreements.
- 9 • **Operational resiliency.** Provides operational flexibility to improve aquatic conditions and
10 manage future regulatory constraints.

11 Filter 2 examined whether the remaining alternatives would avoid or lessen potential significant
12 environmental impacts compared to the proposed project options identified in the NOP.

13 Of the 21 potential alternatives to the proposed project (identified in the NOP as Alternatives 1 and
14 3) that were evaluated as part of the screening process, 11 alternatives or groups were eliminated in
15 Filter 1 (Final EIR, Volume 1, Appendix 3A, *Identification of Water Conveyance Alternatives*, Table 3A-
16 2). The remaining alternatives were screened through Filter 2 to evaluate whether they had the
17 potential to lessen environmental impacts compared to the two project options (Alternatives 1 and
18 3) identified in the NOP (Final EIR, Volume 1, Appendix 3A, *Identification of Water Conveyance*
19 *Alternatives*, Table 3A-3). Only the Dual Conveyance Bethany Alignment alternative passed Filter 2
20 screening for its potential to avoid or reduce impacts compared to the proposed project identified in
21 the NOP (Alternatives 1 and 3). To evaluate the potential for modifications to the capacity of the
22 project options identified in the NOP to potentially avoid or reduce impacts, alternatives with
23 capacities of 3,000 cfs (Alternatives 2b and 4b), 4,500 cfs (Alternatives 2c and 4c), and 7,500 cfs
24 (Alternatives 2a and 4a) were also carried forward for analysis in the EIR. As a result, including the
25 No Project alternative, the EIR evaluates ten proposed alternatives to the Project.

26 **5.3.2 Release of, and Comments on, the Draft EIR**

27 The Draft EIR for the Project was released for public review and comment on July 27, 2022. The
28 public comment period for the Draft EIR was originally set for 92 days and scheduled to close on
29 October 27, 2022. In response to requests from multiple commenters, DWR granted a 50-day
30 extension to the public comment period, which closed at 5:00 p.m. Pacific Standard Time on
31 December 16, 2022. The extension allowed a public comment period totaling 142 days.

32 DWR conducted three public hearings on September 13, September 22, and September 28, 2022,
33 during different times of the day, during which DWR accepted verbal comments on the Draft EIR. In
34 addition, DWR held two Tribal representatives meetings, on October 12 and December 7, 2022, for
35 Tribal leadership, Tribal government representatives, and Tribal communities to provide verbal
36 comments on the Draft EIR.

37 DWR received approximately 675 unique letters and communications from federal, state, and
38 local/regional agencies; California Native American Tribal governments; elected officials;
39 nongovernmental organizations; and members of the public. After reviewing letters and
40 communications, DWR identified approximately 7,356 discrete comments.

1 The comments covered a broad range of environmental concerns and other issues. Major topic areas
2 that elicited frequent comments included but were not limited to: the CEQA process, mitigation
3 measures, and other project requirements; engagement with interested parties and the public
4 outreach process; alternatives development, range and description, including alternative
5 operations; implementation considerations; surface water quality and groundwater methodologies
6 and impacts; fish and aquatic resources methodology and impacts; terrestrial biological resources
7 methodology and impacts; Tribal cultural resources impacts; and air quality methodology and
8 impacts.

9 **5.3.3 Preparation of the Final EIR**

10 To ensure time for comment letters sent by mail, DWR treated all comment letters received before
11 January 1, 2023, as timely. As such, all comments received prior to January 1, 2023, are responded to
12 in Final EIR, Volume 2. Any comments received on or after January 1, 2023, were considered late
13 letters. While late letters have been reviewed and considered by DWR, DWR did not include late
14 letters, or responses thereto, in the Final EIR. The responses to comments provided in Final EIR,
15 Volume 2, represent DWR's best effort to review, consider, and address all timely comments on the
16 Draft EIR and any supporting information provided by commenters.

17 Agency consultation and coordination activities, including Tribal consultation, continued during
18 preparation of the Final EIR for the Project. DWR also continued to proactively engage interested
19 agencies and the public throughout the CEQA processes including preparing informative websites
20 and social media updates.

Project Specific Findings on the Delta Conveyance Project Environmental Impacts

Within each of the resource area chapters, the Final EIR lays out the significant environmental impacts of the Project. Each such environmental impact has its ultimate CEQA determination, that is, whether it would be less than significant, could be mitigated to a less than significant level through the implementation of proposed mitigation, or significant and unavoidable. Attached to this document as Exhibit A are three Findings Tables. Table 1 identifies significant and unavoidable impacts, Table 2 identifies significant impacts that can be rendered less than significant with mitigation, and Table 3 identifies impacts that are less than significant or no impact before mitigation. Within the tables, the verb “substantially lessen” is understood to mean “mitigate, but not to a less than significant level,” while the verb “avoid” is understood to mean “mitigated to a less than significant level.” These tables do not attempt to describe the full analysis of each environmental impact contained in the Final EIR. Rather, such full analysis can be found within the Final EIR, which, as noted earlier, is incorporated by reference herein. In making these findings, the Director of DWR ratifies, adopts, and incorporates into these findings the analysis and explanation in the Final EIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of those documents relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by Exhibit A to these Findings.

As noted above, all of the mitigation measures proposed in the Final EIR have been adopted and incorporated into the enforceable MMRP for the Project. (See Pub. Resources Code, § 21081.6, subs. (a)(1) and (b).) So too have both the generic and project-specific environmental commitments, and BMPs set forth in Final EIR, Volume 1, Appendix 3B, *Environmental Commitments and Best Management Practices*. No mitigation measures identified in the Final EIR have been rejected as infeasible as is permitted under CEQA Guidelines section 15091, subdivisions (a)(3) and (c).

6.1 Potentially Significant and Unavoidable Impacts

Mitigation measures are identified for most of the significant and unavoidable impacts, but the measures are not sufficient to reduce the impacts to less than significant levels. For one significant and unavoidable impact (Impact PALEO-2), there is no feasible mitigation available at all.

Other potential impacts are considered to be significant and unavoidable even though full implementation of recommended mitigation measures by other agencies or in cooperation with DWR would reduce the impacts to less than significant levels. This conservative characterization reflects the fact that several of these mitigation measures cannot be implemented by DWR by itself, but will be dependent on the reasonable cooperation of other agencies or entities. As explained in the Final EIR, if such cooperation is forthcoming, and DWR can work successfully with the other agencies or entities in question (e.g., by reaching written agreements where necessary), the impacts will ultimately be less than significant. But DWR has conservatively concluded in the EIR that these impacts will be significant and unavoidable.

1 Within Exhibit A to this document, Table 1 includes (1) all potentially significant and unavoidable
2 impacts associated with the Project, (2) adopted feasible mitigation measures or environmental
3 commitments, if available, intended to reduce the severity of such impacts, (3) characterization of
4 significance of the impact after the adoption of appropriate mitigation measures or environmental
5 commitments, if any, and (4) explanations of the nature of the impacts and the effectiveness of
6 mitigation measures or environmental commitments.

7 Even though the impacts in Table 1 will remain significant and unavoidable, DWR has determined to
8 approve the Project because the Project's benefits outweigh its significant unavoidable
9 environmental impacts. CEQA provides that, where a proposed project would cause significant
10 environmental impacts that cannot be avoided or substantially lessened, a public agency's decision
11 maker, after adopting proper findings, may nevertheless approve the project if the decision maker
12 first adopts a statement of overriding considerations. This latter document must set forth the
13 specific reasons why the agency decision maker finds the project's benefits outweigh its significant
14 unavoidable environmental impacts. The statement of overriding considerations for the Project is
15 included in these Findings in Chapter 8, *Statement of Overriding Considerations*, below.

16 **6.2 Potentially Significant Impacts Reduced to Less** 17 **than Significant**

18 As noted above, Table 2 within Exhibit A identifies significant impacts that can be reduced to less
19 than significant levels through the adoption and implementation of feasible mitigation measures or
20 environmental commitments. Table 2 includes: (1) all potentially significant impacts associated with
21 the Project, (2) adopted mitigation measures or environmental commitments that DWR finds would
22 avoid or substantially lessen such significant environmental impacts, (3) characterization of less
23 than significance of the impact after the adoption of mitigation measures or environmental
24 commitments, and (4) explanations of the nature of the impacts and the effectiveness of mitigation
25 measures or environmental commitments.

26 **6.3 Impacts that are Less than Significant or No** 27 **Impact**

28 Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub.
29 Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.) Based on substantial
30 evidence in the whole record of this proceeding, DWR finds that implementation of the Project will
31 not result in any significant impacts to the impact areas identified in Table 3 within Exhibit A and
32 that these impact areas, therefore, do not require mitigation. In some instances, the Project would
33 have no impact in a particular area; these instances are noted in the table.

Findings Regarding Alternatives to the Project

7.1 Basis for Alternatives-Feasibility Analysis

California Public Resources Code section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both (1) environmentally superior with respect to such significant, unavoidable effects and (2) feasible within the meaning of CEQA.

Under CEQA Guidelines section 15126.6, the alternatives to be discussed in detail in an EIR should be able to “feasibly attain most of the basic objectives of the project.” (See also *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1165-1166 “[i]n the CALFED program, feasibility is strongly linked to achievement of each of the primary program objectives [¶] ... [¶] a lead agency may structure its EIR alternative analysis around a reasonable definition of underlying purpose and need not study alternatives that cannot achieve that basic goal”.) For this reason, the project objectives described earlier in these Findings provided part of the policy framework by which DWR developed the alternatives analyzed in the EIR. In analyzing such alternatives in detail in the EIR, DWR took these objectives into account, while at the same time focusing on means of substantially lessening or avoiding significant environmental effects as required under CEQA.

The approach taken by DWR is consistent with the approach taken for other water conveyance projects in California as illustrated in the decision by the Second Appellate District in *California Water Impact Network v. City of San Buenaventura* (Jan. 4, 2023, Cal. Ct. App., B315362 [nonpub. opn.]) (CWIN). In CWIN, the City of Buenaventura (City) proposed and prepared an EIR for a seven-mile-long pipeline project to receive its contractual right to water from the SWP. (*Id.* at p. *1.) At the same time that the City was pursuing the pipeline project to connect to the SWP, the City was also pursuing and preparing an EIR for a separate project to increase local water sources including wastewater and groundwater treatment. (*Ibid.*) The purpose of the local water project was to increase the City’s overall water supply. (*Ibid.*)

Petitioner argued the City piecemealed environmental review by preparing a separate EIR for the local water supply project and/or that the pipeline project had to include alternatives evaluating local water supply options. (CWIN, *supra*, at pp. *2, *4.) The court rejected both arguments. First, as to the piecemealing claim, the court acknowledged that both the pipeline project and the proposed local water supply project concerned the City’s water supply. (*Id.* at p. *3.) However, the court held that the projects had independent utility because the projects involved “different source[s] of water, different infrastructure, and neither project [was] dependent on the completion of the other.” (*Ibid.*) Second, the court concluded that the pipeline project EIR did not require local water supply

1 alternatives because a basic goal of the project was to “bring SWP water to the City... [and] [l]ocal
2 water supply cannot meet the basic goal of bringing SWP water to the City.” (*Id.* at p. *4.)

3 Of relevance to the Delta Conveyance Project, the petitioner in *CWIN* alleged that the project
4 objectives were too narrow because one objective was to receive the City’s SWP entitlements, which
5 made “dependence on SWP water a fait accompli.” (See *CWIN*, supra, at p. *3.) Petitioner asserted
6 that the project objectives should have been drafted to more generally address the City’s water
7 supply and water quality needs and a narrow objective to receive SWP entitlements was improper.
8 (*Ibid.*) The court rejected the petitioner’s argument. Citing *San Diego Citizenry Group v. County of San*
9 *Diego* (2013) 219 Cal.App.4th 1, 14, the court held that “CEQA does not restrict an agency’s
10 discretion to identify and pursue a particular project designed to meet a particular set of objectives.
11 [Citation.] Thus, the City’s stated objectives are valid even if it means dependence on the SWP is a
12 fait accompli.” (*CWIN*, supra, at p. *3.)

13 Similar to the City’s objective in *CWIN* to pursue a project to receive SWP water, DWR is pursuing a
14 project to restore and protect the reliability of SWP water deliveries. This fundamental purpose of
15 the Project necessarily cannot be achieved by pursuing local water supply projects in other areas of
16 the State or by projects that otherwise do not address the existing threats to SWP’s reliability (e.g.,
17 sea level rise, seismicity, climate change and associated changes in weather patterns, and regulatory
18 constraints). Therefore, the EIR properly focuses on evaluating project alternatives that would, to
19 the extent potentially feasible, restore or protect the reliability of SWP water deliveries in
20 consideration of these existing threats. (See *Yerba Buena Neighborhood Consortium, LLC v. Regents of*
21 *the University of California* (2023) 95 Cal.App.5th 779, 712-717 [holding that CEQA did not require
22 the Regents to consider an offsite alternative for a new hospital that “would not adequately meet the
23 project’s objectives”].)

24 While the EIR considers project alternatives unrelated to restoring or protecting the reliability of
25 SWP water deliveries, as addressed in Final EIR, Volume 1, Appendix 3A, *Identification of Water*
26 *Conveyance Alternatives*, DWR rejected those alternatives as part of the EIR’s alternative screening
27 process because they did not meet most of the basic project objectives. Based on the extensive
28 alternatives screening process set forth in Final EIR, Volume 1, Appendix 3A, *Identification of Water*
29 *Conveyance Alternatives*, DWR developed, and addressed in detail, nine (9) alternatives and a No
30 Project Alternative.

31 Although an EIR must evaluate a reasonable range of *potentially* feasible alternatives, the lead
32 agency decision maker ultimately determines whether such alternatives are *actually* feasible. (See
33 *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 981, 999 (*CNPS*).)
34 “Feasible” is defined in CEQA as “capable of being accomplished in a successful manner within a
35 reasonable period of time, taking into account economic, environmental, social, and technological
36 factors.” (Pub. Resources Code, § 21061.1; see CEQA Guidelines, § 15364 [adding “legal” factors].) As
37 courts have noted, “[t]he ‘feasibility of ... alternatives must be evaluated within the context of the
38 proposed project.’” (E.g., *Sustainability, Parks, Recycling & Wildlife Legal Def. Fund v. San Francisco*
39 *Bay Conservation & Development Com.* (2014) 226 Cal.App.4th 905, 918 [omission in original].)

40 *The determination of whether an alternative is actually feasible may be based on several grounds. One*
41 *ground by which decision makers may reject an alternative as infeasible is that the alternative is*
42 *inconsistent with project objectives or does not fully meet such objectives. (In re Bay-Delta*
43 *Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1165-
44 1166; see also *CNPS*, supra, 177 Cal.App.4th at p. 1001 [“[A]n alternative ‘may be found infeasible on

1 the ground it is inconsistent with the project objectives as long as the finding is supported by
2 substantial evidence in the record.”]; *Save Panoche Valley v. San Benito County* (2013) 217
3 Cal.App.4th 503, 521-523; *Citizens for Open Government v. City of Lodi* (2012) 205 Cal.App.4th 296,
4 314-315.) Similarly, a decision maker may reject an alternative as infeasible if the decision maker
5 concludes, after a “reasonable balancing of the relevant economic, environmental, social, and
6 technological factors,” that the alternative is undesirable from a policy standpoint. (*City of Del Mar v.*
7 *City of San Diego* (1982) 133 Cal.App.3d 401, 417 (*City of Del Mar*); see also *Ctr. for Biological*
8 *Diversity v. California Dep’t of Conservation* (2019) 36 Cal.App.5th 210, 242; *CNPS, supra*, 177
9 Cal.App.4th at p. 1001; *San Diego Citizenry Group, supra*, 219 Cal.App.4th at pp. 17-18.) Thus, under
10 these principles, even if a project alternative would avoid or substantially lessen any or all of the
11 unavoidable significant environmental effects of a proposed project as mitigated, the decision
12 makers may nevertheless reject the alternative for such reasons.

13 7.2 Alternatives Addressed in the EIR

14 The nine (9) alternatives analyzed in the Final EIR differ in the location, design, and capacity of
15 conveyance facilities and improvements. With the exception of the CEQA No Project Alternative,
16 each of the alternatives selected for detailed evaluation in the EIR involves some level of
17 construction of conveyance facilities/improvements to the SWP. The following alternatives, as
18 described in detail in Final EIR, Volume 1, Chapter 3, *Description of the Proposed Project and*
19 *Alternatives*, were carried forward for detailed analysis in the Final EIR.

20 Alternatives (introduced in the Draft EIR):

- 21 • Alternative 1—Central Alignment, 6,000 cfs, Intakes B and C
- 22 • Alternative 2a—Central Alignment, 7,500 cfs, Intakes A, B, and C
- 23 • Alternative 2b—Central Alignment, 3,000 cfs, Intake C
- 24 • Alternative 2c—Central Alignment, 4,500 cfs, Intakes B and C
- 25 • Alternative 3—Eastern Alignment, 6,000 cfs, Intakes B and C
- 26 • Alternative 4a—Eastern Alignment, 7,500 cfs, Intakes A, B, and C
- 27 • Alternative 4b—Eastern Alignment, 3,000 cfs, Intake C
- 28 • Alternative 4c—Eastern Alignment, 4,500 cfs, Intakes B and C
- 29 • Alternative 5—Bethany Reservoir Alignment, 6,000 cfs, Intakes B and C (Project)

30 7.3 Summary Comparison

31 This summary comparison of significant and unavoidable impacts describes the severity and
32 magnitude of the project alternatives relative to the Project. The comparison focuses on two factors:
33 the number of relative impacts for each category (i.e., the number of impacts with a severity greater
34 than, equal to, or less than the Project) and the drivers for the differences in severity. The number of
35 impacts is used as a point of comparison because CEQA does not treat any category of
36 environmental effect as being more important than any other category and the comparison of
37 numbers provides an overall picture of the differences between the project alternatives and the

1 Project. The drivers are used in the comparison because they illuminate the fundamental differences
2 between the impacts of the Project and those of the project alternatives.

3 The primary drivers that provide insights into the differences between alternatives are the number
4 of intakes, the alignment, the length and diameter of the tunnel, the location of project facilities
5 relative to sensitive receptors, and the presence or absence of the Southern Complex. Each of these
6 drivers (except location relative to sensitive receptors) affects the amount of ground disturbance
7 associated with the alternative and the size of launch shaft sites, including amount and locations of
8 reusable tunnel material (RTM) stockpiles.

9 Table 2 below provides an overview of the differences in the number and severity of significant and
10 unavoidable impacts relative to the proposed project and drivers for those differences. Table 3
11 below compares in more detail the severity and magnitude of the significant and unavoidable
12 impacts of the project alternatives to the Project. The finding of significant and unavoidable is the
13 same across all alternatives (except for Impact AQ-6, which has a significant and unavoidable finding
14 only for Alternatives 2a and 4a), but the severity and magnitude of the impacts may differ by
15 alternative. Where quantitative data are available to compare alternatives and define the magnitude
16 of the impact, Table 3 below provides summary data, their unit of measure, and their source.

17 As shown in Tables 2 and 3 below, for five impacts, the Project has a lesser severity than all or most
18 project alternatives because it would:

- 19 ● Include only two intakes and no Southern Complex and would therefore affect fewer acres of
20 important farmland (Impact AG-1).
- 21 ● Not include the Bouldin Island launch and reception shaft, the Southern Complex on Byron
22 Tract, or the Southern Complex west of Byron Highway and therefore would have lesser impacts
23 on visual quality of public views (Impact AES-1) and scenic vistas (Impact AES-3). In addition,
24 the Bethany Reservoir would be constructed in a location with existing water infrastructure and
25 other facilities.
- 26 ● Have an alignment that would affect fewer identified built-environment historical resources
27 (Impact CUL-1) and archaeological resources (Impact CUL-3).

28 For those impacts for which the severity of all project alternatives is the same as the Project
29 (Impacts CUL-2, CUL-4, CUL-5 and Impacts TCR-1 and TCR-2), the impacts were of a type that
30 cannot be quantified because resources have not been inventoried or are important for reasons that
31 cannot be quantified, including cultural heritage.

32 For Impact TRANS-1, an equal number of project alternatives had per employee vehicle miles
33 traveled (VMT) greater than and less than the Project. The number of employees, and thus number
34 of vehicle trips generated during construction, is influenced by the duration and intensity of
35 construction, which differs among the alternatives. The location of the alignment also influences
36 VMT, with features constructed in more rural locations requiring longer employee vehicle trips, and
37 thus generating more VMT, than features proximate to urban areas.

38 As shown in Tables 2 and 3 below, for two impacts (Impact AG-2 and Impact PALEO-2), the Project
39 has a greater severity than all or most project alternatives because it would:

- 40 ● Have an alignment that would intersect with more acres of Williamson Act and Farmland
41 Security Zone acres and therefore result in the conversion of more acres when compared to
42 project alternatives.

- 1 • Have a longer tunnel alignment in geologic units with high sensitivity for paleontological
2 resources and therefore have greater potential to disturb paleontological resources when
3 compared to project alternatives.

4 The single impact for which the Project had a more severe impact than all but one of the project
5 alternatives was related to the number of receptors who would be affected by an increase in
6 ambient noise levels (Impact NOI-1). However, if improvements required to avoid significant
7 impacts are accepted by all eligible property owners, impacts would be less than significant with
8 mitigation.

9 A summarized comparison in Table 2 below of the multiple pollutants analyzed in Impact AQ-5
10 across multiple air districts and timeframes would not accurately reflect the differences for each of
11 those factors. For example, while Alternatives 2a and 4a would generally result in higher
12 concentrations of combustion pollutants, fugitive dust concentrations in the San Joaquin Valley Air
13 Pollution Control District (SJVAPCD) under Alternative 5 would be higher than most other
14 alternatives. This is because under Alternative 5, two launch shafts would be constructed at Lower
15 Roberts Island, effectively doubling the amount of earthmoving and vehicles traveling on unpaved
16 surfaces at this location, compared to all other proposed alternatives. Therefore, more detail is
17 provided regarding Impact AQ-5 in Table 3 below.

1 **Table 2. Overview of the Differences in the Number and Severity of Significant and Unavoidable**
 2 **Impacts Relative to the Project and the Drivers for Those Differences**

Impact(s)	Number of Alternatives with Impact Severity Greater or Equal to the Project	Project Drivers
CUL-2, CUL-4, CUL-5, TCR-1, and TCR-2	All Project Alternatives = Project	<ul style="list-style-type: none"> Severity cannot be distinguished because of uninventoried resources or resources that are important for reasons that cannot be quantified, including cultural heritage
AG-1, AES-1, AES-3, and CUL-3	All 8 Project Alternatives > Project	<ul style="list-style-type: none"> Absence of Southern Complex Absence of Bouldin Island launch and reception shaft, Southern Complex on Byron Tract, or Southern Complex west of Byron Highway
AES-2, AG-2, and AQ-6	2 Project Alternatives > Project	<ul style="list-style-type: none"> Presence of existing water infrastructure at Bethany Complex Fewer intakes visible from State Route 160 Fewer cultural resources in project footprint Absence of Intake A
CUL-1	5 Project Alternatives > Project	<ul style="list-style-type: none"> Duration and intensity of construction Location of the alignment (e.g., rural locations requiring longer employee vehicle trips)
TRANS-1	4 Project Alternatives > Project	<ul style="list-style-type: none"> Longer tunnel alignment requiring more disturbance of geologic with high sensitivity for paleontological resources
PALEO-2	3 Project Alternatives > Project	<ul style="list-style-type: none"> Construction near greater number of sensitive noise receptors
NOI-1	0 Project Alternatives > Project	

3 Note: Impact AQ-5 is not included in this table because of the complexity of comparing multiple pollutants,
 4 timeframes, and air districts across multiple alternatives.

1 **Table 3. Comparison of Significant and Unavoidable Impacts of Project Alternatives Relative to the Project (P)**

Potential Impact (includes units of measure when applicable)	Project Alternative 5, Bethany Reservoir Alignment, 6,000 cfs, Intakes B and C	Alternative 1, Central Alignment, 6,000 cfs, Intakes B and C	Alternative 2a, Central Alignment, 7,500 cfs, Intakes A, B, and C	Alternative 2b, Central Alignment, 3,000 cfs, Intake C	Alternative 2c, Central Alignment, 4,500 cfs, Intakes B and C	Alternative 3, Eastern Alignment, 6,000 cfs, Intakes B and C	Alternative 4a, Eastern Alignment, 7,500 cfs, Intakes A, B, and C	Alternative 4b, Eastern Alignment, 3,000 cfs, Intake C	Alternative 4c, Eastern Alignment, 4,500 cfs, Intakes B and C
Impact AG-1: Convert a Substantial Amount of Prime Farmland, Unique Farmland, Farmland of Local Importance, or Farmland of Statewide Importance as a Result of Construction of Water Conveyance Facilities (total acres) (Construction)	SU 2,340	Greater than P 3,793.5	Greater than P 4,124.40	Greater than P 3,308.50	Greater than P 3,661.80	Greater than P 3,464.70	Greater than P 3,819.50	Greater than P 2,943.70	Greater than P 3,318.30
Impact AG-2: Convert a Substantial Amount of Land Subject to Williamson Act Contract or under Contract in Farmland Security Zones to a Nonagricultural Use as a Result of Construction of Water Conveyance Facilities (acres converted) (Construction)	SU 1,217.80	Less than P 1,042.30	Greater than P 1,253.60	Less than P 881.30	Less than P 950.60	Less than P 1,142.50	Greater than P 1,355.20	Less than P 982.00	Less than P 1,051.20
Impact AES-1: Substantially Degrade the Existing Visual Character or Quality of Public Views (from Publicly Accessible Vantage Points) of the Construction Sites and Visible Permanent Facilities and Their Surroundings in Nonurbanized Areas (Construction and O&M)	SU	Greater than P	Greater than P	Greater than P	Greater than P	Greater than P	Greater than P	Greater than P	Greater than P
Impact AES-2: Substantially Damage Scenic Resources including, but Not Limited to, Trees, Rock Outcroppings, and Historic Buildings Visible from a State Scenic Highway (number of intakes) (Construction)	SU 2	Equal to P 2	Greater than P 3	Less than P 1	Equal to P 2	Equal to P 2	Greater than P 3	Less than P 1	Equal to P 2
Impact AES-3: Have Substantial Significant Impacts on Scenic Vistas (Construction and O&M)	SU	Greater than P	Greater than P	Greater than P	Greater than P	Greater than P	Greater than P	Greater than P	Greater than P
Impact AQ-5: Result in Exposure of Sensitive Receptors to Substantial Localized Criteria Pollutant Emissions (PM10) (highest project-level concentration in excess of the significant impact level [$\mu\text{g}/\text{m}^3$] across all timeframes [24-hour, annual] and standards [CAAQS, NAAQS]) (Construction)	SU (SMAQMD, 10)	Equal to P (SMAQMD, 10)	Greater than P (SMAQMD, 13)	Less than P (SMAQMD, 9)	Less than P (SMAQMD, 9)	Greater than P (SMAQMD, 12)	Greater than P (SMAQMD, 13)	Less than P (SMAQMD, 9)	Greater than P (SMAQMD, 9)
	(SJVAPCD, 111)	Less than P (SJVAPCD, 50)	Less than P (SJVAPCD, 55)	Less than P (SJVAPCD, 37)	Less than P (SJVAPCD, 45)	Equal to P (SJVAPCD, 111)	Equal to P (SJVAPCD, 111)	Less than P (SJVAPCD, 109)	Less than P (SJVAPCD, 110)
	(BAAQMD, 22)	Greater than P (BAAQMD, 94)	Greater than P (BAAQMD, 94)	Greater than P (BAAQMD, 94)	Greater than P (BAAQMD, 94)	Greater than P (BAAQMD, 94)	Greater than P (BAAQMD, 94)	Greater than P (BAAQMD, 94)	Greater than P (BAAQMD, 94)
Impact AQ-5: Result in Exposure of Sensitive Receptors to Substantial Localized Criteria Pollutant Emissions (PM2.5) (highest project-level concentration in excess of the significant impact level [$\mu\text{g}/\text{m}^3$] across all timeframes [24-hour, annual] and standards [CAAQS, NAAQS]) (Construction)	SU (SMAQMD, 1.0)	Greater than P (SMAQMD, 1.4)	Greater than P (SMAQMD, 1.3)	Greater than P (SMAQMD, 1.3)	Less than P (SMAQMD, 0.9)	Greater than P (SMAQMD, 1.5)	Greater than P (SMAQMD, 1.2)	Greater than P (SMAQMD, 1.3)	Less than P (SMAQMD, 0.9)
	(SJVAPCD, 9.3)	Less than P (SJVAPCD, 2.8)	Less than P (SJVAPCD, 2.7)	Less than P (SJVAPCD, 2.5)	Less than P (SJVAPCD, 2.3)	Equal to P (SJVAPCD, 9.3)	Equal to P (SJVAPCD, 9.3)	Equal to P (SJVAPCD, 9.3)	Equal to P (SJVAPCD, 9.3)
	(BAAQMD, 1.5)	Greater than P (BAAQMD, 8.6)	Greater than P (BAAQMD, 8.6)	Greater than P (BAAQMD, 8.6)	Greater than P (BAAQMD, 8.6)	Greater than P (BAAQMD, 8.6)	Greater than P (BAAQMD, 8.6)	Greater than P (BAAQMD, 8.6)	Greater than P (BAAQMD, 8.6)

Potential Impact (includes units of measure when applicable)	Project Alternative 5, Bethany Reservoir Alignment, 6,000 cfs, Intakes B and C	Alternative 1, Central Alignment, 6,000 cfs, Intakes B and C	Alternative 2a, Central Alignment, 7,500 cfs, Intakes A, B, and C	Alternative 2b, Central Alignment, 3,000 cfs, Intake C	Alternative 2c, Central Alignment, 4,500 cfs, Intakes B and C	Alternative 3, Eastern Alignment, 6,000 cfs, Intakes B and C	Alternative 4a, Eastern Alignment, 7,500 cfs, Intakes A, B, and C	Alternative 4b, Eastern Alignment, 3,000 cfs, Intake C	Alternative 4c, Eastern Alignment, 4,500 cfs, Intakes B and C
Impact AQ-5: Result in Exposure of Sensitive Receptors to Substantial Localized Criteria Pollutant Emissions (total 1-hour NO ₂ , NAAQS [µg/m ³]) (Construction)	SU (SJVAPCD) LTS (SMAQMD, BAAQMD)	SU (SJVAPCD) LTS (SMAQMD, BAAQMD)	SU (SJVAPCD) LTS (SMAQMD, BAAQMD)	SU (SJVAPCD) LTS (SMAQMD, BAAQMD)	SU (SJVAPCD) LTS (SMAQMD, BAAQMD)	LTS (SJVAPCD, SMAQMD, BAAQMD)	LTS (SJVAPCD, SMAQMD, BAAQMD)	LTS (SJVAPCD, SMAQMD, BAAQMD)	LTS (SJVAPCD, SMAQMD, BAAQMD)
	(SMAQMD, 134)	Less than P (SMAQMD, 133)	Greater than P (SMAQMD, 184)	Greater than P (SMAQMD, 143)	Less than P (SMAQMD, 133)	Less than P (SMAQMD, 133)	Greater than P (SMAQMD, 184)	Greater than P (SMAQMD, 143)	Less than P (SMAQMD, 133)
	(SJVAPCD, 218)	Greater than P (SJVAPCD, 243)	Greater than P (SJVAPCD, 243)	Greater than P (SJVAPCD, 243)	Greater than P (SJVAPCD, 243)	Less than P (SJVAPCD, 186)	Less than P (SJVAPCD, 186)	Less than P (SJVAPCD, 186)	Less than P (SJVAPCD, 186)
	(BAAQMD, 76)	Greater than P (BAAQMD, 80)	Greater than PP (BAAQMD, 80)	Greater than P (BAAQMD, 80)	Greater than P (BAAQMD, 80)	Greater than P (BAAQMD, 80)	Greater than P (BAAQMD, 80)	Greater than P (BAAQMD, 80)	Greater than P (BAAQMD, 80)
Impact AQ-6: Result in Exposure of Sensitive Receptors to Substantial Toxic Air Contaminant Emissions (maximum modeled excess cancer [potential cases per million] by air district) (Construction)	LTS	LTS	SU	LTS	LTS	LTS	SU	LTS	LTS
	(SMAQMD, 7)	Less than P (SMAQMD, 6)	Greater than P (SMAQMD, 16)	Less than P (SMAQMD, 4)	Less than P (SMAQMD, 2)	Less than P (SMAQMD, 6)	Greater than P (SMAQMD, 16)	Less than P (SMAQMD, 4)	Less than P (SMAQMD, 6)
	(SJVAPCD, 5)	Less than P (SJVAPCD, 2)	Less than P (SJVAPCD, 2)	Less than P (SJVAPCD, 2)	Greater than P (SJVAPCD, 6)	Less than P (SJVAPCD, 3)	Less than P (SJVAPCD, 3)	Less than P (SJVAPCD, 3)	Less than P (SJVAPCD, 3)
	(BAAQMD, 1)	Equal to P (BAAQMD, 1)	Greater than P (BAAQMD, 2)	Equal to P (BAAQMD, 1)	Equal to P (BAAQMD, 1)	Equal to P (BAAQMD, 1)	Greater than P (BAAQMD, 2)	Equal to P (BAAQMD, 1)	Equal to P (BAAQMD, 1)
	(YSAQMD, 1)	Equal to P (YSAQMD, 1)	Equal to P (YSAQMD, 1)	Equal to P (YSAQMD, 1)	Equal to P (YSAQMD, 1)	Equal to P (YSAQMD, 1)	Equal to P (YSAQMD, 1)	Equal to P (YSAQMD, 1)	Equal to P (YSAQMD, 1)
Impact CUL-1: Impacts on Built-Environment Historical Resources Resulting from Construction and Operation of the Project (number of resources) (Construction and O&M)	SU 6	Greater than P 10	Greater than P 13	Greater than P 8	Greater than P 10	Equal to P 6	Greater than P 9	Less than P 4	Equal to P 6
Impact CUL-2: Impacts on Unidentified and Unevaluated Built-Environment Historical Resources Resulting from Construction and Operation of the Project (number of resources) (Construction and O&M)	SU 88	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P
Impact CUL-3: Impacts on Identified Archaeological Resources Resulting from the Project (number of resources) (Construction)	SU 8	Greater than P 25	Greater than P 26	Greater than P 22	Greater than P 23	Greater than P 15	Greater than P 17	Greater than P 13	Greater than P 15
Impact CUL-4: Impacts on Unidentified Archaeological Resources That May Be Encountered in the Course of the Project (Construction)	SU	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P

Potential Impact (includes units of measure when applicable)	Project Alternative 5, Bethany Reservoir Alignment, 6,000 cfs, Intakes B and C	Alternative 1, Central Alignment, 6,000 cfs, Intakes B and C	Alternative 2a, Central Alignment, 7,500 cfs, Intakes A, B, and C	Alternative 2b, Central Alignment, 3,000 cfs, Intake C	Alternative 2c, Central Alignment, 4,500 cfs, Intakes B and C	Alternative 3, Eastern Alignment, 6,000 cfs, Intakes B and C	Alternative 4a, Eastern Alignment, 7,500 cfs, Intakes A, B, and C	Alternative 4b, Eastern Alignment, 3,000 cfs, Intake C	Alternative 4c, Eastern Alignment, 4,500 cfs, Intakes B and C
Impact CUL-5: Impacts on Buried Human Remains (Construction)	SU	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P
Impact NOI-1: Generate a Substantial Temporary or Permanent Increase in Ambient Noise Levels in the Vicinity of the Project in Excess of Standards Established in the Local General Plan or Noise Ordinance, or Applicable Standards of Other Agencies (number of receptors) (Construction)	SU* 408	Less than P 316	Less than P 361	Less than P 74	Less than P 316	Less than P 363	Equal to P 408	Less than P 121	Less than P 363
Impact PALEO-2: Cause Destruction of a Unique Paleontological Resource as a Result of Tunnel Construction and Ground Improvement (million loose cubic yards as a result of tunneling) (Construction)	SU 14.4	Less than P 13.9	Greater than P 18.4	Less than P 7.5	Less than P 10.7	Greater than P 14.8	Greater than P 19.5	Less than P 7.9	Less than P 11.3
Impact TCR-1: Impacts on the Delta Tribal Cultural Landscape Tribal Cultural Resource Resulting from Construction, Operations, and Maintenance of the Project Alternatives (Construction and O&M)	SU	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P
Impact TCR-2: Impacts on Individual Tribal Cultural Resources Resulting from Construction, Operations, and Maintenance of the Project Alternatives (Construction and O&M)	SU	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P
Impact TRANS-1: Increased Average VMT Per Construction Employee versus Regional Average (average VMT per construction employee) (Construction)	SU 25.77	Less than P 25.68	Greater than P 25.82	Greater than P 27.02	Less than P 24.91	Less than P 24.38	Greater than P 26.33	Greater than P 27.57	Less than P 25.06

1 µg/m³ = micrograms per cubic meter; BAAQMD = Bay Area Air Quality Management District; CAAQS = California ambient air quality standards; cfs = cubic feet per second; HI = hazard index; LTS = less than significant; NAAQS = national ambient air quality standards; NO₂ = nitrogen dioxide; NO_x = nitrogen oxides; O&M = operation and management; PM_{2.5} = particulate matter 2.5 microns in diameter or less; PM₁₀ = particulate matter 10 microns in diameter or less; P = project; SJVAPCD = San Joaquin Valley Air Pollution Control District; SMAQMD = Sacramento Metropolitan Air Quality Management District; SU = significant and unavoidable; VMT = vehicle miles traveled; YSAQMD = Yolo-Solano Air Quality Management District. The metrics reported in this table are for project alternatives only without implementation of the
 2
 3
 4 Compensatory Mitigation Plan (CMP) because as disclosed in the EIR the impacts associated with the CMP would be the same across all alternatives.

7.4 Environmentally Superior Alternative

CEQA Guidelines section 15126.6 requires that each EIR identify the “environmentally superior alternative” among those considered. If the No Project Alternative is identified as environmentally superior, then the EIR must also identify the environmentally superior alternative among the other alternatives. (CEQA Guidelines, § 15126.6, subd. (e)(2).)

As discussed in the Final EIR, the No Project Alternative would not result in the construction or operational related impacts discussed for the project alternatives but could result in impacts within the SWP service area and within the Delta that would not occur under the project alternatives.

The Project would, overall, result in less severe environmental impacts than the proposed project options identified in the NOP as well as the other alternatives analyzed in the EIR. Therefore, the Project is considered the environmentally superior alternative because it would reduce the severity of adverse environmental effects across a broad range of environmental resources and would not result in any significant and unavoidable environmental impacts that could be avoided by other feasible alternatives evaluated in the EIR.

The following discussion describes what DWR regards as the environmental pros and cons among the various project alternatives analyzed in the Final EIR by synthesizing the analysis of several of the environmental impacts discussed in Chapters 7 through 32 of the Final EIR, Volume 1.

As described in Chapter 2, *Purpose and Project Objectives*, the project alternatives evaluated in the Final EIR have the following objectives.

- To help address anticipated rising sea levels and other reasonably foreseeable consequences of climate change and extreme weather events.
- To minimize the potential for public health and safety impacts from reduced quantity and quality of SWP water deliveries, and potentially CVP water deliveries, south of the Delta as a result of a major earthquake that could cause breaching of Delta levees and the inundation of brackish water into the areas where existing SWP and CVP pumping plants operate in the southern Delta.
- To protect the ability of the SWP, and potentially the CVP, to deliver water when hydrologic conditions result in the availability of sufficient amounts of water, consistent with the requirements of state and federal law, including the ESA, CESA and Delta Reform Act, as well as the terms and conditions of water delivery contracts and other existing applicable agreements.
- To provide operational flexibility to improve aquatic conditions in the Delta and better manage risks of further regulatory constraints on project operations.

The project alternatives would reduce reliance on diversion from the existing south Delta pumps. Diversions at the project’s north Delta facilities would pass through state-of-the-art fish screens. Dual conveyance would provide operational flexibility that could reduce impacts of the SWP on aquatic species by, among other things, allowing operators to divert water at times and places—in either the north or the south—that protect those species at sensitive life stages.

Each project alternative involves a different set of environmental benefits and impacts. For example, the number of north Delta intakes associated with particular alternatives and the alignment of project features typically reflects a balance between localized construction-related, visual, and footprint-related impacts in the Delta against the system-wide environmental benefits associated

1 with improved reliability of SWP deliveries and meeting the project purpose and objectives.
2 Alternatives with two intakes would involve fewer localized in-Delta impacts than alternatives with
3 three intakes (Alternatives 2a and 4a). Other alternatives with two intakes (Alternatives 1, 2c, 3, 4c,
4 and 5) or with one intake (Alternatives 2b and 4b) would similarly reduce localized, in-Delta
5 impacts compared to alternatives with three intakes. However, alternatives with one intake
6 (Alternatives 2b and 4b) would not have the water supply reliability benefits expected of
7 alternatives with two or three intakes (Alternatives 1, 2a, 2c, 3, 4a, 4c, and 5).

8 Some of the environmental impacts related to temporary and permanent habitat or agricultural land
9 conversion would be fewer for Alternatives 1, 2b, 2c, 3, 4b, 4c, and 5 than for Alternatives 2a or 4a,
10 which would include three north Delta intakes. Alternatives with three intakes (Alternatives 2a and
11 4a) would result in the greatest number of acres of farmland conversion while alternatives with
12 fewer intakes (Alternatives 1, 2b, 2c, 3, 4b, and 4c) or that would not involve construction of a new
13 Southern Complex (Project) would have fewer acres of farmland conversion. Similarly, alternatives
14 with three intakes (Alternatives 2a and 4a) would cause the greatest amount of conversion of
15 Williamson Act contracted land compared to alternatives with one intake (Alternatives 2b and 4b),
16 which would result in the least amount of conversion of Williamson Act contracted land. Alternative
17 4b would have relatively fewer terrestrial biological impacts, and for some other biological
18 resources, would have the fewest quantified impacts of all alternatives (e.g., valley/foothill riparian,
19 greater and lesser sandhill cranes) primarily due to having only one intake and the associated
20 smaller reusable tunnel material impacts. Because the Project does not require construction of a
21 new Southern Forebay and a new South Delta Pumping Plant, it would affect substantially fewer
22 acres of wetlands compared to all other alternatives. The Project would also have substantially
23 fewer impacts on state and federally regulated aquatic resources compared to the other project
24 alternatives.

25 For some environmental resources analyzed, the project alignment and features drive the overall
26 impacts in addition to the number of intakes. For cultural resources, alternatives on the central
27 alignment (Alternatives 1, 2a, 2b, and 2c) affect a greater number of built-environment historical
28 resources than alternatives on the eastern or Bethany Reservoir alignments (Alternatives 3, 4a, 4b,
29 4c, and 5). The central alignment alternatives (Alternatives 1, 2a, 2b, and 2c) would generally result
30 in greater impacts on terrestrial biological resources relative to the eastern alignment alternatives
31 (Alternatives 3, 4a, 4b, and 4c) and the Bethany Reservoir alignment alternative (Project), which is
32 largely due to the improvements on Bouldin Island and road improvements throughout the central
33 alignment. Among all alternatives, the Project would result in the least amount of converted
34 farmland because it does not require construction of a new Southern Complex and Southern
35 Forebay.

36 The construction of the Southern Complex for Alternatives 1, 2a, 2b, 2c, 3, 4a, 4b, and 4c is another
37 important variable that contributes to localized impacts. Alternative 2a would result in the greatest
38 impacts on terrestrial biological resources, which would be primarily due to the construction
39 activities on Bouldin Island and the Southern Complex, whereas the Project, which does not require
40 the construction of a forebay, would have the fewest impacts on terrestrial biological resources,
41 wetlands, and waters of the United States. For cultural resources, the Project's Bethany Reservoir
42 alignment would affect the fewest eligible built-environmental historical resources and fewest
43 archaeological sites compared to all other project alternatives because it would not require
44 construction of a new forebay. The Project would result in the fewest acres with land use
45 incompatibilities compared to all other alternatives that require construction of the Southern
46 Forebay at the Southern Complex.

1 There could also be some environmental benefits that would occur under all project alternatives
2 because of the operational flexibility that would be possible with the north Delta intakes. The
3 addition of north Delta intakes to the existing diversion facilities in the south would provide system
4 operators the flexibility to divert water from the north or south depending on which is better for
5 sensitive fish species at different times of year and under different hydrological conditions. Dual
6 conveyance also allows flexibility in water diversions when regulatory restrictions limit the ability
7 to divert water from either the north or south, thus enabling the goal of increasing water supply
8 reliability.

9 All of the project alternatives would create temporary and permanent changes to the Delta
10 environment from construction that in most cases would be mitigated to less-than-significant levels,
11 although several impacts are considered significant and unavoidable. All of the project alternatives
12 would also improve Delta roadways and bridges, and improve water supply infrastructure that is of
13 statewide importance.

14 As described above, there are different sets of environmental tradeoffs among the project
15 alternatives. Among the project alternatives evaluated in the Final EIR, the Project, on the Bethany
16 Reservoir alignment, overall lessens impacts in relation to temporary and permanent effects on the
17 Delta environment, including minimizing impacts on wetlands and other waters of the United States,
18 agriculture (Impact AG-1), aesthetic (Impacts AES-1 and 3), and cultural and historical resources
19 (Impact CUL-3). Therefore, of the project alternatives, the Project is considered the environmentally
20 superior alternative.

21 **7.5 Infeasibility of Alternatives Other than the** 22 **Project**

23 CEQA vests the final decision-making authority over a project with the designated lead agency
24 decision-making body or official, who must act consistently with his or her agency's statutory
25 function and powers. As the California Supreme Court stated in acknowledging the limits of its own
26 review function, "[t]he wisdom of approving ... any ... project" is "a delicate task which requires a
27 balancing of interests," and "is necessarily left to the sound discretion of the [public] officials and
28 their constituents who are responsible for such decisions." (*Citizens of Goleta Valley v. Board of*
29 *Supervisors* (1990) 52 Cal.3d 553, 576.)

30 As explained earlier, a decision maker's assessment of the "actual feasibility" of EIR alternatives can
31 involve the "reasonable balancing of the relevant economic, environmental, social, and technological
32 factors" associated with a proposed project. (*City of Del Mar, supra*, 133 Cal.App.3d at p. 417.) Based
33 on such a balancing process, a decision maker may conclude that an alternative, being "undesirable"
34 from a policy standpoint, is infeasible within the meaning of CEQA. (*CNPS, supra*, 177 Cal.App.4th at
35 pp. 981, 999, 1001; *City of Del Mar, supra*, 133 Cal.App.3d at p. 417; *San Diego Citizenry Group, supra*,
36 219 Cal.App.4th at pp. 17-18; *Sustainability, Parks, Recycling & Wildlife Legal Def. Fund v. San*
37 *Francisco Bay Conservation & Dev. Com.* (2014) 226 Cal.App.4th 905, 917-918.) In making such
38 determinations, the decision maker may also consider the extent to which an alternative meets
39 project objectives. (*CNPS, supra*, 177 Cal.App.4th at p. 1001 ["[A]n alternative 'may be found
40 infeasible on the ground it is inconsistent with the project objectives as long as the finding is
41 supported by substantial evidence in the record.'"]; see also *Save Panoche Valley, supra*, 217
42 Cal.App.4th at pp. 521-523; and *Citizens for Open Government, supra*, 205 Cal.App.4th at pp. 314-

1 315.) Under these principles, a decision maker may reject an alternative as infeasible even if the
2 alternative would avoid or substantially lessen one or more of the unavoidable significant
3 environmental effects of a proposed project as mitigated.

4 “CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social,
5 technological, or other benefits, *including region-wide or statewide environmental benefits*, of a
6 proposed project against its unavoidable environmental risks when determining whether to
7 approve the project.” (CEQA Guidelines, § 15093, subd. (a), italics added.) Thus, decision makers
8 often find themselves balancing competing environmental considerations as well as competing
9 economic and social considerations.

10 The Project and its alternatives indeed present all of these categories of competing considerations.
11 DWR, through its Director, has therefore undertaken a deliberative process to balance such
12 competing considerations against each other in light of project objectives and state and federal law.
13 In addition to finding that the Project is the environmentally superior alternative (as discussed
14 above in Section 7.4, *Environmentally Superior Alternative*), DWR rejects the other alternatives set
15 forth in the EIR, and discussed further below, because the Director finds that there is substantial
16 evidence, including evidence of economic, legal, social, technological, and other considerations
17 described in this section and elsewhere in the record on these proceedings under CEQA Guidelines
18 section 15091, subdivision (a)(3), that make the alternatives infeasible. Set forth below are the
19 Director’s conclusions with respect to each of the alternatives considered in the Final EIR.

20 As discussed above, the Project is considered the environmentally superior alternative.

21 Therefore, the discussion below mainly focuses on infeasibility related to the fundamental purpose
22 and objectives and other feasibility or policy considerations.

23 **7.5.1 Rejection of Alternative 1: 6,000 cfs Central Alignment** 24 **with Intakes B and C**

25 **7.5.1.1 Fundamental Purpose and Objectives**

26 The extent to which this alternative can achieve the project purpose and objectives is comparable to
27 the Project because it has the same water conveyance capacity as the Project.

28 **7.5.1.2 Other Feasibility/Policy Considerations**

29 The Central Alignment’s proximity to existing access road infrastructure is less ideal than the
30 Eastern and Bethany alignments, which are accessible to Interstate 5. This could make access for
31 construction more difficult and construction more laborious than on the Eastern or Bethany
32 alignments.

33 This alternative includes the construction of a Southern Forebay, which inherently requires more
34 construction and results in greater impacts than the Project, which does not require the
35 construction of a Southern Forebay. More construction would result in a greater environmental
36 footprint and potentially greater local community impacts.

37 Through its Director, DWR rejects Alternative 1 on each of the above grounds. The Director finds
38 that each of the above reasons is a sufficient independent ground for rejecting Alternative 1 as
39 infeasible.

1 **7.5.2 Rejection of Alternative 2a: 7,500 cfs Central Alignment** 2 **with Intakes A-C**

3 **7.5.2.1 Fundamental Purpose and Objectives**

4 This alternative would have similar potential to achieve SWP water supply reliability as the Project.
5 However, it would have additional benefits for the CVP because it has an additional intake that
6 would provide capacity for CVP water deliveries.

7 **7.5.2.2 Other Feasibility/Policy Considerations**

8 Unlike the Project, Alternative 2a would have an additional significant and unavoidable impact:
9 Impact AQ-6, *Result in Exposure of Sensitive Receptors to Substantial Toxic Air Contaminant Emissions*.

10 The Central Alignment's proximity to existing access road infrastructure is less ideal than the
11 Eastern and Bethany alignments, which are accessible to Interstate 5. This could make access for
12 construction more difficult and construction more laborious than on the Eastern or Bethany
13 alignments.

14 Because this alternative involves the construction of an additional intake, it would result in greater
15 impacts. These impacts include a greater environmental footprint and potentially greater local
16 community impacts.

17 This alternative also includes the construction of a Southern Forebay, which inherently requires
18 more construction and results in greater impacts than the Project, which does not require the
19 construction of a Southern Forebay. More construction would result in a greater environmental
20 footprint and potentially greater local community impacts.

21 Through its Director, DWR rejects Alternative 2a on each of the above grounds. The Director finds
22 that each of the above reasons is a sufficient independent ground for rejecting Alternative 2a as
23 infeasible.

24 **7.5.3 Rejection of Alternative 2b: 3,000 cfs Central Alignment** 25 **with Intake C**

26 **7.5.3.1 Fundamental Purpose and Objectives**

27 This alternative would not achieve the Project's purpose of water supply reliability as effectively as
28 the Project because it has one less intake and 3,000 cfs less capacity of water conveyance compared
29 to the Project.

30 Alternative 2b would be less capable of meeting the Project's objective of addressing anticipated
31 rising sea levels and other reasonably foreseeable consequences of climate change and extreme
32 weather events. If salinity intrusion were to prevent the use of the existing south Delta pumps,
33 Alternative 2b would have less conveyance capacity to be able to provide water supply reliability to
34 the SWP when compared to the Project. Additionally, Alternative 2b would be less capable of
35 protecting the SWP from future climatic change and mitigating system losses due to changing
36 precipitation patterns and seasonal runoff due to climate change, compared to the Project, due to its
37 lower maximum capacity. Alternative 2b would have less overall capacity to capture excess flows in

1 the system and divert periodic and significant excess flows when southern Delta pumping is
2 currently restricted. Therefore, Alternative 2b would also be less capable of protecting the ability of
3 the SWP to deliver water when hydrologic conditions result in the availability of sufficient amounts
4 of water, compared to the Project.

5 In the event of catastrophic levee failures from seismic activities (which could temporarily disrupt
6 water supply by ceasing diversions from the SWP's current point of diversion in the south Delta),
7 Alternative 2b would be less capable of minimizing the potential for public health and safety impacts
8 from reduced quantity and quality of SWP water deliveries south of the Delta, compared to the
9 Project, due to its lower maximum capacity.

10 Because Alternative 2b has only one intake and a lower maximum capacity, it would also provide
11 less operational flexibility to improve aquatic conditions in the Delta for sensitive fish species and
12 less operational flexibility to better manage risks of further regulatory constraints on project
13 operations.

14 **7.5.3.2 Other Feasibility/Policy Considerations**

15 The Central Alignment's proximity to existing access road infrastructure is less ideal than the
16 Eastern and Bethany alignments, which are accessible to Interstate 5. This could make access for
17 construction more difficult and construction more laborious than on the Eastern or Bethany
18 alignments.

19 This alternative includes the construction of a Southern Forebay, which inherently requires more
20 construction and results in greater impacts than the Project, which does not require the
21 construction of a Southern Forebay. More construction would result in a greater environmental
22 footprint and potentially greater local community impacts.

23 Through its Director, DWR rejects Alternative 2b on each of the above grounds. The Director finds
24 that each of the above reasons is a sufficient independent ground for rejecting Alternative 2b as
25 infeasible.

26 **7.5.4 Rejection of Alternative 2c: 4,500 cfs Central Alignment** 27 **with Intakes B and C**

28 **7.5.4.1 Fundamental Purpose and Objectives**

29 This alternative would not achieve the project's purpose of water supply reliability as effectively as
30 the Project because it has 1,500 cfs less capacity of water conveyance.

31 Alternative 2c would be less capable of meeting the Project's objective of addressing anticipated
32 rising sea levels and other reasonably foreseeable consequences of climate change and extreme
33 weather events. If salinity intrusion were to prevent the use of the existing south Delta pumps,
34 Alternative 2c would have less conveyance capacity to be able to provide water supply reliability to
35 the SWP when compared to the Project. Additionally, Alternative 2c would be less capable of
36 protecting the SWP from future climatic change and mitigating system losses due to changing
37 precipitation patterns and seasonal runoff due to climate change, compared to the Project, due to its
38 lower maximum capacity. Alternative 2c would have less overall capacity to capture excess flows in
39 the system and divert periodic and significant excess flows when southern Delta pumping is
40 currently restricted. Therefore, Alternative 2c would also be less capable of protecting the ability of

1 the SWP to deliver water when hydrologic conditions result in the availability of sufficient amounts
2 of water, compared to the Project.

3 In the event of catastrophic levee failures from seismic activities (which could temporarily disrupt
4 water supply by ceasing diversions from the SWP's current point of diversion in the south Delta),
5 Alternative 2c would be less capable of minimizing the potential for public health and safety impacts
6 from reduced quantity and quality of SWP water deliveries south of the Delta, compared to the
7 Project, due to its lower maximum capacity.

8 Because Alternative 2c has a lower maximum capacity, it would also provide less operational
9 flexibility to improve aquatic conditions in the Delta and less operational flexibility to better manage
10 risks of further regulatory constraints on project operations.

11 **7.5.4.2 Other Feasibility/Policy Considerations**

12 The Central Alignment's proximity to existing access road infrastructure is less ideal than the
13 Eastern and Bethany alignments, which are accessible to Interstate 5. This could make access for
14 construction more difficult and construction more laborious than on the Eastern or Bethany
15 alignments.

16 This alternative includes the construction of a Southern Forebay, which inherently requires more
17 construction and results in greater impacts than the Project, which does not require the
18 construction of a Southern Forebay. More construction would result in a greater environmental
19 footprint and potentially greater local community impacts.

20 Through its Director, DWR rejects Alternative 2c on each of the above grounds. The Director finds
21 that each of the above reasons is a sufficient independent ground for rejecting Alternative 2c as
22 infeasible.

23 **7.5.5 Rejection of Alternative 3: 6,000 cfs Eastern Alignment** 24 **with Intakes B and C**

25 **7.5.5.1 Fundamental Purpose and Objectives**

26 The extent to which this alternative can achieve the project purpose and objectives is comparable to
27 the Project because it has the same water conveyance capacity as the Project.

28 **7.5.5.2 Other Feasibility/Policy Considerations**

29 This alternative includes the construction of a Southern Forebay, which inherently requires more
30 construction and results in greater impacts than the Project, which does not require the
31 construction of a Southern Forebay. More construction would result in a greater environmental
32 footprint and potentially greater local community impacts.

33 Through its Director, DWR rejects Alternative 3 on each of the above grounds. The Director finds
34 that each of the above reasons is a sufficient independent ground for rejecting Alternative 3 as
35 infeasible.

1 **7.5.6 Rejection of Alternative 4a: 7,500 cfs Eastern Alignment** 2 **with Intakes A-C**

3 **7.5.6.1 Fundamental Purpose and Objectives**

4 This alternative would have similar potential to achieve SWP water supply reliability as the Project.
5 However, it would have additional benefits for the CVP because it has an additional intake that
6 would provide capacity for CVP water deliveries.

7 **7.5.6.2 Other Feasibility/Policy Considerations**

8 Unlike the proposed project, Alternative 4a would have an additional significant and unavoidable
9 impact: Impact AQ-6, Result in Exposure of Sensitive Receptors to Substantial Toxic Air Contaminant
10 Emissions.

11 Because this alternative involves the construction of an additional intake, it would result in greater
12 impacts. These impacts include a greater environmental footprint and potentially greater local
13 community impacts.

14 This alternative includes the construction of a Southern Forebay, which inherently requires more
15 construction and results in greater impacts than the Project, which does not require the
16 construction of a Southern Forebay. More construction would result in a greater environmental
17 footprint and potentially greater local community impacts.

18 Through its Director, DWR rejects Alternative 4a on each of the above grounds. The Director finds
19 that each of the above reasons is a sufficient independent ground for rejecting Alternative 4a as
20 infeasible.

21 **7.5.7 Rejection of Alternative 4b: 3,000 cfs Eastern Alignment** 22 **with Intake C**

23 **7.5.7.1 Fundamental Purpose and Objectives**

24 This alternative would not achieve the Project's purpose of water supply reliability as effectively as
25 the Project because it has one less intake and 3,000 cfs less capacity of water conveyance compared
26 to the Project.

27 Alternative 4b would be less capable of meeting the Project's objective of addressing anticipated
28 rising sea levels and other reasonably foreseeable consequences of climate change and extreme
29 weather events. If salinity intrusion were to prevent the use of the existing south Delta pumps,
30 Alternative 4b would have less conveyance capacity to be able to provide water supply reliability to
31 the SWP when compared to the Project. Additionally, Alternative 4b would be less capable of
32 protecting the SWP from future climatic change and mitigating system losses due to changing
33 precipitation patterns and seasonal runoff due to climate change, compared to the Project, due to its
34 lower maximum capacity. Alternative 4b would have less overall capacity to capture excess flows in
35 the system and divert periodic and significant excess flows when southern Delta pumping is
36 currently restricted. Therefore, Alternative 4b would also be less capable of protecting the ability of
37 the SWP to deliver water when hydrologic conditions result in the availability of sufficient amounts
38 of water, compared to the Project.

1 In the event of catastrophic levee failures from seismic activities (which could temporarily disrupt
2 water supply by ceasing diversions from the SWP's current point of diversion in the south Delta),
3 Alternative 4b would be less capable of minimizing the potential for public health and safety impacts
4 from reduced quantity and quality of SWP water deliveries south of the Delta, compared to the
5 Project, due to its lower maximum capacity.

6 Because Alternative 4b has only one intake and a lower maximum capacity, it would also provide
7 less operational flexibility to improve aquatic conditions in the Delta and less operational flexibility
8 to better manage risks of further regulatory constraints on project operations.

9 **7.5.7.2 Other Feasibility/Policy Considerations**

10 This alternative includes the construction of a Southern Forebay, which inherently requires more
11 construction and results in greater impacts than the Project, which does not require the
12 construction of a Southern Forebay. More construction would result in a greater environmental
13 footprint and potentially greater local community impacts.

14 Through its Director, DWR rejects Alternative 4b on each of the above grounds. The Director finds
15 that each of the above reasons is a sufficient independent ground for rejecting Alternative 4b as
16 infeasible.

17 **7.5.8 Rejection of Alternative 4c: 4,500 cfs Eastern Alignment** 18 **with Intakes B and C**

19 **7.5.8.1 Fundamental Purpose and Objectives**

20 This alternative would not achieve the project's purpose of water supply reliability as effectively as
21 the Project because it has 1,500 cfs less capacity of water conveyance.

22 Alternative 4c would be less capable of meeting the Project's objective of addressing anticipated
23 rising sea levels and other reasonably foreseeable consequences of climate change and extreme
24 weather events. If salinity intrusion were to prevent the use of the existing south Delta pumps,
25 Alternative 4c would have less conveyance capacity to be able to provide water supply reliability to
26 the SWP when compared to the Project. Additionally, Alternative 4c would be less capable of
27 protecting the SWP from future climatic change and mitigating system losses due to changing
28 precipitation patterns and seasonal runoff due to climate change, compared to the Project, due to its
29 lower maximum capacity. Alternative 4c would have less overall capacity to capture excess flows in
30 the system and divert periodic and significant excess flows when southern Delta pumping is
31 currently restricted. Therefore, Alternative 4c would also be less capable of protecting the ability of
32 the SWP to deliver water when hydrologic conditions result in the availability of sufficient amounts
33 of water, compared to the Project.

34 In the event of catastrophic levee failures from seismic activities (which could temporarily disrupt
35 water supply by ceasing diversions from the SWP's current point of diversion in the south Delta),
36 Alternative 4c would be less capable of minimizing the potential for public health and safety impacts
37 from reduced quantity and quality of SWP water deliveries south of the Delta, compared to the
38 Project, due to its lower maximum capacity.

1 Because Alternative 4c has a lower maximum capacity, it would also provide less operational
2 flexibility to improve aquatic conditions in the Delta and less operational flexibility to better manage
3 risks of further regulatory constraints on project operations.

4 **7.5.8.2 Other Feasibility/Policy Considerations**

5 This alternative includes the construction of a Southern Forebay, which inherently requires more
6 construction and results in greater impacts than the Project, which does not require the
7 construction of a Southern Forebay. More construction would result in a greater environmental
8 footprint and potentially greater local community impacts.

9 Through its Director, DWR rejects Alternative 4c on each of the above grounds. The Director finds
10 that each of the above reasons is a sufficient independent ground for rejecting Alternative 4c as
11 infeasible.

12 **7.5.9 Rejection of No Project Alternative**

13 **7.5.9.1 Fundamental Purpose and Objectives**

14 As described in Final EIR, Volume 1, Chapter 4, *Framework for the Environmental Analysis*, the No
15 Project Alternative analyses evaluate a scenario that includes climate change and sea level rise, as
16 well as projects that may occur within the SWP service area if the Delta Conveyance Project does not
17 move forward.

18 The No Project Alternative fails to meet DWR's fundamental purpose of "restor[ing] and protect[ing]
19 the reliability of SWP water deliveries and, potentially, CVP water deliveries south of the Delta
20 consistent with the State's Water Resilience Portfolio (California Natural Resources Agency et al.
21 2020) by addressing the seismic risks, sea level rise, and other reasonably foreseeable consequences
22 of climate change and extreme weather events in a cost effective manner." This alternative also fails
23 to meet any of the four specific project objectives described in Chapter 2, *Purpose and Project*
24 *Objectives*, of "help[ing] address anticipated rising sea levels and other reasonably foreseeable
25 consequences of climate change and extreme weather events; and "minimiz[ing] the potential for
26 public health and safety impacts from reduced quantity and quality of SWP water deliveries, and
27 potentially CVP water deliveries, south of the Delta as a result of a major earthquake that could
28 cause breaching of Delta levees and the inundation of brackish water into the areas where existing
29 SWP and CVP pumping plants operate in the southern Delta"; and "protect[ing] the ability of the
30 SWP, and potentially the CVP, to deliver water when hydrologic conditions result in the availability
31 of sufficient amounts of water, consistent with the requirements of the state and federal law,
32 including the ESA, CESA and Delta Reform Act, as well as the terms and conditions of water delivery
33 contracts and other existing applicable agreements"; and "provid[ing] operational flexibility to
34 improve aquatic conditions in the Delta and better manage risks of further regulatory constraints on
35 project operations."

36 **7.5.9.2 Other Feasibility/Policy Considerations**

37 The No Project Alternative would leave the SWP system subject to potentially catastrophic
38 consequences in the event of a major earthquake leading to levee breaks, inundation of Delta
39 islands, and prolonged disruptions of exports that could require environmentally damaging
40 emergency measures south of the Delta to provide water (California Department of Water Resources

1 2008b). Even in the absence of an event that catastrophically alters the hydrology of the Delta,
2 climate change and anticipated sea level rise could be expected to gradually limit the operation of
3 the SWP water pumps in the south Delta (California Department of Water Resources 2018).
4 Consequently, additional releases from upstream reservoirs are expected to be necessary to provide
5 the fresh water needed to meet current salinity standards (California Department of Water
6 Resources 2018). While water users have previously relied on groundwater to supplement surface
7 water supplies when operation of the SWP is limited by regulations to improve aquatic conditions,
8 groundwater pumping is now managed under the Sustainable Groundwater Management Act
9 requirements, which would have implications for meeting water supply demands depending on the
10 designation of a groundwater basin Chapter 8, *Groundwater*, Section 8.3.2.1, *No Project Alternative*).
11 As described in in the No Project Alternative discussions in Final EIR, Volume 1, Chapters 7 through
12 32, water managers in urban export areas could respond to diminished deliveries by taking other
13 actions, such as the construction of recycled water facilities and desalination plants, that would
14 create their own negative environmental effects, including consumption of large amounts of
15 greenhouse gas-generating fossil fuels, brine discharge, and for desalination plants, potential
16 entrainment of aquatic species.

17 Through its Director, DWR rejects the No Project Alternative on each of the above grounds. The
18 Director finds that each of the above reasons is a sufficient independent ground for rejecting the No
19 Project Alternative as infeasible.

20 **7.5.10 Alternatives Considered but Rejected from Further** 21 **Consideration**

22 **7.5.10.1 Fundamental Purpose and Objectives**

23 As discussed above in Section 5.3.1, *Alternatives Development and Screening Process*, DWR identified
24 and screened a range of alternatives based on the project purpose and objectives, as defined in the
25 NOP. The screening criteria were developed consistent with the legal requirements of CEQA and the
26 project objectives included in the NOP published on January 15, 2020. The following alternatives did
27 not pass the first of two screening filters and were rejected, as they do not meet most of the project's
28 objectives:

- 29 ● Dual Conveyance Tunnel with New Intakes at Fremont Weir and Decker Island
- 30 ● Dual Conveyance with New Intakes at Decker Island
- 31 ● Isolated Conveyance New Intakes at Fremont Weir and Decker Island
- 32 ● Isolated Conveyance with San Joaquin River intake
- 33 ● Western Delta Intake Concept
- 34 ● SolAgra Water Solution
- 35 ● Portfolio-Based Proposed including Water Conveyance Facilities
- 36 ● Through-Delta Conveyance No New Diversion Facility (with Barriers)
- 37 ● Through-Delta Conveyance with No New Diversion Facility—New Fish Handling Facilities at
38 Clifton Court Forebay
- 39 ● Portfolio Approach without Water Conveyance Facilities

- 1 • Integration of Water Conveyance with Other Projects

2 **7.5.10.2 Other Feasibility/Policy Considerations**

3 The following alternatives passed the first filter but did not pass the second filter, as they do not
4 avoid or substantially lessen impacts compared to the alternatives evaluated in the EIR:

- 5 • Dual Conveyance East Canal
- 6 • Dual Conveyance West Canal
- 7 • Dual Conveyance with New Intakes at Sacramento Weir
- 8 • Isolated Conveyance Tunnel with Sacramento River Intakes
- 9 ○ Isolated Conveyance West Canal with Sacramento River Intakes
- 10 ○ Isolated Conveyance East Canal with Sacramento River Intakes
- 11 ○ Isolated Conveyance East Canal with Feather River Intakes
- 12 • A Water Plan for All of California
- 13 • Alternative locations for diversion facilities along the Sacramento River in the north Delta

14 For the foregoing reasons, DWR rejects all the alternatives to the Project considered in the EIR,
15 including the alternatives considered but rejected from further consideration in the EIR, as
16 infeasible. As explained above, these alternatives would have greater environmental impacts
17 compared to the Project and/or would not meet the project goals or objectives, or would not achieve
18 them to the same degree as the Project, and/or are found to be infeasible on the basis of additional
19 grounds discussed above. DWR further finds that, out of all of the alternatives considered, the
20 Project strikes the optimal balance between attainment of project goals and objectives, competing
21 environmental and economic impacts and benefits, and best achieves the coequal goals set forth in
22 the Delta Reform Act of providing a more reliable water supply for California and protecting,
23 restoring, and enhancing the Delta ecosystem.

Chapter 10

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CEQA Findings of Fact for the Project’s Significant and Unavoidable Impacts, Impacts that are Less Than Significant after Mitigation and Impacts that are Less Than Significant/No Impact

Table 1: CEQA Findings of Fact for Significant and Unavoidable Project Impacts

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Adopted Mitigation Measures	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Agricultural Resources				
Impact AG-1: Convert a Substantial Amount of Prime Farmland, Unique Farmland, Farmland of Local Importance, or Farmland of Statewide Importance as a Result of Construction of Water Conveyance Facilities	Significant	MM AG-1: Preserve Agricultural Land	Significant and Unavoidable	<p>Mitigation Measure AG-1: Preserve Agricultural Land would reduce the extent of the remaining impacts that could not be avoided through careful project planning. However, these impacts would remain significant and unavoidable after implementation of the mitigation measures because conservation of agricultural farmland through acquisition of agricultural conservation easements, even at a ratio of 1:1 or greater, would not avoid a net loss of Important Farmland in the study area.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.</p>
Impact AG-2: Convert a Substantial Amount of Land Subject to Williamson Act Contract or under Contract in Farmland Security Zones to a Nonagricultural Use as a Result of Construction of Water Conveyance Facilities	Significant	MM AG-1: Preserve Agricultural Land	Significant and Unavoidable	<p>Project facilities would result in permanent conversion of around 1,100 acres of land under Williamson Act contract.</p> <p>There is projected to be temporary or permanent conversion of approximately 39 acres of agricultural land within a Farmland Security Zone under the Project. The permanent impacts on land under contract with Farmland Security Zone would be associated with the shaft sites and new overhead power transmission lines, while the temporary impacts would result from work associated with geotechnical exploration sites and underground installation of utility lines.</p> <p>DWR would comply with all applicable provisions of California Government Code Sections 51290–51295 as they pertain to acquiring lands subject to Williamson Act contract.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.</p>
Aesthetics and Visual Resources				
Impact AES-1: Substantially Degrade the Existing Visual Character or Quality of Public Views (from Publicly Accessible Vantage Points) of the Construction Sites and Visible Permanent Facilities and Their Surroundings in Nonurbanized Areas	Significant	MM AES-1a: Install Visual Barriers between Construction Work Areas and Sensitive Receptors MM AES-1b: Apply Aesthetic Design Treatments to Project Structures MM AES-1c: Implement Best Management Practices in Project Landscaping Plan	Significant and Unavoidable	Construction of the Project would substantially affect the existing visual quality and character present in the study area from public roads, residences, and areas of visual effect in the vicinity of project sites. Contributing to this impact would include the long-term nature of facility construction at all of the major project sites and visibility of heavy construction equipment in the proximity to sensitive vantage points; removal of residences and agricultural buildings; removal of riparian vegetation and other mature vegetation or landscape plantings; earthmoving and grading that result in changes to topography in areas that are predominantly flat, as well as dust generation; addition of large-scale industrial-looking structures (e.g., intakes, pumping plants, discharge structures and related facilities); remaining presence of large-scale reusable tunnel material (RTM) area landscape effects; and introduction of tall lattice steel transmission towers. Because of the combined effect of multiple and concurrent

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Adopted Mitigation Measures	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				<p>construction sites on localized views, the length of time construction would occur, and the changes permanent facilities would have on multiple short- and long-range views in the study area and high viewer sensitivity, this impact is considered to be significant at several sites, as shown in Table 18- 14. This conclusion also takes into consideration the Project's visual effects in a large Delta landscape. Although in a regional context the Project would affect a relatively small portion of the Delta limited to the distinct and discrete project sites, construction and permanent facility changes in visual quality and character would be substantially reduced in a number of locations in the study area.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.</p>
Impact AES-2: Substantially Damage Scenic Resources including, but Not Limited to, Trees, Rock Outcroppings, and Historic Buildings Visible from a State Scenic Highway	Significant	MM AES-1b: Apply Aesthetic Design Treatments to Project Structures MM AES-1c: Implement Best Management Practices in Project Landscaping Plan	Significant and Unavoidable	<p>Because visual elements associated with the Project would conflict with the existing forms, patterns, colors, and textures along State Route (SR) 160; would dominate riverfront views available from SR 160; and would alter broad views and the general nature of the visual experience presently available from SR 160 (thereby permanently damaging the scenic resources along a state scenic highway), these impacts are considered significant. Mitigation Measures AES-1b: Apply Aesthetic Design Treatments to Project Structures and AES-1c: Implement Best Management Practices in Project Landscaping Plan would help reduce these impacts through the application of aesthetic design treatments to all structures, to the extent feasible. However, impacts on visual resources resulting from damage to scenic resources that may be viewed from a state scenic highway would not be reduced to a less-than-significant level because even with Mitigation Measures AES-1b and AES-1c 17 the overall view from SR 160 to the location of intakes would change from open agricultural land to a large industrial-type facility. There would be noticeable to very noticeable changes to the visual character of a state scenic highway viewshed that do not blend or are not in keeping with the existing visual environment based upon the viewer's location in the landscape relative to the visible change. Thus, overall, this impact would be significant and unavoidable.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.</p>
Impact AES-3: Have Substantial Significant Impacts on Scenic Vistas	Significant	MM AES-1a: Install Visual Barriers between Construction Work Areas and Sensitive Receptors MM AES-1b: Apply Aesthetic Design Treatments to Project Structures MM AES-1c: Implement Best Management Practices in Project Landscaping Plan	Significant and Unavoidable	<p>The Project would include some facilities or components that would result in significant and unavoidable impacts on existing visual quality and character within the study area including scenic vistas. Mitigation Measures AES-1a: Install Visual Barriers between Construction Work Areas and Sensitive Receptors, AES-1b: Apply Aesthetic Design Treatments to Project Structures, and AES-1c: Implement Best Management Practices in Project Landscaping Plan would reduce scenic vista impacts in the same way described for effects on visual quality and character. Overall, not all impacts would be reduced to a less-than-significant level because, although environmental commitments and mitigation measures would reduce some aspects of the impact on scenic vistas, these measures would only partially reduce effects for the same reasons described for Impact AES-1.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.</p>

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Adopted Mitigation Measures	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Cultural Resources				
Impact CUL-1: Impacts on Built-Environment Historical Resources Resulting from Construction and Operation of the Project	Significant	MM CUL-1a: Avoid Impacts on Built-Environment Historical Resources through Project Design MM CUL-1b: Prepare and Implement a Built-Environment Treatment Plan in Consultation with Interested Parties	Significant and Unavoidable	<p>Construction of project features may require physical alteration of 7 built-environment historical resources. Construction may also result in changes to the setting of 7 built-environment historical resources. Both material alterations to the integrity of materials, design, or workmanship, as well as material alterations to the integrity of setting, feeling, or association would impact the historical resource by removing character-defining features of the resource or altering the resource’s character, resulting in an impairment of the resource’s ability to convey its significance. For these reasons this would be a significant impact. Mitigation Measure CUL-1a: Avoid Impacts on Built-Environment Historical Resources through Project Design and Mitigation Measure CUL-1b: Prepare and Implement a Built Environment Treatment Plan in Consultation with Interested Parties may mitigate these effects but cannot guarantee they would be entirely avoided. The scale of the Project and the constraints imposed by other environmental resources would make avoidance of all significant impacts unlikely. For these reasons, even with MM CUL-1a and MM CUL-1b, this impact would be significant and unavoidable. All mitigation will be completed under the oversight of individuals who meet the Secretary of the Interior Professional Qualifications Standards and have demonstrable experience conducting the recommended measures (MM CUL-1a and MM CUL-1b).</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.</p>
Impact CUL-2: Impacts on Unidentified and Unevaluated Built-Environment Historical Resources Resulting from Construction and Operation of the Project	Significant	MM CUL-2: Conduct a Survey of Inaccessible Properties to Assess Eligibility and Determine Whether These Properties Will Be Adversely Affected by the Project	Significant and Unavoidable	<p>Construction of project facilities may require the alteration of built-environment historical resources. Construction may also result in material alterations to the integrity of feeling, setting, or association. Changes to the setting would be material alterations because they would either remove the resource or alter the resource’s character, resulting in a diminishment of the resource’s ability to convey its significance. For these reasons this would be a significant impact. Mitigation Measure CUL-2: Conduct a Survey of Inaccessible Properties to Assess Eligibility and Determine Whether These Properties Will Be Adversely Affected by the Project may mitigate these impacts, but cannot guarantee they would be entirely avoided. The scale of the Project and the constraints imposed by other environmental resources make avoidance of all significant impacts unlikely. For these reasons, even with MM CUL-2, this impact would be significant and unavoidable.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.</p>
Impact CUL-3: Impacts on Identified Archaeological Resources Resulting from the Project	Significant	MM CUL-3a: Prepare and Implement an Archaeological Resources Management Plan MM CUL-3b: Conduct Cultural Resources Sensitivity Training MM CUL-3c: Implement Archaeological Protocols for Field Investigations	Significant and Unavoidable	<p>Field investigations and construction of conveyance facilities would affect identified archaeological resources that occur in the footprint of the Project. This impact would be significant because construction would materially alter or destroy the spatial associations between these resources and their archaeological data, which has the potential to yield information useful in archaeological research and is the basis for the significance of these resources. Identified but currently inaccessible resources may also be significant under other California Register of Historical Resources (CRHR) criteria. Mitigation Measure CUL-3a: Prepare and Implement an Archaeological Resources Management Plan, Mitigation Measure CUL-3b: Conduct Cultural Resources Sensitivity Training, and Mitigation Measure CUL-3c: Implement Archaeological Protocols for Field Investigations would mitigate this impact by training personnel and recovering scientifically important material prior to construction through the sensitive area, but would not guarantee that all of the scientifically consequential</p>

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Adopted Mitigation Measures	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				<p>information would be retrieved because feasible archaeological excavation typically only retrieves a sample of the deposit, and portions of the site with consequential information may remain after treatment. Construction could damage these remaining portions of the deposit. Therefore, even with mitigation, this impact would be significant and unavoidable.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.</p>
Impact CUL-4: Impacts on Unidentified Archaeological Resources That May Be Encountered in the Course of the Project	Significant	MM CUL-3a: Prepare and Implement an Archaeological Resources Management Plan MM CUL-3b: Conduct Cultural Resources Sensitivity Training MM CUL-3c: Implement Archaeological Protocols for Field Investigations	Significant and Unavoidable	<p>Construction has the potential to disturb previously unidentified archaeological resources qualifying as historical resources or unique archaeological resources. Because direct excavation, compaction, or other disturbance may disrupt the spatial associations that contain scientifically useful information, these activities would alter the potential basis for eligibility, thus materially altering the resource and resulting in a significant impact. Because these resources would not be identified prior to construction, they cannot be recorded, and impacts cannot be managed through construction treatment. Mitigation Measures CUL-3a: Prepare and Implement an Archaeological Resources Management Plan, CUL-3b: Conduct Cultural Resources Sensitivity Training, and CUL-3c: Implement Archaeological Protocols for Field Investigations would reduce the potential for this impact by implementing monitoring and discovery protocols and providing training to all personnel involved in ground-disturbing activities. However, because archaeological resources may not be identified through these measures prior to disturbance, the effect cannot be entirely avoided. Therefore, this impact would remain significant and unavoidable because resource locations and extents are unknown.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.</p>
Impact CUL-5: Impacts on Buried Human Remains	Significant	MM CUL-3a: Prepare and Implement an Archaeological Resources Management Plan MM CUL-3b: Conduct Cultural Resources Sensitivity Training MM CUL-3c: Implement Archaeological Protocols for Field Investigations MM CUL-5: Follow State and Federal Law Governing Human Remains If Such Resources Are Discovered during Construction	Significant and Unavoidable	<p>The study area is sensitive for buried human remains. Construction would require ground-disturbing work that may damage previously unidentified human remains, resulting in direct effects on these resources. Disturbance of human remains, including remains interred outside of cemeteries, is considered a significant impact in the CEQA Appendix G checklist; therefore, any disturbance of such remains would be a significant impact. Mitigation Measures CUL-3a: Prepare and Implement an Archaeological Resources Management Plan, CUL-3b: Conduct Cultural Resources Sensitivity Training, and CUL-3c: Implement Archaeological Protocols for Field Investigations would reduce the potential for this impact and its severity by implementing monitoring and discovery protocols and providing training to all personnel involved in ground-disturbing activities, but not to a less-than-significant level because they would not guarantee that buried human remains could be discovered and treated in advance of construction; the scale of construction makes it technically and economically infeasible to perform the level of sampling necessary to identify all such buried human remains prior to construction. Therefore, this impact, even with mitigation, would be significant and unavoidable.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.</p>

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Adopted Mitigation Measures	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Transportation				
Impact TRANS-1: Increased Average VMT Per Construction Employee versus Regional Average	Significant	MM TRANS-1: Implement Site-Specific Construction Transportation Demand Management Plan and Transportation Management Plan	Significant and Unavoidable	<p>Construction of the Project would result in additional vehicle miles traveled (VMT) to the regional transportation system and increase the total amount of driving and distances traveled for home-based work trips when compared to the regional average of 22.5 miles per day. This increase would be a temporary but long-term and a substantial VMT impact because conveyance facility construction employee VMT would exceed the regional VMT average over the course of the construction time period for Project facilities.</p> <p>This level of carpool participation is a goal that may not be achieved because construction workers will be drawn from the region in a manner that may not be conducive to large-scale carpooling or vanpooling. Because of the logistics of requiring construction workers to carpool/vanpool near their place of residence to project construction sites, and the uncertainty that this goal would be achieved, Impact TRANS-1 is considered significant and unavoidable with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.</p>
Air Quality and Greenhouse Gases				
Impact AQ-5: Result in Exposure of Sensitive Receptors to Substantial Localized Criteria Pollutant Emissions	Significant	MM AQ-5: Avoid Public Exposure to Localized Particulate Matter and Nitrogen Dioxide Concentrations	Significant and Unavoidable	<p>The impact would be significant under CEQA for the Project because construction could contribute to existing violations or create new violations of the particulate matter (PM) that is 2.5 microns in diameter and smaller (PM2.5) and particulate matter that is 10 microns in diameter and smaller (PM10) standards. Construction of the Project would generate maximum 1-hour nitrogen dioxide (NO₂) concentrations above the National Ambient Air Quality Standards (NAAQS).</p> <p>No other violations of the ambient air quality standards would result during project construction. Likewise, off-site construction traffic would not contribute to a localized violation of the California ambient air quality standards (CAAQS) or national ambient air quality standards (NAAQS) at intersections throughout the transportation network. Emissions from long-term Operation & Maintenance activities would not cause or contribute to violations of the CAAQS and NAAQS.</p> <p>Environmental Commitments EC-7: Off-Road Heavy-Duty Engines through EC-13: DWR Best Management Practices to Reduce Greenhouse Gas (GHG) Emissions would minimize construction emissions through implementation of the on-site controls. However, exceedances of the significant impact levels (SILs) and ambient air quality standards would still occur, and the project would contribute a significant level of localized air pollution within the local air quality study area.</p> <p>Mitigation Measure AQ-5: Avoid Public Exposure to Localized Particulate Matter and Nitrogen Dioxide Concentrations is required to reduce potential public exposure to elevated ambient concentrations of PM and NO₂ during construction. As discussed above, the predicted results presented in Tables 23-55 through 23-58 are conservative because they combine worst-case meteorological conditions with the highest daily and annual construction emissions estimates. Mitigation Measure AQ-5 requires additional PM and NO₂ modeling to provide a more refined estimate of hourly and annual concentrations that are expected to occur during the construction period. If the refined modeling predicts an exceedance of the SIL or violation of the NO₂ NAAQS, the measure requires DWR to conduct ambient air quality monitoring during</p>

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Adopted Mitigation Measures	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Noise and Vibration				
Impact NOI-1: Generate a Substantial Temporary or Permanent Increase in Ambient Noise Levels in the Vicinity of the Project in Excess of Standards Established in the Local General Plan or Noise Ordinance, or Applicable Standards of Other Agencies	Significant	MM NOI-1: Develop and Implement a Noise Control Plan	Significant and Unavoidable	<p>construction. Results of the monitoring would be used to inform decision-making on further actions to reduce pollutant concentrations. While these actions would lower exposure to project-generated air pollution, it may not be feasible to completely eliminate all localized exceedances of the SILs and ambient air quality standards. Accordingly, this impact is determined to be significant and unavoidable.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.</p> <p>Construction-related noise would exceed daytime and nighttime noise level criteria at intakes, shaft sites, the Bethany Complex, and associated infrastructure under the Project. Depending on facility location relative to noise-sensitive receptors, the duration of daytime criteria exceedance would vary from 1 week to up to 14 years on a nonconsecutive basis. The duration of nighttime criteria exceedance would vary from 1 week to 5 months on a nonconsecutive basis. The exceedance of daytime and nighttime noise level criteria for these durations would result in a significant impact. Mitigation Measure NOI-1: Develop and Implement a Noise Control Plan would reduce noise levels through pre-construction actions, sound-level monitoring, best noise control practices, and installation of noise barriers.</p> <p>Mitigation Measure NOI-1 would reduce the severity of this impact to less-than-significant levels if property owners elect to participate in the sound insulation program to reduce noise impacts. DWR cannot ensure that property owners will voluntarily participate in the program and accept sound insulation improvements. If a property owner does not elect to participate in the sound insulation program, the impact would remain significant and unavoidable. Conservatively, the impact due to construction noise is determined to be significant and unavoidable after mitigation. However, if improvements required to avoid significant impacts are accepted by all eligible property owners, impacts would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.</p>
Paleontological Resources				
Impact PALEO-2: Cause Destruction of a Unique Paleontological Resource as a Result of Tunnel Construction and Ground Improvement	Significant	No feasible mitigation is available to address this impact.	Significant and Unavoidable	<p>Construction of water conveyance facilities could cause the destruction of unique paleontological resources because tunneling would occur in geologic units with high sensitivity for paleontological resources: the Modesto and Riverbank Formations. The Project could destroy unique paleontological resources, with varying degrees of magnitude (Table 28-11). Excavation using the tunnel boring machine (TBM) for the tunnels could destroy unique paleontological resources because tunneling would involve large-scale ground disturbance that would not be accessible to monitors and would occur in geologic units sensitive for paleontological resources. This tunneling would occur at depths greater than 100 feet and therefore the geologic units affected would not be accessible to paleontologists and any fossils would not be available for scientific study. It cannot, however, be known whether paleontological resources would be present because paleontological resources are not distributed evenly throughout a geologic unit. Nevertheless, given the volume of material excavated by tunneling (Table 28-4) that would occur in the Modesto and Riverbank Formations, which are both sensitive for paleontological resources, and the consistency of the</p>

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Adopted Mitigation Measures	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				<p>reusable tunnel material (RTM) generated by the TBM (i.e., too fine to contain macrofossils), tunneling could result in a significant impact. No mitigation is available to address this impact. The impacts of tunneling would therefore be significant and unavoidable.</p> <p>Ground improvement would consist of in-situ mixing of amendments, such as cement grout, into the subsurface to improve stability. If this improvement occurs in the Modesto or Riverbank Formations and paleontological resources are present, ground improvement would damage or destroy these resources because the activity cannot be viewed or stopped by a paleontological monitor. No mitigation is available to address this impact. The impacts of ground improvement would therefore be significant and unavoidable.</p> <p>Findings: Impacts are significant and unavoidable and no feasible mitigation measures have been identified.</p>
Tribal Cultural Resources				
Impact TCR-1: Impacts on the Delta Tribal Cultural Landscape Tribal Cultural Resource Resulting from Construction, Operations, and Maintenance of the Project Alternatives	Significant	MM TCR-1a: Avoidance of Impacts on Tribal Cultural Resources MM TCR-1b: Plans for the Management of Tribal Cultural Resources MM TCR-1c: Implement Measures to Restore and Enhance the Physical, Spiritual, and Ceremonial Qualities of Affected Tribal Cultural Resources MM TCR-1d: Incorporate Tribal Knowledge into Compensatory Mitigation Planning (Restoration)	Significant and Unavoidable	<p>Project construction and operational activities would impair character-defining features that qualify the Delta Tribal Cultural Landscape (TCL) for listing in the CRHR. The Project would materially impair affiliated Tribes’ ability to physically, spiritually, or ceremonially experience these character-defining features: the Delta as a holistic place that is a Tribal homeland and place of origin, terrestrial and aquatic plant and animal species habitats that are part of the Delta’s ecosystem and the heritage of Tribes, ethnohistorical locations that are sacred places and historically important, archaeological sites, and views and vistas of and from the Delta that are sacred and important to the heritage of Tribes. While other chapters have identified mitigation measures to address project effects on several of the natural resources that also qualify as character-defining features for the Tribal cultural resource (such as the Compensatory Mitigation Plan) these are aimed at satisfying certain regulatory requirements for ecological conservation and may not mitigate for the impacts to Tribal cultural resources. DWR will coordinate with Tribes to incorporate Tribal values into compensatory mitigation; however, these measures may not reduce the impacts to a less-than-significant level. Because the project would materially impair character-defining features of the Delta TCL, and project commitments and mitigation measures would not fully avoid or reduce such impacts, the impact on the Delta TCL would be significant. DWR has identified four measures for mitigating this impact: Mitigation Measures TCR-1a: Avoidance of Impacts on Tribal Cultural Resources, TCR-1b: Plans for the Management of Tribal Cultural Resources, TCR-1c: Implement Measures to Restore and Enhance the Physical, Spiritual, and Ceremonial Qualities of Affected Tribal Cultural Resources, and TCR-1d: Incorporate Tribal Knowledge into Compensatory Mitigation Planning (Restoration).</p> <p>Application of these mitigation measures has the potential to reduce the impact on character-defining features of the Delta TCL because they could restore affiliated Tribes’ ability to physically, spiritually, and ceremonially experience the materially impaired qualities of the features. However, there may be instances where even with the mitigation measures described above, the impacts would not be mitigated to a less-than-significant level. There may also be instances where the project components would permanently damage a character-defining feature of the Delta TCL, such as where ground disturbance and construction of a project feature would occur in an ethnohistoric location, disturb an archaeological site, or a facility would block an important view. Project impacts would remain significant and unavoidable after implementation of Mitigation Measures TCR-1a, TCR-1b, TCR-1c, and TCR-1d because complete avoidance or protection is unlikely and operations and maintenance of the intakes and tunnels may still materially impair the Tribal experience of the spiritual qualities of the Delta TCL even with the efforts to repair or restore the Tribal experience. DWR will continue to consult with affiliated Tribes throughout implementation of Mitigation</p>

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Adopted Mitigation Measures	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				<p>Measures TCR-1a, TCR-1b, and TCR-1c, and TCR-1d to minimize and mitigate the project's significant impacts on the Delta TCL.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that mitigate, but <i>not</i> to a less than significant level, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.</p>
Impact TCR-2: Impacts on Individual Tribal Cultural Resources Resulting from Construction, Operations, and Maintenance of the Project Alternatives	Significant	<p>MM TCR-1a: Avoidance of Impacts on Tribal Cultural Resources</p> <p>MMTCR-1b: Plans for the Management of Tribal Cultural Resources</p> <p>MM TCR-1c: Implement Measures to Restore and Enhance the Physical, Spiritual, and Ceremonial Qualities of Affected Tribal Cultural Resources</p> <p>MM TCR-1d: Incorporate Tribal Knowledge into Compensatory Mitigation Planning (Restoration)</p> <p>MM TCR-2: Perform an Assessment of Significance, Known Attributes, and Integrity for Individual CRHR Eligibility</p>	Significant and Unavoidable	<p>The precise nature of the impact on an individual Tribal cultural resource is not currently known because DWR has not identified any individual Tribal cultural resources at this time; therefore, the features that make an individual resource eligible for California Register of Historical Resources (CRHR) listing, its significance, attributes and location, and integrity have not been established. In general, DWR anticipates that if an individual resource is identified, the project has the potential to materially impair an affiliated Tribes' ability to physically, ceremonially, or spiritually experience the resource.</p> <p>If the conclusion of implementing Mitigation Measure TCR-2: Perform an Assessment of Significance, Known Attributes, and Integrity for Individual CRHR Eligibility is that DWR finds a character-defining feature or other resource that is individually eligible, application of Mitigation Measures TCR-1a, TCR-1b, and TCR-1c, and TCR-1d could reduce the impact on any individually eligible Tribal cultural resources, because they could restore affiliated Tribes' ability to physically, spiritually, and ceremonially experience the materially impaired qualities of the features. However, there may be instances where even with the mitigation measures described above, the impacts would not be mitigated to a less-than-significant level. There may also be instances where the project components would permanently damage an individual Tribal cultural resource, such as where ground disturbance and construction of a project feature would disturb an individually eligible ethnohistoric location or a facility would block an important view that is a character-defining feature of an individual Tribal cultural resource. Project impacts on individual Tribal cultural resources would remain significant and unavoidable after implementation of Mitigation Measures TCR-1a, TCR-1b, TCR-1c, TCR-1d, and TCR-2, because complete avoidance or protection is unlikely. DWR will continue to consult with affiliated Tribes throughout implementation of mitigation measures to minimize and mitigate the project's significant impacts on the Delta Tribal Cultural Landscape, as well as refine DWR's understanding of the character-defining features, or other features, that may be individual Tribal cultural resources.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project, that mitigate, but <i>not</i> to a less than significant level, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.</p>

Table 2: CEQA Findings of Fact for the Project's Less-than-Significant Impacts after Mitigation

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Water Quality				
Impact WQ-6: Effects on Mercury Resulting from Facility Operations and Maintenance	Less Than Significant for the Project; Potentially Significant for Implementation of the CMP	MM WQ-6: Develop and Implement a Mercury Management and Monitoring Plan	Less Than Significant	<p>The Project would not cause additional exceedance of applicable water quality criteria or objectives by frequency, magnitude, and geographic extent that would cause significant impacts on any beneficial uses of waters in the study area. Because mercury concentrations are not expected to increase substantially, no long-term water quality degradation that would result in substantially increased risk for significant impacts on beneficial uses would occur. Furthermore, changes in long-term methylmercury concentrations that may occur in study area waterbodies would not make existing CWA Section 303(d) impairments measurably worse, or increase levels of mercury by frequency, magnitude, and geographic extent to cause measurably higher body burdens of mercury in aquatic organisms, thereby substantially increasing the health risks to wildlife (including fish) or humans consuming those organisms. Thus, the impact of the Project on mercury concentrations would be less than significant.</p> <p>While the Project would not result in significant water quality effects associated with mercury, there could be significant impacts with the implementation of the CMP. Those impacts could be reduced to a less-than-significant level with Mitigation Measure WQ-6.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Soils				
Impact SOILS-5: Have Soils Incapable of Adequately Supporting the Use of Septic Tanks or Alternative Wastewater Disposal Systems Where Sewers Are Not Available for the Disposal of Wastewater	Significant	MM SOILS-5: Conduct Site-Specific Soil Analysis and Construct Alternative Wastewater Disposal System as Required	Less Than Significant	<p>Potential impacts of the use of septic tanks or alternative wastewater disposal systems would occur during construction and operations and maintenance. If a conventional disposal system were to be constructed on soils with a rating of very limited for septic tank absorption fields, use of the system could contaminate surface water and groundwater and create objectionable odors during operations and maintenance. The water contamination could raise the risk of disease transmission and human exposure to pathogens. The impact would be significant. However, county planning and building departments typically require on-site soil percolation tests and other analyses to determine site suitability and type of system appropriate to the site. Along with compliance with county requirements, implementation of Mitigation Measure SOILS-5: Conduct Site-Specific Soil Analysis and Construct Alternative Wastewater Disposal System as Required, would reduce the impact to a less-than-significant level.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Fish and Aquatic Resources				
Impact AQUA-1: Effects of Construction of Water Conveyance Facilities on Fish and Aquatic Species	Significant	MM AQUA-1a: Develop and Implement an Underwater Sound Control and Abatement Plan MM AQUA-1b: Develop and Implement a Barge Operations Plan MM AQUA-1c: Develop and Implement a Fish Rescue and Salvage Plan MM WQ-6: Develop and Implement a Mercury Management and Monitoring Plan CMP-23: Tidal Perennial Habitat Restoration for Construction Impacts on Habitat for Fish and Aquatic Resources	Less Than Significant	<p>Construction impacts on fish and aquatic species potentially would be significant because there would be the potential for spatial and temporal overlap with appreciable proportions of some of the species of management concern's populations (e.g., adult steelhead; Table 12A-9 in Appendix 12A) as well as loss of aquatic habitat. To address these impacts, the project will include Mitigation Measures AQUA-1a: Develop and Implement an Underwater Sound Control and Abatement Plan, AQUA-1b: Develop and Implement a Barge Operations Plan, AQUA-1c: Develop and Implement a Fish Rescue and Salvage Plan, and Mitigation Measure CMP: Compensatory Mitigation Plan, specifically CMP-23: Tidal Perennial Habitat Restoration for Construction Impacts on Habitat for Fish and Aquatic Resources and CMP-24: Channel Margin Habitat Restoration for Construction Impacts on Habitat for Fish and Aquatic Resources (Attachment 3F.1, Compensatory Mitigation Design Guidelines, Table 3F.1-3). Mitigation</p>

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
		CMP-24: Channel Margin Habitat Restoration for Construction Impacts on Habitat for Fish and Aquatic Resources		<p>Measure AQUA-1a: Develop and Implement an Underwater Sound Control and Abatement Plan includes limiting pile-driving timing consistent with EC-14 and controlling or abating underwater noise generated during impact pile driving, for example, by starting impact pile driving at lower levels of intensity to allow fish to leave the area before the intensity is increased.</p> <p>Construction impacts on fish and aquatic species would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact AQUA-2: Effects of Operations and Maintenance of Water Conveyance Facilities on Sacramento River Winter-Run Chinook Salmon	Significant	CMP-25: Tidal Habitat Restoration to Mitigate North Delta Hydrodynamic Effects on Chinook Salmon Juveniles CMP-26: Channel Margin Habitat Restoration for Operations Impacts on Chinook Salmon Juveniles	Less Than Significant	<p>The available information generally indicates that diversion at the North Delta Diversion (NDD) would negatively affect winter-run Chinook salmon through flow-survival and habitat impacts. The Sacramento River is the main migration pathway through the Delta for juvenile winter-run and therefore a large proportion of the population would potentially be exposed to negative impacts.</p> <p>To address the significance of the impacts, Mitigation Measure CMP: Compensatory Mitigation Plan would be implemented, specifically CMP-25: Tidal Habitat Restoration to Mitigate North Delta Hydrodynamic Effects on Chinook Salmon Juveniles and CMP-26: Channel Margin Habitat Restoration or Operations Impacts on Chinook Salmon Juveniles (Attachment 3F.1, Table 3F.1-3). This mitigation would reduce negative hydrodynamic effects such as flow reversals in the Sacramento River at Georgiana Slough (CMP-25) and reduced effects from reduced inundation of riparian/wetland benches as a result of NDD operations (CMP-26). The mitigation thereby would reduce potential for negative effects on winter-run Chinook salmon through-Delta survival as a result of factors such as flow-related changes in migration speed and probability of entering the low-survival interior Delta migration pathway and restoring new bench habitat at elevations that would be inundated under reduced flows downstream of the north Delta intakes. The impact of operations and maintenance of the Project would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact AQUA-3: Effects of Operations and Maintenance of Water Conveyance Facilities on Central Valley Spring-Run Chinook Salmon	Significant	CMP-25: Tidal Habitat Restoration to Mitigate North Delta Hydrodynamic Effects on Chinook Salmon Juveniles CMP-26: Channel Margin Habitat Restoration for Operations Impacts on Chinook Salmon Juveniles	Less Than Significant	<p>Recent research for two spring-run Chinook salmon populations in the Central Valley indicates that the majority of returning adults emigrated as yearlings (Cordoleani et al. 2021), which migrate beginning in fall and therefore have the potential to overlap periods of greater north Delta diversions with greater potential effects on through-Delta survival as shown by the Perry et al. (2018) modeling results. As a result, and although there is uncertainty in biological impacts because of the variability in flow-survival statistical relationships (see discussion for winter-run Chinook salmon), population abundance is low relative to historical values (Appendix 12A) and it is concluded that the operations and maintenance impact of the Project would be significant for spring-run Chinook salmon. Compensatory mitigation to be implemented for the winter-run Chinook salmon significant impact discussed above in Impact AQUA-2 (i.e., Mitigation Measure CMP: Compensatory Mitigation Plan, specifically CMP-25: Tidal Habitat Restoration to Mitigate North Delta Hydrodynamic Effects on Chinook Salmon Juveniles and CMP-26: Channel Margin Habitat Restoration for Operations Impacts on Chinook Salmon Juveniles [Attachment 3F.1, Table 3F.1-3]) would also be applied to spring-run Chinook salmon to mitigate hydrodynamic effects such as flow reversals in the Sacramento River at Georgiana Slough (CMP-25) and effects from reduced inundation of riparian/wetland benches</p>

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				<p>as a result of North Delta Diversion operations (CMP-26). The impact would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact AQUA-5: Effects of Operations and Maintenance of Water Conveyance Facilities on Central Valley Steelhead	Significant	MM CMP: Compensatory Mitigation Plan	Less Than Significant	<p>As discussed by National Marine Fisheries Service (2016:19), Central Valley steelhead is in danger of extinction, with very low levels of natural production. Available data and studies for steelhead are limited relative to Chinook salmon and so there is some uncertainty in potential effects. As previously noted for winter-run Chinook salmon, there is uncertainty in the biological impacts because of the variability in flow-survival statistical relationships. However, per the significance criteria (Section 12.3.2, Thresholds of Significance), the potential for negative effects of the north Delta intakes (e.g., up to 4% less through-Delta migration survival per the Perry et al. model implemented for juvenile Chinook salmon) and the population status (Appendix 12A) leads to the conclusion that the impact would be significant. Compensatory mitigation (tidal perennial habitat restoration and channel margin restoration) described in Appendix 3F, and as previously discussed for winter-run Chinook salmon would be implemented to reduce the impact to less than significant.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact AQUA-6: Effects of Operations and Maintenance of Water Conveyance Facilities on Delta Smelt	Significant	MM CMP: Compensatory Mitigation Plan CMP-27: Tidal Habitat Restoration for Operations Impacts on Delta Smelt	Less Than Significant	<p>There is generally somewhat less Delta outflow under the Project than existing conditions during spring-fall as a result of less outflow being needed for meeting Delta salinity requirements. There is considerable uncertainty in the potential for negative effects to delta smelt food availability, predation, and recruitment as a result of these changes in Delta outflow, which are within the existing parameters of current regulations (e.g., D-1641; federal and state water project permits). Given the existing all-time low abundance indices of delta smelt (Appendix 12A), the impacts are concluded to be significant. Tidal habitat restoration of approximately 1,100 to 1,400 acres under Mitigation Measure CMP: Compensatory Mitigation Plan, specifically CMP-27 (Attachment 3F-1, Table 3F.1-3), would mitigate these impacts. Restoration would increase the extent of suitable delta smelt habitat (e.g., intertidal and subtidal habitat; California Department of Fish and Game 2011) with appropriate parameters (e.g., turbidity) providing habitat for occupancy (e.g., Sommer and Mejia 2013) or higher food availability in the vicinity (e.g., Hammock et al. 2019b). The impact would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact AQUA-7: Effects of Operations and Maintenance of Water Conveyance Facilities on Longfin Smelt	Significant	MM CMP: Compensatory Mitigation Plan CMP-28: Tidal Habitat Restoration for Operations Impacts on Longfin Smelt	Less Than Significant	<p>In general, the analyses of the operations and maintenance impacts of the Project suggested minor impacts on longfin smelt, relative to existing conditions, including near-field effects of the north Delta intakes, south Delta entrainment, and very little potential for negative effects on food availability as a result of differences in spring Delta outflow. Any such impacts would not be significant because they are minor and would affect only a very small proportion of the longfin smelt population. The analyses of flow-related effects (differences in Delta outflow) on longfin smelt abundance suggested more potential for negative effects under the Project (i.e., mean difference of 2%–10% less depending on water year type) and a potentially significant impact given that they represent a population-level impact. There is uncertainty in the impact, however, given the appreciably greater variability of longfin smelt abundance index estimates</p>

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				<p>for a given alternative relative to the difference from existing conditions. Operations of the Project would be consistent with all applicable regulations to limit the potential for negative effects on fish and aquatic resources, including the existing spring outflow measures required by the California Department of Fish and Wildlife Incidental Take Permit (ITP). Nevertheless, the uncertain negative outflow-related effect is considered significant in light of the species' California Endangered Species Act-listed status and low population abundance indices (Appendix 12A). As such, the Project would implement approximately 135.2acres of compensatory mitigation (Mitigation Measure CMP: Compensatory Mitigation Plan, specifically CMP-28: Tidal Habitat Restoration for Operations Impacts on Longfin Smelt [Attachment 3F.1, Table 3F.1-3]). Tidal habitat would expand the diversity, quantity, and quality of longfin smelt rearing and refuge habitat consistent with recent tidal habitat mitigation required for outflow impacts to the species and would therefore reduce the potential effects caused by reduced outflow. As shown by multiple recent tidal habitat restoration projects in the Delta, there are potential feasible opportunities for tidal habitat restoration directly applicable to longfin smelt, with demonstrated presence of longfin smelt. This tidal habitat restoration mitigation would reduce the impact to a less-than-significant level; therefore, the impact would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Terrestrial Biological Resources				
Impact BIO-1: Impacts of the Project on the Tidal Perennial Aquatic Natural Community	Significant	MM CMP: Compensatory Mitigation Plan	Less Than Significant	<p>The Project would cause the removal, conversion, and temporary disturbance of tidal perennial aquatic natural community due to project construction and maintenance. The temporary disturbances of tidal perennial aquatic habitat would be reduced by Environmental Commitments EC-1: Conduct Worker Awareness Training; EC-2: Develop and Implement Hazardous Materials Management Plans; EC-3: Develop and Implement Spill Prevention, Containment, and Countermeasure Plans; and EC-14: Construction Best Management Practices for Biological Resources (Appendix 3B). Even with these environmental commitments, however, the loss of tidal perennial aquatic community from construction and potential impacts from maintenance activities would be significant. Mitigation Measure CMP: Compensatory Mitigation Plan would offset permanent and temporary loss of tidal perennial aquatic habitat. Therefore, the impacts on the tidal perennial aquatic community from the Project would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact BIO-2: Impacts of the Project on Tidal Freshwater Emergent Wetlands	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement	Less Than Significant	<p>The Project would cause the removal, conversion, and temporary disturbance of tidal freshwater emergent wetlands due to project construction and maintenance. Temporary disturbances and indirect impacts on tidal freshwater emergent wetlands would be reduced by Environmental Commitments EC-1: Conduct Worker Awareness Training; EC-2: Develop and Implement Hazardous Materials Management Plans; EC-3: Develop and Implement Spill Prevention, Containment, and Countermeasure Plans; and EC-14: Construction Best Management Practices for Biological Resources. Even with these environmental commitments, however, the loss of tidal freshwater emergent wetlands from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants would reduce impacts on tidal freshwater emergent wetlands during project construction. Mitigation Measure BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities would reduce impacts on tidal freshwater emergent wetland during</p>

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				<p>project maintenance. Mitigation Measure BIO-2c: Electrical Power Line Support Placement would minimize impacts on tidal freshwater emergent wetlands from electric power line installation. Mitigation Measure CMP: Compensatory Mitigation Plan would offset permanent and temporary loss of tidal freshwater emergent wetland. Therefore, the impacts on tidal freshwater emergent wetland from the Project would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact BIO-3: Impacts of the Project on Valley/Foothill Riparian Habitat	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants	Less Than Significant	<p>Constructing the Project would cause the removal, conversion, and temporary disturbance of valley/foothill riparian habitat. Maintenance activities could result in periodic temporary disturbances to valley/foothill riparian habitat. Temporary disturbances and indirect impacts on valley/foothill riparian habitat would be reduced by Environmental Commitments EC-1: Conduct Worker Awareness Training and EC-14: Construction Best Management Practices for Biological Resources. Even with these environmental commitments, however, the loss of valley/foothill riparian habitat from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants would reduce impacts on valley/foothill riparian habitat during project construction. Mitigation Measure BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities would reduce impacts on valley/foothill riparian habitat during project maintenance. Mitigation Measure BIO-2c: Electrical Power Line Support Placement would minimize impacts on valley/foothill riparian habitat from electric power line installation. Mitigation Measure CMP: Compensatory Mitigation Plan would offset permanent and temporary loss of valley/foothill riparian habitat. Therefore, the impacts on valley/foothill riparian habitat from the Project would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact BIO-4: Impacts of the Project on the Nontidal Perennial Aquatic Natural Community	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants	Less Than Significant	<p>Constructing the Project would cause the removal, conversion, and temporary disturbance of nontidal aquatic perennial habitat. Maintenance activities could result in periodic temporary disturbances to nontidal perennial aquatic habitat. Temporary disturbances and indirect impacts on nontidal perennial aquatic habitat would be reduced by Environmental Commitments EC-1: Conduct Worker Awareness Training; EC-2: Develop and Implement Hazardous Materials Management Plans; EC-3: Develop and Implement Spill Prevention, Containment, and Countermeasure Plans; and EC-14: Construction Best Management Practices for Biological Resources. Even with these environmental commitments, however, the loss of nontidal perennial aquatic habitat from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants would mitigate impacts on nontidal perennial aquatic habitat by identifying locations where special-status natural communities and special-status plants would be avoided. Under Mitigation Measure CMP: Compensatory Mitigation Plan, nontidal perennial aquatic habitat would be created or acquired and permanently protected to compensate for project impacts from project construction to ensure no significant loss of nontidal perennial aquatic habitat functions and values. Therefore, the impacts on nontidal perennial aquatic habitat from the Project would be less than significant with mitigation.</p>

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-5: Impacts of the Project on Nontidal Freshwater Perennial Emergent Wetland	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants	Less Than Significant	<p>Constructing the Project would cause the removal, conversion, and temporary disturbance of nontidal freshwater perennial emergent wetlands. Maintenance activities could result in periodic temporary disturbances to this community. Temporary disturbances and indirect impacts on nontidal freshwater perennial emergent wetland would be reduced by Environmental Commitments EC-1: Conduct Worker Awareness Training; EC-2: Develop and Implement Hazardous Materials Management Plans; EC-3: Develop and Implement Spill Prevention, Containment, and Countermeasure Plans; and Environmental Commitment EC-14: Construction Best Management Practices for Biological Resources. Even with these environmental commitments, however, the loss of nontidal freshwater perennial emergent wetland from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants would mitigate impacts on nontidal freshwater emergent wetlands by identifying locations where special-status natural communities and special-status plants would be avoided or where measures to minimize impact would be implemented. Under Mitigation Measure CMP: Compensatory Mitigation Plan, nontidal perennial emergent wetlands would be created or acquired and permanently protected to compensate for project impacts from project construction and ensure no significant loss of nontidal perennial aquatic habitat functions and values. Therefore, the impacts on nontidal freshwater perennial emergent wetland from the Project would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact BIO-7: Impacts of the Project on Alkaline Seasonal Wetland Complex	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement	Less Than Significant	<p>Project construction and maintenance would remove, convert, or temporarily disturb alkaline seasonal wetland complex. Temporary disturbances and indirect impacts on alkaline seasonal wetland complex would be reduced by Environmental Commitments EC-1: Conduct Worker Awareness Training; EC-2: Develop and Implement Hazardous Materials Management Plans; EC-3: Develop and Implement Spill Prevention, Containment, and Countermeasure Plans; and EC-14: Construction Best Management Practices for Biological Resources. Even with these environmental commitments, however, the loss of alkaline seasonal wetland complex from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants would reduce impacts on alkaline seasonal wetlands during project construction. Mitigation Measure BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities would reduce impacts on alkaline seasonal wetlands during project maintenance. Mitigation Measure BIO-2c: Electrical Power Line Support Placement would minimize impacts on alkaline seasonal wetland from electric power line installation. Under Mitigation Measure CMP: Compensatory Mitigation Plan, alkaline seasonal wetland complex would be created or acquired and permanently protected to compensate for project impacts from project construction and ensure no significant loss of nontidal perennial aquatic habitat functions and values. The total acreage to be conserved would be based on the criteria presented in the CMP. Therefore, the impacts on alkaline seasonal wetland complex from the Project would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Impact BIO-8: Impacts of the Project on Vernal Pool Complex	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities	Less Than Significant	<p>Constructing the Project would cause the removal, conversion, and temporary disturbance of vernal pool complex. Maintenance activities could result in periodic temporary disturbances to this community. Temporary disturbances and indirect impacts on vernal pool complex would be reduced by Environmental Commitments EC-1: Conduct Worker Awareness Training; EC-2: Develop and Implement Hazardous Materials Management Plans; EC-3: Develop and Implement Spill Prevention, Containment, and Countermeasure Plans; and EC-14: Construction Best Management Practices for Biological Resources. Even with these environmental commitments, however, the loss of vernal pool complex from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants would reduce impacts on vernal pool complex during project construction. Mitigation Measure BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities would reduce impacts on vernal pool complex during project maintenance. As described in Appendix 3F and Attachment 3F.1, under Mitigation Measure CMP: Compensatory Mitigation Plan, vernal pool complex would be created or acquired and permanently protected to compensate for project impacts from project construction and ensure no significant loss of vernal pool complex functions and values. The total acreage to be conserved would be based on the criteria presented in the CMP. Therefore, the impacts on vernal pool complex from the Project would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact BIO-9: Impacts of the Project on Special-Status Vernal Pool Plants	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities	Less Than Significant	<p>Temporary disturbances and indirect impacts on special-status vernal pool plants would be reduced by Environmental Commitment EC-14: Construction Best Management Practices for Biological Resources. Even with this environmental commitment, however, the effects on vernal pool plants from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants would reduce impacts on special-status vernal pool plants during project construction. Mitigation Measure BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities would reduce impacts on special-status vernal pool plants during project maintenance. Under Mitigation Measure CMP: Compensatory Mitigation Plan, habitat for special-status vernal pool plants would be created and permanently protected or mitigation credits would be acquired to compensate for project impacts and ensure no significant loss of habitat, as described in Appendix 3F and Attachment 3F.1. Therefore, the Project's impacts on special-status vernal pool plants would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact BIO-10: Impacts of the Project on Special-Status Alkaline Seasonal Wetland Complex Plants	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities	Less Than Significant	<p>Temporary disturbances and indirect impacts special-status alkaline seasonal wetland complex plants would be reduced by Environmental Commitment EC-14: Construction Best Management Practices for Biological Resources. Even with this environmental commitment, however, the loss of alkaline wetland plants from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants, would reduce impacts on special-status alkaline seasonal wetland complex plants during project construction. Mitigation Measure BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities would reduce impacts on special-status alkaline seasonal wetland complex plants during project maintenance. Under Mitigation Measure CMP:</p>

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				<p>Compensatory Mitigation Plan, habitat for special-status alkaline seasonal wetland plants would be created and permanently protected or mitigation credits would be acquired to compensate for project impacts and ensure no significant loss of habitat, as described in Appendix 3F and Attachment 3F.1. Therefore, the project's impacts on special-status alkaline seasonal wetland plants would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact BIO-11: Impacts of the Project on Special-Status Grassland Plants	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities	Less Than Significant	<p>Temporary disturbances and indirect impacts on special-status grassland plants would be reduced by Environmental Commitment EC-14: Construction Best Management Practices for Biological Resources. Even with this environmental commitment, however, the loss of grassland plants from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants would reduce impacts on special-status grassland plants during project construction. Mitigation Measure BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities would reduce impacts on special-status grassland plants during project maintenance. Under Mitigation Measure CMP: Compensatory Mitigation Plan, habitat for special-status grassland plants would be created and permanently protected or mitigation credits would be acquired to compensate for project impacts and to ensure no significant loss of habitat. Therefore, the Project's impacts on special-status grassland plants would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact BIO-12: Impacts of the Project on Tidal Freshwater Emergent Wetland Plants	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities	Less Than Significant	<p>Temporary disturbances and indirect impacts on special-status tidal freshwater emergent wetland plants would be reduced by Environmental Commitment EC-14: Construction Best Management Practices for Biological. Even with this environmental commitment, however, the loss of tidal freshwater emergent plants from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants would reduce impacts on special-status tidal freshwater emergent wetland species during project construction. Mitigation Measure BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities would reduce impacts on tidal freshwater emergent wetland during project maintenance. Under Mitigation Measure CMP: Compensatory Mitigation Plan (Appendix 3F, Section 3F.3.2.5; Attachment 3F.1, Table 3F.1-2, CMP-2: Tidal Freshwater Emergent Wetland, and Table 3F.1-3, CMP-9: Special-Status Plants), habitat for special-status tidal freshwater emergent wetland plants would be created or acquired and permanently protected to compensate for project impacts and ensure no significant loss of special-status tidal perennial aquatic wetland habitat functions and values. Therefore, project impacts on special-status tidal freshwater emergent wetland plants would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact BIO-13: Impacts of the Project on Special-Status Nontidal Perennial Aquatic Plants	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants	Less Than Significant	<p>Temporary disturbances and indirect impacts of nontidal perennial aquatic habitat would be reduced by Environmental Commitment EC-14: Construction Best Management Practices for Biological Resources. Even with this environmental commitment, however, the loss nontidal</p>

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
		MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities		<p>perennial aquatic plants from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants would reduce impacts on special-status nontidal perennial aquatic plants during project construction. Mitigation Measure BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities would reduce impacts on special-status nontidal perennial aquatic plants during project maintenance. Under Mitigation Measure CMP: Compensatory Mitigation Plan, habitat for special-status nontidal perennial aquatic plants would be created or acquired and permanently protected to compensate for project impacts and ensure no significant loss of special-status nontidal perennial aquatic plants or their habitat functions and values. The project impacts on these special-status nontidal perennial aquatic plants would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact BIO-14: Impacts of the Project on Vernal Pool Aquatic Invertebrates	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-14: Avoid and Minimize Impacts on Vernal Pool Aquatic Invertebrates and Critical Habitat for Vernal Pool Fairy Shrimp	Less Than Significant	<p>The impacts on vernal pool aquatic invertebrates from the Project would be less than significant with mitigation because the measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by avoiding and minimizing activities during construction and maintenance that could adversely affect habitat, which include establishing non-disturbance buffers around pools with construction fencing, by surveying suitable habitat for vernal pool fairy shrimp and vernal pool tadpole shrimp, and by avoiding adverse modification of critical habitat and indirect effects on vernal pool aquatic invertebrate habitat through work area redesigns, to the extent practicable.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact BIO-16: Impacts of the Project on Vernal Pool Terrestrial Invertebrates	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-14: Avoid and Minimize Impacts on Vernal Pool Aquatic Invertebrates and Critical Habitat for Vernal Pool Fairy Shrimp	Less Than Significant	<p>The impacts on vernal pool terrestrial invertebrates from the Project would be less than significant with mitigation because mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by avoiding and minimizing activities during construction and maintenance that could adversely affect habitat, which include establishing non-disturbance buffers around habitat with construction fencing, and by avoiding indirect effects on vernal pool habitat to the extent practicable.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact BIO-18: Impacts of the Project on Valley Elderberry Longhorn Beetle	Significant	MM CMP: Compensatory Mitigation Plan CMP-18a: Sandhill Crane Roosting Habitat CMP-18b: Sandhill Crane Foraging Habitat CMP-19a: Swainson's Hawk Nesting Habitat CMP-19b: Swainson's Hawk Foraging Habitat CMP-22a: Tricolored Blackbird Nesting Habitat CMP-22b: Tricolored Blackbird Breeding Foraging Habitat MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities	Less Than Significant	<p>The impacts on valley elderberry longhorn beetle from the Project would be less than significant with mitigation because these mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by avoiding and minimizing activities that could injure or kill valley elderberry longhorn beetle, which includes establishing non-disturbance buffers around shrubs with construction fencing, limiting trimming of shrubs to stems less likely to contain larvae (<1 inch in diameter) and during periods when trimming is less likely to affect the vigor of shrubs, and avoiding work to the extent possible during the species active season when they are in flight around shrubs and dispersing.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
		MM BIO-18: Avoid and Minimize Impacts on Valley Elderberry Longhorn Beetle		
Impact BIO-20: Impacts of the Project on Curved-Foot Hygrotus Diving Beetle	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-14: Avoid and Minimize Impacts on Vernal Pool Aquatic Invertebrates and Critical Habitat for Vernal Pool Fairy Shrimp	Less Than Significant	The impacts on curved-foot hygrotus beetle from the Project would be less than significant with mitigation because these mitigation measures would reduce direct effects on the species, including habitat disturbance, by avoiding and minimizing activities during construction and maintenance that could adversely affect habitat, establishing non-disturbance buffers around aquatic habitat with construction fencing and by implementing protective measures during maintenance activities. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-21: Impacts of the Project on Crotch Bumble Bee	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-21: Avoid and Minimize Impacts on Crotch Bumble Bee	Less Than Significant	The impacts on Crotch bumble bee from the Project would be less than significant with mitigation because these mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by identifying and avoiding potential habitat to the extent possible during maintenance and construction activities through establishing avoidance buffers, by temporarily delaying work where colonies are identified, and replanting areas of disturbed habitat with suitable foraging plants. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-22: Impacts of the Project on California Tiger Salamander	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22a: Avoid and Minimize Impacts on California Tiger Salamander MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife	Less Than Significant	The impacts on California tiger salamander from the Project would be less than significant with mitigation because these mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by designing lighting that avoids spillover into habitats and thus avoiding disrupting dispersal movements; by avoiding construction and maintenance activities in and adjacent to habitat to the extent possible; timing construction activities, installing exclusion fencing, conducting preconstruction surveys, and other protective measures to avoid and minimize the potential for injury and mortality; and by putting in place traffic control measures at DWR facilities during operations to minimize the potential for vehicle strikes. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-23: Impacts of the Project on Western Spadefoot Toad	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-23: Avoid and Minimize Impacts on Western Spadefoot Toad	Less Than Significant	The impacts on western spadefoot toad from the Project would be less than significant with mitigation because these mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by designing lighting that avoids spillover into habitats, thus avoiding disrupting dispersal movements; by avoiding construction and maintenance activities in and adjacent to habitat to the extent possible; timing construction activities, installing exclusion fencing, conducting preconstruction surveys, and other protective measures to avoid and minimize the potential for injury and mortality; and by putting in place traffic control measures at DWR facilities during operations to minimize the potential for vehicle strikes. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Impact BIO-24: Impacts of the Project on California Red-Legged Frog	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-24a: Avoid and Minimize Impacts on California Red-Legged Frog and Critical Habitat MM BIO-24b: Compensate for Impacts on California Red-Legged Frog Habitat Connectivity	Less Than Significant	The impacts on California red-legged frog from the Project would be less than significant with mitigation because these mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by designing lighting that avoids spillover into habitats and thus avoiding potential increases in predation and disrupting normal behaviors; by avoiding construction and maintenance activities in and adjacent to habitat to the extent possible; timing construction activities, installing exclusion fencing, conducting preconstruction surveys, and other protective measures to avoid and minimize the potential for injury and mortality; and by putting in place traffic control measures at DWR facilities during operations to minimize the potential for vehicle strikes. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-25: Impacts of the Project on Western Pond Turtle	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-25: Avoid and Minimize Impacts on Western Pond Turtle MM WQ-6 Develop and Implement a Mercury Management and Monitoring Plan	Less Than Significant	The impacts on western pond turtle from the Project would be less than significant with mitigation because these mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by avoiding construction and maintenance activities in and adjacent to habitat to the extent possible; timing construction activities, installing exclusion fencing, conducting preconstruction surveys, and other protective measures to avoid and minimize the potential for injury and mortality; and by putting in place traffic control measures at DWR facilities during operations to minimize the potential for vehicle strikes. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-26: Impacts of the Project on Coast Horned Lizard	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-26: Avoid and Minimize Impacts on Special-Status Reptiles	Less Than Significant	The impacts on coast horned lizard from the Project would be less than significant with mitigation because these mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by avoiding construction and maintenance activities in and adjacent to habitat to the extent possible; timing construction activities, conducting preconstruction surveys, and other protective measures to avoid and minimize the potential for injury and mortality; and by putting in place traffic control measures at DWR facilities during operations to minimize the potential for vehicle strikes. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-27: Impacts of the Project on Northern California Legless Lizard	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-26: Avoid and Minimize Impacts on Special-Status Reptiles	Less Than Significant	The impacts on Northern California legless lizard from the Project would be less than significant with mitigation because these mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by avoiding construction and maintenance activities in and adjacent to habitat to the extent possible; timing construction activities, installing exclusion fencing, conducting preconstruction surveys, and other protective measures to avoid and minimize the potential for injury and mortality; and by putting in place traffic control measures at DWR facilities during operations to minimize the potential for vehicle strikes. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-28: Impacts of the Project on California Glossy Snake	Significant	MM CMP: Compensatory Mitigation Plan	Less Than Significant	The impacts on California glossy snake from the Project would be less than significant with mitigation because these mitigation measures would reduce direct effects on the species,

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
		MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-26: Avoid and Minimize Impacts on Special-Status Reptiles		including habitat disturbance, by avoiding construction and maintenance activities in and adjacent to habitat to the extent possible; timing construction activities, conducting preconstruction surveys, and other protective measures to avoid and minimize the potential for injury and mortality; and by putting in place traffic control measures at DWR facilities during operations to minimize the potential for vehicle strikes. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-29: Impacts of the Project on San Joaquin Coachwhip	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-26: Avoid and Minimize Impacts on Special-Status Reptiles	Less Than Significant	The impacts on San Joaquin coachwhip from the Project would be less than significant with mitigation because these mitigation measures would replace lost habitat with habitat potentially suitable and reduce direct effects on the species, including habitat disturbance, by avoiding construction and maintenance activities in and adjacent to habitat to the extent possible; timing construction activities, installing exclusion fencing, conducting preconstruction surveys, and other protective measures to avoid and minimize the potential for injury and mortality; and by putting in place traffic control measures at DWR facilities during operations to minimize the potential for vehicle strikes. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-30: Impacts of the Project on Giant Garter Snake	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-30: Avoid and Minimize Impacts on Giant Garter Snake MM WQ-6 Develop and Implement a Mercury Management and Monitoring Plan	Less Than Significant	The impacts on giant garter snake from the Project would be less than significant with mitigation because these mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by avoiding construction and maintenance activities in and adjacent to habitat to the extent possible; timing construction activities, installing exclusion fencing, conducting preconstruction surveys, and other protective measures to avoid and minimize the potential for injury and mortality; and by putting in place traffic control measures at DWR facilities during operations to minimize the potential for vehicle strikes. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-31: Impacts of the Project on Western Yellow-Billed Cuckoo	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-31: Avoid and Minimize Impacts on Western Yellow-Billed Cuckoo	Less Than Significant	The impacts on western yellow-billed cuckoo from the Project would be less than significant with mitigation because the mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and species-specific avoidance measures during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-32: Impacts of the Project on California Black Rail	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction	Less Than Significant	The impacts on California black rail from the Project would be less than significant with mitigation because the mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
		MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan		awareness training to construction personnel, by implementing protective measures during maintenance activities, and species-specific avoidance measures during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-33: Impacts of the Project on Greater Sandhill Crane and Lesser Sandhill Crane	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-33: Avoid and Minimize Disturbance of Sandhill Cranes	Less Than Significant	Construction, operations, and maintenance of the water conveyance facilities for the Project could result in impacts on greater sandhill crane and lesser sandhill crane through the permanent and temporary loss of known roost sites and modeled foraging habitat and the potential disruption of normal behaviors. The temporary loss of habitat and potential impacts of the disruption of normal behaviors from project construction would be reduced by Environmental Commitments EC-1: Conduct Worker Awareness Training; EC-2: Develop and Implement Hazardous Materials Management Plans; EC-3: Develop and Implement Spill Prevention, Containment, and Countermeasure Plans; EC-11: Fugitive Dust Control; and EC-14: Construction Best Management Practices for Biological Resources (Appendix 3B); however, even with these commitments, the loss of habitat from the construction of the Project, and the potential for the disruption of normal behaviors from construction, operations, and maintenance activities on greater sandhill crane and lesser sandhill crane would be significant. The CMP would be required to offset the loss of roosting and foraging habitat by creating roosting and foraging habitat and protecting agricultural foraging habitat for sandhill cranes (Appendix 3F, Attachment 3F.1, Table 3F.1-3, CMP-18a: Sandhill Crane Roosting Habitat, and CMP-18b: Sandhill Crane Foraging Habitat), which would reduce the impact associated with habitat loss to less than significant. Because the greater sandhill crane is listed as “fully protected” under the California Fish and Game Code Section 3511, activities that would result in “take” as defined by Section 86 of the Fish and Game Code (i.e., “to hunt, pursue, catch, capture, or kill, or attempt to” undertake these activities) are prohibited. The Project has been designed to avoid any activities that would result in actions considered “take” of greater sandhill crane. The Project would use existing power lines or underground conduit to the extent possible for the purpose of avoiding potential injury or direct mortality of the greater sandhill crane and all new aboveground lines would be located outside of the roost sites or foraging habitat for greater sandhill crane. Mitigation Measure BIO-2c: Electrical Power Line Support Placement, which requires that project lines installed on existing poles or towers be placed in the same vertical prism as existing lines where feasible, as determined by project engineers in coordination with utility providers, and that all project lines within 3 miles of greater sandhill crane roost sites be fitted with bird flight diverters that are visible under all conditions and based on APLIC or more current guidance (Avian Power Line Interaction Committee 2006, 2012), would minimize any additional potential collisions of greater or lesser sandhill cranes from the Project. Mitigation Measures NOI-1: Develop and Implement a Noise Control Plan (Chapter 24); BIO-2b: Avoid and Minimize Impacts on Biological Resources from Maintenance Activities; AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction; AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences (Chapter 18); and BIO-33: Avoid and Minimize Disturbance of Sandhill Cranes would mitigate the impacts on greater sandhill crane and lesser sandhill crane to a less-than-significant level. Therefore, the project impacts on greater sandhill crane and lesser sandhill crane would be less than significant with mitigation because these measures would reduce direct impacts on these species and compensate for lost habitat. Mitigation measures would reduce direct impacts in the following ways: (1) implementing protective measures during maintenance activities, which would include assessing work areas for habitat and conducting surveys where appropriate and delaying maintenance activities (either by season or time of day); (2) designing lighting that avoids spillover into habitat; (3) reducing noise impacts through time-of-day restrictions on construction and noise-attenuating measures where feasible, as determined by the contractor;

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				and (4) avoiding and minimizing disturbance of roosting and foraging cranes by conducting surveys and work outside of the winter crane season (September 15 through March 15). Mitigation measures would also establish roosting and foraging habitat to compensate for disturbance and displacement of sandhill cranes during construction. The feasibility of mitigation measures will be determined by the contractor in coordination with a qualified wildlife biologist. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-34: Impacts of the Project on California Least Tern	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-34: Avoid California Least Tern Nesting Colonies and Minimize Indirect Effects on Colonies	Less Than Significant	The impacts on California least tern from the Project would be less than significant with mitigation because the mitigation measures would reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and species-specific avoidance measures for the species during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-35: Impacts of the Project on Cormorants, Herons, and Egrets	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-35: Avoid and Minimize Impacts on Cormorant, Heron, and Egret Rookeries	Less Than Significant	The impacts on cormorants, herons, and egrets from the Project would be less than significant with mitigation because the mitigation measures would replace lost habitat, reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and avoidance measures for cormorant, heron, or egret rookeries during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-36: Impacts of the Project on Osprey, White-Tailed Kite, Cooper’s Hawk, and Other Nesting Raptors	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-36a: Conduct Nesting Surveys for Special-Status and Non-Special-Status Birds and Raptors and	Less Than Significant	The impacts on special-status and non-special-status raptors from the Project would be less than significant with mitigation because the mitigation measures would replace lost habitat, reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and avoidance measures for raptors during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
		Implement Protective Measures to Avoid Disturbance of Nesting Birds and Raptors MM BIO-36b: Conduct Preconstruction Surveys and Implement Protective Measures to Avoid Disturbance of White-Tailed Kite		
Impact BIO-37: Impacts of the Project on Golden Eagle and Ferruginous Hawk	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-37: Conduct Surveys for Golden Eagle and Avoid Disturbance of Occupied Nests	Less Than Significant	The impacts on ferruginous hawk and golden eagle from the Project would be less than significant with mitigation because the mitigation measures would replace lost habitat, reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and avoidance measures to avoid take of golden eagles, as defined by Section 86 of the California Fish and Game Code during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-38: Impacts of the Project on Ground-Nesting Grassland Birds	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-36a: Conduct Nesting Surveys for Special-Status and Non-Special-Status Birds and Raptors and Implement Protective Measures to Avoid Disturbance of Nesting Birds and Raptors	Less Than Significant	The impacts on northern harrier, short-eared owl, California horned lark, and grasshopper sparrow from the Project would be less than significant with mitigation because the mitigation measures would reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and avoidance measures for nesting birds during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-39: Impacts of the Project on Swainson’s Hawk	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-39: Conduct Preconstruction Surveys and Implement Protective Measures to Minimize Disturbance of Swainson’s Hawk	Less Than Significant	The impacts on Swainson’s hawk from the Project would be less than significant with mitigation because the mitigation measure would replace lost habitat, reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and avoidance measures for nesting Swainson’s hawk during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Impact BIO-40: Impacts of the Project on Burrowing Owl	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-40: Conduct Surveys and Minimize Impacts on Burrowing Owl	Less Than Significant	The impacts on burrowing owl from the Project would be less than significant with mitigation because the mitigation measures would reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and avoidance measures for burrowing owl during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-41: Impacts of the Project on Other Nesting Special-Status and Non-Special-Status Birds	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-36a: Conduct Nesting Surveys for Special-Status and Non-Special-Status Birds and Raptors and Implement Protective Measures to Avoid Disturbance of Nesting Birds and Raptors	Less Than Significant	The impacts on special-status and non-special-status bird species from the Project would be less than significant with mitigation because the mitigation measures would replace lost habitat, reduce direct effects on these species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and avoidance measures for nesting birds during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-42: Impacts of the Project on Least Bell’s Vireo	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-42: Conduct Surveys and Minimize Impacts on Least Bell’s Vireo	Less Than Significant	The impacts on least Bell’s vireo from the Project would be less than significant with mitigation because the mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and avoidance measures for least Bell’s vireo during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-44: Impacts of the Project on Tricolored Blackbird	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction	Less Than Significant	The impacts on tricolored blackbird from the Project would be less than significant with mitigation because the mitigation measures would replace lost habitat, reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and avoidance measures for tricolored blackbird during construction.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
		MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-44: Conduct Preconstruction Surveys and Implement Protective Measures to Avoid Disturbance of Tricolored Blackbird		Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-45: Impacts of the Project on Bats	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-45a: Compensate for the Loss of Bat Roosting Habitat on Bridges and Overpasses MM BIO-45b: Avoid and Minimize Impacts on Roosting Bats	Less Than Significant	The impacts on bats from the Project would be less than significant with mitigation because these measures would replace lost habitat and reduce direct effects on the species (including habitat modification) by (1) implementing protective measures during maintenance activities, which would include assessing work areas for habitat and conducting surveys for bats where appropriate and delaying maintenance activities where possible; (2) designing lighting that avoids spillover into habitats and choosing light sources less disruptive to wildlife and thus avoiding disrupting roost sites and foraging activity; and (3) prior to and during construction, identifying occupied roosts and implementing construction activities such that the avoid disrupting roosts, in particular maternal roosts, and establishing protective buffers around roosts. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-46: Impacts of the Project on San Joaquin Kit Fox	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-46: Conduct Preconstruction Survey for San Joaquin Kit Fox and Implement Avoidance and Minimization Measures	Less Than Significant	The impacts on San Joaquin kit fox from the Project would be less than significant with mitigation because the mitigation measures would reduce direct effects on the species by (1) implementing protective measures during maintenance activities, which would include conducting den surveys where appropriate and avoiding certain activities where possible, and (2) implementing traffic controls on facility access roads during operations, which would minimize the potential for vehicle strikes if San Joaquin kit fox is present in these areas. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-47: Impacts of the Project on American Badger	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-47: Conduct Preconstruction Survey for American Badger and Implement Avoidance and Minimization Measures	Less Than Significant	The impacts on American badger from the Project would be less than significant with mitigation because the mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by (1) implementing protective measures during maintenance activities, which would include assessing work areas for habitat and conducting dens surveys where appropriate and avoiding certain activities where possible, (2) implementing traffic controls on facility access roads during operations, which would minimize the potential for vehicle strikes, and (3) implementing avoidance measures for active dens during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-48: Impacts of the Project on San Joaquin Pocket Mouse	Significant	MM CMP: Compensatory Mitigation Plan	Less Than Significant	The impacts on San Joaquin pocket mouse from the Project would be less than significant with mitigation because these measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by implementing protective measures during

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
		MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife		maintenance activities, which would include assessing work areas for potential habitat, and by implementing traffic controls on facility access roads during operations, which would minimize the potential for vehicle strikes. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-51: Substantial Adverse Effect on State- or Federally Protected Wetlands and Other Waters through Direct Removal, Filling, Hydrological Interruption, or Other Means	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities	Less Than Significant	The impact of discharge of fill into aquatic resources would be reduced to less than significant because the mitigation measures would avoid a net loss in aquatic resources and avoid and minimize periodic, temporary discharges of fill material into aquatic resources by assessing maintenance work areas for aquatic resources, establishing non-disturbance buffers around aquatic resources, training maintenance staff on the need to avoid the discharge of fill material into aquatic resources, and having a biological monitor present, where applicable. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-53: Interfere Substantially with the Movement of Any Native Resident or Migratory Fish or Wildlife Species or with Established Native Resident or Migratory Wildlife Corridors, or Impede the Use of Native Wildlife Nursery Sites	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-53: Avoid and Minimize Impacts on Terrestrial Wildlife Connectivity and Movement	Less Than Significant	The impacts on wildlife connectivity resources, habitat connectivity, and wildlife movement from the Project would be less than significant with mitigation because the mitigation measures would compensate for impacts on wildlife habitat and avoid and minimize habitat and species impacts that potentially could disrupt species movement and habitat selection, habitat access, and wildlife behavior, resulting in impacts on wildlife connectivity. These measures would avoid and minimize habitat and species impacts that could cause potential for injury, mortality, disruption of normal behaviors and disturbances to habitat that potentially may disrupt species movement, habitat selection, habitat access, and wildlife behavior, resulting in impacts on wildlife connectivity, by training construction staff on protecting habitat and species, reporting requirements, and the ramifications for not following these measures; implementing spill prevention and containment plans that would avoid material spills that could affect habitat and wildlife; preventing erosion and sedimentation of habitats and stormwater pollution, which may affect habitat and wildlife; preventing dust emissions that may impact habitat and wildlife; implementing construction BMPs and having a biological monitor present to ensure that non disturbance buffers and associated construction fencing are intact and all other protective measures are being implemented where applicable to protect habitat and wildlife; reducing fugitive light and lighting impacts that may disrupt nocturnal wildlife behavior and habitat selection; implementing environmental review and avoidance of habitat and wildlife impacts during maintenance activities; limiting vehicle speeds and implementing traffic control measures on DWR roads during operations to reduce species movement disruptions and vehicle-related mortality; and ensuring that the project prevents impacts on and facilitates habitat connectivity and safe wildlife movement. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-54: Conflict with the Provisions of an Adopted Habitat Conservation Plan, Natural Community Conservation Plan, or Other Approved Local, Regional, or State Habitat Conservation Plan	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants MM BIO-14: Avoid and Minimize Impacts on Vernal Pool Aquatic Invertebrates and Critical Habitat for Vernal Pool Fairy Shrimp MM BIO-18: Avoid and	Less Than Significant	Because the Project would only remove a small proportion of available lands for conservation, and thus not obstruct the plans’ conservation goals, and with the mitigation measures to avoid and minimize impacts on covered species and habitats, the impact on an adopted HCP, NCCP, or other approved local, regional, or state habitat conservation plan would be less than significant with mitigation.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
		Minimize Impacts on Valley Elderberry Longhorn Beetle MM BIO-22a: Avoid and Minimize Impacts on California Tiger Salamander MM BIO-24a: Avoid and Minimize Impacts on California Red-Legged Frog and Critical Habitat MM BIO-25: Avoid and Minimize Impacts on Western Pond Turtle MM BIO-26: Avoid and Minimize Impacts on Special-Status Reptiles MM BIO-30: Avoid and Minimize Impacts on Giant Garter Snake MM BIO-31: Avoid and Minimize Impacts on Western Yellow-Billed Cuckoo MM BIO-32: Conduct Preconstruction Surveys and Implement Protective Measures to Avoid Disturbance of California Black Rail MM BIO-33: Minimize Disturbance of Sandhill Cranes MM BIO-35: Avoid and Minimize Impacts on Cormorant, Heron, and Egret Rookeries MM BIO-36a: Conduct Nesting Surveys for Special-Status and Non-Special-Status Birds and Implement Protective Measures to Avoid Disturbance of Nesting Birds and Raptors MM BIO-36b: Conduct Preconstruction Surveys and Implement Protective Measures to Avoid Disturbance of White-Tailed Kite MM BIO-39: Conduct Preconstruction Surveys and Implement Protective Measures to Minimize Disturbance of Swainson’s Hawk MM BIO-40: Conduct Surveys and Minimize Impacts on Burrowing Owl MM BIO-44: Conduct Preconstruction Surveys and Implement Protective Measures to Avoid Disturbance of Tricolored Blackbird MM BIO-47: Conduct Preconstruction Survey for American Badger and Implement Avoidance and Minimization Measures MM AG-1: Preserve Agricultural Land		Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-55: Conflict with Any Local Policies or Ordinances Protecting Biological Resources, Such as a Tree Preservation Policy or Ordinance	Significant	MM CMP: Compensatory Mitigation Plan	Less Than Significant	The temporary loss of habitats from project construction would be reduced by Environmental Commitments EC-1: Conduct Worker Awareness Training; EC-2: Develop and Implement Hazardous Materials Management Plans; EC-3: Develop and Implement Spill Prevention, Containment, and Countermeasure Plans; and EC-14: Construction Best Management Practices for Biological Resources (Appendix 3B). Even with these commitments, however, the permanent loss of habitat from the construction of the alternatives would be significant. The CMP would be required to offset the loss of wetlands, riparian, and habitat for special-status species (Appendix 3F), which would reduce impacts on these resources and thus the conflicts with local policies and ordinances to less than significant. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-56: Substantial Adverse Effects on Fish and Wildlife Resources	Significant	MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities	Less Than Significant	The impacts on rivers, streams, and lakes, and associated communities, subject to the notification requirements of California Fish and Game Code 1600 et seq. would be less than

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Regulated under California Fish and Game Code Section 1600 et seq		MM AQUA-1a: Develop and Implement an Underwater Sound Control and Abatement Plan MM AQUA-1b: Develop and Implement a Barge Operations Plan MM AQUA-1c: Develop and Implement a Fish Rescue and Salvage Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-18: Avoid and Minimize Impacts on Valley Elderberry Longhorn Beetle MM BIO-22a: Avoid and Minimize Impacts on California Tiger Salamander MM BIO-24a: Avoid and Minimize Impacts on California Red-Legged Frog and Critical Habitat MM BIO-25: Avoid and Minimize Impacts on Western Pond Turtle MM BIO-26: Avoid and Minimize Impacts on Special-Status Reptiles MM BIO-30: Avoid and Minimize Impacts on Giant Garter Snake MM BIO-31: Avoid and Minimize Impacts on Western Yellow-Billed Cuckoo MM BIO-32: Conduct Preconstruction Surveys and Implement Protective Measures to Avoid Disturbance of California Black Rail MM BIO-33: Minimize Disturbance of Sandhill Cranes MM BIO-35: Avoid and Minimize Impacts on Cormorant, Heron, and Egret Rookeries MM BIO-36a: Conduct Nesting Surveys for Special-Status and Non-Special-Status Birds and Implement Protective Measures to Avoid Disturbance of Nesting Birds and Raptors MM BIO-36b: Conduct Preconstruction Surveys and Implement Protective Measures to Avoid Disturbance of White-Tailed Kite MM BIO-39: Conduct Preconstruction Surveys and Implement Protective Measures to Minimize Disturbance of Swainson’s Hawk MM BIO-40: Conduct Surveys and Minimize Impacts on Burrowing Owl MM BIO-44: Conduct Preconstruction Surveys and Implement Protective Measures to Avoid Disturbance of Tricolored Blackbird MM BIO-45b: Avoid and Minimize Impacts on Roosting Bats MM BIO-46: Conduct Preconstruction Survey for San Joaquin Kit Fox and Implement Avoidance and Minimization Measures MM BIO-47: Conduct Preconstruction Survey for American Badger and Implement Avoidance and Minimization Measures		significant because the mitigation measures would provide for compensatory mitigation to offset impacts on habitat that support fish and wildlife species, including rare plants, and would require steps to avoid and minimize effects on these species by establishing work windows to minimize the level of construction activities during sensitive time periods (e.g., migration, nesting), by establishing non-disturbance buffers to protect sensitive resources, by conducting preconstruction surveys to avoid occupied areas to the extent practicable, and by having biological monitors present to ensure measures are implemented and that direct effects on species are avoided and minimized. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.

Agricultural Resources

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Impact AG-3: Other Impacts on Agriculture as a Result of Constructing and Operating the Water Conveyance Facilities Prompting Conversion of Prime Farmland, Unique Farmland, Farmland of Local Importance, or Farmland of Statewide Importance	Significant	MM AG-3: Replacement or Relocation of Affected Infrastructure Supporting Agricultural Properties MM GW-1: Maintain Groundwater Supplies in Affected Areas	Less than Significant	<p>Construction and operation of the Project's water conveyance facilities could indirectly affect agriculture within the study area through changes in groundwater elevation in localized areas affecting crop yields, disruption of agricultural infrastructure such as irrigation and drainage facilities, and operation-related changes in salinity affecting the water quality of irrigation water applied to crops. The potential for impacts resulting from changes in groundwater elevations during construction and operation would be minimized by design elements such placement of seepage cutoff wall placements around the north Delta intakes where such issues are most likely to arise. Implementation of these design elements to prevent changes in groundwater elevations that may affect neighboring properties, including farmland, would be tracked through groundwater monitoring programs. Furthermore, with Mitigation Measure GW-1: Maintain Groundwater Supplies in Affected Areas, identified in Chapter 8, the effects of temporary dewatering associated with the project are not anticipated to adversely disrupt agricultural operations in the vicinity of the intake sites that would result in conversion of Important Farmland to nonagricultural use.</p> <p>DWR considered how construction work for the project could affect local infrastructure supporting agricultural properties, including drainage and irrigation facilities. Such disruptions could result in the areas serviced by this infrastructure being fallowed. During project planning, known infrastructure used to serve agricultural properties were avoided to the greatest extent possible; however, the presence of additional infrastructure (e.g., buried pipelines that are not visible on aerial imagery and not identified in publicly available maps) may be revealed during future site level investigations. Although these disruptions may last only for the duration of project construction activity at a particular work area, such disruptions may persist for 7 to 15 years, depending on the facility being constructed. The effect would be permanent if the disruption to the infrastructure remains after construction is complete. This impact would be potentially significant.</p> <p>Mitigation Measure AG-3: Replacement or Relocation of Affected Infrastructure Supporting Agricultural Properties would require that any agricultural infrastructure that is disrupted by construction activities would be relocated or replaced to support continued agricultural activities; otherwise, the affected landowner would be fully compensated for any financial losses resulting from the disruption. Furthermore, as required under Mitigation Measure BIO-2c: Electrical Power Line Support Placement, the installation of power transition and distribution lines and necessary appurtenances within agricultural areas would require that DWR incorporate BMPs, where feasible, to minimize crop damage, reduce agricultural land impacts, and reduce the potential for interference with farm machinery. The impact would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Aesthetics and Visual Resources				
Impact AES-4: Create New Sources of Substantial Light or Glare That Would Adversely Affect Daytime or Nighttime Views of the Construction Areas or Permanent Facilities	Significant	MM AES-1b: Apply Aesthetic Design Treatments to Project Structures MM AES-1c: Implement Best Management Practices in Project Landscaping Plan MM AES-4a: Limit Construction Outside of Daylight Hours within 0.25 Mile of Residents at the Intakes MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction	Less Than Significant	Once construction is completed and the project is in operation, the Project facilities would use limited nighttime lighting. Sources of glare would be blocked by levees, reduced by distance, or fleeting to motorists. Any building materials that would have potential to reflect glare would have a matte or nonreflective finish that would reduce or inhibit glare. Therefore, permanent, postconstruction impacts of light and glare attributable to the project would be less than significant.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
		MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences		Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Transportation				
Impact TRANS-3: Substantially Increase Hazards from a Geometric Design Feature (e.g., Sharp Curves or Dangerous Intersections) or Incompatible Uses (e.g., Farm Equipment) ¹	Significant	MM TRANS-1: Implement Site-Specific Construction Transportation Demand Management Plan and Transportation Management Plan	Less Than Significant	<p>Construction of the Project would increase the amount of traffic generated by construction employees using the road system in the study area. This increase in traffic from construction workers and other construction materials delivery traffic could create the potential for traffic safety hazards related to increasing the number of trucks and construction equipment operating with commuters, farming operations, and recreational users in areas adjacent to construction sites. Even with the circulation system improvements and park-and-ride lots, the amount of additional construction-related traffic on Delta roadways and the duration of construction activities at conveyance facility sites would increase the potential for traffic safety hazards as a result of conflicts between construction and vehicle traffic. This impact is considered significant because of the potential for construction traffic hazards at multiple construction sites, road improvement locations, and bridges. The traffic management plan (TMP) actions in Mitigation Measure TRANS-1: Implement Site-Specific Construction Transportation Demand Management Plan and Transportation Management Plan combined with the circulation system improvements provided as part of the Project would reduce this impact to a less-than-significant level by providing specific actions and coordination with local agencies to reduce potential safety conditions at identified locations. (Final EIR, pp. 20-59 (line 37) to 20-60 (line 10).)</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation. (Final EIR, p. 20-60 (lines 5-10).)</p>
Impact TRANS-4: Result in Inadequate Emergency Access	Significant	MM TRANS-1: Implement Site-Specific Construction Transportation Demand Management Plan and Transportation Management Plan	Less Than Significant	<p>Construction of the Project would increase the potential for emergency access conflicts in the vicinity of construction sites at multiple locations and would increase the potential for emergency vehicle delays on roadways used to access construction sites or in the vicinity of proposed roadway improvements. Even with the roadway and access road improvements incorporated into the Project, this potential is considered to be a significant impact because (1) a substantial increase in the volume of additional construction-related vehicle trips would occur on the regional transportation system and on Delta roadways during the construction period, and (2) up to 18 access points have the potential to experience emergency vehicle access delay due to ingress and egress of construction vehicles and roadway and bridge construction for the Project. The traffic management plan (TMP) actions in Mitigation Measure TRANS-1: Implement Site-Specific Construction Transportation Demand Management Plan and Transportation Management Plan would reduce this impact to a less-than-significant level by providing specific actions and coordination with emergency responders at construction sites to maintain adequate emergency access in the vicinity of construction sites.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Air Quality and Greenhouse Gases				
Impact AQ-1: Result in Impacts on Regional Air Quality within the	Significant	MM AQ-1: Offset Construction-Generated Criteria Pollutants in the Sacramento Valley Air Basin	Less Than Significant	Impacts associated with fugitive dust emissions would be minimized through a dust control plan (Environmental Commitment EC-11: Fugitive Dust Control) and BMPs at new concrete batch plants (Environmental Commitment EC-12: On-Site Concrete Batching Plants). Exhaust-

¹ The corrections identified above summarize and restate the determinations and conclusions as articulated in the Final EIR, and as incorporated by reference into the DCP CEQA Findings adopted by DWR on December 21, 2023, for Impact Trans-3 and Rec-2. This has been updated on March 21, 2024, per the Errata to the CEQA Findings of Fact for the Delta Conveyance Project.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Sacramento Metropolitan Air Quality Management District				<p>related pollutants would be reduced through use of zero-emissions equipment and vehicles (where feasible), renewable diesel, Tier 4 diesel engines, newer on-road and marine engines, and other BMPs, as required by Environmental Commitments EC-7: Off-Road Heavy-Duty Engines through EC-10: Marine Vessels and EC-13: DWR Best Management Practices to Reduce GHG Emissions. These environmental commitments would minimize air quality impacts through application of on-site controls to reduce construction emissions; however, even with these commitments, exceedances of SMAQMD's thresholds would occur, and the project would contribute a significant level of regional NOX and particulate matter pollution within the SVAB.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact AQ-2: Result in Impacts on Regional Air Quality within the San Joaquin Valley Air Pollution Control District	Significant	MM AQ-2: Offset Construction-Generated Criteria Pollutants in the San Joaquin Valley Air Basin	Less Than Significant	<p>Based on the performance of current incentive programs and reasonably foreseeable future growth, SJVAPCD has confirmed that enough emissions reduction credits would be available to offset emissions generated by the project for all years in excess of SJVAPCD's thresholds (McLaughlin pers. comm.). Because SJVAPCD's thresholds were established to prevent emissions from new projects in the SJVAB from contributing to CAAQS or NAAQS violations, mitigating emissions below the threshold levels would avoid potential conflicts with the ambient air quality plans and ensure that project construction would not contribute a significant level of air pollution such that regional air quality within the SJVAB would be degraded. Accordingly, the impact would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact AQ-3: Result in Impacts on Regional Air Quality within the Bay Area Air Quality Management District	Significant	MM AQ-3: Offset Construction-Generated Criteria Pollutants in the San Francisco Bay Area Air Basin	Less Than Significant	<p>Based on the performance of current incentive programs and reasonably foreseeable future growth, BAAQMD has confirmed that Mitigation Measure AQ-3: Offset Construction-Generated Criteria Pollutants in the San Francisco Bay Area Air Basin is technically feasible (Kirk pers. comm.). Because BAAQMD's thresholds were established to prevent emissions from new projects in the SFBAAB from contributing to CAAQS or NAAQS violations, mitigating emissions below the threshold levels would avoid potential conflicts with the ambient air quality plans and ensure that project construction would not contribute a significant level of air pollution such that regional air quality within the SFBAAB would be degraded. Accordingly, the impact would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact AQ-9: Result in Impacts on Global Climate Change from Construction and O&M	Significant	MM AQ-9: Develop and Implement a GHG Reduction Plan to Reduce GHG Emissions from Construction and Net CVP Operational Pumping to Net Zero	Less Than Significant	<p>The CEQA Guidelines generally offer two paths to evaluating GHG emissions impacts in CEQA documents:</p> <ul style="list-style-type: none"> • Projects can tier off a plan or similar document for the reduction of GHG emissions (as defined in CEQA Guidelines § 15183.5(b)) where the plan addresses GHG emissions for a range of project types within a geographic area. • Projects can evaluate and determine significance by calculating GHG emissions and assessing their significance using a performance standard (CEQA Guidelines § 15064.4). <p>As discussed in Section 23.3.2, Thresholds of Significance, this analysis uses both evaluation pathways to appropriately consider the planning and regulatory frameworks most applicable to the project's emissions sources.</p>

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				<p>O&M and SWP pumping activities are covered by DWR’s Update 2020, which was prepared by DWR to provide a departmental strategy for meeting the State’s 2030 and 2045 emissions reduction goals articulated in SB 32 and EO B-55-18 (and subsequently, AB 1279), respectively. Update 2020 is a plan for the reduction of GHG emissions and as such, GHG emissions from project O&M and SWP pumping activities are eligible to tier from the environmental document (California Department of Water Resources 2020b) for Update 2020 to evaluate project-level significance.</p> <p>Construction of the Project is not covered by DWR’s Update 2020 and, therefore, is not eligible for tiering to evaluate whether project-level GHG emissions would result in a significant impact under CEQA. Accordingly, this analysis evaluates the significance of GHG emissions resulting from construction and displaced purchases of CVP electricity against a net zero threshold. As discussed in Section 23.3.2, Thresholds of Significance, a net zero threshold was selected by DWR given the project’s long-term implementation timeframe and in recognition of scientific evidence that concludes carbon neutrality must be achieved by mid-century to avoid the most severe climate change impacts.</p> <p>While by different mechanisms, both pathways assess the Project against the larger threshold of carbon neutrality by 2045 (or earlier), as discussed below, which is consistent with the State’s long-term climate change goal and emissions reduction trajectory (AB 1279 and EO B-55-18).</p> <p>The Project would not affect DWR’s established emissions reduction goals or baseline (1990) emissions and therefore would not result in a change in total DWR emissions that would be considered significant. The Project would not conflict with any of DWR’s specific action GHG emissions reduction measures and implements all applicable project-level GHG emissions reduction measures as set forth in Update 2020. The Project is, therefore, consistent with the analysis performed in Update 2020.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact AQ-10: Result in Impacts on Global Climate Change from Land Use Change	Significant	MM CMP: Compensatory Mitigation Plan	Less Than Significant	<p>The impact would be less than significant under CEQA for the Project because cumulative emissions from land use change are projected to decrease relative to baseline by 2070. Initial construction activities would result in GHG increases early in project implementation. The Project would achieve a yearly net negative emissions rate approximately 4 to 6 years after groundbreaking, and a cumulative net negative GHG impact 15 to 28 years later. As shown in Table 23-76, cumulative net reductions projected through 2070 are estimated to range from 16,235 to 30,150 metric tons CO₂e for the Project. Because cumulative GHG emissions from land use change would not exceed net zero, the project would not result in a significant impact on GHG emissions or impede DWR’s or the state’s ability to achieve their GHG reduction goals.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Hazards, Hazardous Materials, and Wildfire				
Impact HAZ-2: Create a Significant Hazard to the Public or the Environment through Reasonably Foreseeable Upset and Accident Conditions Involving the	Significant	MM HAZ-2: Perform a Phase I Environmental Site Assessment Prior to Construction Activities and Remediate	Less Than Significant	<p>Overall, considering the potential for release of hazardous materials during construction, operations and maintenance of the Project, the potential exists for accidental spills and exposure to hazardous materials to occur. The environmental commitments could partially reduce impacts related to hazardous materials but not to a less-than-significant level because of</p>

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Release of Hazardous Materials into the Environment				<p>the uncertainty that exists about the locations and nature of potential hazardous materials sites and the potential for construction worker and public exposure to hazardous materials. Implementing Mitigation Measure HAZ-2: Perform a Phase I Environmental Site Assessment Prior to Construction Activities and Remediate would include a Phase I environmental site assessment before construction, the identification and evaluation of potential sites of concern within the construction footprint, and the development of a remediation plan before construction and operations commence. This would reduce all impacts related to accidental release of hazardous materials into the environment to a less-than-significant level with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact HAZ-4: Be Located on a Site That Is Included on a List of Hazardous Materials Sites Compiled Pursuant to Government Code Section 65962.5 and, as a Result, Create a Substantial Hazard to the Public or the Environment	Significant	MM HAZ-2: Perform a Phase I Environmental Site Assessment Prior to Construction Activities and Remediate	Less Than Significant	<p>The Project would construct facilities on or near known Cortese List sites. Ground-disturbing activities and dewatering at or near sites that have not been fully remediated could expose workers and the public to contaminated soil and/or groundwater resulting in adverse health effects. The potential for exposure during construction would be a significant impact because of the proximity of these sites to Project and the potential for hazardous materials exposure during site excavation and grading. Operations and maintenance activities of the Project would not result in employee exposure because a plan (e.g., Environmental Site Assessment) for remediating hazardous sites would be implemented prior to project operations. Mitigation Measure HAZ-2: Perform a Phase I Environmental Site Assessment Prior to Construction Activities and Remediate would reduce the potential for significant impacts to a less-than-significant level by requiring preconstruction investigations and remediation to reduce the potential for encountering contaminants and other hazardous materials at construction sites.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact HAZ-5: Result in a Safety Hazard Associated with an Airport or Private Airstrip	Significant	MM HAZ-5: Wildlife Hazards Management Plan and Wildlife Deterrents	Less Than Significant	<p>Airspace safety hazards occur when project components, such as buildings or construction equipment, encroach on the airspace of an airport runway. The locations of airports within 2 miles of the Project are shown on Figure 25-5. Eleven airports are within 2 miles of the construction footprint. No aspect of the Project would include equipment or structures that would be taller than 200 feet. Also pursuant to the State Aeronautics Act, DWR would adhere to FAA and Caltrans recommendations and comply with the recommendations of the OE/AAA. In areas where the project intersects with the Byron Airport influence area, construction of structures more than 100 feet above ground level could cause an obstruction or hazard to air navigation. However, construction would not introduce equipment or temporary structures in locations that could obstruct an airport or conflict with airport land uses. In addition, consultation with the Contra Costa Airport Land Use Commission would ensure that potential impacts of airspace interference would be reduced. As such, impacts on airports within 2 miles of the construction footprint due to construction of the Project would be less than significant.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Impact HAZ-6: Impair Implementation of or Physically Interfere with an Adopted Emergency Response Plan or Emergency Evacuation Plan	Significant	MM TRANS-1: Implement Site-Specific Construction Transportation Demand Management Plan and Transportation Management Plan	Less Than Significant	<p>With Mitigation Measure TRANS-1, additional evaluations and discussions with local agencies would be required during the design phase to determine the most appropriate method to coordinate between project-provided emergency response services at the construction sites and integration with local agencies. Because project construction would not take place without</p>

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Public Health				
Impact PH-1: Increase in Vector-Borne Diseases	Significant	MM PH-1a: Avoid Creating Areas of Standing Water During Preconstruction Future Field Investigations and Project Construction MM PH-1b: Develop and Implement a Mosquito Management Plan for Compensatory Mitigation Sites on Bouldin Island and at I-5 Ponds	Less Than Significant	<p>a Transportation Demand Management Plan and good-faith coordination with local agencies on appropriate emergency response services, impacts from construction or operations and maintenance of any of the alternatives would be reduced to less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p> <p>Operation and maintenance of the water conveyance facilities would not be expected to result in the creation of potentially suitable mosquito breeding habitat and thus would not likely increase the public's exposure to vector-borne diseases in the study area relative to existing conditions.</p> <p>Mitigation Measure PH-1a: Avoid Creating Areas of Standing Water During Preconstruction, Field Investigations, and Project Construction would minimize the potential for any impact on public health related to increasing suitable vector habitat within the study area during construction and reduce this impact to a less-than-significant level by reducing suitable mosquito habitat at Project facilities.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>
Paleontological Resources				
Impact PALEO-1: Cause Destruction of a Unique Paleontological Resource as a Result of Surface Ground Disturbance	Significant	MM PALEO-1a: Prepare and Implement a Monitoring and Mitigation Plan for Paleontological Resources MM PALEO-1b: Educate Construction Personnel in Recognizing Fossil Material	Less Than Significant	<p>The potential for destruction of unique paleontological resources, as defined in Section 28.3.2, Thresholds of Significance, in those portions of the study area affected by project construction would constitute a significant impact under CEQA because excavation for project facilities would occur in locations known to be sensitive for paleontological resources and localized project excavation would be considerable. Mitigation Measures PALEO-1a: Prepare and Implement a Monitoring and Mitigation Plan for Paleontological Resources, and PALEO-1b: Educate Construction Personnel in Recognizing Fossil Material would reduce the impacts to a less-than-significant level by ensuring that a qualified professional paleontologist would develop a monitoring and mitigation plan and determine which activities would occur in units sensitive for paleontological resources; educating construction personnel in recognizing paleontological resources; and having qualified monitors in place to monitor for paleontological resources and temporarily stop construction (per the PRMMP) should paleontological resources be discovered. For excavation at the tunnel shafts where in situ monitoring cannot occur, the shaft spoils would be monitored. The level of impact for all alignment alternatives would be similar but would vary in magnitude based on the amount of excavation that would occur (Table 28-4). In summary, the impacts of surface-related ground disturbance would be less than significant with mitigation.</p> <p>Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.</p>

Table 3: Project Impacts that are Less-than-Significant/No Impact Before Mitigation

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA
Flood Protection	
Impact FP-1: Cause a Substantial Increase in Water Surface Elevations of the Sacramento River between the American River Confluence and Sutter Slough	Less than Significant
Impact FP-2: Alter the Existing Drainage Pattern of the Site or Area, including through the Alteration of the Course of a Stream or River, or Substantially Increase the Rate or Amount of Surface Runoff in a Manner That Would Result in Flooding On- or Off-Site or Impede or Redirect Flood Flows	Less than Significant
Groundwater	
Impact GW-1: Changes in Stream Gains or Losses in Various Interconnected Stream Reaches	Less than Significant
Impact GW-2: Changes in Groundwater Elevations	Less than Significant
Impact GW-3: Reduction in Groundwater Levels Affecting Supply Wells	Less than Significant
Impact GW-4: Changes to Long-Term Change in Groundwater Storage	Less than Significant
Impact GW-5: Increases in Groundwater Elevations near Project Intake Facilities Affecting Agricultural Drainage	Less than Significant
Impact GW-6: Damage to Major Conveyance Facilities Resulting from Land Subsidence	Less than Significant
Impact GW-7: Degradation of Groundwater Quality	Less than Significant
Water Quality	
Impact WQ-1: Impacts on Water Quality Resulting from Construction of the Water Conveyance Facilities	Less than Significant
Impact WQ-2: Effects on Boron Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-3: Effects on Bromide Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-4: Effects on Chloride Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-5: Effects on Electrical Conductivity Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-7: Effects on Nutrients Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-8: Effects on Organic Carbon Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-9: Effects on Dissolved Oxygen Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-10: Effects on Selenium Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-11: Effects on Pesticides Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-12: Effects on Trace Metals Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-13: Effects on Turbidity/Total Suspended Solids Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-14: Effects on Cyanobacteria Harmful Algal Blooms Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-15: Risk of Release of Pollutants from Inundation of Project Facilities	Less than Significant
Impact WQ-16: Effects on Drainage Patterns as a Result of Project Facilities	Less than Significant
Impact WQ-17: Consistency with Water Quality Control Plans	No Impact
Geology and Seismicity	
Impact GEO-1: Loss of Property, Personal Injury, or Death from Structural Failure Resulting from Rupture of a Known Earthquake Fault or Based on Other Substantial Evidence of a Known Fault	Less than Significant
Impact GEO-2: Loss of Property, Personal Injury, or Death from Strong Earthquake-Induced Ground Shaking	Less than Significant
Impact GEO-3: Loss of Property, Personal Injury, or Death from Earthquake-Induced Ground Failure, including Liquefaction and Related Ground Effects	Less than Significant
Impact GEO-4: Loss of Property, Personal Injury, or Death from Ground Settlement, Slope Instability, or Other Ground Failure	Less than Significant

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA
Impact GEO-5: Loss of Property, Personal Injury, or Death from Structural Failure Resulting from Project-Related Ground Motions	Less than Significant
Impact GEO-6: Loss of Property, Personal Injury, or Death from Seiche or Tsunami	Less than Significant
Soils	
Impact SOILS-1: Accelerated Soil Erosion Caused by Vegetation Removal and Other Disturbances as a Result of Constructing the Proposed Water Conveyance Facilities	Less than Significant
Impact SOILS-2: Loss of Topsoil from Excavation, Overcovering, and Inundation as a Result of Constructing the Proposed Water Conveyance Facilities	Less than Significant
Impact SOILS-3: Property Loss, Personal Injury, or Death from Instability, Failure, and Damage as a Result of Constructing the Proposed Water Conveyance Facilities on or in Soils Subject to Subsidence	Less than Significant
Impact SOILS-4: Risk to Life and Property as a Result of Constructing the Proposed Water Conveyance Facilities in Areas of Expansive or Corrosive Soils	Less than Significant
Fish and Aquatic Resources	
Impact AQUA-4: Effects of Operations and Maintenance of Water Conveyance Facilities on Central Valley Fall-Run/Late Fall-Run Chinook Salmon	Less than Significant
Impact AQUA-8: Effects of Operations and Maintenance of Water Conveyance Facilities on Southern DPS Green Sturgeon	Less than Significant
Impact AQUA-9: Effects of Operations and Maintenance of Water Conveyance Facilities on White Sturgeon	Less than Significant
Impact AQUA-10: Effects of Operations and Maintenance of Water Conveyance Facilities on Pacific Lamprey and River Lamprey	Less than Significant
Impact AQUA-11: Effects of Operations and Maintenance of Water Conveyance Facilities on Native Minnows (Sacramento Hitch, Sacramento Splittail, Hardhead, and Central California Roach)	Less than Significant
Impact AQUA-12: Effects of Operations and Maintenance of Water Conveyance Facilities on Starry Flounder	Less than Significant
Impact AQUA-13: Effects of Operations and Maintenance of Water Conveyance Facilities on Northern Anchovy	Less than Significant
Impact AQUA-14: Effects of Operations and Maintenance of Water Conveyance Facilities on Striped Bass	Less than Significant
Impact AQUA-15: Effects of Operations and Maintenance of Water Conveyance Facilities on American Shad	Less than Significant
Impact AQUA-16: Effects of Operations and Maintenance of Water Conveyance Facilities on Threadfin Shad	Less than Significant
Impact AQUA-17: Effects of Operations and Maintenance of Water Conveyance Facilities on Black Bass	Less than Significant
Impact AQUA-18: Effects of Operations and Maintenance of Water Conveyance Facilities on California Bay Shrimp	Less than Significant
Impact AQUA-19: Effects of Operations and Maintenance of Water Conveyance Facilities on Southern Resident Killer Whale	Less than Significant
Impact AQUA-20: Effects of Construction of Water Conveyance Facilities on California Sea Lion	Less than Significant
Terrestrial Biological Resources	
Impact BIO-6: Impacts of the Project on Nontidal Brackish Emergent Wetland	No Impact
Impact BIO-15: Impacts of the Project on Conservancy Fairy Shrimp	No Impact
Impact BIO-17: Impacts of the Project on Sacramento and Antioch Dunes Anthicid Beetles	No Impact
Impact BIO-19: Impacts of the Project on Delta Green Ground Beetle	No Impact
Impact BIO-43: Impacts of the Project on Suisun Song Sparrow and Saltmarsh Common Yellowthroat	No Impact
Impact BIO-49: Impacts of the Project on Salt Marsh Harvest Mouse	No Impact
Impact BIO-50: Impacts of the Project on Riparian Brush Rabbit	No Impact
Impact BIO-52: Impacts of Invasive Species Resulting from Project Construction and Operations on Established Vegetation	Less than Significant
Impact BIO-57: Impacts of the Project on Monarch Butterfly	Less than Significant
Land Use	
Impact LU-1: Displacement of Existing Structures and Residences and Effects on Population and Housing	Less than Significant
Impact LU-2: Incompatibility with Applicable Land Use Designations, Goals, and Policies, Adopted for the Purpose of Avoiding or Mitigating an Environmental Effect as a Result of the Project	Less than Significant

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA
Impact LU-3: Create Physical Structures Adjacent to and through a Portion of an Existing Community that Would Physically Divide the Community as a Result of the Project	No Impact
Recreation	
Impact REC-1: Increase the Use of Existing Neighborhood and Regional Parks or Other Recreational Facilities Such That Substantial Physical Deterioration of the Facility Would Occur or Be Accelerated	Less than Significant
Impact REC-2: Include Recreational Facilities or Require the Construction or Expansion of Recreational Facilities That Might Have an Adverse Physical Effect on the Environment ²	Less than Significant (Final EIR, p. 16-29 (lines 1-3).)
Transportation	
Impact TRANS-2: Conflict with a Program, Plan, Ordinance, or Policy Addressing the Circulation System	Less than Significant
Impact TRANS-5: Potential Effects on Marine Navigation Caused by Construction, Operation, and Maintenance of Intakes	Less than Significant
Public Services and Utilities	
Impact UT-1: Result in Substantial Physical Impacts Associated with the Provision of, or the Need for, New or Physically Altered Governmental Facilities, the Construction of Which Could Cause Significant Environmental Impacts on Public Services Including Police Protection, Fire Protection, Public Schools, and Other Public Facilities (e.g., Libraries, Hospitals)	Less than Significant
Impact UT-2: Require or Result in the Relocation or Construction of New or Expanded Service System Infrastructure, the Construction or Relocation of Which Could Cause Significant Environmental Impacts for Any Service Systems Such as Water, Wastewater Treatment, Stormwater Drainage, Electric Power Facilities, Natural Gas Facilities, and Telecommunications Facilities	Less than Significant
Impact UT-3: Exceed the Capacity of the Wastewater Treatment Provider(s) that Would Serve the Alternative's Anticipated Demand in Addition to the Provider's Existing Commitments	Less than Significant
Impact UT-4: Generate Solid Waste in Excess of Federal, State or Local Standards, or Be in Excess of the Capacity of Local Infrastructure, or Otherwise Impair the Attainment of Solid Waste Reduction Goals	Less than Significant
Energy	
Impact ENG-1: Result in Substantial Significant Environmental Impacts Due to Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources during Project Construction or Operation	Less than Significant
Impact ENG-2: Conflict with or Obstruct Any State/Local Plan, Goal, Objective, or Policy for Renewable Energy or Energy Efficiency	No Impact
Air Quality and Greenhouse Gases	
Impact AQ-4: Result in Impacts on Air Quality within the Yolo-Solano Air Quality Management District	Less than Significant
Impact AQ-6: Result in Exposure of Sensitive Receptors to Substantial Toxic Air Contaminant Emissions	Less than Significant
Impact AQ-7: Result in Exposure of Sensitive Receptors to Asbestos, Lead-Based Paint, or Fungal Spores That Cause Valley Fever	Less than Significant
Impact AQ-8: Result in Exposure of Sensitive Receptors to Substantial Odor Emissions	Less than Significant
Impact AQ-10: Result in Impacts on Global Climate Change from Land Use Change	Less than Significant
Noise and Vibration	
Impact NOI-2: Generate Excessive Groundborne Vibration or Groundborne Noise Levels	Less than Significant
Impact NOI-3: Place Project-Related Activities in the Vicinity of a Private Airstrip or an Airport Land Use Plan, or, Where Such a Plan Has Not Been Adopted, within 2 Miles of a Public Airport or Public Use Airport, Resulting in Exposure of People Residing or Working in the Project Area to Excessive Noise Levels	No Impact
Hazards, Hazardous Materials, and Wildfire	
Impact HAZ-1: Create a Substantial Hazard to the Public or the Environment through the Routine Transport, Use, or Disposal of Hazardous Materials	Less than Significant

² The corrections identified above summarize and restate the determinations and conclusions as articulated in the Final EIR, and as incorporated by reference into the DCP CEQA Findings adopted by DWR on December 21, 2023, for Impact Trans-3 and Rec-2. This has been updated on March 21, 2024, per the Errata to the CEQA Findings of Fact for the Delta Conveyance Project.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA
Impact HAZ-3: Expose Sensitive Receptors at an Existing or Proposed School Located within 0.25 Mile of Project Facilities to Hazardous Materials, Substances, or Waste	No Impact
Impact HAZ-5: Result in a Safety Hazard Associated with an Airport or Private Airstrip	Less than Significant
Impact HAZ-7: Expose People or Structures, Either Directly or Indirectly, to a Substantial Risk of Loss, Injury, or Death Involving Wildland Fires	Less than Significant
Public Health	
Impact PH-2: Exceedance(s) of Water Quality Criteria for Constituents of Concern Such That Drinking Water Quality May Be Affected	Less than Significant
Impact PH-3: Substantial Mobilization of or Increase in Constituents Known to Bioaccumulate	Less than Significant
Impact PH-4: Adversely Affect Public Health Due to Exposing Sensitive Receptors to New Sources of EMF	Less than Significant
Impact PH-5: Impact Public Health Due to an Increase in Microcystis Bloom Formation	Less than Significant
Mineral Resources	
Impact MIN-1: Loss of Availability of Locally Important Natural Gas Wells as a Result of the Project	No Impact
Impact MIN-2: Loss of Availability of Extraction Potential from Natural Gas Fields as a Result of the Project	No Impact
Impact MIN-3: Loss of Availability of Locally Important Aggregate Resources (Mines and MRZs) as a Result of the Project	No Impact
Impact MIN-4: Loss of Availability of Locally Important Aggregate Resources as a Result of the Project	No Impact

Final EIR Modifications

1
2
3 DWR made minor edits throughout Volume 1 of the Final EIR, such as modifications to punctuation
4 and correction of misspellings and typos. In addition, DWR made minor formatting changes
5 throughout Volume 1 of the Final EIR, such as modification to headings, corrections to page
6 numbers, and corrections of formatting issues found in graphs, charts, and tables. Minor edits or
7 formatting changes to the Draft EIR reflected in Volume 1 of the Final EIR do not result in any new
8 significant environmental impacts or a substantial increase in the severity of an environmental
9 impact that was previously analyzed in the Draft EIR.

10 In addition to grammar and formatting changes, new information was added to the Final EIR to
11 clarify, amplify (i.e., expands in stating or describing, as by details or illustrations; clarifies by
12 expanding), or makes insignificant modifications to discussion and analysis in the Draft EIR. Key
13 modifications included in the Volume 1 of the Final EIR are identified in the table below with a
14 summary regarding why the modifications do not result in the disclosure of a new significant
15 impact, result in an increase in the severity or magnitude of an impact, or do not result in the need
16 for additional required mitigation to which DWR is unwilling to commit. The Final EIR provides
17 further information regarding modifications that occurred between the Draft EIR and the Final EIR.
18 This information can be found in Final EIR, Volume 2, Common Response 1, CEQA Process, General
19 Approach to Analysis, and Other Environmental Review Issues, which explains CEQA recirculation
20 requirements and why the information and modifications contained in the Final EIR do not meet
21 recirculation requirements either individually or collectively; Final EIR, Volume 2, Common
22 Response 3, Alternatives Development and Description, which also describes some of the
23 substantive project description refinements included in the table below and why they do not trigger
24 the need for recirculating the Draft EIR; Final EIR, Volume 2, Common Response 11, Terrestrial
25 Biological Resources and Compensatory Mitigation Plan, which describes refinements to the
26 Compensatory Mitigation Plan; and Final EIR, Volume 2, Common Response 15, Air Quality and
27 Greenhouse Gases, which describes refinements to air quality modeling and assumptions. Individual
28 responses to comments in Volume 2, Chapter 4, Response to Comments Tables, also address
29 refinements made to the Draft EIR in response to those individual comments where applicable. The
30 summary table below cites relevant sections of Volume 1 of the Final EIR where appropriate.

Modification	Modification Consideration
Clarifications to Table 1-1, Summary of Potential Agencies and Review, Approval, or Other Responsibilities, in Addition to Those under CEQA in Final EIR, Volume 1, Chapter 1, <i>Introduction</i> .	The clarifying text added to Table 1-1 is about different agencies and their potential roles and responsibilities. The table was not used in the impact analysis. Therefore, the added information merely amplifies discussion in the Draft EIR and does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Clarifications to use of sedimentation basins and drying lagoons for all alternatives during operations in Final EIR, Volume 1, Chapter 3, <i>Description of the Proposed Project and Alternatives</i> , Section 3.4.1.2, <i>Sedimentation Basins and Drying Lagoons</i> .	The inclusion of the information regarding the sedimentation basins and drying lagoons further clarifies how the sedimentation basins and drying lagoons would operate and the duration in which operation would occur. These clarifications complement and amplify the information previously included in Draft EIR Chapter 3, <i>Description of the Proposed Project and Alternatives</i> , and evaluated throughout the EIR and do not materially change the description of the sedimentation basins and drying lagoons. The added information does not result in a new or more severe impact requiring additional analysis, change impact conclusions presented in the Draft EIR, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the new information does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Inclusion of undergrounding of 1.9 miles of SCADA lines between Freeport and north of Intake A across from Clarksburg consistent with description in Final EIR, Volume 1, Chapter 3, <i>Description of the Proposed Project and Alternatives</i> , Section 3.4.11, <i>SCADA Facilities</i> , clarifying that some of the SCADA lines would be undergrounded along existing roads and project access routes (as shown in Figure 3-14).	The Draft EIR stated that wherever possible, underground SCADA routes would be located along existing roads and project access routes. The Draft EIR evaluated the type and magnitude of impacts associated with installing SCADA lines underground, as well overhead. As described in Final EIR, Volume 2, Common Response 3, <i>Alternatives Development and Description</i> , the alignment between Freeport and north of Intake A across from Clarksburg was included in the study areas in the Draft EIR and undergrounding the alignment would result in highly localized, temporary, and minor soil disturbances and would require the use of similar construction equipment and construction trips as already included in the EIR evaluation for all resources. The inclusion of this information in the Final EIR complements the description in the Draft EIR that SCADA lines would be undergrounded where appropriate. The new information does not represent new or more severe impacts requiring additional analysis, change impact conclusions presented in the Draft EIR, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the new information does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Clarification of the use of non-specular material for aboveground power lines in Final EIR, Volume 1, Chapter 3, <i>Description of the Proposed Project and Alternatives</i> , Section 3.4.10, <i>Electrical Facilities</i> .	The inclusion of the information regarding non-specular material further clarifies the type of materials used for above power lines. Non-specular material is material that reflects light diffusely and evenly or scatters light. The inclusion of the use of this material complements the information previously included in Draft EIR Chapter 3, <i>Description of the Proposed Project and Alternatives</i> , and evaluated throughout the EIR and do not materially change the description of the aboveground power lines. The added information does not

Modification	Modification Consideration
Refinements to location and acreage of temporary uses within the overall footprint at the Southern Complex where the Southern Complex is discussed in Final EIR, Volume 1, Chapter 3, <i>Description of the Proposed Project and Alternatives</i> , for alternatives (except Alternative 5).	<p>represent new or more severe impacts requiring additional analysis, change impact conclusions presented in the Draft EIR, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the information does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.</p> <p>Chapter 3, <i>Description of the Proposed Project and Alternatives</i>, was updated to more accurately reflect the types of activities that would occur within the construction area. As an example, the area required for reusable tunnel material (RTM) storage decreased between the Draft and Final EIR based on new estimates provided by the project engineers. However, these changes would not affect the land area required to construct and operate the project or the resulting environmental impacts that may result from land conversion. In addition, small refinements to the project's footprint would result in minor differences in total acreages reported in the Draft and Final EIR. These small refinements would not affect the magnitude or significance of environmental impacts reported in the Draft EIR. The added information does not result in a new or more severe impact requiring additional analysis, change impact conclusions presented in the Draft EIR, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the information does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.</p>
Reconfiguring of Bethany Reservoir Pumping Plant and Surge Basin facilities primarily within the Bethany Complex footprint for Alternative 5 to allow approximately 35 acres to remain undisturbed within the footprint of these facilities, as described in Final EIR, Volume 1, Chapter 3, <i>Description of the Proposed Project and Alternatives</i> , Section 3.14.1, <i>Bethany Complex</i> , and Final EIR, Volume 2, Common Response 3, <i>Alternatives Development and Description</i> .	<p>As identified in Chapter 3, <i>Description of the Proposed Project and Alternatives</i>, and further described in Common Response 3, <i>Alternatives Development and Description</i>, the reconfiguration of the Bethany Complex in the Final EIR would not create new surface impacts relative to the Draft EIR, require additional mitigation measures, or result in a change to any of the evaluations or impact conclusions contained in the Draft EIR related to any resource analyzed in the EIR. Furthermore, the operation of the facilities under the reconfigured Bethany Complex in the Final EIR would be the same as described in the Draft EIR and there would be no changes to any operation-related impacts. Specifically, the two driveways located outside the original footprint evaluated in the Draft EIR of the Bethany Complex would not result in impacts greater or of a different type than disclosed in the Draft EIR, given the minimal area disturbed by the two driveways, and the change in disturbance type at the Bethany Complex, from temporary surface impacts in the Draft EIR to permanent surface impacts in the Final EIR, would not change the severity or magnitude of the impacts already disclosed in the resource chapters of the EIR (i.e., Chapters 7 through 32). Therefore, the reconfiguration does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.</p>

Modification	Modification Consideration
Inclusion of broader discussion and clarifications of access road and rehabilitation in Final EIR, Volume 1, Chapter 3, <i>Description of the Proposed Project and Alternatives</i> , Section 3.4.7, <i>Access Roads</i> .	The inclusion of the access road information further clarifies the location and timing of road rehabilitation. These clarifications complement the descriptions of road rehabilitation previously included in Draft EIR Chapter 3, <i>Description of the Proposed Project and Alternatives</i> , and evaluated throughout the EIR and do not materially change the description of the road rehabilitation or the analyses. The added information does not represent new or more severe impacts requiring additional analysis, change impact conclusions presented in the Draft EIR, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the information does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Inclusion of left-turn merge lane along 1 mile of Twin Cities Road 44 feet wide with three 12-foot-wide paved lanes in Final EIR, Volume 1, Appendix 3D, <i>Intakes, Roads, and Shafts Summary Tables</i>	<p>The addition of the left-turn merge lane would not cause additional or more severe traffic impacts because it would improve, rather than worsen, traffic flow on Twin Cities Road. It would allow through traffic to pass without waiting for vehicles turning left to clear and not affect vehicle miles traveled (VMT) or conflict with a program, plan, ordinance, or policy addressing the circulation system because it is a roadway improvement that would not increase VMT beyond that already analyzed in the Draft EIR for construction and operation. Pursuant to required Mitigation Measure TRANS-1, first responders would pass through the area during construction, and, after construction, first responders would be able to use the left-turn merge lane.</p> <p>Other environmental resources would not be affected by the construction of the left-turn merge lane beyond the type and severity of impacts evaluated and disclosed in the Draft EIR because the left-turn merge lane would primarily be located within the boundaries of the Twin Cities Road road-widening improvements proposed under the project alternatives along existing road section(s). A highly limited and minimal additional area of disturbance (i.e., 1.5 acres) in a disturbed area located primarily within the existing road right-of-way would occur. Any known or unknown environmental resources that could occur in this strip of disturbed land have been considered in Chapters 7 through 32 of the EIR because this area is within the study area included for environmental resources. Mitigation measures identified in the EIR related to permanent disturbances would be implemented and the permanent disturbance of this additional limited area of 1.5 acres would not substantially increase the severity of impacts analyzed in the Draft EIR. Therefore, this highly limited and minimal additional area of disturbance would not constitute a substantial increase in severity of impacts disclosed in the Draft EIR. The construction of the left-turn merge lane would take place concurrently with other construction activities associated with the project alternatives at Twin Cities Road and would not result in an increase in air quality emissions beyond what was already analyzed</p>

Modification	Modification Consideration
<p>Some refinements were made to the project description in Final EIR, Volume 1, Chapter 3, <i>Description of the Proposed Project and Alternatives</i>, to clarify operations in Section 3.16.3, <i>Integration of North Delta Intakes with South Delta Facilities</i>.</p>	<p>in the Draft EIR because the same type and duration of equipment use would occur. The added information regarding the left-turn merge lane does not result in a new or more severe impact requiring additional analysis, change impact conclusions presented in the Draft EIR, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the addition of the left-turn merge lane does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.</p>
<p>Inclusion of figures based on DSM2 modeling results in Final EIR, Volume 1, Chapter 5, <i>Surface Water</i>, regarding reverse flows in the Sacramento River near Freeport.</p>	<p>The operations description was revised to further clarify that DWR would divert excess flows in winter and spring and is not proposing to change upstream reservoir operations. Final EIR, Volume 2, Common Response 1, <i>CEQA Process, General Approach to Analysis, and Other Environmental Review Issues</i>, describes the scope of the analysis contained in the Final EIR, including areas upstream of the north Delta intakes. Final EIR, Volume 2, Common Response 3, <i>Alternatives Development and Description</i>, also explicitly responds to the concerns about upstream operations. Final EIR, Volume 2, Common Response 3 also responds to comments requesting analysis under Temporary Urgency Change Orders. The operation of the project gives the state the opportunity to capture high flows during periods of excess flows, up to what is permitted under the existing DWR water rights. Diversions at the proposed north Delta intakes would mostly occur in the winter and spring, when the conditions described above are most likely to occur. Because the project would operate this way (i.e., capture high flows on top of what can be diverted in the south Delta), DWR does not anticipate use of the proposed north Delta diversion during dry conditions where the south Delta would not be operating at capacity, such as times when a Temporary Urgency Change Order is in place. These clarifications in Final EIR, Volume 1, Chapter 3, <i>Description of the Proposed Project and Alternatives</i>, and further described in Final EIR, Volume 2, Common Response 3 complement the descriptions of operations previously included in Draft EIR Chapter 3; operations modeled using CalSim 3; and operations evaluated throughout the EIR. The added information regarding operations does not result in a new or more severe impact requiring additional analysis, change impact conclusions presented in the Draft EIR, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the information does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.</p>
<p>Inclusion of figures based on DSM2 modeling results in Final EIR, Volume 1, Chapter 5, <i>Surface Water</i>, regarding reverse flows in the Sacramento River near Freeport.</p>	<p>The inclusion of these graphs is to graphically depict DSM2 model results provided in Final EIR, Volume 1, Appendix 5A, Modeling Technical Appendix, Section C, <i>One Dimensional Delta Hydrodynamics and Water Quality Modeling Results</i>, Attachment 1, <i>DSM2 Model Results for Existing Conditions and Alternatives at 2020</i>. This supports the information that was previously included in the Draft EIR regarding reverse flows in the Sacramento River</p>

Modification	Modification Consideration
Refinements to Final EIR, Volume 1, Chapter 8, <i>Groundwater</i> , Impact GW-4 regarding the discussion of operation groundwater modeling results related to groundwater storage to clarify the meaning of the modeling results; inclusion of electrical conductivity in Mitigation Measure GW-1.	near Freeport and complements the modeled data included in Draft EIR and Final EIR. Therefore, the new figures merely clarify/amplify the discussion in the Draft EIR and does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Clarifications to Impact GW-1, Impact GW-2, and Impact GW-3 in Final EIR, Volume 1, Chapter 8, <i>Groundwater</i> , regarding use of Mitigation Measure GW-1.	Refinements were made to Mitigation Measure GW-1, which now includes a provision to also monitor for changes in electrical conductivity (EC) at the same wells that would be used to monitor for changes in groundwater elevations. The EC monitoring would occur over the same period as for monitoring groundwater elevations. The addition of EC monitoring to Mitigation Measure GW-1 was not made because of a new groundwater significance finding between the Draft and Final EIR, as explained in Final EIR, Volume 2, Common Response 10, <i>Surface Water Quality and Groundwater Resources</i> , but rather to support the less-than-significant impact determination regarding groundwater quality. Changes to mitigation measures that do not increase the severity of the environmental impacts disclosed in the draft EIR do not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. (<i>Yerba Buena Neighborhood Consortium, LLC v. Regents of Univ. of California</i> (2023) 95 Cal. App. 5th 779, 808.)
Clarification of methodology in Final EIR, Volume 1, Chapter 9, <i>Water Quality</i> .	The wording of Impacts GW-1, GW-2, and GW-3 in EIR Chapter 8, <i>Groundwater</i> , was revised to make it clearer that the impacts on groundwater resources described in the Draft EIR are less than significant before the implementation of the monitoring and response measures described in Mitigation Measure GW-1. Therefore, the new information merely clarifies/amplifies the discussion in the Draft EIR and does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Clarification of methodology in Final EIR, Volume 1, Chapter 9, <i>Water Quality</i> .	Clarifying information was included in Section 9.3.1, <i>Methods for Analysis</i> , of Chapter 9, <i>Water Quality</i> , to clarify the source, organization, aggregation of water quality data used in the impact analyses. The methodology for determining impacts was not modified and impact analyses and determinations were not modified as a result of the clarification. As described in Final EIR, Volume 2, Common Response 10, <i>Surface Water Quality and Groundwater Resources</i> , the historical, reconstructed water year types on the California Data Exchange Center website were used to aggregate the modeling results because these are publicly available and widely referenced in research and analysis related to the Delta. The presentation of average constituent levels by water year type is informational and the impact conclusions are based on all modeled changes, particularly those represented in the exceedance plots containing modeling output for the entire 93-year simulation period, as well as modeled changes in frequency of exceedance of water quality objectives. Therefore,

Modification	Modification Consideration
<p>Inclusion of Mitigation Measure WQ-4 in Final EIR, Volume 1, Chapter 9, <i>Water Quality</i>, and Appendix 9M, <i>Contra Costa Water District Interconnection Facility Mitigation Measure</i>, regarding the Contra Costa Water District Interconnection Facility, to further reduce the less-than-significant impacts on chloride discussed in Impact WQ-4.</p>	<p>the new information merely clarifies/amplifies the discussion in the Draft EIR and does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.</p> <p>Mitigation Measure WQ-4: <i>Contra Costa Water District Interconnection Facility</i> has been included in the Final EIR to further reduce less-than-significant impacts on chloride previously disclosed under Impact WQ-4: <i>Effects on Chloride Resulting from Facility Operations and Maintenance</i> in Chapter 9, <i>Water Quality</i>. Changes to, or addition of, mitigation measures that do not increase the severity of the environmental impacts disclosed in the Draft EIR do not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. (<i>Yerba Buena Neighborhood Consortium, LLC v. Regents of Univ. of California</i> (2023) 95 Cal. App. 5th 779, 808.)</p> <p>Appendix 9M, <i>Contract Costa Water District Interconnection Facility Mitigation Measure</i>, was included in the Final EIR to provide an evaluation of the environmental impacts of constructing and operating the interconnection facility. All environmental resources are analyzed in Appendix 9M. Impacts on most resources are determined to be less than significant or less than significant with mitigation incorporated. However, project impacts identified as significant and unavoidable in the Draft EIR (e.g., agricultural resources, traffic, cultural resources, Tribal Cultural Resources) would remain significant and unavoidable with implementation of Mitigation Measure WQ-4 as disclosed in Appendix 9M. Although significant and unavoidable impacts would occur, there would not be a substantial increase in the severity of significance given the location of Mitigation Measure WQ-4, the limited duration of construction, and the relatively small area of disturbance during construction. The evaluation of the new mitigation measure concluded that implementing the measure would not result in any new significant impacts or substantially increase the severity of impacts not already disclosed in the Draft EIR, nor would it require additional mitigation measures that DWR is unwilling to implement. Therefore, the new mitigation measure does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.</p>
<p>Additional clarifications regarding construction methods and geotechnical investigations in Final EIR, Volume 1, Chapter 10, <i>Geology and Seismicity</i>, Section 10.3.1.1, <i>Process and Methods of Review for Geology and Seismicity</i>, to provide details on Delta Conveyance Design and Construction Authority</p>	<p>Information was added to Final EIR, Volume 1, Chapter 10, <i>Geology and Seismicity</i>, Section 10.3.1.1, <i>Process and Methods of Review for Geology and Seismicity</i>, to clarify the types of information used in the analysis, how that information was used, and how new and future data would be used in the design process. As described in the section, available geological and geotechnical information was reviewed and considered in the EPR screening analyses to understand subsurface geology and groundwater conditions related to preliminary</p>

Modification	Modification Consideration
(DCA) activities and design criteria.	<p>design criteria and the need for specific construction methods. Additional information gained during geotechnical investigations that occurred during preparation of the DCA Engineering Project Reports (EPRs) and EIR further validated the geotechnical assumptions and construction methods that were used for the conceptual designs of each facility in the EPRs. Additional geological and geotechnical investigations would be conducted during the design phase to further develop design criteria and provide geotechnical design parameters for proposed facilities.</p> <p>These clarifications regarding how DCA will conduct geotechnical investigations and use information gained to inform activities and design criteria as well as construction methods complement the descriptions of the construction methods provided in Final EIR, Volume 1, Chapter 3, <i>Description of the Proposed Project and Alternatives</i>, and evaluated throughout the EIR and do not materially change the description of the construction methods or the analyses based on the construction methods. Furthermore, this information is not used in the impact analysis in Final EIR, Volume 1, Chapter 10 or elsewhere. Therefore, the new information merely clarifies/amplifies the discussion in the Draft EIR and does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.</p>
Inclusion of juvenile Chinook salmon screen passage time analysis at 19°C in Final EIR, Volume 1, Chapter 12, <i>Fish and Aquatic Resources</i> , Impact AQUA-2, which further supports the impact determination of less than significant with mitigation incorporated.	<p>The inclusion of this new information in the discussion of Impact AQUA-2 augments the original analysis in the Draft EIR, which was focused on screen passage at 12°C. The new information complements the analysis previously performed on screen passage and further supports the previous impact determination of less than significant with mitigation incorporated. CMP-25: <i>Tidal Habitat Restoration to Mitigate North Delta Hydrodynamic Effects on Chinook Salmon Juveniles</i> and CMP-26: <i>Channel Margin Habitat Restoration for Operations Impacts on Chinook Salmon Juveniles</i>, as described in Attachment 3F.1, <i>Compensatory Mitigation Design Parameters</i>, are still required and no changes to the mitigation were made because of this new information. The new information merely confirms previous conclusions, and thus does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. (See <i>San Francisco Baykeeper v. California State Lands Commission</i> (2015) 242 Cal.App.4th 202, 224-225 [new modeling confirming earlier conclusion about effects of mining on Bay environment did not trigger recirculation]; <i>Beverly Hills Unified School Dist. v. Los Angeles County Metropolitan Transportation Commission</i> (2015) 241 Cal.App.4th 627, 660-666 [Final EIR containing substantial amounts of new information, including numerous new seismic studies did not trigger recirculation].)</p>

Modification	Modification Consideration
<p>Clarifications and additions of factors explaining patterns in north Delta exports and south Delta exports; clarification of footnotes in summary tables of results; and clarification of 5% significance threshold value used for impact analyses in Final EIR, Volume 1, Chapter 12, Fish and Aquatic Resources.</p>	<p>These clarifications further explain or add to the information regarding patterns in north Delta exports, tables of results, or the use of 5% significance threshold value. They complement the information that was previously provided in the Draft EIR and do not modify the methodology(ies) used for determining impacts or modify impact determinations. Therefore, the new information merely clarifies/amplifies the discussion in the Draft EIR and does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.</p>
<p>Inclusion of Impact AQUA-20 in Final EIR, Volume 1, Chapter 12, <i>Fish and Aquatic Resources</i>, regarding California sea lions, which discloses a less-than-significant impact.</p>	<p>The purpose of the analysis contained in the EIR is to disclose and evaluate potentially significant impacts. DWR did not address California sea lions in the Draft EIR because the study area is not within the traditional breeding or nonbreeding range of the population and therefore DWR had not previously identified potential effects on California sea lions as a potentially significant impact. DWR included an analysis of potential impacts on California sea lions in Chapter 12, <i>Fish and Aquatic Resources</i>, of the Final EIR, Volume 1, because of public comment. As disclosed in Chapter 12 of the Final EIR, Volume 1, the project would not result in a population-level effect on the species because the project would not permanently impede potential movement or foraging by individuals through the study area, and the study area is not within the traditional breeding or nonbreeding range for the population. Because few, if any, individuals would be affected during construction or operation of the project, the impact under CEQA is less than significant. Recirculation is required where the Final EIR discloses a new significant environmental impact of a project that was not analyzed in the Draft EIR. New information included in a Final EIR explaining why an impact alleged by a commenter is less than significant does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.</p>
<p>Refinements to Final EIR, Volume 1, Chapter 13, <i>Terrestrial Biological Resources</i>, including: adding specificity to Mitigation Measure BIO-53 to address design specifications, monitoring, and adaptive management; clarifying that if California Department of Fish and Wildlife (CDFW) develops guidance for sandhill crane surveys and work windows DWR will use the guidance; clarifying tricolored blackbird analysis in Impact BIO-44.</p>	<p>As described below, the added information for habitat connectivity, sandhill cranes, and tricolored blackbird, does not represent new or more severe impacts requiring additional analysis, change impact conclusions presented in the Draft EIR, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the information does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.</p> <p>Mitigation Measure BIO-53 was revised to further clarify the wildlife crossing and connectivity specialist credentials, how the specialist will contribute to the project design phase to ensure adequate wildlife crossing and connectivity element design and outcomes, more detailed wildlife connectivity enhancement measures, and operational monitoring</p>

Modification	Modification Consideration
	<p>and adaptive management for connectivity and crossings. These modifications provide additional detail to Mitigation Measure BIO-53 but, as described in Final EIR, Volume 2, Common Response 11, <i>Terrestrial Biological Resources and Compensatory Mitigation Plan</i>, do not result in a change to an impact determination. The change to the mitigation measure does not trigger recirculation because it does not introduce new mitigation to which DWR is unwilling to commit. Changes to, or addition of, mitigation measures that do not increase the severity of the environmental impacts disclosed in the draft EIR do not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. (<i>Yerba Buena Neighborhood Consortium, LLC v. Regents of Univ. of California</i> (2023) 95 Cal. App. 5th 779, 808.)</p> <p>Clarification was added to Impact BIO-33 regarding the potential for sandhill cranes to arrive earlier than September 15 and stay later than March 15 because the construction of the project will occur for many years. DWR added text explaining that if CDFW develops guidance regarding sandhill crane surveys and work windows, DWR will adjust survey dates and dates included in mitigation measures to minimize potential impacts on sandhill cranes. Changes to, or addition of, mitigation measures that do not increase the severity of the environmental impacts disclosed in the draft EIR do not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. (<i>Yerba Buena Neighborhood Consortium, LLC v. Regents of Univ. of California</i> (2023) 95 Cal. App. 5th 779, 808.).</p> <p>Impact BIO-44, Appendix 3F, <i>Compensatory Mitigation Plan for Special-Status Species and Aquatic Resources</i>, and Attachment 3F.1, <i>Compensatory Mitigation Design Parameters</i>, have been modified to recognize breeding foraging habitat loss as a potential impact on tricolored blackbird and propose mitigation to compensate for this impact. Because many non-breeding foraging and roosting habitat types also serve as breeding foraging types, this change will also protect those habitat types. The revision to Attachment 3F.1 does not result in a change in impact determination for tricolored blackbird identified in Final EIR, Volume 1, Chapter 13, <i>Terrestrial Biological Resources</i>, but adds additional mitigation to further reduce potential adverse effects on tricolored blackbird that were previously disclosed in the Draft EIR. Mitigation Measure BIO-44 has been revised to include surveys during the nonbreeding season (August 1–March 14) 1 year prior to the start of construction and then the year of construction to establish use of roosting habitat. Mitigation Measure BIO-44 includes the commitment that three surveys will be conducted within 15 days prior to nighttime construction, with one of the surveys within 5 days prior</p>

Modification	Modification Consideration
	<p>to the start of nighttime construction and the establishment of a 300-foot nondisturbance buffer around occupied roost sites. This revision does not result in a change in impact determination for tricolored blackbird identified in Final EIR, Volume 1, Chapter 13. Although Impact BIO-44 was updated, the additional information merely confirms previous conclusions, and thus does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. (See <i>San Francisco Baykeeper v. California State Lands Commission</i> (2015) 242 Cal.App.4th 202, 224-225 [new modeling confirming earlier conclusion about effects of mining on Bay environment did not trigger recirculation]; <i>Beverly Hills Unified School Dist. v. Los Angeles County Metropolitan Transportation Commission</i> (2015) 241 Cal.App.4th 627, 660-666 [Final EIR containing substantial amounts of new information, including numerous new seismic studies did not trigger recirculation].) Furthermore, changes to, or addition of, mitigation measures that do not increase the severity of the environmental impacts disclosed in the draft EIR do not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. (<i>Yerba Buena Neighborhood Consortium, LLC v. Regents of Univ. of California</i> (2023) 95 Cal. App. 5th 779, 808.)</p>
<p>Inclusion of monarch butterfly in Final EIR, Volume 1, Chapter 13, <i>Terrestrial Biological Resources</i>, because it is a U.S. Fish and Wildlife candidate species being considered for listing, which discloses a less-than-significant impact, and removal of western bumble bee from Chapter 13 and associated appendices because a recent California Department of Fish and Wildlife publication shows the species' known range is outside of the study area.</p>	<p>The purpose of the analysis contained in the EIR is to disclose and evaluate potentially significant impacts. DWR had not previously identified potential effects on monarch butterflies as a potentially significant impact because overwintering habitat, which is limited for the species, would not be affected by the project and there are no known overwintering populations within 10 miles of the study area. The Final EIR includes Impact BIO-57, which evaluates the monarch butterfly because it is a U.S. Fish and Wildlife candidate species being considered for listing and may be listed in the near future. The analysis determines impacts on monarch butterfly to be less than significant. Recirculation is required where the Final EIR discloses a new significant environmental impact of a project that was not analyzed in the draft EIR. New information included in a Final EIR explaining why an impact is less than significant does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.</p> <p>The Final EIR removed western bumble bee from Impact BIO-21 because recent California Department of Fish and Wildlife publication shows the species' known range is outside of the study area. Similarly, CMP-29 was refined to restrict compensatory mitigation to mitigate for habitat for Crotch bumble bee. This revision does not trigger the need for recirculation because it does not introduce a new significant impact, cause a substantial increase in the severity of an environmental impact, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the information does not</p>

Modification	Modification Consideration
Clarifications in Final EIR, Volume 1, Chapter 16, <i>Recreation</i> , regarding location of I-5 ponds in existing conditions and clarifying details regarding I-5 ponds in Impact REC-1 and Impact REC-2.	constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Clarifications in Final EIR, Volume 1, Chapter 14, <i>Land Use</i> , regarding locations of existing easements.	Information was previously included regarding the I-5 ponds in Chapter 16, <i>Recreation</i> . Clarifying and additional text regarding these areas as they relate to recreation and implementation of the Compensatory Management Plan was included in Final EIR, Volume 1, Chapter 16 in the impact analysis. This revision does not trigger the need for recirculation because it does not introduce a new significant impact, cause a substantial increase in the severity of an environmental impact, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the information does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Refinements to air quality and greenhouse gas (GHG) modeling based on engineering clarifications (e.g., off-road equipment type and horsepower, duration of marine vessel use); to use newer versions of analysis models (e.g., CalEEMod version 2022.1.1.3, eGRID2021); and to more accurately capture project description components (e.g., barges), including clarifications regarding modeling results and analysis in Final EIR, Volume 1, Chapter 23, <i>Air Quality and Greenhouse Gases</i> , and accompanying appendices.	Clarification was added to Final EIR, Volume 1, Chapter 14, <i>Land Use</i> , explaining that although the land use study area overlaps with conservation easements, this overlap is not an impact on land use and therefore is not addressed in the land use chapter. The impacts on the natural communities and species habitats within the study area, including within conservation easements, are quantified and analyzed in Final EIR, Volume 1, Chapter 13, <i>Terrestrial Biological Resources</i> . Therefore, the new information merely clarifies/amplifies the discussion in the Draft EIR and does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
	Refinements to air quality modeling and the resulting updates are provided in Final EIR, Volume 1, Chapter 23, <i>Air Quality and Greenhouse Gases</i> , and accompanying appendices. Where appropriate, specific modeling assumptions were updated to account for the most recent engineering data and ensure alignment of the air quality analysis with the project description contained in Final EIR, Volume 1, Chapter 3, <i>Description of the Proposed Project and Alternatives</i> . Analysis modeling was also updated to use newer versions of California Emissions Estimator Model (CalEEMod) and eGRID. While both of these models were updated after the close of the public comment period for the Draft EIR, DWR elected to revise the analysis in the Final EIR to confirm that use of the newer model versions would not change any of the impact conclusions reached in the Draft EIR. Additional targeted refinements were also made to the analysis in response to specific public comments, including corrected association of equipment emission factors by horsepower, accounting of transmission and distribution losses during construction, and expansion of DWR's commitment of engine electrification. The level of transparency and documentation provided by the Draft EIR and the Final EIR is equivalent to, and in some cases exceeds, what is often provided for CEQA documents where models such as

Modification	Modification Consideration
	<p>CalEEMod are exclusively used to quantify emissions. As demonstrated throughout Chapter 23 and the supporting appendices of the Final EIR, and further detailed in Final EIR, Volume 2, Common Response 15, <i>Air Quality and Greenhouse Gases</i>, the refinements to air quality and greenhouse gas (GHG) modeling confirm previous conclusions and impact determinations presented in the Draft EIR, and thus does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. (See <i>San Francisco Baykeeper v. California State Lands Commission</i> (2015) 242 Cal.App.4th 202, 224-225 [new modeling confirming earlier conclusion about effects of mining on Bay environment did not trigger recirculation]; <i>Beverly Hills Unified School Dist. v. Los Angeles County Metropolitan Transportation Commission</i> (2015) 241 Cal.App.4th 627, 660-666 [Final EIR containing substantial amounts of new information, including numerous new seismic studies did not trigger recirculation].)</p>
<p>Inclusion of clarifying information regarding pumping energy usage in Final EIR, Volume 1, Chapter 22, <i>Energy</i>.</p>	<p>Revisions have been made to some of the energy use data reported in Final EIR, Volume 1, Chapter 22, <i>Energy</i>, including energy required to construct and operate the Delta Conveyance Project. The revisions reflect the most recent estimates of equipment needed to construct the Delta Conveyance Project and resulting energy consumption and updates to the energy needed to operate the project. The revised information would not result in a change to the CEQA impact conclusions reported in Chapter 22. Therefore, the new information merely clarifies/amplifies the discussion in the Draft EIR and does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.</p>
<p>Clarifications in mitigation measures and environmental commitments/best management practices throughout the EIR, including Final EIR, Volume 1, Appendix 3B, <i>Environmental Commitments and Best Management Practices</i>, to provide more clarity regarding the activities, location, timing, roles, or responsibilities, based on technical review.</p>	<p>As described in Final EIR, Volume 2, Common Response 1, <i>CEQA Process, General Approach to Analysis, and Other Environmental Review Issues</i>, DWR has refined some mitigation measures to clarify the mechanisms for and timing of implementation of environmental protections, including refinements in Appendix 3F, <i>Compensatory Mitigation plan for Special-Status Species and Aquatic Resources</i>. These refinements to mitigation measures would not cause any new significant environmental impact or substantially increase the severity of a previously disclosed environmental impact. All refinements to mitigation have been included to further enhance or improve environmental protections. Refinements made to environmental commitments were for permit consistency or to address public comments. These refinements included adding refueling specification (Environmental Commitments EC-2 and EC-3); requiring that the tops and bottoms of spoils disposal areas be rounded and slope faces contoured (Environmental Commitment EC-4a); further specifying erosion control materials (Environmental Commitment EC-4a); reinforcing state priorities for zero-emission equipment, providing further detail on diesel equipment, and limiting the age of marine vessels used for intake construction (Environmental</p>

Modification	Modification Consideration
<p>Compensatory mitigation refinements in Final EIR, Volume 1, Appendix 3F, <i>Compensatory Mitigation Plan for Special-Status Species and Aquatic Resources</i>, and throughout the EIR as appropriate; Refinements to design commitments and guidelines for special-status plants California tiger salamander, tricolored blackbird, Swainson’s hawk, and the addition of design commitments for Crotch bumble bee.</p> <p>Additional refinements to the CMP include the inclusion of mitigation measure ratios, the 10% stay-ahead commitment to mitigation; clarifications that mitigation sites will be designed, managed, and maintained to provide habitat requirements for a diversity of targeted wildlife species; removal of tidal habitat restoration on Bouldin Island; and clarification regarding potential locations of grassland mitigation, in addition to the initial mitigation sites and other site protection instruments.</p>	<p>Commitments EC-7, EC-8, and EC-10); removing reference to studying on-site concrete batching since this analysis was already performed and the project has been designed to maximize use of on-site batch plants (Environmental Commitment EC-13); and adding further specificity to construction BMPs for biological resources (Environmental Commitment EC-14). As with mitigation measures, all refinements have been included to further enhance or improve environmental protections and would not cause new significant environmental impacts or substantially increase the severity of a previously disclosed environmental impact. Changes to, or addition of, mitigation measures that do not increase the severity of the environmental impacts disclosed in the draft EIR do not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. (<i>Yerba Buena Neighborhood Consortium, LLC v. Regents of Univ. of California</i> (2023) 95 Cal. App. 5th 779, 808.)</p> <p>Final EIR, Volume 2, Common Response 11, <i>Terrestrial Biological Resources and Compensatory Mitigation Plan</i>, describes the revisions that have been made to the CMP and associated resource-related modifications. As discussed in Final EIR, Volume 2, Common Response 11, in the section titled <i>Revisions to the Compensatory Mitigation Plan</i>, these revisions do not result in a change to any impact conclusions or require additional mitigation measures to which DWR is unwilling to commit. For terrestrial biological resources, no changes to an CEQA impact determination or mitigation measure are necessary because the CMP revisions either add specificity to an existing measure, provide additional mitigation for a species beyond what is required to reach a determination of a less-than-significant impact, or are located within areas that have already been identified as compensatory mitigation locations, as described in the <i>Biological Resources</i> section of Final EIR, Volume 2, Common Response 11. For other resources, CMP revisions cause minimal change to a resource, do not affect a resource, or lessen the impact on a resource, as described in the <i>Other Resources</i> section of Final EIR, Volume 2, Common Response 11. The following changes to the CMP do not trigger recirculation because changes to, or addition of, mitigation measures that do not increase the severity of the environmental impacts disclosed in the draft EIR do not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. (<i>Yerba Buena Neighborhood Consortium, LLC v. Regents of Univ. of California</i> (2023) 95 Cal. App. 5th 779, 808.)</p> <p>Refinements to Design Commitments and Guidelines</p> <p>Final EIR, Volume 2, Common Response 11 describes the following refinements that were</p>

Modification	Modification Consideration
	<p data-bbox="821 233 1856 329">made to the design commitments and guidelines in the CMP, Attachment 3F.1, and why they would not result in a change to any impact conclusions or require additional mitigation measures:</p> <p data-bbox="821 375 1906 894"><i>CMP-0: General Design Guidelines</i> was updated to provide more detail about DWR’s commitment to compensate for habitat impacts that could occur as a result of the CMP; Additional detail was added to <i>CMP-9</i> to better define suitable habitat and to clarify conditions of propagation of seed as mitigation for special-status plants; for California tiger salamander, <i>CMP-13</i> was modified to require that mitigation habitat will be located adjacent or connected to occupied upland or aquatic habitat; for tricolored blackbird, <i>CMP-22a</i> was revised to define high and very high-quality breeding season foraging habitat and <i>CMP-22b</i> was modified to add compensation for impacts on breeding season foraging habitat at a ratio of 1:1, which would consist of the creation or enhancement of grassland, vernal pool complex, alkaline seasonal wetland, or suitable cultivated lands or the implementation of a site protection instrument; for Swainson’s hawk, <i>CMP-19</i> was modified to revise the land cover and crop types included in the very high, high, and moderate categories of foraging habitat value types. Furthermore, <i>CMP-29</i> was added; it describes compensation design guidelines specific to Crotch bumble bee to further clarify how grassland mitigation will support Crotch bumble bee to compensate for potential impacts on the species and its habitat.</p> <p data-bbox="821 938 1230 966">Additional Revisions to the CMP</p> <p data-bbox="821 1011 1875 1071">As described in Final EIR, Volume 2, Common Response 11, the CMP was also updated to include the following revisions:</p> <p data-bbox="821 1117 1892 1408">The addition of mitigation ratios developed in consultation with CDFW and USFWS through the project permitting process; additional language to describe in more detail the sequence and timing of mitigation implementation including the 10% stay-ahead commitment for mitigation; further detail to clarify the commitment by DWR that compensation lands will be managed to provide habitat for multiple species and to clarify the conversions of existing land cover to created, enhanced, or unchanged habitat in comparison with existing land cover; the removal of tidal habitat restoration on Bouldin Island; and the potential for additional grassland mitigation to occur in construction areas identified as permanent (affected for greater than 1 year) impacts.</p>

Modification	Modification Consideration
<p>Clarifications regarding water transfers in Appendix 3H, <i>Non-Project Water Transfer Analysis for Delta Conveyance</i>, and additions to Final EIR, Volume 1, Chapter 9, <i>Water Quality</i>, and Chapter 12, <i>Fish and Aquatic Resources</i>, methods sections.</p>	<p>Appendix 3H, <i>Non-Project Water Transfer Analysis for Delta Conveyance</i>, was revised by adding clarifying text regarding how water transfers were considered in the EIR, which supports the statements in the EIR and responses to comments on the EIR. The additional text clarifies that the Delta Conveyance Project would not facilitate additional exports because the available capacity of the current SWP facilities to be used for transfers is not fully utilized. The explanation of carriage water in Appendix 3H was expanded to better clarify how carriage water requirements are determined as part of a water transfer. Both Final EIR, Volume 1, Chapter 9, <i>Water Quality</i>, and Final EIR, Volume 1, Chapter 12, <i>Fish and Aquatic Resources</i>, were updated to better explain how transfers through the Delta Conveyance Project facilities would not adversely affect water quality or aquatic resources or change the impact findings made for each resource topic. The added information does not result in a new or more severe impact requiring additional analysis, change impact conclusions presented in the Draft EIR, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the information does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.</p>

Exhibit “B”

Statement of Overriding Considerations

California Public Resources Code section 21081, subdivision (b), and State CEQA Guidelines section 15093 provide that, when a public agency decision-maker approves a project that may have potentially significant, unavoidable environmental impacts identified in an environmental impact report, the decision-making body must state in writing the reasons to support its action based on the completed EIR and/or other information in the administrative record.

Here, the Kern County Water Agency (the “Agency”) is considering approval of its contribution of additional funds for data collection and field work investigations, including ground-disturbing geotechnical work, water quality and hydrogeologic investigations, agronomic testing, the installation of monitoring equipment, construction test projects, pre-construction design work, and engineering work (collectively, “**Pre-Construction Work**”) that will guide the ultimate design, appropriate construction methods, and monitoring programs for the Department of Water Resources’ (“**DWR**”) Delta Conveyance Project (“**DCP**”). The DCP entails the development of new diversion and conveyance facilities in the Sacramento-San Joaquin Delta (“**Delta**”) to safeguard the State Water Project (“**SWP**”), which provides water supplies to the Agency. The Agency is not considering approval of its participation in the DCP at this time, nor is the Agency committing to a future approval of the DCP by approving the Pre-Construction Work.

DWR prepared and certified an Environmental Impact Report (“**EIR**”) (State Clearinghouse Number 2020010227) that analyzed the potential environmental impacts of the DCP, inclusive of potential impacts associated with the Pre-Construction Work. The EIR concluded that the DCP, inclusive of the Pre-Construction Work, may have significant and unavoidable impacts on the environment, and these impacts are listed below and prefaced by their identification number from the EIR:

- Impact AG-1: Convert a Substantial Amount of Prime Farmland, Unique Farmland, Farmland of Local Importance, or Farmland of Statewide Importance as a Result of Construction of Water Conveyance Facilities
- Impact AG-2: Convert a Substantial Amount of Land Subject to Williamson Act Contract or under Contract in Farmland Security Zones to a Nonagricultural Use as a Result of Construction of Water Conveyance Facilities
- Impact AES-1: Substantially Degrade the Existing Visual Character or Quality of Public Views (from Publicly Accessible Vantage Points) of the Construction Sites and Visible Permanent Facilities and Their Surroundings in Nonurbanized Areas
- Impact AES-2: Substantially Damage Scenic Resources including, but Not Limited to, Trees, Rock Outcroppings, and Historic Buildings Visible from a State Scenic Highway
- Impact AES-3: Have Substantial Significant Impacts on Scenic Vistas
- Impact CUL-1: Impacts on Built-Environment Historical Resources Resulting from Construction and Operation of the Project
- Impact CUL-2: Impacts on Unidentified and Unevaluated Built-Environment Historical Resources Resulting from Construction and Operation of the Project
- Impact CUL-3: Impacts on Identified Archaeological Resources Resulting from the Project

- Impact CUL-4: Impacts on Unidentified Archaeological Resources That May Be Encountered in the Course of the Project
- Impact CUL-5: Impacts on Buried Human Remains
- Impact TRANS-1: Increased Average VMT Per Construction Employee versus Regional Average
- Impact AQ-5: Result in Exposure of Sensitive Receptors to Substantial Localized Criteria Pollutant Emissions
- Impact NOI-1: Generate a Substantial Temporary or Permanent Increase in Ambient Noise Levels in the Vicinity of the Project in Excess of Standards Established in the Local General Plan or Noise Ordinance, or Applicable Standards of Other Agencies
- Impact PALEO-2: Cause Destruction of a Unique Paleontological Resource as a Result of Tunnel Construction and Ground Improvement
- Impact TCR-1: Impacts on the Delta Tribal Cultural Landscape Tribal Cultural Resource Resulting from Construction, Operations, and Maintenance of the Project Alternatives
- Impact TCR-2: Impacts on Individual Tribal Cultural Resources Resulting from Construction, Operations, and Maintenance of the Project Alternatives

In the judgment of the Agency's Board of Directors, each benefit of the Pre-Construction Work, as set forth below, outweighs – both individually and collectively – each of these potentially significant and unavoidable impacts for the reasons set forth below.

1. **The Pre-Construction Work is necessary for the safe and efficient design of the DCP.** The information collected from and generated by the Pre-Construction Work would be used to develop the DCP safely, efficiently, and in manner that minimizes impacts to the environment. For example, the information collected would be used to develop, among other things, detailed design of the DCP's structure and bridge foundations, new or modified levee cross sections, and ground improvement methodology. Moreover, information from the Pre-Construction Work would determine selection of tunnel boring machine methods, dewatering methods and quantities, below-grade construction methods (such as at the shafts and the pumping plant), need for impact pile driving, and methods to reduce ground settlement risk at all construction sites and along the tunnel alignment. The information would also be used to determine the specific depths and widths of groundwater cutoff walls to be installed at select construction sites. Additionally, soil samples obtained during soil borings would be analyzed to determine the structural capabilities of the soil to construct tunnel shaft pads and levee improvements, among other things. Soil and water quality tests would also be conducted to determine the potential for the presence of high concentrations of metals, organic materials, or hazardous materials that would require specific treatment and/or disposal methods. Thus, the Pre-Construction Work would generate information necessary to guide any construction of the DCP in a manner that would minimize its potential environmental impacts and most efficiently achieve the DCP's objectives.
2. **The DCP, which cannot be developed without the Pre-Construction Work, would restore and protect the reliability of SWP Water Deliveries South of the Delta.** The primary purpose of the SWP is to convey water to local and regional water suppliers, including the Agency, across California that, in turn, supply end users engaged in the beneficial uses of that water. Protection of the SWP is thus important to the Agency. The Pre-Construction Work will help ensure that the DCP, if constructed, will help protect SWP water deliveries to the Agency by addressing seismic risks. Notably, the current SWP system relies heavily on natural channels within the Delta to convey water and is extremely vulnerable to seismic events because most land in the central Delta has subsided well below sea level. If levees fail because of a seismic event, seawater intrusion

from the western Delta could create salinity conditions that could require ceasing diversions from the SWP's current point of diversion in the south Delta. The capability of the DCP to continue operations would improve the ability of SWP Delta facilities to function after a seismic event by operating diversion facilities north of existing SWP facilities. The operations of the DCP would allow continued water supply diversions should south Delta export facilities become inoperable.

The DCP cannot proceed without the Pre-Construction Work, and the DCP would allow continued water deliveries to the Agency and operational flexibility in the event of a catastrophic levee failure from seismic activity that could temporarily disrupt water supply or affect water quality.

3. **The DCP, which cannot be developed without the Pre-Construction Work, would restore and protect the reliability of SWP Water Deliveries South of the Delta by addressing reasonably foreseeable consequences of climate change and extreme weather events.** The DCP is part of the State of California's strategy to adapt the SWP water supply to climate change. As described in the Final EIR certified for the DCP, Volume 1, Chapter 30, *Climate Change*, projected future conditions under climate change, such as higher average temperature and more extreme variability in annual precipitation patterns, is anticipated to further diminish overall water supply and reliability of any SWP water delivery to the Agency. Climate change is already taking a toll on California's water supplies in the form of more frequent and more severe droughts. A warmer atmosphere would modify precipitation and runoff patterns and affect extreme hydrologic events like floods and droughts. It is anticipated that droughts would increase in severity and duration, resulting in periods of critical dryness, further reducing Delta inflows during these dry periods. At the same time, associated increases in the frequency and severity of flashy storms in the cool season could increase high-flow events and flood risk in the Delta. These trends point to the need for alternate methods of water diversion and conveyance to effectively respond to changing water flow regimes under future climate change. In this context, the Agency considers capture and conveyance in the Delta as important potential adaptations in protecting the SWP from future climatic change and mitigating system losses due to changing precipitation patterns and seasonal runoff. Having alternative points of diversion in the north Delta would increase resiliency in managing combined effects of sea level rise, including potential impacts on Delta morphology, and changes to timing and quantity of seasonal runoff. As water demand and supply challenges continue to increase, the DCP is designed to enhance resilience to climate change impacts and ensure that safe and reliable any SWP water deliveries to the Agency continue far into the future (California Department of Water Resources 2023b).
4. **The DCP, which cannot be developed without the Pre-Construction Work, would restore and protect the reliability of State Water Project Water Deliveries South of the Delta by addressing sea level rise.** The DCP would protect any SWP water supplies the Agency may receive by facilitating adaptation to sea level rise and potential changes in hydrologic conditions associated with climate change. As described in Final EIR, Volume 1, Appendix 6A, *Water Supply 2040 Analysis*, the DCP would improve SWP water supply reliability under current and future conditions, including extreme high sea level rise. As the Agency relies on SWP water supply, the Pre-Construction Work, and the DCP that it would enable, would provide significant benefits to the Agency.
5. **The Pre-Construction Work is necessary to obtain a more accurate cost estimate in relation to prudent financial planning and decision making of the Agency.** The ultimate financial costs of the DCP are continuing to be refined as feasibility, planning, and design evolve. Until more information is known regarding the precise construction techniques, unique localized conditions that may increase construction costs, and potential schedule for any future construction, the financial cost of the DCP will continue to evolve. The Agency wishes to better confirm the ultimately anticipated DCP costs, in order to allow for better disclosure to its customers and in considering future financial planning efforts. The Pre-Construction Work is necessary to achieve those ends.

Through this Statement of Overriding Considerations, and based on the substantial evidence in the administrative record, the Agency's Board of Directors has weighed the Pre-Construction Work's benefits

against its environmental impacts and finds that the Pre-Construction Work's potentially significant and unavoidable environmental impacts are "acceptable" in light of the environmental, economic, legal, social, technological, and/or other considerations set forth herein, and that each benefit of the Pre-Construction Work outweighs, both individually and collectively, the potentially significant and unavoidable environmental impacts.



MEMORANDUM

20.2.1

TO: Policy Committee
Agenda Item No. 3

FROM: Craig Wallace

DATE: March 27, 2025

SUBJECT: Approval of Memorandum of Understanding Among State Water Contractors
regarding State Water Project Transactions

Issue:

Consider authorizing the General Manager to enter into a Memorandum of Understanding among State Water Contractors regarding State Water Project Transactions.

Recommended Motion:

Authorize the General Manager to enter into a Memorandum of Understanding among State Water Contractors regarding State Water Project Transactions, subject to approval of General Counsel as to legal form, as outlined in the March 27, 2025, staff memorandum to the Policy Committee, Agenda Item No. 3.

Discussion:

The Kern County Water Agency (Agency) has a long-term water supply contract with the State of California Department of Water Resources (DWR) for the delivery of State Water Project (SWP) water, along with 28 other local water agencies throughout the state. Several State Water Contractors have expressed an interest in working together to explore new water management collaboration concepts and opportunities over the next 18 months through a nonbinding Memorandum of Understanding (MOU). The MOU would not require a financial contribution or budget allocation but would include staff participation in discussions to identify and evaluate concepts that could help to optimize the allocation of costs and benefits for SWP supplies. The draft MOU is included as Attachment 1.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (“MOU”) is entered into this ____ day of _____, 2025 (the “Effective Date”) by and between Kern County Water Agency, a water agency of the State of California formed under Chapter 99 of the Water Code Appendix (the “Agency”), and Alameda County Flood Control and Water Conservation District Zone 7, Alameda County Water District, Antelope Valley – East Kern Water Agency Coachella Valley Water District, Desert Water Agency, Mojave Water Agency, San Bernardino Valley Municipal Water District, San Geronio Pass Water Agency, Santa Clarita Valley Water Agency, and Central Coast Water Authority (“Contractors”), with respect to the following facts:

RECITALS

- A. The Agency and Contractors are parties to contracts (the “SWP Contracts”) with the State of California Department of Water Resources (“DWR”) to participate in the State Water Resources Development System, also known as the State Water Project.
- B. Agency and Contractors desire to cooperate over approximately 18 months to identify and evaluate possible arrangements for collaboration on water management to optimize allocation of costs and benefits, through possible transfers or exchanges of some or all of their respective Table A allocations in order to optimize the allocation of costs and benefits resulting from their State Water Project allocations.
- C. Agency and Contractors desire to further consider the potential arrangements specified herein in accordance with the terms and conditions set forth below.

TERMS AND CONDITIONS

Parties signatory to this MOU propose the following Terms and Conditions to implement the optimization of the allocation of costs and benefits.

A. Purpose

- a. This MOU is intended to address the long-term needs of State Water Contractors (Contractors) and Kern County Water Agency Member Units (Member Units). The Delta Conveyance Project (“DCP”) entails a large commitment of funds. As such, parties participating in the DCP, as well as others, have the goals of improved cost effectiveness and/or water supply reliability. The purpose of this MOU is to provide a defined period, objectives, and example opportunities to explore agreements to achieve these goals. This MOU is intended to provide an opportunity for Contractors to work directly with the Agency in evaluating larger formal programs and directly with Member Units to evaluate more niche programs to meet more specific needs.

B. Objectives

- a. These objectives are to: (1) Reduce regional reliance on any one water source and diversify supplies to enable and enhance flexibility as conditions change; (2) Improve physical infrastructure, or access to physical infrastructure, to store, move, and share water more flexibly and integrate water management through shared use of resources, science, data, and technology; (3) Optimize and diversify SWP supplies and groundwater banking; and (4) Develop funding opportunities for Member Units that maximize regional resources and provide opportunities to re-invest water supplies and infrastructure.

C. Relationship to the Delta Conveyance Project.

- a. Contractors participating in the planning and construction of the DCP may be signatories to this MOU. Contractors not participating in the planning and construction of the DCP may also be signatories to this MOU.
- b. Any water type can be used in the development of agreements to meet the MOU objectives set forth in Item B, above, including but not limited to water derived from the DCP.

D. Potential Agreements

- a. **Development of Groundwater Banking Opportunities for Contractors Throughout California.** Groundwater banking offers several significant benefits, including enhanced water security by storing excess surface water for future use during droughts and improved aquifer health through managed recharge that can reduce the potential for land subsidence. Banking opportunities may include but are not limited to the following:
 - i. The development of a groundwater bank solely for any particular Contractor.
 - ii. The leasing of groundwater banking capacity for use during wet periods and extraction during dry periods.
 - iii. The use of groundwater banking in an exchange.
 - iv. The development of a groundwater bank dedicated to the participants of the DCP.
- b. **Development of a Dry/Wet Year Water Exchange Program Administered by the Agency.** As the climate changes, swings between wet and dry years are expected to become even more extreme, which means greater fluctuation in the water resources for Contractor imports. A tool to mitigate these unpredictable changes in hydrology are exchanges. These exchanges, which can be structured in a variety of ways, can provide dry year water to those with limited storage and wet year water to those with greater access to storage.

- c. **Long-term Wet Year/Dry Year Exchange of Table A Water or a Combination of DCP and Table A Water – Among Two Parties.** These exchanges would occur between a particular Contractor and Member Unit. Exchange of Table A water could be limited to a prescribed allocation.

- d. **Coordinated Water Sales Program, in Cooperation with the State of California Department of Water Resources, Resources to Supply the Purchase Program for the Agreements to Support Healthy Rivers and Landscapes.** The Agency, in coordination with some Contractors, could develop and facilitate the short-term transfers program to coordinate same-year transfers for purposes of timing environmental flows.

- e. **Short-term Operational Exchange Program for Operations and Human Health and Safety Purposes.** This program purpose would be to address vital operational needs of Contractors, as well as Human Health and Safety needs for the Department of Water Resources. The program would develop and execute same-year exchanges or transfers of water among users for purposes of operational or safety need.

- f. **Coordinated Water Sales Program Administered by the Agency.** These transfers (i.e. water sales) would occur between the Agency and Contractors or a particular Contractor and Member Units. The Agency, in coordination with participating Contractors and Member Unit, would facilitate the short-term transfers program to coordinate same-year transfers.

F. Nonbinding Nature of this MOU

- a. Nothing in this MOU shall be deemed to a binding agreement in regard to the planning, strategies, and topics as set forth herein. There shall be no binding agreement between the parties on any such planning, strategies and topics unless or until any binding agreement is entered into by and between any of the parties.

IN WITNESS WHEREOF, the parties hereto have executed this MOU as of the day and year indicated below.

AGENCY

Kern County Water Agency

By: _____

Its: _____

Date: _____

CONTRACTORS

By: _____

Its: _____

Date: _____

By: _____

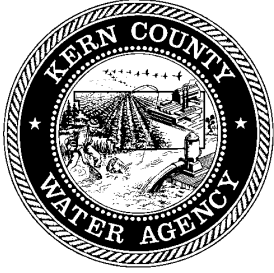
Its: _____

Date: _____

By: _____

Its: _____

Date: _____



MEMORANDUM

20.2.1

TO: Policy Committee
Agenda Item No. 4

FROM: Thomas McCarthy

DATE: March 27, 2025

SUBJECT: Update on Legislative Activities

Issue:

Current legislative activities in which Kern County Water Agency staff and/or consultants have been involved during the past month.

Recommended Motion:

None – information only.

Discussion:

The Bill Summary List is provided as Attachment 1.



Board of Directors Legislative Tracking Report Kern County Water Agency



Updated: March 21, 2025
Prepared by: The Gualco Group, Inc.
Bills Considered By The Association of California Water Agencies

AB 43

(Schultz D) Wild and scenic rivers.

Current Text: Introduced: 12/2/2024 [html](#) [pdf](#)

Introduced: 12/2/2024

Status: 2/3/2025-Referred to Com. on NAT. RES.

Calendar: 3/24/2025 2:30 p.m. - State Capitol, Room 437 ASSEMBLY NATURAL RESOURCES, BRYAN, ISAAC, Chair

Summary: Existing law requires the Secretary of the Natural Resources Agency to take specified actions relating to the addition of rivers or segments of rivers to the state's wild and scenic rivers system if, among other things, the federal government enacts a statute that, upon enactment, would require the removal or delisting of any river or segment of a river in the state that was included in the national wild and scenic rivers system and not in the state wild and scenic rivers system. Existing law authorizes, only until December 31, 2025, the secretary to take action under these provisions to add a river or segment of a river to the state wild and scenic rivers system. Existing law requires those actions to remain in effect until December 31, 2025, except as otherwise provided. This bill would indefinitely extend the date by which the secretary is authorized to take the specified actions relating to the addition of rivers or segments of rivers to the state's wild and scenic rivers system, as described above. The bill would also indefinitely extend the date that these actions remain in effect, except as otherwise provided.

ACWA Position

Watch

AB 259

(Rubio, Blanca D) Open meetings: local agencies: teleconferences.

Current Text: Introduced: 1/16/2025 [html](#) [pdf](#)

Introduced: 1/16/2025

Status: 2/10/2025-Referred to Com. on L. GOV.

Summary: Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act authorizes the legislative body of a local agency to use teleconferencing, as specified, and requires a legislative body of a local agency that elects to use teleconferencing to comply with specified requirements, including that the local agency post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative

body complies with prescribed requirements. Existing law requires a member to satisfy specified requirements to participate in a meeting remotely pursuant to these alternative teleconferencing provisions, including that specified circumstances apply. Existing law establishes limits on the number of meetings a member may participate in solely by teleconference from a remote location pursuant to these alternative teleconferencing provisions, including prohibiting such participation for more than 2 meetings per year if the legislative body regularly meets once per month or less. This bill would remove the January 1, 2026, date from those provisions, thereby extending the alternative teleconferencing procedures indefinitely. This bill contains other related provisions and other existing laws.

ACWA Position

Support

AB 263

(Rogers D) Scott River: Shasta River: watersheds.

Current Text: Introduced: 1/16/2025 [html](#) [pdf](#)

Introduced: 1/16/2025

Status: 2/10/2025-Referred to Com. on W. P., & W.

Calendar: 4/8/2025 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, PAPAN, DIANE, Chair

Summary: Existing law provides that an emergency regulation adopted by the State Water Resources Control Board following a Governor's proclamation of a state of emergency based on drought conditions, for which the board makes specified findings, may remain in effect for up to one year, as provided, and may be renewed if the board determines that specified conditions relating to precipitation are still in effect. This bill would provide that specified emergency regulations adopted by the board for the Scott River and Shasta River watersheds shall remain in effect until permanent rules establishing and implementing long-term instream flow requirements are adopted for those watersheds. This bill would make legislative findings and declarations as to the necessity of a special statute for the Scott River and Shasta River watersheds.

ACWA Position

Oppose

AB 269

(Bennett D) Dam Safety and Climate Resilience Local Assistance Program.

Current Text: Introduced: 1/17/2025 [html](#) [pdf](#)

Introduced: 1/17/2025

Status: 2/10/2025-Referred to Com. on W. P., & W.

Calendar: 4/8/2025 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, PAPAN, DIANE, Chair

Summary: Existing law provides for the regulation and supervision of dams and reservoirs by the state, and requires the Department of Water Resources, under the police power of the state, to supervise the construction, enlargement, alteration, repair, maintenance, operation, and removal of dams and reservoirs for the protection of life and property, as prescribed. Existing law requires the department to, upon appropriation by the Legislature, develop and administer the Dam Safety and Climate Resilience Local Assistance Program to provide state funding for repairs, rehabilitation, enhancements, and other dam safety projects at existing state jurisdictional dams and associated facilities that were in service prior to January 1, 2023, subject to prescribed criteria. This bill would include the removal of project facilities as additional projects eligible to receive funding under the program.

ACWA Position

Oppose

AB 293

(Bennett D) Groundwater sustainability agency: transparency.

Current Text: Introduced: 1/22/2025 [html](#) [pdf](#)

Introduced: 1/22/2025

Status: 2/18/2025-Referred to Com. on W. P., & W.

Calendar: 3/25/2025 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, PAPAN, DIANE, Chair

Summary: Existing law, the Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans, except as specified. Existing law requires a groundwater sustainability plan to be developed and implemented for each medium- or high-priority basin by a groundwater sustainability agency. Existing law authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin, as provided. Existing law requires members of the board of directors and the executive, as defined, of a groundwater sustainability agency to file statements of economic interests with the Fair Political Practices Commission using the commission's online system for filing statements of economic interests. This bill would require each groundwater sustainability agency to publish the membership of its board of directors on its internet website, or on the local agency's internet website, as provided. The bill would also require each groundwater sustainability agency to publish a link on its internet website or its local agency's internet website to the location on the Fair Political Practices Commission's internet website where the statements of economic interests, filed by the members of the board and executives of the agency, can be viewed.

ACWA Position

Not Favor

AB 339

(Ortega D) Local public employee organizations: notice requirements.

Current Text: Introduced: 1/28/2025 [html](#) [pdf](#)

Introduced: 1/28/2025

Status: 3/19/2025-From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 0.) (March 19). Re-referred to Com. on APPR.

Summary: Existing law, the Meyers-Milias-Brown Act, contains various provisions that govern collective bargaining of local represented employees and delegates jurisdiction to the Public Employment Relations Board to resolve disputes and enforce the statutory duties and rights of local public agency employers and employees. Existing law requires the governing body of a public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations. Existing law requires the governing body of a public agency, and boards and commissions designated by law or by the governing body, to give reasonable written notice, except in cases of emergency, as specified, to each recognized employee organization affected of any ordinance, rule, resolution, or regulation directly relating to matters within the scope of representation proposed to be adopted by the governing body or the designated boards and commissions. This bill would require the governing body of a public agency, and boards and commissions designated by law or by the governing body of a public agency, to give the recognized employee organization no less than 120 days' written notice before issuing a request for proposals, request for quotes, or renewing or extending an existing contract to perform services that are within the scope of work of the job classifications represented by the recognized employee organization. The bill would require the notice to include specified information, including the anticipated duration of the contract. The bill would also require the public agency, if an emergency or other exigent circumstance prevents the public agency from providing the written notice described above, to provide as much advance notice as is practicable under the circumstances. If the recognized employee organization demands to meet and confer within 30 days of receiving the written notice, the bill would require the public agency and recognized employee organization to promptly meet and confer in good faith, as specified. By imposing new duties on local public agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

ACWA Position

Not Favor

AB 362**(Ramos D) Water policy: California tribal communities.****Current Text:** Introduced: 1/30/2025 [html](#) [pdf](#)**Introduced:** 1/30/2025**Status:** 1/31/2025-From printer. May be heard in committee March 2.

Summary: The Porter-Cologne Water Quality Control Act establishes a statewide program for the control of the quality of all the waters in the state and makes certain legislative findings and declarations. Existing law defines the term "beneficial uses" for the purposes of water quality as certain waters of the state that may be protected against quality degradation, to include, among others, domestic, municipal, agricultural, and industrial supplies. This bill would add findings and declarations related to California tribal communities and the importance of protecting tribal water use, as those terms are defined. The bill would add tribal water uses as waters of the state that may be protected against quality degradation for purposes of the defined term "beneficial uses." The bill would require any project or regulatory program subject to approval by the State Water Quality Control Board or a regional water quality control board, within a specified environmental review, and in any findings and declarations presented for state board or a regional board approval, to describe, with both quantitative and qualitative information, how the project or regulatory program will impact tribal water uses, and would require, on or before December 1, 2026, and every 2 years thereafter, the state board to publish a report on implementation of this provision on its internet website. This bill contains other related provisions and other existing laws.

ACWA Position

Oppose Unless

Amended

AB 367**(Bennett D) County water districts: County of Ventura: fire suppression.****Current Text:** Introduced: 2/3/2025 [html](#) [pdf](#)**Introduced:** 2/3/2025**Status:** 2/4/2025-From printer. May be heard in committee March 6.

Summary: Existing law, the County Water District Law, authorizes the formation of county water districts and authorizes those districts to appropriate, acquire, and conserve water and water rights for any useful purpose and to operate water rights, works, properties, rights, and privileges useful or necessary to convey, supply, store, or make use of water for any purpose authorized by that law. Existing law requires the State Fire Marshal to identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. This bill would require a water district that supplies water to more than 20 residential dwellings that is used for the suppression of fire in either a high or very high risk fire hazard severity zone in the County of Ventura to have a backup energy source with sufficient power to promptly operate wells and pumps servicing the high or very high risk hazard severity zone at normal capacity for at least 24 hours in the case of a power shutoff unless the relevant water delivery systems are gravity fed and do not need any backup power to continue to operate during a power shutoff. The bill would require the Ventura County Fire Department to annually inspect facilities that provide water, as specified. The bill would require a water district to take various actions, including alerting the Ventura County Office of Emergency Services whenever its water delivery capacity has been reduced due to equipment failure or maintenance. The bill would require, if any fire destroys more than 10 residential dwellings or causes more than \$3,000,000 in damages to any residential dwelling in a specified water district, a report be made by the water district where the fire occurred and the Ventura County Fire Department that assesses the appropriateness of the water delivery system, as specified. By levying new requirements on a water district with respect to its

power and water supply and the Ventura County Fire Department, this bill would create a state-mandated local program. This bill would make legislative findings and declarations as to the necessity of a special statute for County of Ventura. This bill contains other related provisions and other existing laws.

ACWA Position

Oppose Unless
Amended

AB 372

(Bennett D) Office of Emergency Services: state matching funds: water system infrastructure improvements.

Current Text: Introduced: 2/3/2025 [html](#) [pdf](#)

Introduced: 2/3/2025

Status: 2/4/2025-From printer. May be heard in committee March 6.

Summary: Existing law establishes, within the office of the Governor, the Office of Emergency Services (OES), under the direction of the Director of Emergency Services. Existing law charges the OES with coordinating various emergency activities within the state. The California Emergency Services Act, contingent upon an appropriation by the Legislature, requires the OES to enter into a joint powers agreement pursuant to the Joint Exercise of Powers Act with the Department of Forestry and Fire Protection to develop and administer a comprehensive wildfire mitigation program relating to structure hardening and retrofitting and prescribed fuel modification activities. Existing law authorizes the joint powers authority to establish financial assistance limits and matching funding or other recipient contribution requirements for the program, as provided. This bill, contingent on funding being appropriated pursuant to a bond act, as specified, would establish the Rural Water Infrastructure for Wildfire Resilience Program within the OES for the distribution of state matching funds to communities within the Wildland Urban Interface in designated high fire hazard severity zones or very high fire hazard severity zones to improve water system infrastructure, as prescribed. The bill would require the OES to work in coordination with the Department of Water Resources, the State Water Resources Control Board, the Office of the State Fire Marshal, and other state entities as the OES determines to be appropriate, to achieve the purposes of the program. The bill would require the OES to develop criteria and a scoring methodology to prioritize the distribution of state matching funds provided under the program to rural communities based upon specified criteria.

ACWA Position

Favor

AB 532

(Ransom D) Water rate assistance program.

Current Text: Introduced: 2/11/2025 [html](#) [pdf](#)

Introduced: 2/11/2025

Status: 3/3/2025-Referred to Com. on E.S & T.M.

Summary: Existing federal law, the Consolidated Appropriations Act, 2021, among other things, requires the federal Department of Health and Human Services to carry out a Low-Income Household Drinking Water and Wastewater Emergency Assistance Program, which is also known as the Low Income Household Water Assistance Program, for making grants to states and Indian tribes to assist low-income households that pay a high proportion of household income for drinking water and wastewater services, as provided. Existing law requires the Department of Community Services and Development to administer the Low Income Household Water Assistance Program in this state, and to receive and expend moneys appropriated and allocated to the state for purposes of that program, pursuant to the above-described federal law. The Low Income Household Water Assistance Program was only operative until March 31, 2024. This bill would repeal the above-

described requirements related to the Low Income Household Water Assistance Program. The bill would instead require, upon appropriation by the Legislature, the Department of Community Services and Development to establish and administer the California Low Income Household Water Assistance Program to provide water rate assistance to residential ratepayers of community water systems with under 3,000 connections, or water systems serving predominantly disadvantaged communities, as specified. This bill contains other related provisions and other existing laws.

ACWA Position

Favor

AB 580

(Wallis R) Surface mining: Metropolitan Water District of Southern California.

Current Text: Introduced: 2/12/2025 [html](#) [pdf](#)

Introduced: 2/12/2025

Status: 3/3/2025-Referred to Coms. on NAT. RES. and W. P., & W.

Calendar: 3/24/2025 2:30 p.m. - State Capitol, Room 437 ASSEMBLY NATURAL RESOURCES, BRYAN, ISAAC, Chair

Summary: The Surface Mining and Reclamation Act of 1975 prohibits a person, with exceptions, from conducting surface mining operations unless, among other things, a permit is obtained from, a specified reclamation plan is submitted to and approved by, and financial assurances for reclamation have been approved by, the lead agency for the operation of the surface mining operation. Existing law authorizes the Metropolitan Water District of Southern California (MWD) to prepare a master reclamation plan, as provided, that identifies each individual surface mining operation in specified counties and satisfies all reclamation plan requirements for each individual surface mining site. Existing law requires the State Mining and Geology Board to act as the lead agency for surface mining operations conducted by the MWD and authorizes the board to conduct an inspection of an individual surface mining operation once every 2 calendar years during a period when that individual surface mining operation is idle or the site has no mineral production. Existing law requires the MWD to be the lead agency for any environmental review of the master reclamation plan. Existing law repeals the provisions authorizing the preparation and approval of the master reclamation plan for the MWD on January 1, 2026. This bill would make those provisions operative indefinitely. To the extent this bill would require a local government acting as a lead agency for environmental review of the master reclamation plan to perform those additional duties indefinitely, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

ACWA Position

Favor

AB 639

(Soria D) Dams: exceptions.

Current Text: Introduced: 2/13/2025 [html](#) [pdf](#)

Introduced: 2/13/2025

Status: 2/24/2025-Referred to Com. on W. P., & W.

Calendar: 3/25/2025 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, PAPAN, DIANE, Chair

Summary: Existing law defines a dam to mean any artificial barrier, together with appurtenant works, that does or may impound or divert water, and meets other specified criteria. Existing law excludes from the definition a barrier that is or will be not in excess of 6 feet in height, regardless of storage capacity, or that has or will have a storage capacity not in excess of 15 acre-feet, regardless of height. Existing law requires the Department of Water Resources to supervise the construction, enlargement, alteration, repair, maintenance, operation, and removal of dams and reservoirs for the protection of life and property. This bill would additionally exclude from the definition of a dam a barrier that does not impound water above the top

of a levee where maximum storage behind the barrier has a minimum of 3 feet of freeboard on the levee and is a weir, as defined, with either mechanically or manually removable flashboards or gates.

ACWA Position
Support

AB 794

(Gabriel D) California Safe Drinking Water Act: emergency regulations.

Current Text: Introduced: 2/18/2025 [html](#) [pdf](#)

Introduced: 2/18/2025

Status: 3/3/2025-Referred to Com. on E.S & T.M.

Summary: Existing law, the California Safe Drinking Water Act (state act), requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. The state board's duties include, but are not limited to, enforcing the federal Safe Drinking Water Act (federal act) and adopting and enforcing regulations. Existing law authorizes the state board to adopt as an emergency regulation, a regulation that is not more stringent than, and is not materially different in substance and effect than, the requirements of a regulation promulgated under the federal act, with a specified exception. This bill would provide that the authority of the state board to adopt an emergency regulation pursuant to these provisions includes the authority to adopt requirements of a specified federal regulation that was in effect on January 19, 2025, regardless of whether the requirements were repealed or amended to be less stringent. The bill would prohibit an emergency regulation adopted pursuant to these provisions from implementing less stringent drinking water standards, as provided, and would authorize the regulation to include requirements that are more stringent than the requirements of the federal regulation. The bill would require, on or before January 1, 2026, the state board to adopt an emergency regulation and to initiate a primary drinking water standard for perfluoroalkyl and polyfluoroalkyl substances, as provided. The bill would make other changes to proceedings initiated upon the adoption of an emergency regulation to establish a public health goal and primary drinking water standards, as specified.

ACWA Position
Oppose Unless
Amended

AB 846

(Connolly D) Endangered species: incidental take: wildfire preparedness activities.

Current Text: Introduced: 2/19/2025 [html](#) [pdf](#)

Introduced: 2/19/2025

Status: 2/20/2025-From printer. May be heard in committee March 22.

Summary: The California Endangered Species Act prohibits the taking of an endangered, threatened, or candidate species, except as specified. Under the act, the Department of Fish and Wildlife (department) may authorize the take of listed species by certain entities through permits or memorandums of understanding for specified purposes. Existing law requires the State Fire Marshal to identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. Existing law requires a local agency to designate, by ordinance, moderate, high, and very high fire hazard severity zones in its jurisdiction within 120 days of receiving recommendations from the State Fire Marshal, as provided. This bill would authorize a city, county, city and county, special district, or other local agency to submit to the department a wildfire preparedness plan to conduct wildfire preparedness activities on land designated as a fire hazard severity zone, as defined, that minimizes impacts to wildlife and habitat for candidate, threatened, and endangered species. The bill would require the wildfire preparedness plan to include,

among other things, a brief description of the planned wildfire preparedness activities, the approximate dates for the activities, and a description of the candidate, endangered, and threatened species within the plan area. The bill would require the department, if sufficient information is included in the wildfire preparedness plan for the department to determine if an incidental take permit is required, to notify the local agency within 90 days of receipt of the wildfire preparedness plan if an incidental take permit or other permit is needed, or if there are other considerations, exemptions, or streamlined pathways that the wildfire preparedness activities qualify for, including, but not limited to, the State Board of Forestry and Fire Protection's California Vegetation Treatment Program. The bill would require the department to provide the local agency, in its notification, with guidance that includes, among other things, a description of the candidate, endangered, and threatened species within the plan area and measures to avoid, minimize, and fully mitigate the take of the candidate, threatened, and endangered species, as provided. The bill would require the department, on or before July 1, 2026, to make a standard wildfire preparedness plan submission form publicly available on its internet website. The bill also would require the department, commencing January 1, 2027, to annually post on its internet website a summary of the wildfire preparedness plans submitted and include specified information in that summary.

ACWA Position

Favor

SB 31

(McNerney D) Water quality: recycled water.

Current Text: Amended: 2/10/2025 [html](#) [pdf](#)

Introduced: 12/2/2024

Last Amend: 2/10/2025

Status: 3/12/2025-Set for hearing March 25.

Calendar: 3/25/2025 9 a.m. - 1021 O Street, Room 2100 SENATE NATURAL RESOURCES AND WATER, LIMÓN, MONIQUE, Chair

Summary: The Water Recycling Law generally provides for the use of recycled water. Existing law requires any person who, without regard to intent or negligence, causes or permits an unauthorized discharge of 50,000 gallons or more of recycled water in or on any waters of the state to immediately notify the appropriate regional water board. This bill would, for the purposes of the above provision, redefine "recycled water" and provide that water discharged from a decorative body of water during storm events is not to be considered an unauthorized discharge if recycled water was used to restore levels due to evaporation.

ACWA Position

Favor

SB 72

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

Current Text: Amended: 3/18/2025 [html](#) [pdf](#)

Introduced: 1/15/2025

Last Amend: 3/18/2025

Status: 3/18/2025-From committee with author's amendments. Read second time and amended. Re-referred to Com. on N.R. & W.

Summary: Existing law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as "The California Water Plan." Existing law requires the department to include a discussion of various strategies in the plan

update, including, but not limited to, strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, and water transfers, that may be pursued in order to meet the future needs of the state. Existing law requires the department to establish an advisory committee to assist the department in updating the plan. This bill would revise and recast certain provisions regarding The California Water Plan to, among other things, require the department to expand the membership of the advisory committee to include, among others, tribes, labor, and environmental justice interests. The bill would require the department, as part of the 2033 update to the plan, to update the interim planning target for 2050, as provided. The bill would require the target to consider the identified and future water needs for a sustainable urban sector, agricultural sector, and environment, and ensure safe drinking water for all Californians, among other things. The bill would require the plan to include specified components, including a discussion of the estimated costs and benefits of any project type or action that is recommended by the department within the plan that could help achieve the water supply targets. The bill would require the department to report to the Legislature the amendments, supplements, and additions included in the updates of the plan, together with a summary of the department's conclusions and recommendations, in the session in which the updated plan is issued. The bill would also require the department to conduct public workshops to give interested parties an opportunity to comment on the plan.

ACWA Position

Support

SB 88

(Caballero D) Air resources: carbon emissions: biomass.

Current Text: Amended: 3/20/2025 [html](#) [pdf](#)

Introduced: 1/22/2025

Last Amend: 3/20/2025

Status: 3/20/2025-Read second time and amended. Re-referred to Com. on N.R. & W.

Summary: Existing law requires the State Air Resources Board, in consultation with the Department of Forestry and Fire Protection, to develop a standardized system for quantifying the direct carbon emissions and decay from fuel reduction activities for purposes of meeting the accounting requirements for Greenhouse Gas Reduction Fund expenditures, as specified. This bill would require the state board, on or before January 1, 2027, to finalize the standardized system described above. The bill would require the state board, on or before January 1, 2028, to adopt a method of quantification of the life-cycle emissions from alternative uses of forest and agricultural biomass residues. The bill would require the state board, on or before January 1, 2028, to assess the suitability of developing a carbon credit or offset protocol for beneficial carbon removal products, including, but not limited to, biochar that are generated from agricultural or forest waste biomass, for inclusion in the state board's compliance offset program. The bill would require the state board, on or before January 1, 2029, to vote on a carbon credit or offset protocol for biochar or other carbon removal products and include that credit or protocol in the compliance offset program if the assessment determines that a carbon credit or offset protocol for production and use of biochar or other carbon removal products is appropriate. The bill would require the Department of Forestry and Fire Protection to require all state-funded forest health projects to include an appropriate forest biomass resource disposal component that includes a scientifically based, verifiable method to determine the amount of biomass to be physically removed and the amount to be burned by prescribed fire.

ACWA Position

Favor

SB 223

(Alvarado-Gil R) The Wildfire Smoke and Health Outcomes Data Act.

Current Text: Introduced: 1/27/2025 [html](#) [pdf](#)

Introduced: 1/27/2025

Status: 3/17/2025-Set for hearing April 2.

Calendar: 4/2/2025 1:30 p.m. - 1021 O Street, Room 1200 SENATE HEALTH, MENJIVAR, CAROLINE, Chair

Summary: Existing law establishes the State Department of Public Health and sets forth its powers and duties pertaining to, among other things, protecting, preserving, and advancing public health. Existing law requires the department, in consultation with specified stakeholders, to develop a plan, addressing specified issues, with recommendations and guidelines for counties to use in the case of a significant air quality event caused by wildfires or other sources. This bill, the Wildfire Smoke and Health Outcomes Data Act, would require the State Department of Public Health, in consultation with the Department of Forestry and Fire Protection and the Wildfire and Forest Resilience Task Force, to create, operate, and maintain a statewide integrated wildfire smoke and health data platform on or before July 1, 2028, that, among other things, would integrate wildfire smoke and health data from multiple databases. Under the bill, the purposes for the data platform would include providing adequate information to understand the negative health impacts on California's population caused by wildfire smoke and evaluating the effectiveness of investments in forest health and wildfire mitigation on health outcomes in California. This bill would require the State Department of Public Health, in consultation with the Department of Forestry and Fire Protection and the Wildfire and Forest Resilience Task Force, to develop, among other things, protocols for data sharing, documentation, quality control, and promotion of open-source platforms and decision support tools related to wildfire smoke and health data. This bill would authorize the State Department of Public Health, the Department of Forestry and Fire Protection, and the Wildfire and Forest Resilience Task Force, where appropriate, to utilize data from existing sources, including open source data and other external data, for purposes of implementing the act. This bill contains other related provisions.

ACWA Position

Favor

SB 239

(Arreguín D) Open meetings: teleconferencing: subsidiary body.

Current Text: Introduced: 1/30/2025 [html](#) [pdf](#)

Introduced: 1/30/2025

Status: 2/14/2025-Referred to Coms. on L. GOV. and JUD.

Calendar: 4/2/2025 9:30 a.m. - 1021 O Street, Room 2200 SENATE LOCAL GOVERNMENT, DURAZO, MARÍA ELENA, Chair

Summary: Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as specified. Existing law, until January 1, 2026, authorizes specified neighborhood city councils to use alternate teleconferencing provisions related to notice, agenda, and public participation, as prescribed, if, among other requirements, the city council has adopted an authorizing resolution and 2/3 of the neighborhood city council votes to use alternate teleconference provisions, as specified. This bill would authorize a subsidiary body, as defined, to use alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. The bill would require the subsidiary body to post the agenda at the primary physical meeting location. The bill would require the members of the subsidiary body to visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, as specified. The bill would also require the subsidiary body to list a

member of the subsidiary body who participates in a teleconference meeting from a remote location in the minutes of the meeting. This bill contains other related provisions and other existing laws.

ACWA Position

Favor

SB 350

(Durazo D) Water Rate Assistance Program.

Current Text: Introduced: 2/12/2025 [html](#) [pdf](#)

Introduced: 2/12/2025

Status: 3/19/2025-VOTE: Do pass as amended, but first amend, and re-refer to the Committee on [Energy, Utilities and Communications] (PASS)

Summary: Existing law requires the State Water Resources Control Board, by January 1, 2018, to develop a plan for the funding and implementation of the Low-Income Water Rate Assistance Program. Existing law requires the plan to include, among other things, a description of the method for collecting moneys to support and implement the program and a description of the method for determining the amount of moneys that may need to be collected from water ratepayers to fund the program. This bill would establish the Water Rate Assistance Program. As part of the program, the bill would establish the Water Rate Assistance Fund in the State Treasury to provide water affordability assistance, for both drinking water and wastewater services, to low-income residential ratepayers, as specified. The bill would require the state board to take various actions in administering the fund, including, among other things, track and manage revenue in the fund separately from all other revenue. The bill would require the state board, in consultation with relevant agencies and after a public hearing, to adopt guidelines for implementation of the program and adopt an annual report to be posted on the state board's internet website identifying how the fund has performed, as specified. The bill would require the guidelines to include minimum requirements for eligible systems, including the ability to confirm eligibility for enrollment through a request for self-certification of eligibility under penalty of perjury. By expanding the crime of perjury, the bill would impose a state-mandated local program. The bill would require the state board to take various actions in administering the program, including, but not limited to, providing guidance, oversight, and funding for low-income rate assistance for residential ratepayers of eligible systems. The bill would authorize the Attorney General to bring an action in state court to restrain the use of any method, act, or practice in violation of these provisions, except as provided.

ACWA Position

Oppose Unless

Amended

SB 394

(Allen D) Water theft: fire hydrants.

Current Text: Introduced: 2/14/2025 [html](#) [pdf](#)

Introduced: 2/14/2025

Status: 3/19/2025-From committee: Do pass and re-refer to Com. on JUD. (Ayes 7. Noes 0.) (March 19). Re-referred to Com. on JUD.

Calendar: 4/1/2025 3 p.m. or upon adjournment of Session - 1021 O Street, Room 2100 SENATE JUDICIARY, UMBERG, THOMAS, Chair

Summary: Existing law authorizes a utility to bring a civil action for damages against any person who commits, authorizes, solicits, aids, abets, or attempts certain acts, including, diverting or causing to be diverted, utility services by any means whatsoever. Existing law creates a rebuttable presumption that there is violation of these provisions if, on premises controlled by the customer or by the person using or receiving the direct benefit of utility service, certain actions occur, including that there is an instrument, apparatus, or device primarily designed to be used to obtain utility service without paying the full lawful

charge for the utility. This bill would add to the list of acts for which a utility may bring a civil cause of action under these circumstances to include tampering with a fire hydrant, fire hydrant meter, or fire detector check, or diverting water, or causing water to be diverted, from a fire hydrant with knowledge of, or reason to believe, that the diversion or unauthorized connection existed at the time of use for nonfirefighting purposes or without authorization from the appropriate water system or fire department. The bill would also expand the rebuttable presumption for a violation of these provisions to include, among other things, if a person tampers with or uses a fire hydrant, fire hydrant meter, or fire detector check without authorization to obtain water and without paying the full lawful charge of the water. This bill contains other related provisions and other existing laws.

ACWA Position

Support/Sponsor

SB 454

(McNerney D) State Water Resources Control Board: PFAS Mitigation Program.

Current Text: Introduced: 2/19/2025 [html](#) [pdf](#)

Introduced: 2/19/2025

Status: 3/11/2025-Set for hearing April 2.

Calendar: 4/2/2025 9 a.m. - 1021 O Street, Room 1200 SENATE ENVIRONMENTAL QUALITY, BLAKESPEAR, CATHERINE, Chair

Summary: Existing law designates the State Water Resources Control Board as the agency responsible for administering specific programs related to drinking water, including, among others, the California Safe Drinking Water Act and the Emerging Contaminants for Small or Disadvantaged Communities Funding Program. This bill would create the PFAS Mitigation Fund in the General Fund and would authorize the fund to be expended by the state board, upon appropriation by the Legislature, for purposes of these provisions. The bill would authorize the state board to seek out and accept nonstate, federal, and private funds, require those funds to be deposited into the PFAS Reduction Account within the PFAS Mitigation Fund, and continuously appropriate the moneys in the account to the state board for purposes of these provisions, thereby making an appropriation. The bill would authorize the state board to expend moneys from the fund and account in the form of a grant, loan, or contract, or to provide assistance services to water suppliers and wastewater operators, as those terms are defined, for multiple purposes, including, among other things, to cover or reduce the costs for water suppliers associated with treating drinking water to meet the applicable state and federal maximum PFAS contaminant levels. The bill would require a water supplier or wastewater operator to include a clear and definite purpose for how the funds will be used to provide a public benefit related to safe drinking water or treated wastewater in order to be eligible to receive funds. The bill would authorize the state board to adopt guidelines to implement these provisions.

ACWA Position

Support/Sponsor

SB 601

(Allen D) Water: waste discharge.

Current Text: Introduced: 2/20/2025 [html](#) [pdf](#)

Introduced: 2/20/2025

Status: 3/11/2025-Set for hearing April 2.

Calendar: 4/2/2025 9 a.m. - 1021 O Street, Room 1200 SENATE ENVIRONMENTAL QUALITY, BLAKESPEAR, CATHERINE, Chair

Summary: Under existing law, the State Water Resources Control Board and the 9 California regional water quality control boards regulate water quality and prescribe waste discharge requirements in accordance with the Porter-Cologne Water Quality Control Act (act) and the National Pollutant Discharge Elimination System (NPDES) permit program. Existing law requires, when applying to a city or a county for an initial business license, equivalent instrument, or permit, or renewal thereof, a person who

conducts a business operation that is a regulated industry, as defined, to demonstrate enrollment with the NPDES permit program by providing specified information, under penalty of perjury, on the application. Existing law includes in this specified information, among other things, the Standard Industrial Classification Codes for the business, and a Waste Discharger Identification number (WDID), as specified. This bill would revise the above-described requirement to demonstrate enrollment with NPDES to instead require demonstrating enrollment with NPDES or the Waste Discharge Requirements (WDR) permit programs by providing the specified information. The bill would require, when applying to a city or a county for a building or construction permit, a person who conducts a business operation that is a regulated industry and seeks permission for construction activities over one acre to demonstrate enrollment with the NPDES or WDR permit programs by providing specified information under penalty of perjury on the initial building or construction permit application, or renewal thereof. By expanding the crime of perjury, the bill would impose a state-mandated local program. The bill would include in this specified information, among other things, the total planned disturbed acreage and WDID or WDID application number issued for the construction or land disturbance activity by the State Water Resources Control Board. By increasing the duties of local officials to administer licenses and permits, the bill would impose a state-mandated local program.

ACWA Position

Oppose

SB 682

(Allen D) Environmental health: product safety: perfluoroalkyl and polyfluoroalkyl substances.

Current Text: Introduced: 2/21/2025 [html](#) [pdf](#)

Introduced: 2/21/2025

Status: 3/11/2025-Set for hearing April 2.

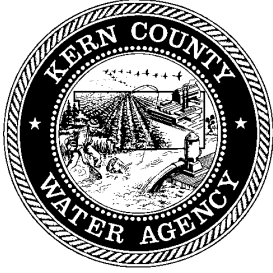
Calendar: 4/2/2025 9 a.m. - 1021 O Street, Room 1200 SENATE ENVIRONMENTAL QUALITY, BLAKESPEAR, CATHERINE, Chair

Summary: Existing law requires the Department of Toxic Substances Control, on or before January 1, 2029, to adopt regulations to enforce specified covered perfluoroalkyl and polyfluoroalkyl substances (PFAS) restrictions, which include prohibitions on the distribution, sale, or offering for sale of certain products that contain specified levels of PFAS. Existing law requires the department, on and after July 1, 2030, to enforce and ensure compliance with those provisions and regulations, as provided. Existing law requires manufacturers of these products, on or before July 1, 2029, to register with the department, to pay a registration fee to the department, and to provide a statement of compliance certifying compliance with the applicable prohibitions on the use of PFAS to the department, as specified. This bill would, beginning January 1, 2027, prohibit a person from distributing, selling, or offering for sale a covered product that contain intentionally added PFAS, as defined, except for previously used products and as otherwise preempted by federal law. The bill would define "covered product" to include cleaning products, cookware, dental floss, juvenile products, food packaging, and ski wax, as specified. This bill would, beginning January 1, 2040, prohibit a person from distributing, selling, or offering for sale certain products that contains intentionally added PFAS, including, but not limited to, refrigerants, solvents, propellants, and clean fire suppressants, as specified, unless the department has made a determination that the use of PFAS in the product is a currently unavoidable use, the prohibition is preempted by federal law, or the product is previously used.

ACWA Position

Favor

Water Resources Committee



MEMORANDUM

20.2.1

TO: Water Resources Committee
Agenda Item No. 1

FROM: Lauren Bauer

DATE: March 27, 2025

SUBJECT: Report of the Water Resources Manager

Issue:

Report on the Kern Fan banking projects bank accounts.

Recommended Motion:

None – information only.

Discussion:

The Kern County Water Agency's estimated summary of the Kern Fan banking projects bank and overdraft corrections accounts are provided as Attachments 1 and 2.

**Kern County Water Agency
Estimated Summary of Overdraft Correction Accounts
As of February 28, 2025**

Preliminary - Subject to Revision

Quantities in acre-feet

District	Estimated Balance as of December 31, 2024	Estimated Balance as of February 28, 2025					Total
		Pioneer Property	2800 Acres	Pioneer Project Subtotal	Berrenda Mesa	Kern Water Bank ^[1]	
Buena Vista WSD	72,219	60,864	0	60,864	0	11,355	72,219
Henry Miller WD	90,206	63,106	375	63,481	2,584	24,141	90,206
Kern County Water Agency	55,030	35,356	7,121	42,477	0	12,553	55,030
Kern Delta WD	99,581	72,117	409	72,526	2,026	25,029	99,581
Rosedale-Rio Bravo WSD	242,463	184,774	5,120	189,894	3,220	49,349	242,463
Total	559,499	416,217	13,025	429,242	7,830	122,427	559,499

^[1] Does not include purchase of 2011 4% reserve water.

**Kern County Water Agency
Estimated Summary of Groundwater Bank Accounts
As of February 28, 2025**

Preliminary - Subject to Revision

Quantities in acre-feet

District	Estimated Balance as of December 31, 2024	Estimated Balance as of February 28, 2025					Total
		Pioneer Property	2800 Acres	Pioneer Project Subtotal	Berrenda Mesa	Kern Water Bank	
Belridge WSD	84,048	77,771	4,637	82,408	3,481	0	85,889
Berrenda Mesa WD	97,700	64,115	2,284	66,399	32,864	0	99,263
Buena Vista WSD	43,626	42,328	1,939	44,267	0	12	44,279
Cawelo WD	0	0	0	0	0	0	0
Dudley Ridge WD	61,316	0	0	0	0	61,316	61,316
Henry Miller WD	18,181	18,181	0	18,181	0	0	18,181
Improvement District No. 4	239,129	45,895	5,032	50,927	0	188,202	239,129
Kern County Water Agency	186,230	104,073	60,700	164,773	3,499	17,958	186,230
Kern Delta WD	20,559	20,559	0	20,559	0	0	20,559
Lost Hills WD	89,790	65,064	22,199	87,263	3,394	0	90,657
Rosedale-Rio Bravo WSD	39,561	39,561	0	39,561	0	0	39,561
Semitropic WSD	254,553	29,040	42	29,082	0	232,135	261,217
Tehachapi-Cummings CWD	5,820	0	0	0	0	5,820	5,820
Tejon-Castac WD	63,902	2,530	1,289	3,819	0	60,083	63,902
Westside Mutual Water Co.	500,784	0	0	0	0	500,784	500,784
Wheeler Ridge-Maricopa WSD	267,366	26,620	6,522	33,142	5,743	228,481	267,366
Total	1,972,565	535,737	104,644	640,381	48,981	1,294,791	1,984,153



MEMORANDUM

20.2.1

TO: Water Resources Committee
Agenda Item No. 2

FROM: Craig Wallace

DATE: March 27, 2025

SUBJECT: Report on the State Water Contractors Board Meeting

Issue:

Report on March 20, 2025 regular meeting of the State Water Contractors Board of Directors.

Recommended Motion:

None – information only.

Discussion:

The agenda and action items for March 20, 2025 regular meeting of the State Water Contractors Board of Directors are provided as Attachment 1.

**STATE WATER CONTRACTORS
BOARD OF DIRECTORS MEETING
MARCH 20, 2025
9:00 a.m.**

In-Person Attendance:

Delta Conveyance Design and Construction Authority Board Room
980 9th Street, 1st Floor
(enter the building from the alleyway between 8th & 9th Street, off of J)

Join Zoom Meeting

<https://zoom.us/j/97794625292?pwd=OVZCZHA0NIM2RUNBd3F4UGkwUE9nUT09>

Meeting ID: 977 9462 5292

Passcode: 617495

Via Teleconference: +1 669 444 9171

Meeting ID: 977 9462 5292

Passcode: 617495

One Tap Mobile: +16694449171,,97794625292#,,, *617495#

AGENDA

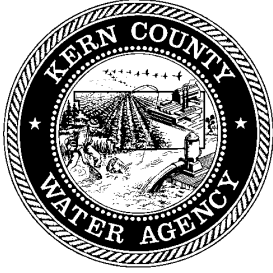
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|---|--------------|
| 1) REVISIONS TO AGENDA | 9:00 |
| 2) CONSENT CALENDAR | 9:00 |
| 3) SCIENCE OBJECTIVES UPDATE: Darcy Austin | 9:05 |
| 4) SWP EXECUTIVE UPDATE: John Yarbrough | 9:35 |
| 5) SWP OPERATIONS REPORT: | 10:05 |
| a. Water Operations - Tracy Hinojosa (supplemental package) | |
| b. Water Quality - Tanya Veldhuizen (supplemental package) | |
| c. Power – the written report is included in the Board package | |
| 6) BOARD ACTIONS: Jennifer Pierre | 10:25 |
| 7) GENERAL MANAGER’S REPORT: Jennifer Pierre | 10:45 |
| 8) COMMITTEE REPORT: | 11:00 |
| a. Audit Finance - the written report is included in the Board package | |
| b. Energy - written report is included in the supplemental package | |
| c. OME - written report is included in the supplemental package | |
| 9) SCIENCE REPORT: the written report is in the Board package | 11:00 |

**Next Board Meeting: April 17, 2025
Delta Conveyance Design and Construction Authority or via Zoom**

**STATE WATER CONTRACTORS
BOARD OF DIRECTORS
BOARD ACTIONS
MARCH 20, 2025**

The following actions were taken at the State Water Contractors Board of Directors March 20, 2025, meeting upon motions duly made, seconded, and unanimously passed.

1. Approved the Consent Calendar, including the draft Board Minutes for the February 20, 2025, meeting; 2-1 Board Action Request for DCP Outreach Expenses; the February 28, 2025, Financial Report; the Consultant Reports and the Water Transfers for February 2025.
2. Authorized the State Water Contractors staff to enter into an agreement with Public Policy Institute of California (PPIC) for up to \$500,000 to investigate opportunities for improved water accounting in the Delta watershed.
3. Authorized the State Water Contractors staff to enter into an agreement with UC Davis (Dr. Bruce Hammock) to conduct the first year of a three-year summer outflow toxicity testing in an amount not to exceed \$300,000.
4. Authorized the State Water Contractors staff to enter into an agreement with USGS (Dr. Susan De La Cruz) to expand food web studies at Tule Red in an amount not to exceed \$90,000 and allow exceedance of the 20% cap on overhead.



MEMORANDUM

20.2.1

TO: Water Resources Committee
Agenda Item No. 3

FROM: Craig Wallace

DATE: March 27, 2025

SUBJECT: Report on 2025 State Water Project and Central Valley Project Allocations and Operations

Issue:

Report on 2025 State Water Project and Central Valley Project allocations and operations.

Recommended Motion:

None – information only.

Discussion:

State Water Project Operations

On March 25, 2025, the California Department of Water Resources (DWR) notified State Water Project (SWP) contractors that it was approving an allocation increase to 40 percent of contracted 2025 SWP Table A water supplies. DWR will continue to evaluate 2025 hydrologic conditions and operational capabilities and adjust the approved 2025 allocation accordingly.

As of March 24, 2025, the Northern Sierra Precipitation Eight-Station Index had received 49.4 inches of precipitation, or 116 percent of average-to-date. (See Attachments 1 and 2.) As of March 24, 2025, the Northern Sierra Snow Water content was 114 percent of the April 1 average and 115 percent of average-to-date. (See Attachment 3.) The near-term forecast predicts 7.1 inches of precipitation over the next ten days for the Feather River Basin. (See Attachments 4 and 5.) The long-term forecast predicts increased chances of above normal temperatures and increased chances of below normal precipitation for April 2025 through June 2025. (See Attachment 6.)

Through March 23, 2025, Lake Oroville storage increased to 2,956,585 acre-feet (af). (See Attachment 7.) As of March 24, 2025, the SWP share of San Luis Reservoir (San Luis) storage increased to 1,014,586 af. (See Attachment 8.) Combined SWP and Central Valley Project (CVP) exports had been averaging about 14,000 af per day.

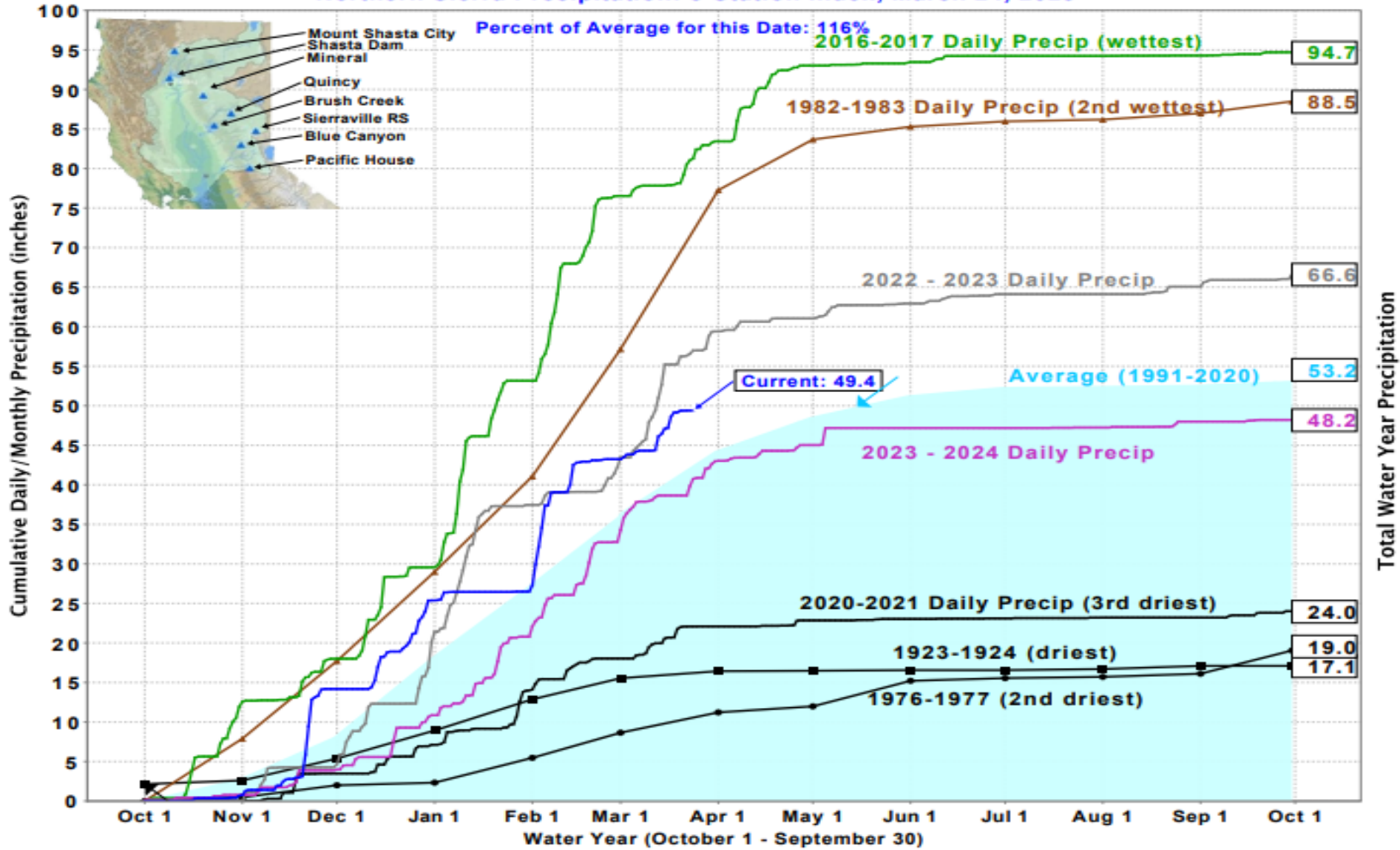
Central Valley Project Operations

As of March 24, 2025, the CVP share of San Luis storage had increased to 799,932 af. On February 25, 2025, the United States Bureau of Reclamation announced the initial allocation for CVP Contractors. South of Delta Ag Contractors allocation is 35 percent of their contracted supply. The Friant Division allocation is 45 percent of Class 1 supplies.



Northern Sierra Precipitation Eight-Station Index: March 24, 2025

Northern Sierra Precipitation: 8-Station Index, March 24, 2025





Northern Sierra Precipitation Eight-Station Index: March 24, 2025

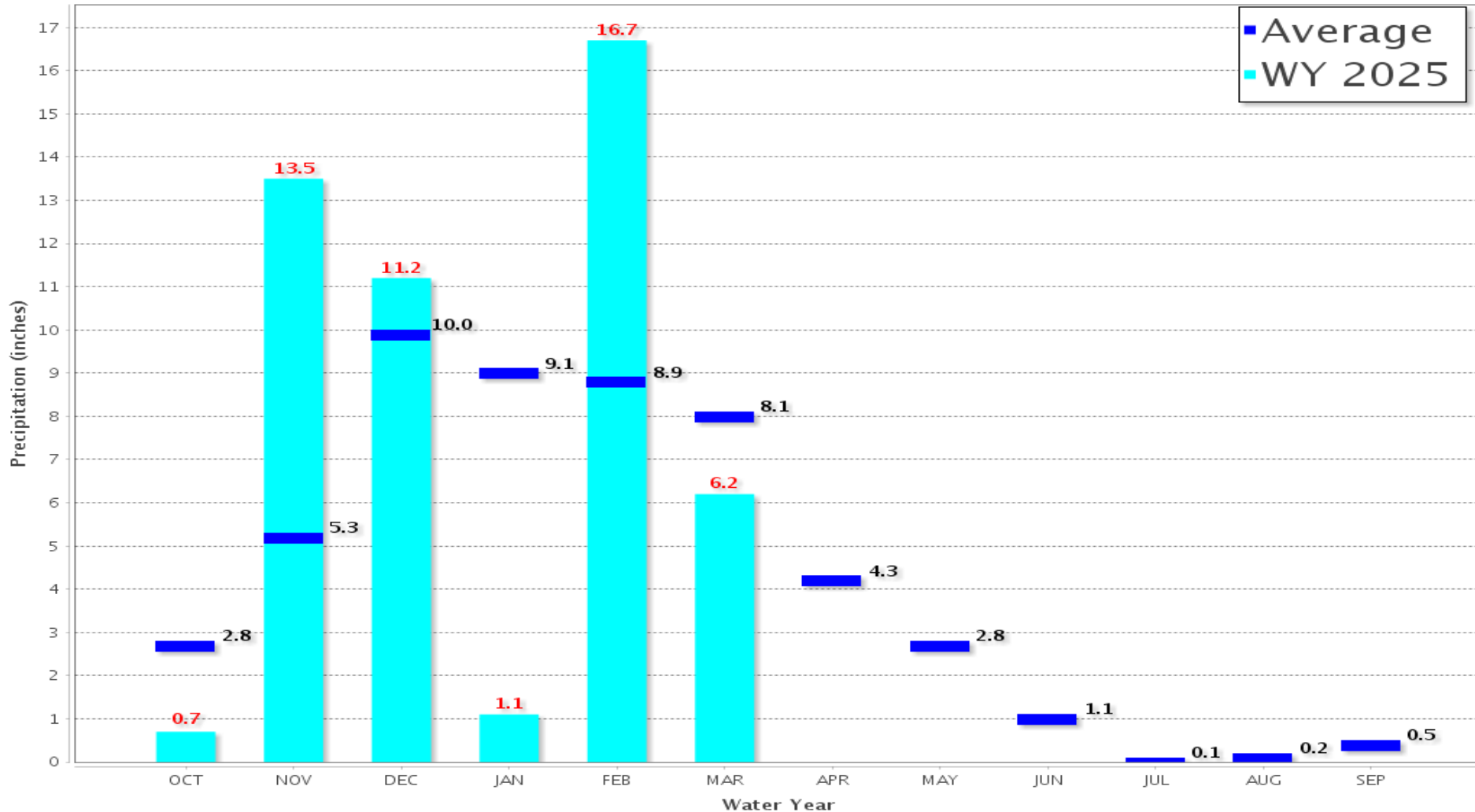


Northern Sierra 8-Station

Precipitation Index for Water Year 2025 – Updated on March 24, 2025 01:33 PM

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

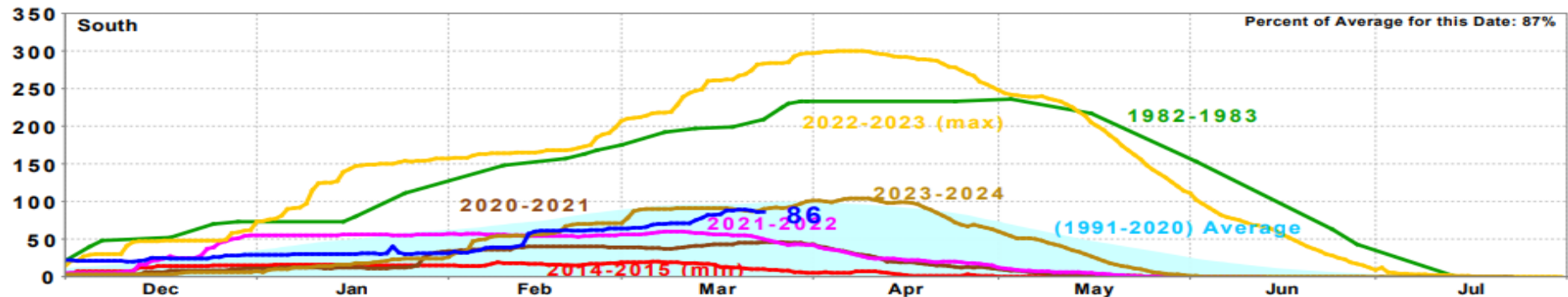
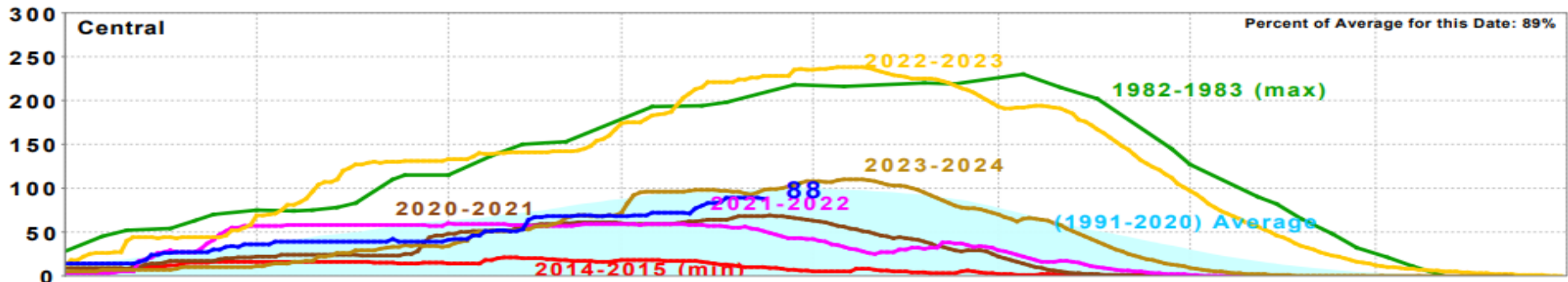
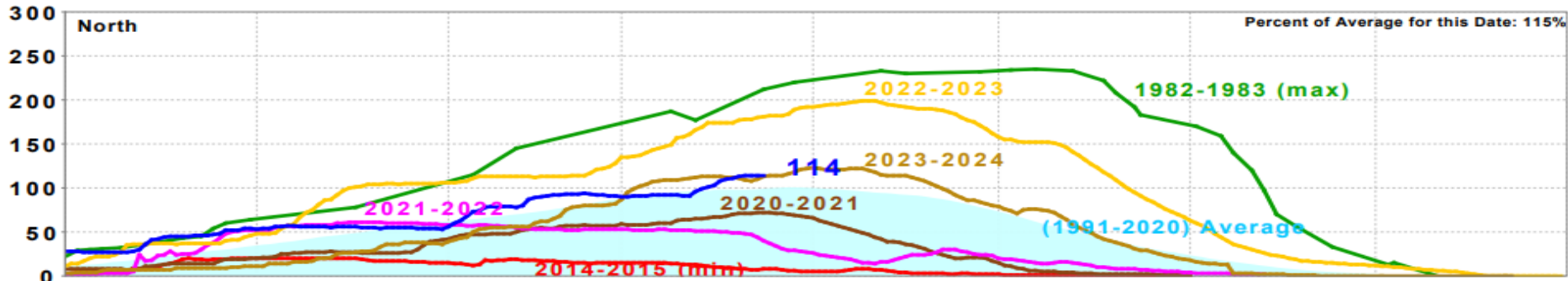
Water Year Monthly totals are calculated based on Daily precipitation data from 12am to 12am PST





California Snow Water Content: March 24, 2025

California Snow Water Content, March 24, 2025, Percent of April 1 Average





Feather River Basin Forecast

10-Day Feather Basin Quantitative Precipitation Forecast (QPF)

Monday, March 24, 2025
(each day ends at 0400 PST)

Day No.	Date	Precip (inches)	Snow Level (ft)	Average Daily*		
				Precip (inches)	Snow Depth (inches)	Min Temp (°F)
	Saturday, March 15, 2025	0.9	2000			
	Sunday, March 16, 2025	0.0	3500			
	Monday, March 17, 2025	1.5	5000			
	Tuesday, March 18, 2025	0.3	3000			
	Wednesday, March 19, 2025	0.0	3500			
	Thursday, March 20, 2025	0.2	4000			
	Friday, March 21, 2025	0.0	5000			
	Saturday, March 22, 2025	0.0	5500			
	Sunday, March 23, 2025	0.0	7000			
	Monday, March 24, 2025	0.0	10000	0.3	0.4	35.5
Total observed:		2.9				
1	Tuesday, March 25, 2025	0.0	10,500	0.2	0.1	35.5
2	Wednesday, March 26, 2025	0.0	10,500	0.2	0.1	35.0
3	Thursday, March 27, 2025	0.4	8,500	0.2	0.1	35.5
4	Friday, March 28, 2025	0.2	4,500	0.2	0.2	35.0
5	Saturday, March 29, 2025	0.1	3,500	0.1	0.2	35.5
6	Sunday, March 30, 2025	0.1	5,000	0.2	0.4	36.2
7	Monday, March 31, 2025	1.2	5,000	0.2	0.3	36.0
8	Tuesday, April 1, 2025	0.6	5,000	0.2	0.1	35.5
9	Wednesday, April 2, 2025	2.4	6,000	0.1	0.2	35.5
10	Thursday, April 3, 2025	2.1	5,500	0.1	0.2	36.5
11	Friday, April 4, 2025	0.0	5,500	0.1	0.2	37.2
10-Day Total:		7.1		1.7		
10-Day Percent of Normal:		418%				
Accumulated Observed Precip for WY 2025:		58.5	(WY 2024: 49.7)			
Comments:		(139% YTD Ave)				

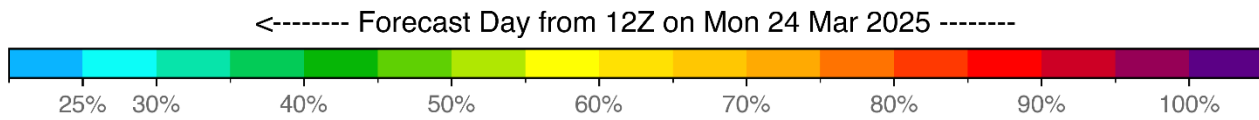
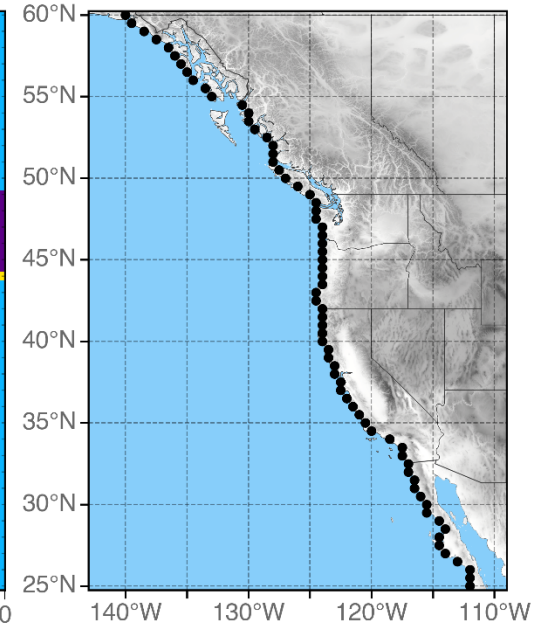
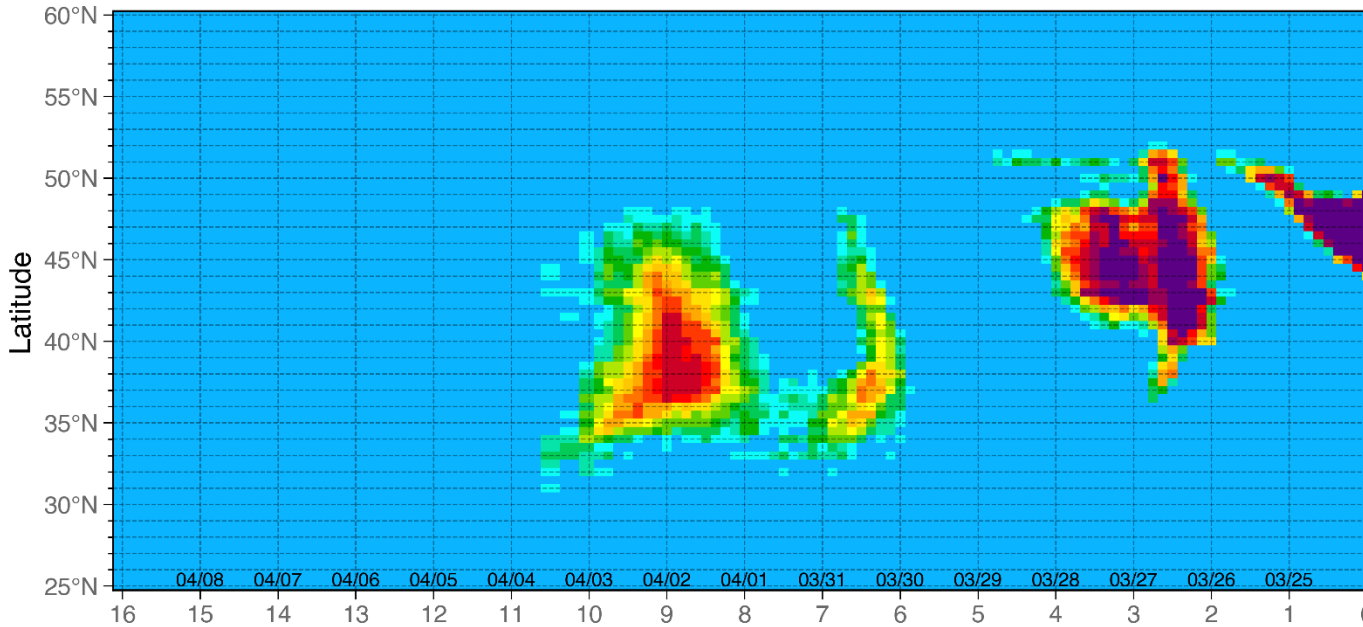
Mostly sunny and clear until Wednesday afternoon with rain and snow showers throughout the rest of the forecast period. Prevailing northeast winds up to 10 mph today, then shifting to the south by Tuesday afternoon. Snow elevation is up to 10,500 ft tomorrow and decreases to 3,500 ft by Saturday, then increases to 6,000 ft. Temperatures range from low 20's F to mid 70's F, decreasing in temperature as the week goes on.



Atmospheric River Forecast

CW3E AR Landfall Tool | GEFS

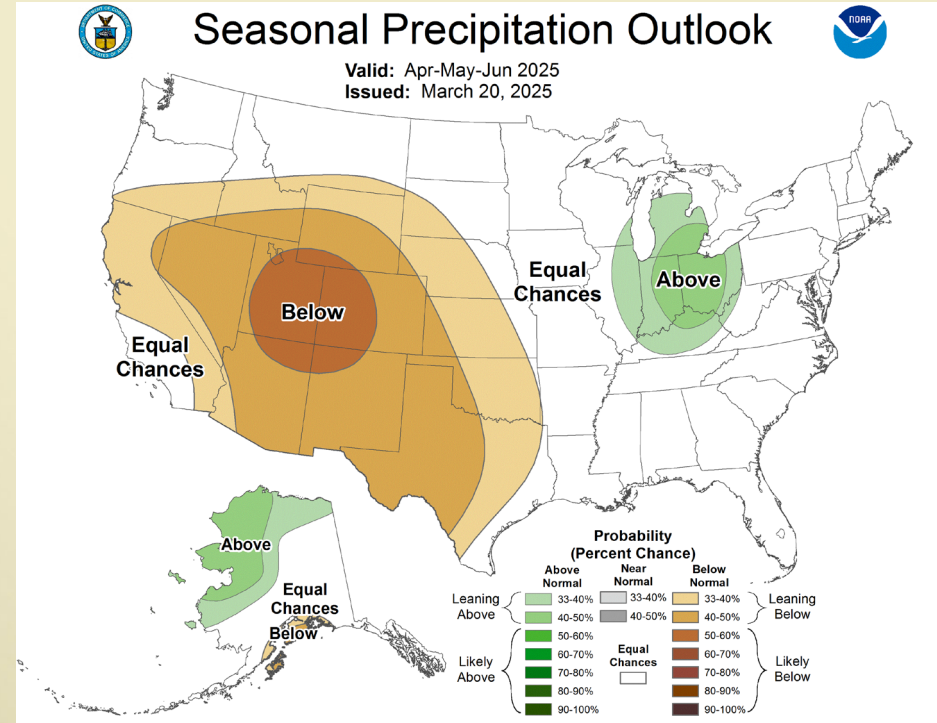
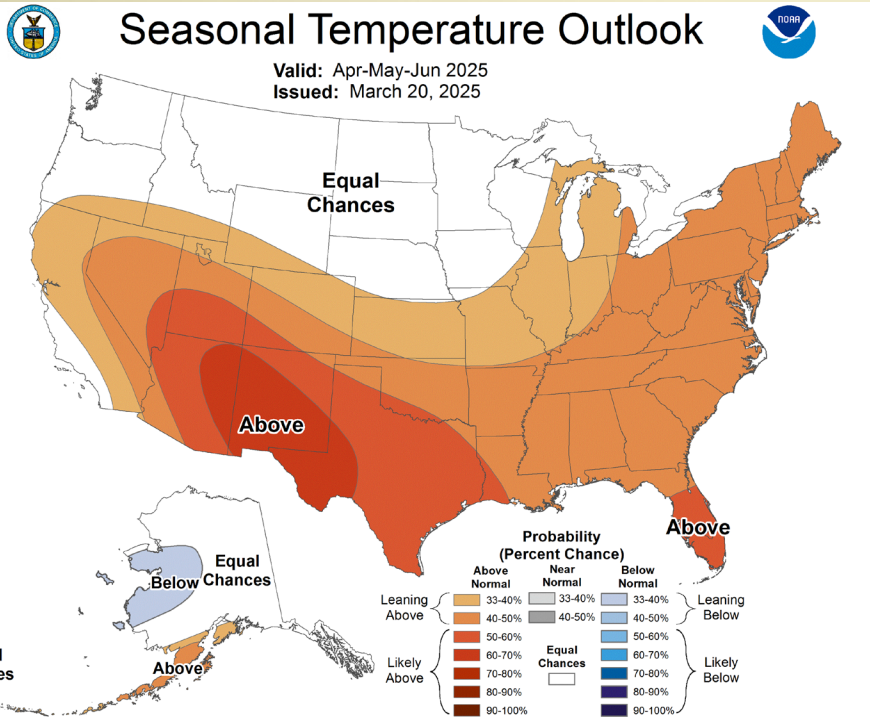
Model Run: 12Z Mon 24 Mar 2025



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

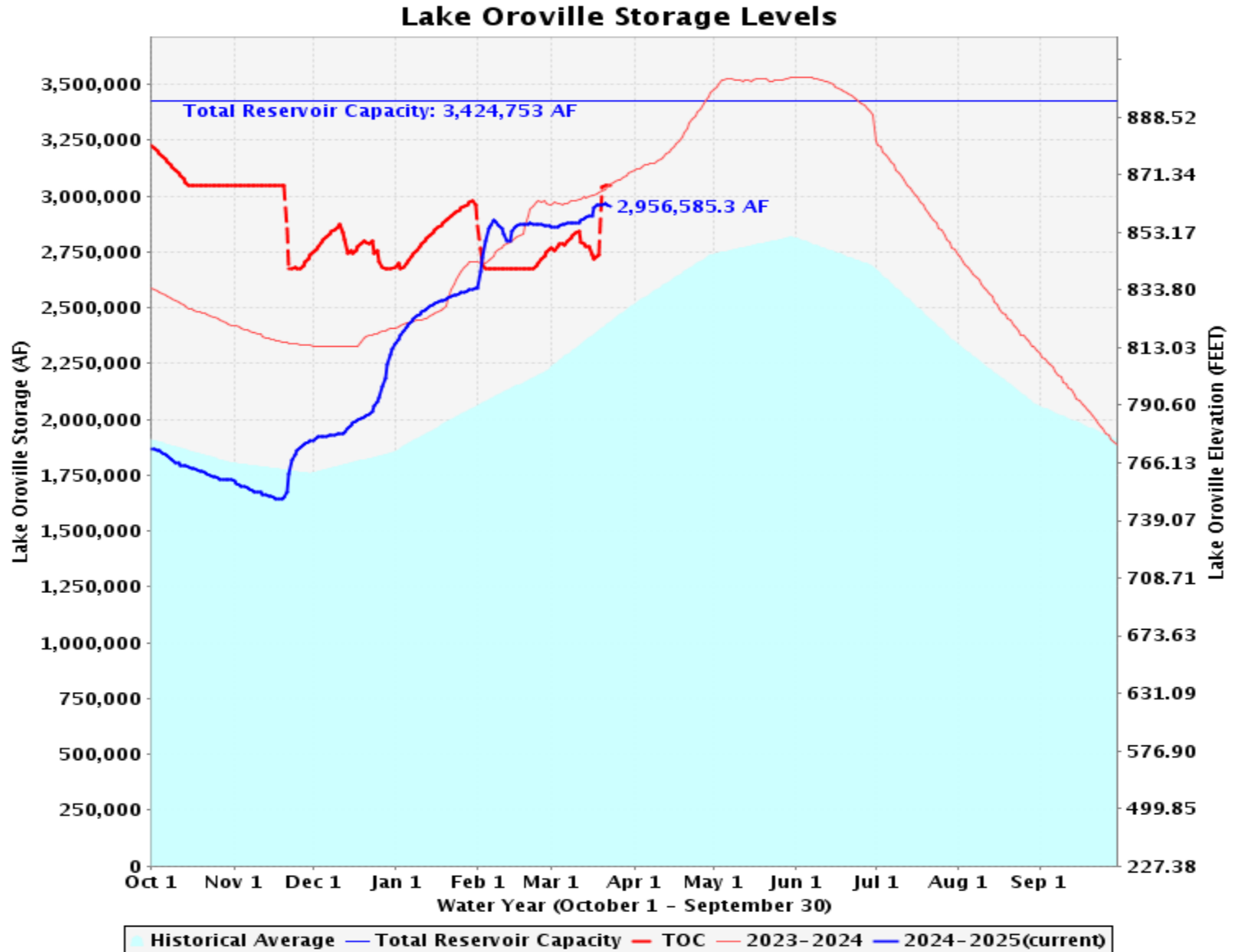


Long-term Forecast





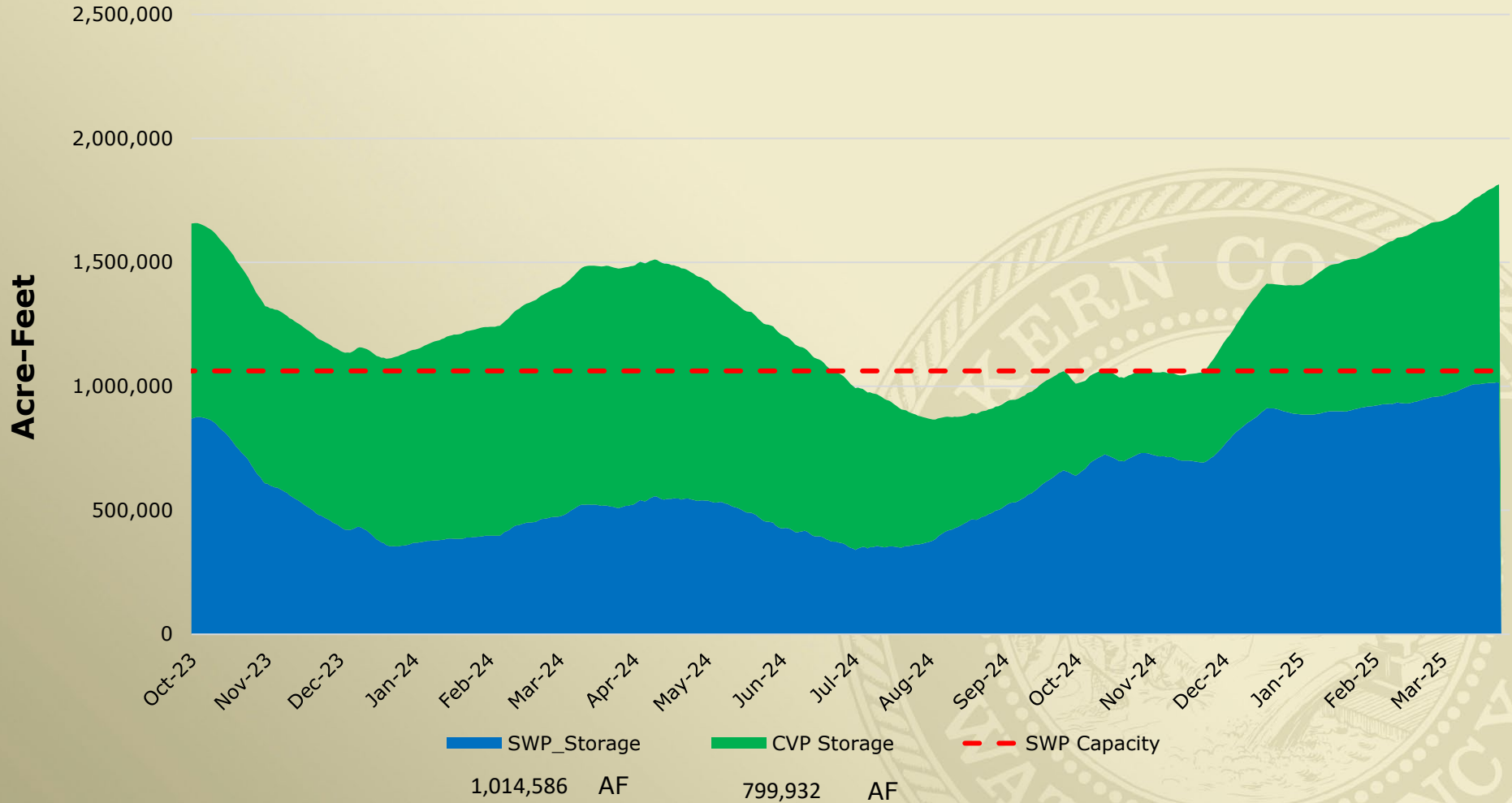
Lake Oroville Storage: March 23, 2025





San Luis Reservoir Storage: March 24, 2025

San Luis Storage





MEMORANDUM

20.2.1

TO: Water Resources Committee
Agenda Item No. 4a

FROM: Veronica Arreola

DATE: March 27, 2025

SUBJECT: Report on Kern County Water Agency California Aqueduct Deliveries

Issue:

Report on Kern County Water Agency California Aqueduct Deliveries.

Recommended Motion:

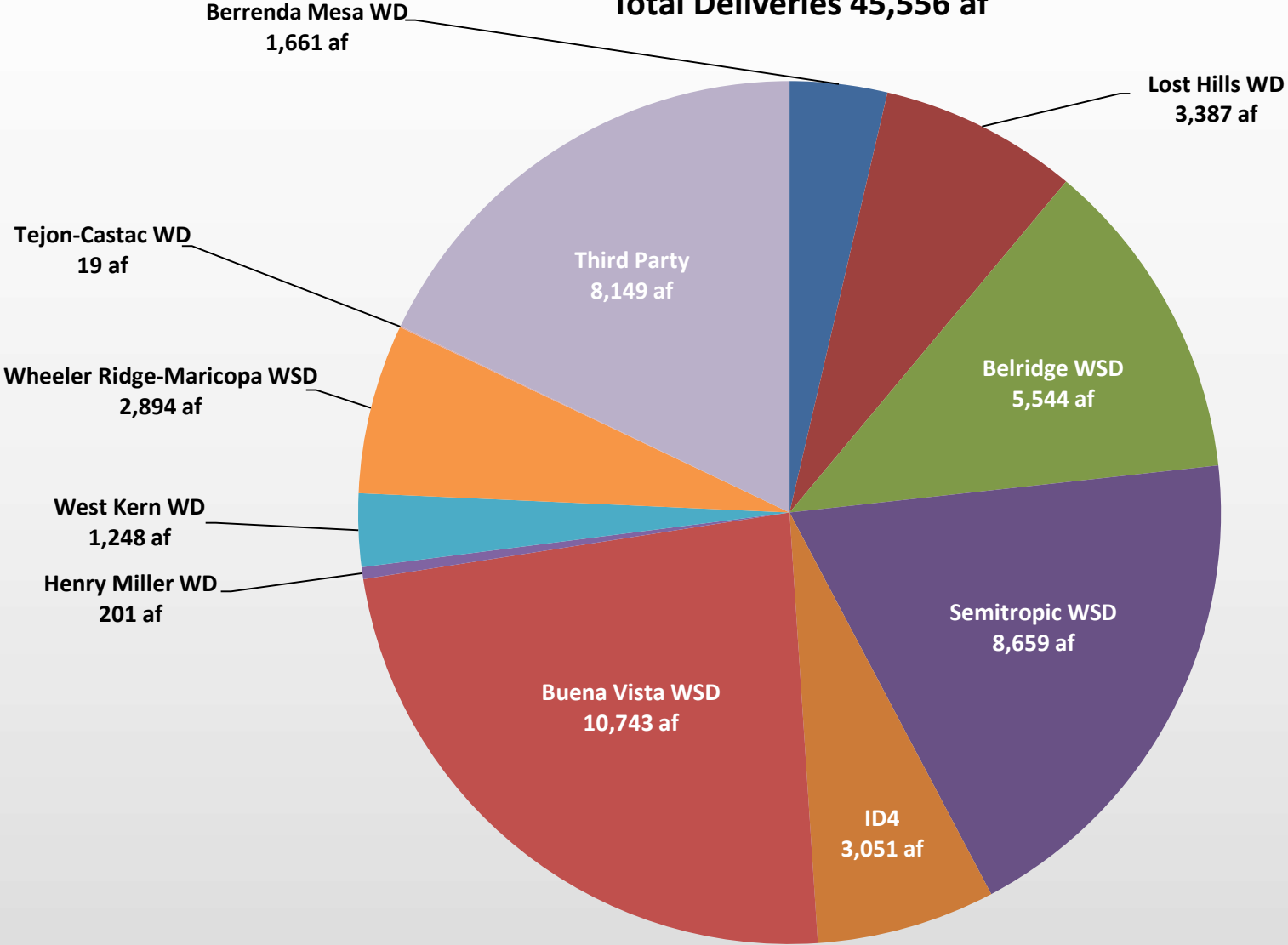
None – information only.

Discussion:

In February 2025, the Kern County Water Agency (Agency) delivered an estimated 45,556 acre-feet (af) via the California Aqueduct (Aqueduct). A summary of February 2025 estimated deliveries by entity is provided as Attachment 1. Through February 2025, the Agency has delivered an estimated 66,960 af via the Aqueduct. A summary of estimated cumulative deliveries by entity is provided as Attachment 2, and a summary of estimated cumulative deliveries by water type is provided as Attachment 3. The values presented are estimates as Agency staff continue the ongoing delivery reconciliation process.

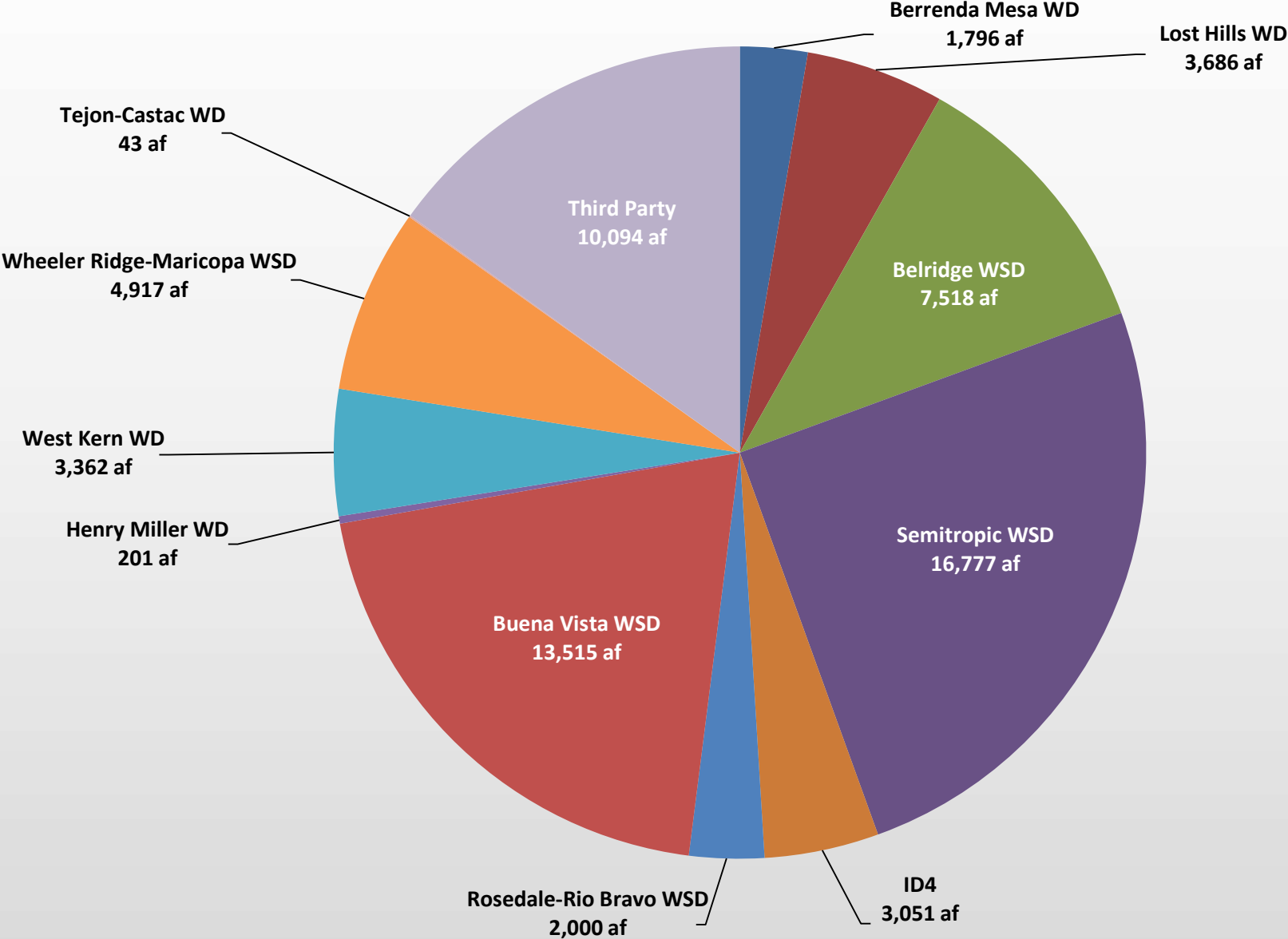
California Aqueduct Deliveries by Entity February 2025

Total Deliveries 45,556 af



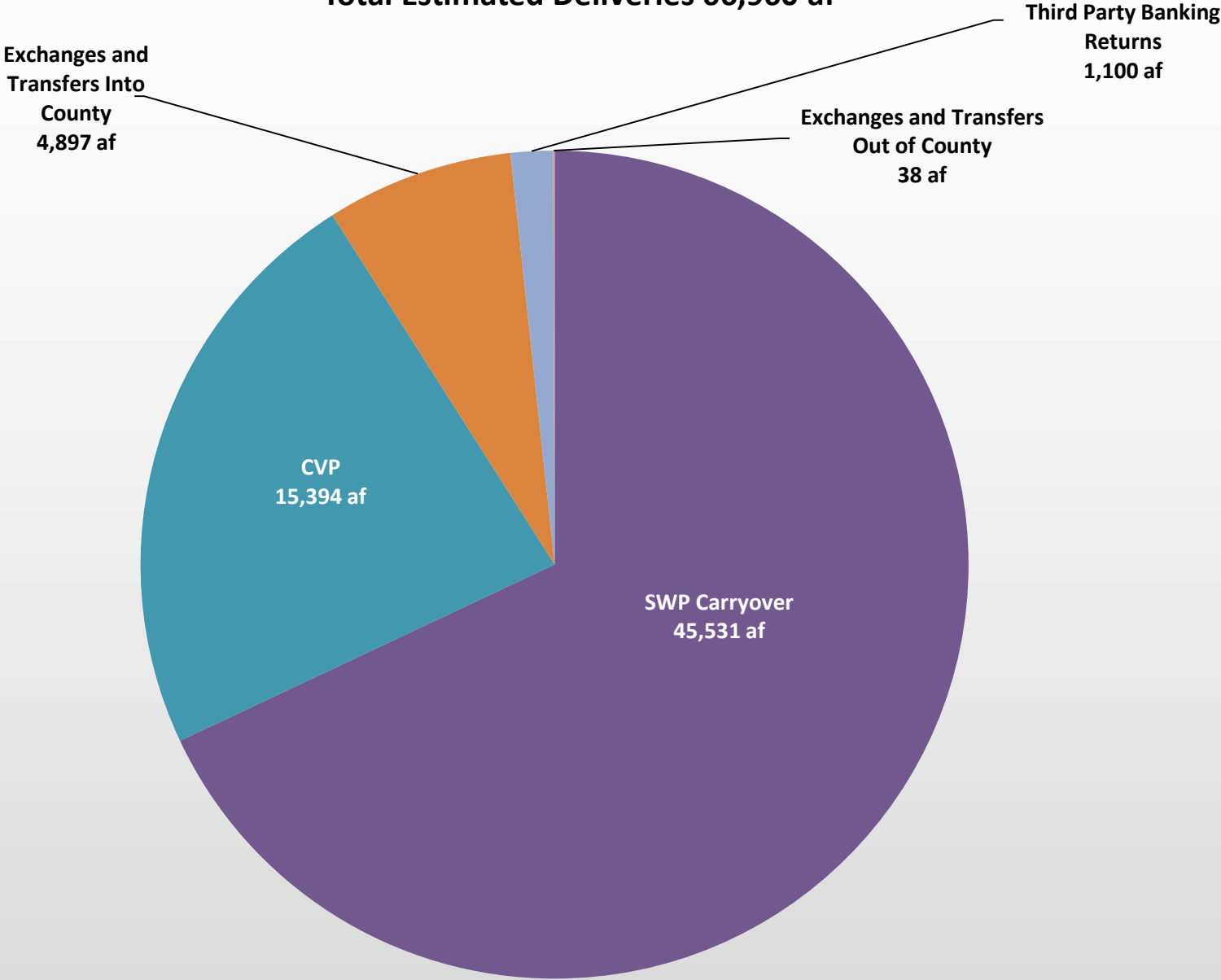
California Aqueduct Deliveries by Entity Through February 2025

Total Estimated Deliveries 66,960 af



California Aqueduct Deliveries by Water Type Through February 2025

Total Estimated Deliveries 66,960 af





MEMORANDUM

20.2.1

TO: Water Resources Committee
Agenda Item No. 4b

FROM: Courtney Pasquini

DATE: March 27, 2025

SUBJECT: Update on Water Transfers, Exchanges and Purchases

Issue:

Update on water transfers, exchanges and purchases approved by the Water Resources Manager since the last Kern County Water Agency Board of Directors meeting.

Recommended Motion:

None – information only.

Discussion:

On December 18, 2024, the Kern County Water Agency (Agency) Board of Directors (Board) authorized the Water Resources Manager to approve and enter into contracts providing for the transfer, exchange and purchase of State Water Project (SWP) water, Central Valley Project (CVP) water and other water through December 31, 2025, on behalf of Member Units and the Agency, and to expend up to \$300,000 from the Supplemental Water Fund to fund such purchases.

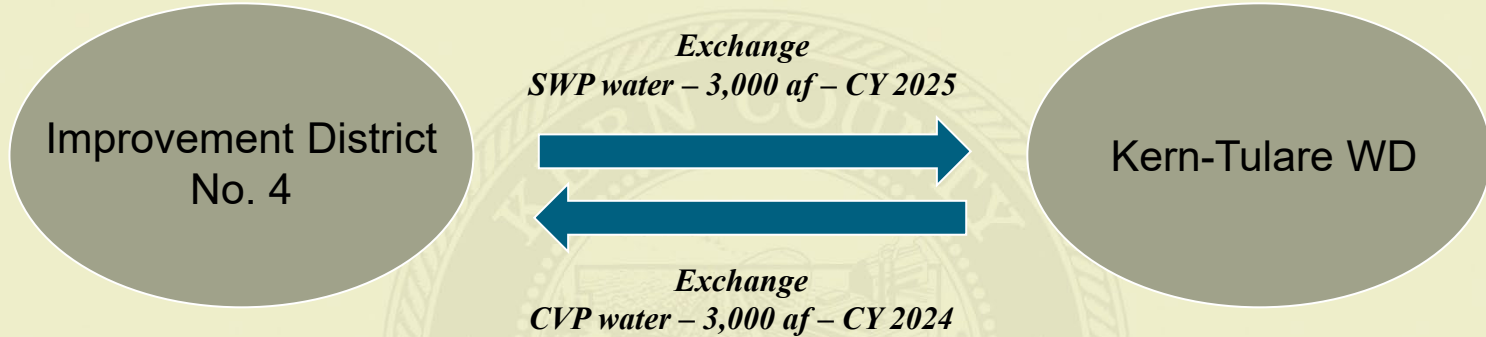
Summarized below, and in Attachment 1, are those activities that have been approved by the Water Resources Manager in 2025 pursuant to the Board authorization described above since the last Agency Board meeting, or previously approved as a long-term program. Attachment 2 provides a summary of those activities in 2025 that have been approved by the Water Resources Manager or the Board, any pending requests and any previously approved requests since the last Agency Board meeting.

- **Improvement District No. 4/Kern-Tulare Water District – Exchange (3,000 Acre-Feet):**
Improvement District No. 4 requested approval to exchange up to 3,000 acre-feet (af) of its 2025 State Water Project (SWP) Table 1 water for a like amount of Kern-Tulare Water District's (WD) CVP water.
- **Buena Vista Water Storage District/Santa Clarita Valley Water Agency – Transfer (2,750 af):**
Buena Vista Water Storage District (WSD) requested approval to transfer up to 2,750 af of its previously banked Kern River water to Santa Clarita Valley Water Agency pursuant to their long-term program.

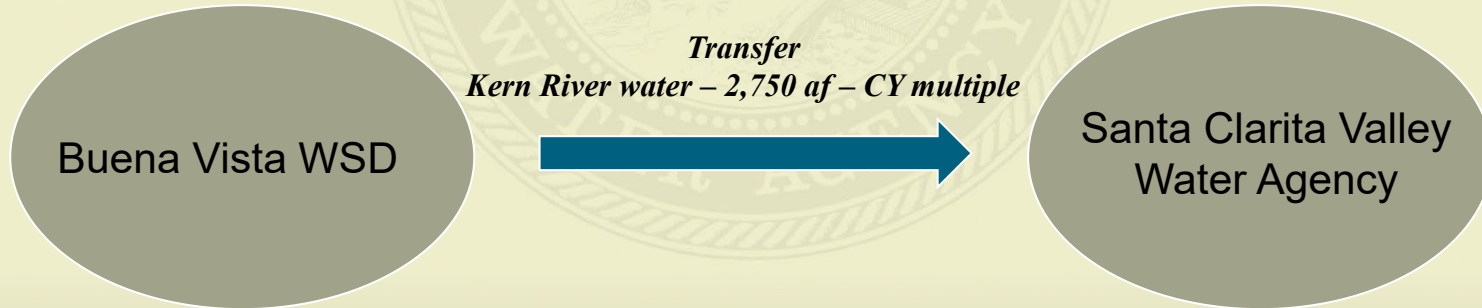
- **Alameda County WD/Semitropic WSD – Transfer (12,000 af):**
Alameda County WD requested approval to transfer up to 12,000 af of its 2024 and/or 2025 SWP Table A water to Semitropic WSD for banking pursuant to their long-term program.
- **County of Butte/Berrenda Mesa WD, Lost Hills WD, Belridge WSD and Wheeler Ridge-Maricopa WSD – Transfer (16,000 af):**
County of Butte requested approval to transfer up to 16,000 af of its 2025 SWP Table A water to Berrenda Mesa WD, Lost Hills WD, Belridge WSD and Wheeler Ridge-Maricopa WSD pursuant to their long-term program.

Update on Water Transfers, Exchanges and Purchases

Improvement District No. 4/Kern-Tulare WD – Exchange (3,000 af)

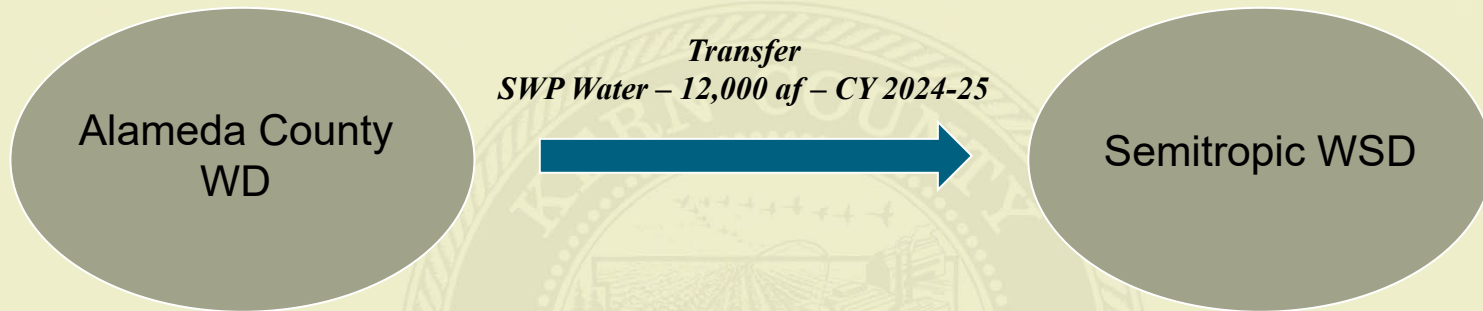


Buena Vista WSD/Santa Clarita Valley Water Agency – Transfer (2,750 af)

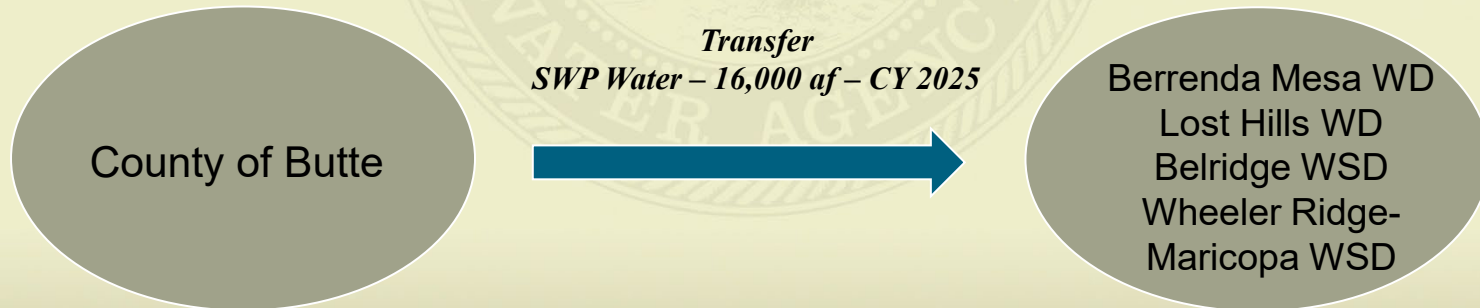


Update on Water Transfers, Exchanges and Purchases

Alameda County WD/Semitropic WSD – Transfer (12,000 af)



County of Butte/Berrenda Mesa WD, Lost Hills WD, Belridge WSD and Wheeler Ridge-Maricopa WSD – Transfer (16,000 af)



2025 Water Management Program

Summary of Routine Water Transfers, Exchanges and Purchases Pursuant to the December 18, 2024 KCWA Board Authorization

<i>TRF #</i>	<i>Parties</i>	<i>Description</i>	<i>Quantity (AF)</i>	<i>Date of Request</i>	<i>Date Approved</i>
25014	Rosedale-Rio Bravo Water Storage District to Santa Clarita Valley Water Agency	Transfer of Kern River water	8,250	1/23/25	02/05/25
25015	Belridge Water Storage District and Lost Hills Water District to Kern-Tulare Water District	Exchange of SWP Table 1 for CVP water	2,500	1/28/25	02/27/25
25020	Kern Delta Water District to Buena Vista Water Storage District	Exchange of SWP Table 1 water for Kern River water	25,500	1/31/25	02/27/25
25026	Improvement District No.4 to Kern-Tulare Water District	Exchange of CVP water for SWP Table 1 water	3,000	2/18/25	02/25/25
25028	County of Butte to Belridge WSD, Berrenda Mesa WD, Lost Hills WD and Wheeler Ridge-Maricopa WSD	Transfer of SWP Table A water	16,000	2/28/25	03/27/25
25029	Buena Vista Water Storage District to Santa Clarita Valley Water Agency	Transfer of Kern River water	2,750	3/6/25	03/27/25

Summary of Non-Routine Water Transfers, Exchanges and Purchases Approved Pursuant to KCWA Board Authorization

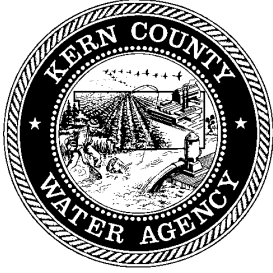
<i>TRF #</i>	<i>Parties</i>	<i>Description</i>	<i>(AF)</i>	<i>Request</i>	<i>Approved</i>
25009	San Joaquin River Exchange Contractors to Rosedale-Rio Bravo Water Storage District	Transfer of CVP water for banking and future return	20,000	1/9/24	01/23/25
25010	Berrenda Mesa Water District to Henry Miller Water District	Transfer of 2024 SWP Table 1 water	2,000	1/9/25	01/23/25
25012	Belridge Water Storage District to Henry Miller Water District	Transfer of 2024 SWP Table 1 water	1,750	1/9/25	01/23/25
25011	Westlands Water District to Belridge Water Storage District (Westside Mutual Water Company)	Transfer of CVP water	10,000	1/9/24	02/18/25
25016	Semitropic Water Storage District to Kern-Tulare Water District	Return of previously banked CVP water	5,000	1/29/25	02/27/25
25022	Berrenda Mesa Water District to Semitropic Water Storage District (Homer)	Transfer of 2024 Table 1 water	2,500	2/6/25	02/27/25

Summary of Pending Water Transfers, Exchanges and Purchases

<i>TRF #</i>	<i>Parties</i>	<i>Description</i>	<i>(AF)</i>	<i>Request</i>	<i>Approved</i>
25005	Tulare Lake Basin Water Storage District to Rosedale-Rio Bravo Water Storage District	Transfer of SWP Table A water for banking	10,000	12/19/24	
25007	Antelope Valley-East Kern Water Agency to San Geronio Pass Water Agency	Transfer of Nickel Kern River water	1,700	1/6/24	
25017	Shafter-Wasco Irrigation District to Cawelo Water District	Transfer of CVP water	379	1/30/25	
25018	Tulare Lake Basin Water Storage District to Lost Hills Water District (Sandridge)	Transfer of 2024 Table A water	2,000	1/31/25	
25019	Tulare Lake Basin Water Storage District to Berrenda Mesa Water District (Sandridge)	Transfer of 2024 Table A water	2,000	1/31/25	
25023	Plumas County Flood Control & Conservation District to Rosedale-Rio Bravo Water Storage District	Transfer of 2024 Table A water	2,025	2/7/25	
25024	Empire West Side Irrigation District to Lost Hills Water District (Sandridge)	Transfer of 2025 Table A water	1,950	2/14/25	
25025	Empire West Side Irrigation District to Berrenda Mesa Water District (Sandridge)	Transfer of 2024 SWP Carryover water	650	2/14/25	
25027	SJR Exchange Contractors to Belridge WSD, Berrenda Mesa WD, Lost Hills WD and Wheeler Ridge-Maricopa WSD	Transfer of CVP water	7,000	2/28/25	

Summary of Previously Approved Annual, Long-Term Water Transfer, Exchange and Purchase Programs

<i>TRF #</i>	<i>Parties</i>	<i>Description</i>	<i>Quantity (AF)</i>	<i>Date of Request</i>	<i>Date Approved</i>
25006	Dudley Ridge Water District to Rosedale-Rio Bravo Water Storage District (Irvine Ranch Water District)	Transfer of SWP Table A water	5,500	1/3/25	N/A
25008	Kern-Tulare Water District to West Kern Water District	Transfer of CVP water	3,000	1/8/25	N/A
25021	Newall Land and Farming Company to Semitropic Water Storage District	Transfer of Nickel Kern River water	1,607	2/3/25	N/A
25030	Alameda County Water District to Semitropic Water Storage District	Transfer of 2024-25 SWP Table A water for banking	12,000	3/13/25	N/A



MEMORANDUM

20.2.1

TO: Water Resources Committee
Agenda Item No. 4c

FROM: Lauren Bauer

DATE: March 27, 2025

SUBJECT: Authorization to Execute an Agreement for Transfer of Plumas County Flood Control and Water Conservation District's State Water Project Article 56 Carryover Water to Kern County Water Agency, SWP #25004

Issue:

Consider authorizing the Water Resources Manager to execute an Agreement Among the Department of Water Resources of the State of California, Kern County Water Agency and Plumas County Flood Control and Water Conservation District for Transfer of Plumas County Flood Control and Water Conservation District's State Water Project Article 56 Carryover Water to Kern County Water Agency, SWP #25004.

Recommended Motion:

Adopt Resolution No. 09-25 authorizing the Water Resources Manager to execute an Agreement Among the Department of Water Resources of the State of California, Kern County Water Agency and Plumas County Flood Control and Water Conservation District for Transfer of Plumas County Flood Control and Water Conservation District's State Water Project Article 56 Carryover Water to Kern County Water Agency, SWP #25004.

Discussion:

Rosedale-Rio Bravo Water Storage District has requested the Kern County Water Agency (Agency) facilitate a transfer of 2,025 acre-feet of Plumas County Flood Control and Water Conservation District's (Plumas) 2023 and 2024 State Water Project Article 56 Carryover water to the Agency. To facilitate the transfer, the Agency and Plumas must enter into an agreement with the California Department of Water Resources (Agreement). The Agreement is provided as Exhibit A. Agency staff have reviewed the Agreement and recommend its approval.

BEFORE THE BOARD OF DIRECTORS
OF THE
KERN COUNTY WATER AGENCY

In the matter of:

AUTHORIZING THE EXECUTION OF AN AGREEMENT *
FOR TRANSFER OF PLUMAS COUNTY FLOOD CONTROL *
AND WATER CONSERVATION DISTRICT'S STATE *
WATER PROJECT ARTICLE 56 CARRYOVER WATER TO *
KERN COUNTY WATER AGENCY, SWP #25004 *

I, Stephanie N. Prince, Secretary of the Board of Directors of the Kern County Water Agency, of the County of Kern, State of California, do hereby certify that the following resolution proposed by Director _____, and seconded by Director _____, was duly passed and adopted by said Board of Directors at an official meeting hereof this 27th day of March, 2025 by the following vote, to wit:

Ayes:

Noes:

Absent:

Secretary of the Board of Directors of the
Kern County Water Agency

Resolution No. 09-25

WHEREAS, Plumas County Flood Control and Water Conservation District (Plumas) entered into an agreement with Rosedale-Rio Bravo WSD (Rosedale) to transfer up to 2,025 acre-feet of Plumas' 2023 and 2024 State Water Project (SWP) Article 56 Carryover water to Rosedale; and

WHEREAS, Plumas has requested the California Department of Water Resources (DWR) approval for the transfer of Plumas' SWP Article 56 Carryover water to the Kern County Water Agency (Agency) on behalf of Rosedale; and

WHEREAS, as lead agency under the California Environmental Quality Act (CEQA), Plumas has determined the transfer is categorically exempt from CEQA and will file a Notice of Exemption with the State Clearinghouse; and

WHEREAS, an agreement is required by DWR for the delivery of Plumas' SWP Article 56 Carryover water to the Agency; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Kern County Water Agency, that:

1. The foregoing recitals are true and correct.
2. The Water Resources Manager is authorized, subject to approval of General Counsel as to legal form, to execute the Agreement Among the Department of Water Resources of the State of California, Kern County Water Agency and Plumas County Flood Control and Water Conservation District for Transfer of Plumas County Flood Control and Water Conservation District's State Water Project Article 56 Carryover Water to Kern County Water Agency, SWP #25004 attached hereto as Exhibit A.
3. The Water Resources Manager is further authorized, subject to approval of General Counsel as to legal form, to execute any necessary related agreements to effectuate the delivery of Plumas' SWP Article 56 Carryover water to Rosedale.

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY

GAVIN NEWSOM, Governor

DEPARTMENT OF WATER RESOURCES

P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



3/10/2025

Mr. Rob Thorman
Public Works Director
County of Plumas
1834 East Main Street
Quincy, California 95971-9795

Ms. Lauren Bauer
Water Resources Manager
Kern County Water Agency
3200 Rio Mirada Drive
Bakersfield, California 93308-4944

Subject: Transfer of Plumas County Flood Control and Water Conservation District's State Water Project Article 56 Carryover Water to Kern County Water Agency (SWP #25004)

This Letter Agreement, SWP #25004 (Agreement), is in response to Plumas County Flood Control and Water Conservation District's (Plumas') request, dated February 5, 2025, to the Department of Water Resources of the State of California (DWR) for approval to transfer 2,025 acre-feet of Plumas' State Water Project (SWP) Article 56 Carryover Water stored in San Luis Reservoir (Plumas' Article 56 Carryover Water) to Kern County Water Agency (KCWA), on behalf of its member unit, Rosedale-Rio Bravo Water Storage District (Rosedale), in 2025 pursuant to Article 56(c)(4) of Plumas' and KCWA's respective Water Supply Contracts. Delivery of Plumas' Article 56 Carryover Water to KCWA pursuant to this Agreement shall be completed by December 31, 2025. DWR, Plumas, and KCWA may be referred to individually as "Party" or collectively as "Parties."

On February 18, 2025, Plumas and Rosedale entered into an "Agreement for a Water Transfer Between Rosedale-Rio Bravo Water Storage District and Plumas County Flood Control & Water Conservation District" (Plumas/Rosedale Agreement). The Plumas/Rosedale Agreement contains provisions governing the terms and conditions for the transfer of 2,025 acre-feet of Plumas' Article 56 Carryover Water to Rosedale by December 31, 2025.

This Agreement, SWP #25004, covers the transfer and delivery of 2,025 acre-feet of Plumas' Article 56 Carryover Water to KCWA.

Mr. Rob Thorman, et al
3/10/2025

SWP #25004

Page 2

KCWA has confirmed in writing to DWR its need for the transferred Article 56 Carryover Water in 2025 and KCWA will take delivery of this water in 2025, in compliance with Article 56(c)(4)(iv) of KCWA's Water Supply Contract. In addition, Plumas and KCWA confirm that the transfer under this Agreement satisfies the criteria in Article 57(d) and Article 57(g) of Plumas' and KCWA's respective Water Supply Contracts. Plumas and KCWA have provided supporting documentation to DWR demonstrating compliance with Article 57(g), which DWR has considered in approving the transfer request.

Plumas also requested DWR's approval for an exception to the 50-percent limitation on the amount of Plumas' Article 56 Carryover Water available for transfers or exchanges under Article 56(c)(4)(ii) of Plumas' Water Supply Contract. Plumas has requested this exception to reduce the risk of Plumas' Article 56 Carryover being displaced due to the elevated level of DWR's share of San Luis Reservoir. DWR agrees that Plumas has sufficiently demonstrated the need for an exception pursuant to Article 56(c)(4)(v) of Plumas' Water Supply Contract.

In compliance with the California Environmental Quality Act (CEQA), Plumas, as the lead agency, has determined that the transfer of Plumas' Article 56 Carryover Water to KCWA pursuant to the Plumas/Rosedale Agreement is categorically exempt from CEQA and will file a Notice of Exemption (NOE) with the State Clearinghouse (SCH). DWR, as a responsible agency, will file a NOE based on CEQA Guidelines Section 15301 (Existing Facilities) with SCH upon execution of this Agreement.

Plumas and KCWA agree that execution of this Agreement will result in transferring, upon the Effective Date of this Agreement, 2,025 acre-feet of Plumas' Article 56 Carryover Water stored in San Luis Reservoir to KCWA for delivery by December 31, 2025 to KCWA's service area, under the following terms and conditions:

TERM

1. This Agreement shall become effective as of January 15, 2025 (Effective Date), and shall terminate on December 31, 2025, or upon final payments to DWR of all costs attributable to this Agreement, whichever occurs later. However, the liability, hold harmless and indemnification obligations in this Agreement shall remain in effect until the expiration of the applicable statute of limitations, or until any claim or litigation concerning this Agreement asserted to any of the Parties within the applicable statute of limitations is finally resolved, whichever occurs later.

UNIQUENESS OF AGREEMENT

2. DWR's approval under this Agreement to transfer and deliver Plumas' Article 56 Carryover Water to KCWA is unique and shall not be considered a precedent for future agreements or DWR activities.

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SWP #25004

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APPROVALS

3. The transfer and delivery of water under this Agreement shall be contingent upon, and subject to any necessary approvals and shall be governed by the terms and conditions of such approvals and any other applicable legal requirements. Plumas and KCWA shall be responsible for complying with all applicable laws and legal requirements and for securing any required consent, approvals, permit, or orders. Plumas and KCWA shall furnish to DWR copies of all approvals and agreements required for the transfer and delivery of water under this Agreement.
4. Pursuant to Article 56(c)(4)(v) of Plumas' Water Supply Contract, DWR agrees to approve an exception to the 50-percent limitation on the amount of Plumas' Article 56 Carryover Water available for transfers or exchanges under Article 56(c)(4)(ii) and will allow Plumas to transfer 2,025 acre-feet (100-percent) of Plumas' Article 56 Carryover Water in 2025.

TRANSFER OF PLUMAS' ARTICLE 56 CARRYOVER WATER TO KCWA

5. Upon the Effective Date of this Agreement, DWR will transfer 2,025 acre-feet of Article 56 Carryover Water from Plumas' storage balance in San Luis Reservoir to KCWA's storage balance for delivery to KCWA in 2025. The transfer will occur by means of a recalculation of Plumas' and KCWA's respective Article 56 Carryover Water storage balances in San Luis Reservoir. DWR's recalculation will show a 2,025 acre-foot increase in KCWA's total Article 56 Carryover Water storage balance and a 2,025 acre-foot decrease of Plumas' total Article 56 Carryover Water storage balance.

DELIVERY OF PLUMAS' ARTICLE 56 CARRYOVER WATER TO KCWA

6. DWR will deliver 2,025 acre-feet of Article 56 Carryover Water acquired by KCWA from Plumas under this Agreement from San Luis Reservoir to KCWA's turnout(s) located at Reach 12E of the California Aqueduct by December 31, 2025, and KCWA shall take delivery of this Article 56 Carryover Water for use in KCWA's service area.
7. KCWA recognizes that, in the event San Luis Reservoir becomes full, KCWA's Article 56 Carryover Water in San Luis Reservoir, including the water acquired under this Agreement and not yet delivered to KCWA's service area, will be displaced in accordance with Article 56(c)(3) of KCWA's Water Supply Contract.
8. Plumas and KCWA agree that any water not delivered to KCWA's service area under this Agreement by December 31, 2025 will be forfeited and will convert to SWP Project Water owned by DWR on January 1, 2026, unless an exception is approved by DWR.

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3/10/2025

SWP #25004

Page 4

9. The delivery of water to KCWA under this Agreement shall be in accordance with schedules reviewed and approved by DWR. DWR's approval for this delivery is dependent upon the times and amounts of the delivery and the overall delivery capability of the SWP. DWR shall not be obligated to deliver the water at times when such delivery would adversely impact SWP operations, facilities, or other SWP contractors.
10. The sum of deliveries scheduled to KCWA under this Agreement, plus scheduled KCWA SWP water deliveries, plus deliveries to KCWA under any other agreements, shall not exceed the quantities on which the Proportionate Use-of-Facilities factors are based under KCWA's Water Supply Contract with DWR unless DWR determines that deliveries will not adversely impact SWP operations, facilities, or other SWP contractors.

WATER DELIVERY SCHEDULES

11. All water delivery schedules and revisions shall be in accordance with Article 12 of KCWA's Water Supply Contract with DWR.
12. KCWA may propose modifications to the proposed schedule for the delivery of Plumas' Article 56 Carryover Water to KCWA under this Agreement if, on the basis of a with and without analysis, KCWA determines that such deliveries would adversely impact KCWA's finances, water supply or operations, and Plumas does not agree to mitigate for such impacts. The base case (without analysis) shall be those conditions estimated to occur in the absence of deliveries to KCWA. The KCWA analysis is a matter involving KCWA and Plumas, not DWR. DWR is not liable to Plumas for the determinations KCWA makes under this paragraph. DWR is not asserting the validity of KCWA's analysis, nor is it to be held liable by Plumas for any actions resulting from KCWA's analysis.
13. KCWA shall submit monthly water delivery schedules and revised monthly schedules, if any, for approval to the Division of Operation and Maintenance, Office of the Division Manager, Water Deliveries Reporting Unit, indicating timing and point of delivery requested under this Agreement with reference to SWP #25004. Monthly schedules shall be sent by electronic mail to SWP-SWDS@water.ca.gov.
14. KCWA shall send weekly water delivery schedules, indicating timing and point of delivery requested with reference to SWP #25004, by electronic mail by 10:00 am, Wednesday, for the following week, Monday through Sunday to the following:
 - a. Office of the Division Manager
Water Operation Scheduling Section
Water_deliv_sched@water.ca.gov

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- b. Office of the Division Manager
Power Management and Optimization Section
POCOptimization@water.ca.gov
- c. Office of the Division Manager
Day-Ahead Scheduling Unit
Presched@water.ca.gov
- d. San Joaquin Field Division
Water Operation Section
SJFDWaterSchedule@water.ca.gov

WATER DELIVERY RECORDS

- 15. DWR will maintain monthly records documenting the delivery of Plumas' Article 56 Carryover Water to KCWA under this Agreement.

CHARGES

- 16. KCWA shall pay to DWR the charges associated with the delivery of water under this Agreement from the Delta to the point of delivery at KCWA's turnout(s) located at Reach 12E of the California Aqueduct. KCWA shall pay all the Variable Operation, Maintenance, Power, and Replacement components of the Transportation Charge and the Off-Aqueduct Power Facilities costs that are in effect for each acre-foot of water delivered to KCWA's turnout(s).
- 17. In addition to the charges identified above, KCWA agrees to pay to DWR any identified demonstrable increase in costs that would otherwise be borne by the SWP contractors not signatory to this Agreement or by DWR, as a result of activities under this Agreement.
- 18. Payment terms shall be in accordance with KCWA's Water Supply Contract with DWR.
- 19. All payments under this Agreement not covered under KCWA's Water Supply Contract with DWR shall be due 30 days after the date of DWR's billing. DWR shall charge interest if payments are delinquent by more than 30 days. KCWA shall pay to DWR accrued interest on these overdue payments at the rate of one percent per month from the due date to the date of payment.

NO IMPACT

- 20. This Agreement shall not be administered or interpreted in any way that would cause adverse impacts to SWP approved Table A water or to any other SWP approved water allocations, water deliveries, or SWP operations or facilities. Plumas and KCWA shall be responsible, jointly and severally, as determined by

Mr. Rob Thorman, et al
3/10/2025

SWP #25004

Page 6

DWR, for any adverse impacts that may result from the transfer and delivery of water under this Agreement.

LIABILITY

21. DWR is not responsible for the use, effects, or disposal of water under this Agreement once the water is delivered to the designated turnout(s). Responsibility shall be governed by Article 13 of KCWA's Water Supply Contract, with responsibilities under the terms of that article shifting from DWR to KCWA when the water is delivered to the designated turnout(s).
22. Plumas and KCWA agree to defend and hold DWR, its officers, employees, and agents harmless from any direct or indirect loss, liability, lawsuits, cause of action, judgment or claim, and shall indemnify DWR, its officers, employees, and agents from all lawsuits, costs, damages, judgments, attorneys' fees, and liabilities that DWR, its officers, employees and agents incur as a result of DWR approving this Agreement or providing services under this Agreement, except to the extent resulting from the sole negligence or willful misconduct of DWR, its officers, employees, and agents.
23. If uncontrollable forces preclude DWR from transferring or delivering water under this Agreement, either partially or completely, then DWR is relieved from the obligation to transfer or deliver the water to the extent that DWR is reasonably unable to complete the obligation due to the uncontrollable forces. Uncontrollable forces shall include, but are not limited to, earthquakes, fires, tornadoes, floods, and other natural or human caused disasters. KCWA shall not be entitled to recover any administrative costs or other costs associated with the transfer or delivery of water under this Agreement if uncontrollable forces preclude DWR from delivering the water.

EXECUTION

24. The signatories represent that they have been appropriately authorized to enter into this Agreement on behalf of the Party for whom they sign.
25. The Parties agree that this Agreement will be executed using DocuSign by electronic signature, which shall be considered an original signature for all purposes and shall have the same force and effect as an original signature.
26. All Parties will receive an executed copy of the Agreement via DocuSign after all Parties have signed.

If the terms and conditions in the Agreement are acceptable, please sign and date using DocuSign.

Mr. Rob Thorman, et al
3/10/2025

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Sincerely,

Molly White

Molly White
Assistant Division Manager, Water Management
Division of Operations and Maintenance
State Water Project

Mr. Rob Thorman, et al
3/10/2025

SWP #25004

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ACCEPTED:

PLUMAS COUNTY FLOOD CONTROL
AND WATER CONSERVATION
DISTRICT

Rob Thorman

Name

Manager, Flood Control District

Title

3/11/2025

Date

KERN COUNTY WATER AGENCY

Name

water Resources Manager

Title

Date



MEMORANDUM

20.2.1

TO: Water Resources Committee
Agenda Item No. 4d

FROM: Lauren Bauer

DATE: March 27, 2025

SUBJECT: Authorization to Execute an Agreement Among the Department of Water Resources of the State of California, Kern County Water Agency, San Gorgonio Pass Water Agency and Antelope Valley-East Kern Water Agency for Conveyance of Non-Project Water, SWP #25005

Issue:

Consider authorizing the Water Resources Manager to execute an Agreement Among the Department of Water Resources of the State of California, Kern County Water Agency, San Gorgonio Pass Water Agency and Antelope Valley-East Kern Water Agency for Conveyance of Non-Project Water, SWP #25005.

Recommended Motion:

Adopt Resolution No. 10-25 authorizing the Water Resources Manager to execute an Agreement Among the Department of Water Resources of the State of California, Kern County Water Agency, San Gorgonio Pass Water Agency and Antelope Valley-East Kern Water Agency for Conveyance of Non-Project Water, SWP #25005.

Discussion:

As part of the acquisition of the Lower Kern River rights, the Kern County Water Agency (Agency) provides Nickel Family, LLC (Nickel) with 10,000 acre-feet (af) in the California Aqueduct at the Tupman Turnout each year. Nickel has entered into long-term agreements to annually provide 1,607 af to Newhall Land & Farming Company, 1,700 af to Antelope Valley-East Kern Water Agency (AVEK) and 6,693 af to Tejon Ranch Company. AVEK has sold its 2025 water to San Gorgonio Pass Water Agency (San Gorgonio).

In order to facilitate conveyance of this water from the Tupman Turnout to San Gorgonio, the Agency must enter into an Agreement with the California Department of Water Resources, San Gorgonio and AVEK for conveyance of non-project water (Agreement). The Agreement is provided as Exhibit A. Agency staff have reviewed the Agreement and recommend its approval.

BEFORE THE BOARD OF DIRECTORS
OF THE
KERN COUNTY WATER AGENCY

In the matter of:

AUTHORIZING THE EXECUTION OF AN AGREEMENT *
AMONG THE DEPARTMENT OF WATER RESOURCES OF *
THE STATE OF CALIFORNIA, KERN COUNTY WATER *
AGENCY, SAN GORGONIO PASS WATER AGENCY AND *
ANTELOPE VALLEY-EAST KERN WATER AGENCY *
FOR CONVEYANCE OF NON-PROJECT WATER, *
SWP #25005 *

I, Stephanie N. Prince, Secretary of the Board of Directors of the Kern County Water Agency, of the County of Kern, State of California, do hereby certify that the following resolution proposed by Director _____, and seconded by Director _____, was duly passed and adopted by said Board of Directors at an official meeting hereof this 27th day of March, 2025 by the following vote, to wit:

Ayes:

Noes:

Absent:

Secretary of the Board of Directors of the
Kern County Water Agency

Resolution No. 10-25

WHEREAS, on January 23, 2001, Nickel Family, LLC (Nickel) and the Kern County Water Agency (Agency) entered into the Contract to Transfer the Kern River Lower River Rights (Contract); and

WHEREAS, pursuant to the Contract, Nickel receives 10,000 acre-feet (af) of Agency Kern River Lower River water (Transfer Water) each year; and

WHEREAS, pursuant to the Contract, the point-of-delivery of the Agency Transfer Water is the Tupman Turnout from the California Aqueduct; and

WHEREAS, Nickel has entered into a long-term agreement to provide 1,700 af of its Agency Transfer Water to Antelope Valley-East Kern Water Agency (AVEK); and

WHEREAS, AVEK sold its 2025 Agency Transfer Water to San Gorgonio Pass Water Agency (San Gorgonio); and

WHEREAS, San Gorgonio will file a Notice of Exemption for California Environmental Quality Act compliance for conveyance of the Agency Transfer Water; and

WHEREAS, in order to facilitate conveyance of the Agency Transfer Water to San Gorgonio an Agreement is required by the California Department of Water Resources for the conveyance of non-project water to San Gorgonio; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Kern County Water Agency, that:

1. The foregoing recitals are true and correct.
2. The Water Resources Manager is authorized, subject to approval of General Counsel as to legal form, to execute the Agreement Among the Department of Water Resources of the State of California, Kern County Water Agency, San Gorgonio Pass Water Agency and Antelope Valley-East Kern Water Agency for Conveyance of Non-Project Water, SWP #25005, attached hereto as Exhibit A.
3. The Water Resources Manager is further authorized, subject to approval of General Counsel as to legal form, to execute any necessary related agreements to effectuate the conveyance of Nickel's Agency Transfer Water to San Gorgonio.

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY

GAVIN NEWSOM, Governor

DEPARTMENT OF WATER RESOURCES

P.O. BOX 942836
SACRAMENTO, CA 94236-0001
916) 653-5791



3/3/2025

Mr. Lance Eckhart
General Manager and Chief Hydrogeologist
San Gorgonio Pass Water Agency
1210 Beaumont Avenue
Beaumont, California 92223-1506

Mr. Matthew Knudson
General Manager
Antelope Valley-East Kern Water Agency
6500 West Avenue N
Palmdale, California 93551-2855

Ms. Lauren Bauer
Water Resources Manager
Kern County Water Agency
3200 Rio Mirada Drive
Bakersfield, California 93308-4944

Subject: Conveyance of Non-Project Water, Nickel Water, to San Gorgonio Pass Water Agency (SWP #25005)

This Letter Agreement, SWP #25005 (Agreement), is in response to San Gorgonio Pass Water Agency's (San Gorgonio) request, dated February 11, 2025, to the Department of Water Resources of the State of California (DWR) for approval to convey up to 1,700 acre-feet of Non-Project Water, which was acquired by San Gorgonio from Antelope Valley-East Kern Water Agency (AVEK), to San Gorgonio under Article 55 of San Gorgonio's Water Supply Contract with DWR. DWR, AVEK, San Gorgonio, and Kern County Water Agency (KCWA) may be referred to individually as "Party" or collectively as "Parties."

This Non-Project Water originates from an annual supply of 10,000 acre-feet of KCWA's Lower Kern River water and/or previously banked water that, in 2001, was granted to Nickel Family, LLC., in exchange for Nickel Family, LLC. conveying its Kern River water rights to KCWA in Kern County (Nickel Water). Following a series of four purchase agreements executed between 2001 through 2017, AVEK acquired the rights to take annual delivery of 1,700 acre-feet of Nickel Water through 2048, with the option to extend. San Gorgonio subsequently purchased the 1,700 acre-feet of Nickel Water annually from AVEK for years 2017 through 2036, as described in the July 7, 2017 Water Supply Agreement between San Gorgonio and AVEK. KCWA will make the Non-Project Water available at Reach 12E of the California Aqueduct for subsequent delivery by DWR to

Mr. Lance Eckhart, et al

SWP #25005

3/3/2025

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San Gorgonio's service area under Article 55 of San Gorgonio's Water Supply Contract with DWR.

In compliance with the California Environmental Quality Act (CEQA), San Gorgonio, as the lead agency, determined that the transfer and conveyance of Non-Project Water pursuant to the Water Supply Agreement between San Gorgonio and AVEK is categorically exempt from CEQA and filed a Notice of Exemption (NOE) with the County of Riverside on July 27, 2017. DWR, as a responsible agency, has reviewed this document prior to entering into this Agreement. DWR will file an NOE based on CEQA Guidelines Section 15301 (Existing Facilities) with the State Clearinghouse upon execution of this Agreement.

DWR is willing to approve the conveyance of up to 1,700 acre-feet of Non-Project Water to San Gorgonio, in accordance with Article 55 of San Gorgonio's Water Supply Contract with DWR, subject to the following terms and conditions:

TERM

1. This Agreement shall become effective as of January 1, 2025, and shall terminate on December 31, 2025, or upon final payment to DWR of all costs attributable to this Agreement, whichever occurs later. However, the liability, hold harmless, and indemnification obligations in this Agreement shall remain in effect until the expiration of the applicable statute of limitations, or until any claim or litigation concerning this Agreement asserted to any of the Parties within the applicable statute of limitations is finally resolved, whichever occurs later.

UNIQUENESS OF AGREEMENT

2. DWR's approval to convey Non-Project Water to San Gorgonio under this Agreement is unique and shall not be considered a precedent for future agreements or DWR activities.

APPROVALS

3. The conveyance of water under this Agreement shall be contingent upon, and subject to any necessary approvals and shall be governed by the terms and conditions of such approvals and any other applicable legal requirements. San Gorgonio shall be responsible for complying with all applicable laws and legal requirements and for securing any required consent, approvals, permit, or orders. San Gorgonio shall furnish to DWR copies of all approvals and agreements required for the conveyance of water under this Agreement.

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3/3/2025

SWP #25005

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CONVEYANCE OF NON-PROJECT WATER TO SAN GORGONIO

4. KCWA will make available up to 1,700 acre-feet of Non-Project Water at Reach 12E of the California Aqueduct for subsequent delivery by DWR to San Gorgonio's turnout(s) at Reach 4A and/or Reach 4B of the California Aqueduct's East Branch Extension through December 31, 2025.
5. Pump-in water shall meet DWR's water quality standards in effect when the water is pumped in and introduced into the California Aqueduct. The quality of pump-in water introduced into the California Aqueduct under this Agreement shall be in conformance with DWR's water quality document entitled "Department of Water Resources Water Quality Policy and Implementation Process for Acceptance of Non-Project Water into the State Water Project," dated October 31, 2012 or a later date if modified by DWR. KCWA shall submit such data to:

Water Quality and Special Project Section Staff
E-mail: OMHQ_WaterQuality@water.ca.gov

6. Currently, DWR does not apply conveyance losses to Non-Project Water conveyed through State Water Project (SWP) facilities for SWP contractors. If DWR decides to implement a conveyance loss policy to DWR conveyance of Non-Project Water through SWP facilities for SWP contractors, the Parties agree that such losses shall apply to deliveries made under this Agreement after DWR's decision. In that case, DWR shall deliver to San Gorgonio's turnout(s) the approved amount of Non-Project Water, minus applicable conveyance losses from Reach 12E of the California Aqueduct to Reach 4A and/or Reach 4B of the California Aqueduct's East Branch Extension.
7. Water conveyed under this Agreement shall be in accordance with a schedule reviewed and approved by DWR. DWR's approval depends on the time and amounts of the delivery and the overall delivery capability of the SWP. DWR shall not be obligated to deliver the water at times when such delivery would adversely impact SWP operations, facilities, or other SWP contractors.
8. The sum of deliveries scheduled to San Gorgonio under this Agreement, plus scheduled San Gorgonio SWP water deliveries, plus deliveries to San Gorgonio under any other agreements, shall not exceed the quantities on which the Proportionate Use-of-Facilities factors are based under San Gorgonio's Water Supply Contract with DWR unless DWR determines that deliveries will not adversely impact SWP operations, facilities, or other SWP contractors.

WATER DELIVERY SCHEDULES

9. All water delivery schedules and revisions shall be in accordance with Article 12 of San Gorgonio's Water Supply Contract with DWR.

Mr. Lance Eckhart, et al

SWP #25005

3/3/2025

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10. KCWA may propose modifications to the proposed schedule for the delivery of Non-Project Water to San Gorgonio under this Agreement if, on the basis of a with and without analysis, KCWA determines that such deliveries would adversely impact KCWA's finances, water supply or operations, and San Gorgonio does not agree to mitigate for such impacts. The base case (without analysis) shall be those conditions estimated to occur in the absence of deliveries to KCWA. The KCWA analysis is a matter involving KCWA, AVEK, and San Gorgonio, not DWR. DWR is not liable to AVEK or San Gorgonio for the determinations KCWA makes under this paragraph. DWR is not asserting the validity of KCWA's analysis, nor is it to be held liable by AVEK or San Gorgonio for any actions resulting from KCWA's analysis.
11. In coordination with AVEK and KCWA, San Gorgonio shall submit monthly water delivery schedules and revised monthly schedules, if any, for approval to the Division of Operation and Maintenance, Office of the Division Manager, Water Deliveries Reporting Unit, indicating timing and point of delivery requested under this Agreement with reference to SWP #25005. Monthly and revised schedules shall be sent by electronic mail to SWP-SWDS@water.ca.gov.
12. In coordination with AVEK and KCWA, San Gorgonio shall submit weekly water delivery schedules, indicating timing and point of delivery requested with reference to SWP #25005, by electronic mail by 10:00 am, Wednesday, for the following week, Monday through Sunday to the following:
 - a. Office of the Division Manager
Water Operation Scheduling Section
Water_deliv_sched@water.ca.gov
 - b. Office of the Division Manager
Power Management and Optimization Section
POCOptimization@water.ca.gov
 - c. Office of the Division Manager
Day-Ahead Scheduling Unit
Presched@water.ca.gov
 - d. San Joaquin Field Division
Water Operation Section
SJFDWaterSchedule@water.ca.gov
 - e. Southern Field Division
Water Operation Section
SFDwaterschedule@water.ca.gov

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3/3/2025

SWP #25005

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WATER DELIVERY RECORDS

13. DWR will maintain monthly records documenting the delivery of water under this Agreement.

CHARGES

14. San Gorgonio shall pay to DWR any charges associated with deliveries under this Agreement from Reach 12E of the California Aqueduct to San Gorgonio's turnout(s) in Reach 4A and/or Reach 4B of the California Aqueduct's East Branch Extension, in accordance with Article 55 of San Gorgonio's Water Supply Contract, including but not limited to:
 - a. The Variable Operation, Maintenance, Power, and Replacement Components of the Transportation Charge;
 - b. All other applicable payments under San Gorgonio's Water Supply Contract, including the Off-Aqueduct Facilities Charges; and
 - c. Any identified demonstrable increase in non-power costs that would otherwise be borne by the SWP contractors not signatory to this Agreement or by DWR as a result of activities under this Agreement.
15. Payment terms shall be in accordance with San Gorgonio's Water Supply Contract with DWR.
16. All payments under this Agreement not covered under San Gorgonio's Water Supply Contract with DWR shall be due 30 days after the date of DWR's billing. DWR shall charge interest if payments are delinquent by more than 30 days. San Gorgonio shall pay to DWR accrued interest on these overdue payments at the rate of one percent per month from the due date to the date of payment.

NO IMPACT

17. This Agreement shall not be administered or interpreted in any way that would cause adverse impacts to SWP approved Table A water or to any other SWP approved water allocations, water deliveries, or SWP operations or facilities. San Gorgonio shall be responsible, as determined by DWR, for any adverse impacts that may result from the delivery of water under this Agreement.

LIABILITY

18. DWR is not responsible for the use, effects, or disposal of water under this Agreement once the water is delivered to the designated turnout(s). Responsibility shall be governed by Article 13 of San Gorgonio's Water Supply Contract, as

Mr. Lance Eckhart, et al
3/3/2025

SWP #25005

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applicable, with responsibilities under the terms of that article shifting from DWR to San Gorgonio when the water is delivered to the designated turnout(s).

19. San Gorgonio agrees to defend and hold DWR, its officers, employees, and agents harmless from any direct or indirect loss, liability, lawsuits, cause of action, judgment or claim, and shall indemnify DWR, its officers, employees, and agents from all lawsuits, costs, damages, judgments, attorneys' fees, and liabilities that DWR, its officers, employees, and agents incur as a result of DWR approving this Agreement or providing services under this Agreement, except to the extent resulting from the sole negligence or willful misconduct of DWR, its officers, employees, and agents.
20. If uncontrollable forces preclude DWR from delivering water under this Agreement, either partially or completely, then DWR is relieved from the obligation to deliver the water to the extent that DWR is reasonably unable to complete the obligation due to the uncontrollable forces. Uncontrollable forces shall include, but are not limited to, earthquakes, fires, tornadoes, floods, and other natural or human caused disasters. San Gorgonio shall not be entitled to recover any administrative costs or other costs associated with delivery of water under this Agreement if uncontrollable forces preclude DWR from delivering the water.

EXECUTION

21. The signatories represent that they have been appropriately authorized to enter into this Agreement on behalf of the Party for whom they sign.
22. The Parties agree that this Agreement will be executed using DocuSign by electronic signature, which shall be considered an original signature for all purposes and shall have the same force and effect as an original signature.
23. All Parties will receive an executed copy of the Agreement via DocuSign after all Parties have signed.

Mr. Lance Eckhart, et al
3/3/2025

SWP #25005

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If the terms and conditions in the Agreement are acceptable, please sign and date using DocuSign.

Sincerely,



John Yarbrough
Deputy Director
State Water Project

Mr. Lance Eckhart, et al
3/3/2025

SWP #25005

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ACCEPTED:

SAN GORGONIO PASS
WATER AGENCY



Name

General Manager

Title

3/4/2025

Date

KERN COUNTY WATER AGENCY

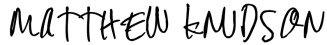
Name

Water Resources Manager

Title

Date

ANTELOPE VALLEY-EAST KERN
WATER AGENCY



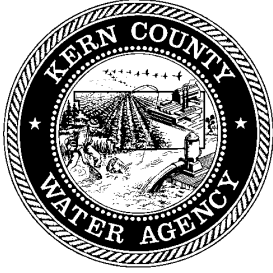
Name

General Manager

Title

3/4/2025

Date



MEMORANDUM

20.2.1

TO: Water Resources Committee
Agenda Item No. 4e

FROM: Lauren Bauer

DATE: March 27, 2025

SUBJECT: Authorization to Execute an Agreement for Transfer of Oak Flat Water District's State Water Project Article 56 Carryover Water to Kern County Water Agency, SWP #25011

Issue:

Consider authorizing the Water Resources Manager to execute an Agreement Among the Department of Water Resources of the State of California, Kern County Water Agency and Oak Flat Water District for Transfer of Oak Flat Water District's State Water Project Article 56 Carryover Water to Kern County Water Agency, SWP #25011.

Recommended Motion:

Adopt Resolution No. 11-25 authorizing the Water Resources Manager to execute an Agreement Among the Department of Water Resources of the State of California, Kern County Water Agency and Oak Flat Water District for Transfer of Oak Flat Water District's State Water Project Article 56 Carryover Water to Kern County Water Agency, SWP #25011.

Discussion:

Homer, LLC, a landowner within the Kern County Water Agency's (Agency) service area, has acquired 743 acre-feet (af) of Oak Flat Water District's (Oak Flat) 2024 State Water Project Article 56 Carryover water for delivery to Semitropic Water Storage District for banking and future use within Kern. To facilitate the transfer, the Agency and Oak Flat must enter into an agreement with the California Department of Water Resources (Agreement). The Agreement is provided as Exhibit A. Agency staff have reviewed the Agreement and recommend its approval.

BEFORE THE BOARD OF DIRECTORS
OF THE
KERN COUNTY WATER AGENCY

In the matter of:

AUTHORIZING THE EXECUTION OF AN AGREEMENT *
FOR TRANSFER OF OAK FLAT WATER DISTRICT'S *
STATE WATER PROJECT ARTICLE 56 CARRYOVER *
WATER TO KERN COUNTY WATER AGENCY, *
SWP #25011 *

I, Stephanie N. Prince, Secretary of the Board of Directors of the Kern County Water Agency, of the County of Kern, State of California, do hereby certify that the following resolution proposed by Director _____, and seconded by Director _____, was duly passed and adopted by said Board of Directors at an official meeting hereof this 27th day of March, 2025 by the following vote, to wit:

Ayes:

Noes:

Absent:

Secretary of the Board of Directors of the
Kern County Water Agency

Resolution No. 11-25

WHEREAS, Homer, LLC (Homer), a landowner within Kern County Water Agency's (Agency) service area, has acquired 743 acre-feet of Oak Flat Water District's (Oak Flat) 2024 State Water Project (SWP) Article 56 Carryover water for delivery to the Agency; and

WHEREAS, the water will be delivered to Semitropic Water Storage District (Semitropic), on behalf of Homer, for banking and future use within Kern County; and

WHEREAS, as lead agency under the California Environmental Quality Act (CEQA), Oak Flat has determined the transfer is categorically exempt from CEQA and will file a Notice of Exemption with the State Clearinghouse; and

WHEREAS, an agreement is required by DWR for the delivery of Oak Flat's 2024 SWP Article 56 Carryover water to the Agency; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Kern County Water Agency, that:

1. The foregoing recitals are true and correct.
2. The Water Resources Manager is authorized, subject to approval of General Counsel as to legal form, to execute the Agreement Among the Department of Water Resources of the State of California, Kern County Water Agency and Oak Flat Water District for a Transfer of Oak Flat Water District's State Water Project Article 56 Carryover Water to Kern County Water Agency, SWP #25011 attached hereto as Exhibit A.
3. The Water Resources Manager is further authorized, subject to approval of General Counsel as to legal form, to execute any necessary related agreements to effectuate the delivery of Oak Flat's SWP Article 56 Carryover water to Semitropic.

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY

GAVIN NEWSOM, Governor

DEPARTMENT OF WATER RESOURCES

P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



3/12/2025

Ms. Anthea Hansen
General Manager
Oak Flat Water District
Post Office Box 1596
Patterson, California 95363-1596

Ms. Lauren Bauer
Water Resources Manager
Kern County Water Agency
3200 Rio Mirada Drive
Bakersfield, California 93308-4944

Subject: Transfer of Oak Flat Water District's State Water Project Article 56
Carryover Water to Kern County Water Agency (SWP #25011)

This Letter Agreement, SWP #25011 (Agreement), is in response to Oak Flat Water District's (Oak Flat's) request, dated February 27, 2025, to the Department of Water Resources of the State of California (DWR) for approval to transfer 743 acre-feet of Oak Flat's State Water Project (SWP) Article 56 Carryover Water stored in San Luis Reservoir (Oak Flat's Article 56 Carryover Water) to Kern County Water Agency's (KCWA's) service area in 2025, pursuant to Article 56(c)(4) of Oak Flat's and KCWA's respective Water Supply Contracts. Delivery of Oak Flat's Article 56 Carryover Water transferred pursuant to this Agreement shall be completed by December 31, 2025. DWR, Oak Flat, and KCWA may be referred to individually as "Party" or collectively as "Parties."

In 2023, lands owned by Beltran Farms, Inc. (Beltran Farms) within Oak Flat's service area were converted from agricultural use to solar facilities, with the condition that these lands return to agriculture at the end of the useful life of approximately 30 years for the solar facilities. As a result, Beltran Farms has no use for its allocated SWP Table A water from Oak Flat, up to 1,858 acre-feet per year, during this time, and identified a landowner within KCWA that would be able to use Beltran Farms' SWP Table A water.

On August 14, 2023, Oak Flat, Beltran Farms, and Homer, LLC (Homer), a landowner within KCWA, entered into a "Contract between Oak Flat Water District and Beltran Farms, Inc. and Homer, LLC," (Oak Flat/Beltran Farms/Homer Agreement). The Oak Flat/Beltran Farms/Homer Agreement contains provisions governing the terms and conditions for the transfer of 100 percent (100%) of Beltran Farms' allocated annual Table A water (up to 1,858 acre-feet per year) to Homer for a term of 30 years, unless

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mutually extended, or the end of the useful life of the solar facilities, whichever occurs first. In furtherance of the Oak Flat/Beltran Farms/Homer Agreement, Homer paid the costs of Beltran Farms' allocated 2024 SWP Table A water. However, the request for transfer of water was not submitted to DWR in 2024, and Oak Flat placed its unused 2024 Table A water into temporary storage in San Luis Reservoir as Oak Flat's Article 56 Carryover Water.

KCWA has confirmed in writing to DWR its need for the transferred Article 56 Carryover Water in 2025, and KCWA will take delivery of this water in 2025, in compliance with Article 56(c)(4)(iv) of KCWA's Water Supply Contract. In addition, Oak Flat and KCWA confirm that the transfer under this Agreement satisfies the criteria in Article 57(d) and Article 57(g) of Oak Flat's and KCWA's respective Water Supply Contracts. Oak Flat and KCWA have provided supporting documentation to DWR demonstrating compliance with Article 57(g), which DWR has considered in approving the transfer request.

In compliance with the California Environmental Quality Act (CEQA), DWR has determined that a short-term transfer of Article 56 Carryover Water between two SWP contractors under this Agreement is exempt from CEQA under CEQA Guidelines Section 15301 (Existing Facilities) and will file a Notice of Exemption with the State Clearinghouse upon execution of this Agreement.

Oak Flat and KCWA agree that execution of this Agreement will result in transferring, upon the Effective Date of this Agreement, 743 acre-feet of Oak Flat's Article 56 Carryover Water stored in San Luis Reservoir to KCWA for delivery by December 31, 2025 to KCWA's service area, under the following terms and conditions:

TERM

1. This Agreement shall become effective as of January 15, 2025 (Effective Date), and shall terminate on December 31, 2025, or upon final payments to DWR of all costs attributable to this Agreement, whichever occurs later. However, the liability, hold harmless and indemnification obligations in this Agreement shall remain in effect until the expiration of the applicable statute of limitations, or until any claim or litigation concerning this Agreement asserted to any of the Parties within the applicable statute of limitations is finally resolved, whichever occurs later.

UNIQUENESS OF AGREEMENT

2. DWR's approval under this Agreement to transfer and deliver Oak Flat's Article 56 Carryover Water to KCWA is unique and shall not be considered a precedent for future agreements or DWR activities.

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APPROVALS

3. The transfer and delivery of water under this Agreement shall be contingent upon, and subject to any necessary approvals and shall be governed by the terms and conditions of such approvals and any other applicable legal requirements. Oak Flat and KCWA shall be responsible for complying with all applicable laws and legal requirements and for securing any required consent, approvals, permit, or orders. Oak Flat and KCWA shall furnish to DWR copies of all approvals and agreements required for the transfer and delivery of water under this Agreement.

TRANSFER OF OAK FLAT'S ARTICLE 56 CARRYOVER WATER TO KCWA

4. Upon the Effective Date of this Agreement, DWR will transfer 743 acre-feet of Article 56 Carryover Water from Oak Flat's storage balance in San Luis Reservoir to KCWA's storage balance for delivery to KCWA in 2025. The transfer will occur by means of a recalculation of Oak Flat's and KCWA's respective Article 56 Carryover Water storage balances in San Luis Reservoir. DWR's recalculation will show a 743 acre-foot increase in KCWA's total Article 56 Carryover Water storage balance and a 743 acre-foot decrease of Oak Flat's total Article 56 Carryover Water storage balance.

DELIVERY OF OAK FLAT'S ARTICLE 56 CARRYOVER WATER TO KCWA

5. DWR will deliver 743 acre-feet of Article 56 Carryover Water acquired by KCWA from Oak Flat under this Agreement from San Luis Reservoir to KCWA's turnout(s) located at Reaches 9A through 13B of the California Aqueduct by December 31, 2025, and KCWA shall take delivery of this Article 56 Carryover Water for use in KCWA's service area.
6. KCWA recognizes that, in the event San Luis Reservoir becomes full, KCWA's Article 56 Carryover Water in San Luis Reservoir, including the water acquired under this Agreement and not yet delivered to KCWA's service area, will be displaced in accordance with Article 56(c)(3) of KCWA's Water Supply Contract.
7. Oak Flat and KCWA agree that any water not delivered to KCWA's service area under this Agreement by December 31, 2025 will be forfeited and will convert to SWP Project Water owned by DWR on January 1, 2026, unless an exception is approved by DWR.
8. The delivery of water to KCWA under this Agreement shall be in accordance with schedules reviewed and approved by DWR. DWR's approval for this delivery is dependent upon the times and amounts of the delivery and the overall delivery capability of the SWP. DWR shall not be obligated to deliver the water at times when such delivery would adversely impact SWP operations, facilities, or other SWP contractors.

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9. The sum of deliveries scheduled to KCWA under this Agreement, plus scheduled KCWA SWP water deliveries, plus deliveries to KCWA under any other agreements, shall not exceed the quantities on which the Proportionate Use-of-Facilities factors are based under KCWA's Water Supply Contract with DWR unless DWR determines that deliveries will not adversely impact SWP operations, facilities, or other SWP contractors.

WATER DELIVERY SCHEDULES

10. All water delivery schedules and revisions shall be in accordance with Article 12 of KCWA's Water Supply Contract with DWR.
11. KCWA may propose modifications to the proposed schedule for the delivery of Oak Flat's Article 56 Carryover Water under this Agreement if, on the basis of a with and without analysis, KCWA determines that such deliveries would adversely impact KCWA's finances, water supply or operations, and Oak Flat does not agree to mitigate for such impacts. The base case (without analysis) shall be those conditions estimated to occur in the absence of deliveries to KCWA. The KCWA analysis is a matter involving KCWA and Oak Flat, not DWR. DWR is not liable to Oak Flat for the determinations KCWA makes under this paragraph. DWR is not asserting the validity of KCWA's analysis, nor is it to be held liable by Oak Flat for any actions resulting from KCWA's analysis.
12. KCWA shall submit monthly water delivery schedules and revised monthly schedules, if any, for approval to the Division of Operation and Maintenance, Office of the Division Manager, Water Deliveries Reporting Unit, indicating timing and point of delivery requested under this Agreement with reference to SWP #25011. Monthly schedules shall be sent by electronic mail to SWP-SWDS@water.ca.gov.
13. KCWA shall send weekly water delivery schedules, indicating timing and point of delivery requested with reference to SWP #25011, by electronic mail by 10:00 am, Wednesday, for the following week, Monday through Sunday to the following:
 - a. Office of the Division Manager
Water Operation Scheduling Section
Water_deliv_sched@water.ca.gov
 - b. Office of the Division Manager
Power Management and Optimization Section
POCOptimization@water.ca.gov
 - c. Office of the Division Manager
Day-Ahead Scheduling Unit
Presched@water.ca.gov

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- d. San Joaquin Field Division
Water Operation Section
SJFDWaterSchedule@water.ca.gov

WATER DELIVERY RECORDS

14. DWR will maintain monthly records documenting the delivery of Oak Flat's Article 56 Carryover Water acquired by KCWA under this Agreement to KCWA's service area.

CHARGES

15. KCWA shall pay to DWR the charges associated with the delivery of water under this Agreement from the Delta to the point of delivery at KCWA's turnout(s) located at Reaches 9A through 13B of the California Aqueduct. KCWA shall pay all the Variable Operation, Maintenance, Power, and Replacement components of the Transportation Charge and the Off-Aqueduct Power Facilities costs that are in effect for each acre-foot of water delivered to KCWA's turnout(s).
16. In addition to the charges identified above, KCWA agrees to pay to DWR any identified demonstrable increase in costs that would otherwise be borne by the SWP contractors not signatory to this Agreement or by DWR, as a result of activities under this Agreement.
17. Payment terms shall be in accordance with KCWA's Water Supply Contract with DWR.
18. All payments under this Agreement not covered under KCWA's Water Supply Contract with DWR shall be due 30 days after the date of DWR's billing. DWR shall charge interest if payments are delinquent by more than 30 days. KCWA shall pay to DWR accrued interest on these overdue payments at the rate of one percent per month from the due date to the date of payment.

NO IMPACT

19. This Agreement shall not be administered or interpreted in any way that would cause adverse impacts to SWP approved Table A water or to any other SWP approved water allocations, water deliveries, or SWP operations or facilities. Oak Flat and KCWA shall be responsible, jointly and severally, as determined by DWR, for any adverse impacts that may result from the transfer and delivery of water under this Agreement.

LIABILITY

20. DWR is not responsible for the use, effects, or disposal of water under this Agreement once the water is delivered to the designated turnout(s). Responsibility shall be governed by Article 13 of KCWA's Water Supply Contract, as applicable,

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SWP #25011

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with responsibilities under the terms of that article shifting from DWR to KCWA when the water is delivered to the designated turnout(s).

21. Oak Flat and KCWA agree to defend and hold DWR, its officers, employees, and agents harmless from any direct or indirect loss, liability, lawsuits, cause of action, judgment or claim, and shall indemnify DWR, its officers, employees, and agents from all lawsuits, costs, damages, judgments, attorneys' fees, and liabilities that DWR, its officers, employees and agents incur as a result of DWR approving this Agreement or providing services under this Agreement, except to the extent resulting from the sole negligence or willful misconduct of DWR, its officers, employees, and agents.
22. If uncontrollable forces preclude DWR from transferring or delivering water under this Agreement, either partially or completely, then DWR is relieved from the obligation to transfer or deliver the water to the extent that DWR is reasonably unable to complete the obligation due to the uncontrollable forces. Uncontrollable forces shall include, but are not limited to, earthquakes, fires, tornadoes, floods, and other natural or human caused disasters. KCWA shall not be entitled to recover any administrative costs or other costs associated with transfer or delivery of water under this Agreement if uncontrollable forces preclude DWR from delivering the water.

EXECUTION

23. The signatories represent that they have been appropriately authorized to enter into this Agreement on behalf of the Party for whom they sign.
24. The Parties agree that this Agreement will be executed using DocuSign by electronic signature, which shall be considered an original signature for all purposes and shall have the same force and effect as an original signature.
25. All Parties will receive an executed copy of the Agreement via DocuSign after all Parties have signed.

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If the terms and conditions in the Agreement are acceptable, please sign and date using DocuSign.

Sincerely,

Molly White

Molly White
Assistant Division Manager, Water Management
Division of Operations and Maintenance
State Water Project

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ACCEPTED:

OAK FLAT WATER DISTRICT

KERN COUNTY WATER AGENCY

Anthea G. Hansen

Name

Name

General Manager

Title

Water Resources Manager

Title

3/12/2025

Date

Date



MEMORANDUM

20.2.1

TO: Water Resources Committee
Agenda Item No. 5

FROM: Lauren Bauer

DATE: March 27, 2025

SUBJECT: Authorization to Execute the State Water Contractors Municipal Water Quality Investigations Program Specific Project Agreement

Issue:

Consider authorizing the Water Resources Manager to execute the State Water Contractors Municipal Water Quality Investigations Program Specific Project Agreement.

Recommended Motion:

Authorize the Water Resources Manager to execute the State Water Contractors Municipal Water Quality Investigations Program Specific Project Agreement, subject to approval of General Counsel as to legal form, as outlined in the March 27, 2025 staff memorandum to the Water Resources Committee, Agenda Item No. 5.

Discussion:

The purpose of the Agreement Between the State of California Department of Water Resources, State Water Contractors and Participating Urban State Water Project Contractors (MWQI Agreement) is to allow the California Department of Water Resources (DWR) to monitor and research the quality of water delivered from the Sacramento-San Joaquin Delta. Information derived from this program is transmitted to the State Water Contractors (SWC) and the State Water Project (SWP) Municipal and Industrial (M&I) Contractors (Contractors) through an annual report. Additionally, real-time data and forecasting reports are issued weekly to provide advance notice to water users of possible water quality problems. The MWQI Agreement allows the M&I Contractors to be included in decisions related to budget, scope, schedule and activities.

In addition to the monitoring that DWR conducts, the M&I Contractors desire to expand water quality monitoring in and upstream of the SWP system in the interest of establishing a comprehensive drinking water quality monitoring and forecasting program. Thus, SWC has formed a MWQI Specific Project Committee made up of SWC members who are M&I Contractors participating in the MWQI Agreement. SWC performs supplemental water quality-related services under the SWC Municipal Water Quality Investigations Program Specific Project Agreement (Specific Project Agreement).

The current Specific Project Agreement expires on December 31, 2025 and will be superseded by the agreement provided as Attachment 1. West Kern Water District (WD) and Tehachapi-Cummings County WD have elected not to participate in the MWQI Program; and therefore, do not participate in the Specific Project Agreement. Improvement District No. 4 and Tejon-Castac

WD are the remaining M&I Member Units participating in the MWQI Program and Specific Project Agreement.

The maximum funding under the MWQI Agreement is \$3,100,000, of which up to \$700,000 can be used to perform tasks under the Specific Project Agreement. The Agency will prorate the annual charge among the participating Member Units based on SWP M&I water supply contract amounts as follows:

Participating Member Unit	SWP Table A	MWQI Program	Specific Project	Total Cost
Improvement District No. 4	77,000 af	\$73,276	\$10,952	\$84,228
Tejon-Castac Water District	2,000 af	\$1,903	\$285	\$2,188
Total	79,000 af	\$75,179	\$11,237	\$86,416

Agency staff has reviewed the Specific Project Agreement and recommends the Agency execute the agreement with SWC.

This item was discussed and recommended by the Urban Bakersfield Advisory Committee at the March 26, 2025 meeting.

STATE WATER CONTRACTORS

MWQI PROGRAM

SPECIFIC PROJECT AGREEMENT

Recitals

WHEREAS, the parties to this Municipal Water Quality Investigation (MWQI) Program Specific Project Agreement (“Specific Project Agreement”) are members of the State Water Contractors (“SWC”); and

WHEREAS, State Water Project water quality issues are of considerable importance to the parties; and

WHEREAS, the parties to this Specific Project Agreement (“Specific Project Members” or “Parties”) will execute an agreement (“MWQI Agreement”) with the Department of Water Resources (“DWR”) providing for the parties’ participation in the MWQI Program for the period January 1, 2026 through December 31, 2028; and

WHEREAS, the MWQI Agreement will establish an MWQI Specific Project Committee (“SPC”) Account, not to exceed \$700,000 annually, whereby the MWQI SPC can use these funds to perform supplemental water quality related services for the MWQI Program to ensure that work is completed in a timely and cost-effective manner and to provide additional value to the MWQI Program;

WHEREAS, Santa Barbara County Flood Control and Water Conservation District (District) is an urban SWP Contractor and has authorized the Central Coast Water Authority (CCWA) to represent the District in the DWR MWQI Program and to enter into this Agreement on behalf of the District for the 2026-2028 term (See Letter of Authorization attached as **Exhibit A** to this Agreement.).

NOW, THEREFORE, it is agreed by and between the Parties as follows:

1. This Specific Project Agreement, upon execution, hereby supersedes and replaces in total all previous MWQI Program Specific Project Agreements.
2. This Specific Project Agreement shall become effective upon execution by Specific Project Members whose combined Maximum Table A amounts, as identified in Table 1 attached hereto, total at least 2.3 million acre-feet. This Specific Project Agreement shall terminate on December 31, 2028, except for payments or credits identified through re-determination pursuant to Paragraph 16 of the MWQI Agreement entered into between DWR, the SWC, and the Specific Project Members for the period January 1, 2026 through December 31, 2028.
3. The Specific Project Members hereby form the MWQI Specific Project Committee (“Committee”) of the SWC. Each Specific Project Member shall appoint a representative to the Committee to exercise the Member’s voting rights and may appoint an alternate to

- the Committee. In the representative's absence, the alternate shall function as the representative.
4. The Committee anticipates that DWR will request the SWC General Manager to perform certain water quality related services through the MWQI SPC Account.
 5. On behalf of the SWC, the Committee shall each year review and approve the MWQI Work Plan items and budget prepared pursuant to the MWQI Agreement, and authorize the SWC General Manager to perform supplemental water quality related services as specified in the MWQI Agreement.
 6. On behalf of the SWC, the Committee shall (a) select, pursuant to a competitive process, direct and receive work performed by consultants; (b) direct the SWC General Manager's administration of consultant contracts; and (c) undertake any ancillary work related thereto.
 7. Individual Specific Project Member voting rights, as a percentage of all voting rights shall be allocated in the same percentages as costs are allocated in attached Table 1 – MWQI Specific Project Account. Committee actions shall only be effective if approved by a majority of the Specific Project Members and by a majority of the Members' voting rights.
 8. A project could include a study requested by certain Specific Project Members who share an interest in investigating a specific water quality matter (a "Special Project"). If the Committee seeks approval of a Special Project outside of the annual MWQI SPC Account \$700,000 limit allowed under the MWQI Agreement, the Committee shall direct the SWC General Manager to carry out such work only after the Committee establishes a scope of work, schedule, and budget and notifies each Specific Project Member in writing of its cost sharing proportion of the proposed Special Project. Any Specific Project Member may choose to "opt in" to participate in the Special Project by providing written notice within ten working days of notification. Each participating Specific Project Member's cost share of the proposed Special Project shall be allocated based upon its Table 1 value in proportion to all participating Specific Project Members' Table 1 values that "opt-in" to the proposed Special Project or as otherwise agreed to amongst the participating Specific Project Members. The General Manager shall, as soon as practicable, invoice only the participating Specific Project Members for the resulting costs incurred by the SWC.
 9. The Committee recognizes that the Committee will incur administrative costs resulting from, but not limited to, participation in meetings, negotiations, analysis and general operational overhead administrative costs not to exceed \$50,000 per year. Administrative costs shall be billed to the Specific Project Members or, in the case of Special Projects, to participating Specific Project Members, as appropriate, depending upon the direct or indirect nature of the charges.
 10. Specific Project Members may from time to time provide direct services to the Committee through use of their facilities and staff. Prior to carrying out such work, the Specific Project Member shall provide an estimate of the value of such services to the

Committee for their review and approval. Such services shall be administered by the SWC in the same manner as other consultant services, following the same procedures and limitations. The SWC shall compensate Specific Project Members for such services and recover the costs in accordance with Paragraphs 4 or 8 of this Specific Project Agreement as appropriate.

11. The Committee shall elect a Chairperson, Vice Chairperson, and such other officers, with titles and duties as determined by the Committee.
12. A Specific Project Member may terminate its participation in this Specific Project Agreement upon 30 days' notice to the SWC General Manager. Any terminating Member shall only be responsible for its share of any and all costs incurred or committed by the SWC prior to the notice.
13. This Specific Project Agreement shall not be considered to be a precedent.
14. The Specific Project Members agree to severally assume any liability of the SWC resulting from this Specific Project Agreement in proportion to their respective shares of costs. Each Specific Project Member agrees that all members of the SWC that are not participating in this Specific Project Agreement shall not incur any liability as a result of the SWC undertaking the work provided for by this Specific Project Agreement.
15. This Specific Project Agreement may be executed in counterparts.
16. The terms and conditions of the MWQI Agreement are incorporated by reference in this Specific Project Agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this Specific Project Agreement by authorized officials thereof on the dates indicated below.

STATE WATER CONTRACTORS

By: _____
Name: _____
Title: _____
Date: _____

ALAMEDA COUNTY WATER DISTRICT

By: _____
Name: _____
Title: _____
Date: _____

ALAMEDA COUNTY FC&WCD, ZONE 7

By: _____
Name: _____
Title: _____
Date: _____

ANTELOPE VALLEY-EAST KERN WATER AGENCY

By: _____
Name: _____
Title: _____
Date: _____

CRESTLINE-LAKE ARROWHEAD WATER AGENCY

By: _____
Name: _____
Title: _____
Date: _____

KERN COUNTY WATER AGENCY

By: _____
Name: _____
Title: _____
Date: _____

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

By: _____
Name: _____
Title: _____
Date: _____

MOJAVE WATER AGENCY

By: _____
Name: _____
Title: _____
Date: _____

NAPA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By: _____
Name: _____
Title: _____
Date: _____

PALMDALE WATER DISTRICT

By: _____
Name: _____
Title: _____
Date: _____

SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT

By: _____
Name: _____
Title: _____
Date: _____

SAN GORGONIO PASS WATER AGENCY

By: _____
Name: _____
Title: _____
Date: _____

SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By: _____
Name: _____
Title: _____
Date: _____

SANTA CLARA VALLEY WATER DISTRICT

By: _____
Name: _____
Title: _____
Date: _____

SANTA CLARITA VALLEY WATER AGENCY

By: _____

Name: _____

Title: _____

Date: _____

SOLANO COUNTY WATER AGENCY

By: _____

Name: _____

Title: _____

Date: _____

Table 1 - MWQI Specific Project Account

Participating SWP Contractor	Maximum Table A (acre-feet)*	Cost Allocation *
Alameda County Flood Control and Water Conservation District, Zone 7	80,619	0.02866729
Alameda County Water District	42,000	0.01493477
Antelope Valley-East Kern Water Agency	144,844	0.05150503
Santa Clarita Valley Water Agency	95,200	0.03385214
Santa Barbara County Flood Control & Water Conservation District	45,486	0.01617435
Crestline-Lake Arrowhead Water Agency	5,800	0.00206242
Kern County Water Agency	79,000	0.02809159
Metropolitan Water District of Southern California	1,911,500	0.67970970
Mojave Water Agency	89,800	0.03193195
Napa County Flood Control and Water Conservation District	29,025	0.01032099
Palmdale Water District	21,300	0.00757406
San Bernardino Valley Municipal Water District	102,600	0.03648350
San Geronio Pass Water Agency	17,300	0.00615170
Santa Clara Valley Water District	100,000	0.03555897
Solano County Water Agency	47,756	0.01698154
Total:	2,812,230	1.00000000

* Cost allocation is based on SWP contract Maximum Table A amounts (KCWA amount is based on Municipal and Industrial use for two member units).



MEMORANDUM

20.2.1

TO: Water Resources Committee
Agenda Item No. 6

FROM: Lauren Bauer

DATE: March 27, 2025

SUBJECT: Authorization to Execute the Municipal Water Quality Investigations Specific Project Cost Allocation Agreement Between the Kern County Water Agency and Tejon-Castac Water District

Issue:

Consider authorizing the Water Resources Manager to execute the Municipal Water Quality Investigations Specific Project Cost Allocation Agreement Between the Kern County Water Agency and Tejon-Castac Water District.

Recommended Motion:

Authorize the Water Resources Manager to execute the Municipal Water Quality Investigations Specific Project Cost Allocation Agreement Between the Kern County Water Agency and Tejon-Castac Water District, subject to approval of General Counsel as to legal form, as outlined in the March 27, 2025 staff memorandum to the Water Resources Committee, Agenda Item No. 6.

Discussion:

The Kern County Water Agency (Agency) and two of its four State Water Project (SWP) Municipal and Industrial (M&I) Member Units, Improvement District No. 4 (ID4) and Tejon-Castac Water District (Tejon), are the current participants in the State Water Contractors (SWC) Municipal Water Quality Investigations (MWQI) Specific Project Agreement (Specific Project Agreement). The current Specific Project Agreement expires on December 31, 2025.

In addition to the monitoring that the California Department of Water Resources (DWR) conducts pursuant to the MWQI Program, the M&I SWP contractors desire to expand water quality monitoring in and upstream of the SWP system in the interest of establishing a comprehensive drinking water quality monitoring and forecasting program. Thus, SWC has formed a MWQI Specific Project Committee made up of SWC members who are SWP M&I contractors participating in the DWR MWQI Program Agreement. SWC performs supplemental water quality-related services under the Specific Project Agreement.

Therefore, Agency staff proposes to enter into a letter agreement with Tejon in order to incorporate the new Specific Project Agreement and to cover M&I Member Units' pro-rata shares of the cost for the MWQI Program. ID4, a M&I water user, will also participate. ID4's share of the DWR MWQI Agreement costs will be funded through Zone of Benefit No. 7 and its share of the Specific Project Agreement costs will be funded through the ID4 Enterprise Fund.

Provided as Attachment 1 is a draft letter agreement between the Agency and Tejon to cost-share in the Specific Project Agreement. The estimated costs for the Agency's share of the MWQI Program and the Specific Project Agreement are as follows:

Participating Member Unit	SWP Table A	MWQI Program	Specific Project	Total Cost
Improvement District No. 4	77,000 af	\$73,276	\$10,952	\$84,228
Tejon-Castac Water District	2,000 af	\$1,903	\$285	\$2,188
Total	79,000 af	\$75,179	\$11,237	\$86,416



Directors:

Vacant
Division 1

Laura Cattani
Division 2

Martin Milobar
Vice President
Division 3

Eric L. Averett
President
Division 4

Charles (Bill) W. Wulff, Jr.
Division 5

Royce Fast
Division 6

Gene A. Lundquist
Division 7

Thomas D. McCarthy
General Manager

James Ciampa
Lagerlof, LLP
General Counsel

March 28, 2025

Ms. Angelica Martin
Tejon-Castac Water District
P.O. Box 1000
Lebec, CA 93243

Re: Municipal Water Quality Investigations Program Specific Project Cost
Allocation Agreement

Dear Ms. Martin:

The Kern County Water Agency (Agency) has entered into the State Water Contractors Municipal Water Quality Investigations Program Specific Project Agreement (Specific Project Agreement). The purpose of the Specific Project Agreement is to expand the water quality monitoring that the California Department of Water Resources conducts under its Municipal Water Quality Investigations (MWQI) Program. The Special Project Agreement allows the State Water Contractors (SWC) to perform supplemental water quality-related services under the Specific Project Agreement and to bill the annual costs to operate the Specific Project Agreement on behalf of the MWQI Program beneficiaries. The Specific Project Agreement is attached as Exhibit A and is incorporated herein by reference.

The Agency is willing to enter into the Specific Project Agreement on behalf of Tejon-Castac Water District (District), which holds a State Water Project (SWP) Municipal and Industrial (M&I) water supply contract with the Agency and uses all or a portion of its Table 1 entitlement for M&I uses, if the District agrees to the following terms and conditions:

1. The District agrees to pay its pro-rata share of Agency-allocated Specific Project Agreement costs as billed separately by SWC. The District's pro-rata share of costs will be based upon the ratio of the District's annual Table 1 M&I entitlement of the Participating Districts. (See Exhibit B).
2. All payments shall be due 30 days after the date of the Agency's invoice. Late payments shall be subject to interest charges at the rate of 1 percent per month of the unpaid balance from the due date until the balance is paid off.

Phone No. (661) 634-1400

Mailing Address
3200 Rio Mirada Drive
Bakersfield, CA 93308

Ms. Angelica Martin
Municipal Water Quality Investigations Program Specific Project Cost Allocation Agreement
March 28, 2025
Page 2 of 2

3. Where an action is to be performed by the Agency under the Specific Project Agreement, the District shall cooperate with and assist the Agency in such performance to allow the Agency to meet its commitments as required by the Specific Project Agreement.
4. The District shall hold the Agency harmless for any and all liability resulting from the District's performance or lack of performance under this Agreement.

If the above terms and conditions are acceptable, please sign and date both copies of this Agreement and return them to the Agency. A fully executed original will be returned to the District when this Agreement has been approved.

Sincerely,

Lauren Bauer
Water Resources Manager

Attachment

Accepted:

Kern County Water Agency

Tejon-Castac Water District

By: _____

By: _____

Title: _____

Title: _____

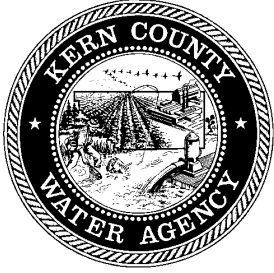
Date: _____

Date: _____

EXHIBIT B

Kern County Water Agency
Municipal Water Quality Investigations Program
Allocation of Estimated Annual Program Year Costs

Participating Member Unit	SWP Table A	MWQI Program	Specific Project	Total Cost
Improvement District No. 4	77,000 af	\$73,276	\$10,952	\$84,228
Tejon-Castac Water District	2,000 af	\$1,903	\$285	\$2,188
Total	79,000 af	\$75,179	\$11,237	\$86,416



MEMORANDUM

20.2.1

TO: Water Resources Committee
Agenda Item No. 7

FROM: Michelle Anderson / Lauren Bauer

DATE: March 27, 2025

SUBJECT: Report on the Kern Non-Districted Lands Authority Meeting

Issue:

Report on the March 24, 2025 meeting of the Kern Non-Districted Lands Authority Board of Directors.

Recommended Motion:

None – information only.

Discussion:

The Kern Non-Districted Lands Authority Board of Directors meeting agenda for March 24, 2025 is provided as Attachment 1.

KERN NON-DISTRICTED LAND AUTHORITY

(FORMERLY KERN GROUNDWATER AUTHORITY)

3200 Rio Mirada Drive Bakersfield, CA 93308
Meeting of the Board of Directors
March 24, 2025, 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/87916828311?pwd=MXovFd9w4lFdX8AnOTJBubbKBaglaC.1>

Telephone Dial-in: (669) 900-6833

Meeting ID: 879 1682 8311

Password: 795650

KERN NON-DISTRICTED LAND AUTHORITY BOARD OF DIRECTORS AGENDA

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

1. Roll Call - Quorum Determination

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

2. Flag Salute

3. Public Input

This portion of the meeting is set aside to provide the public 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. Swearing In of Non-Districted Lands Representatives

5. Approval of Minutes

- a. *February 24, 2025 (Valerie)

6. Financial Report

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

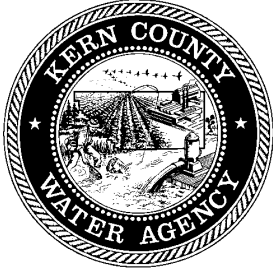
7. Administration

- a. Executive Director Report (Jenny)
- b. *Insurance Coverage (Jenny)

-
- c. Non-Districted Lands Representative update
8. **DWR Grant Administration**
 - a. DWR Grant Communications (Barry)
 - b. Report on DWR Grant Administration (Jason)
 9. **County of Kern Participation**
 - a. Kern County Participation Ad hoc Committee Report (Royce)
 10. **Kern Subbasin Groundwater Sustainability Plan**
 - a. *GSP Update (Jenny)
 - b. Update of Representative Monitor Well Access Agreements (Rachelle)
 - c. Report on KNDLA at risk domestic wells (Jenny)
 - d. DWR Portal GSA Name Change (Jenny)
 11. **Legal**
 - a. Statewide Update (Valerie)
 - b. Form 700 (Jenny)
 12. **New Business**
 13. **Correspondence**
 14. **Closed Session**
 - a. Potential Litigation – Government Code Section 54956.9(d)(2)
 15. **Adjournment**

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

Water Management Committee



MEMORANDUM

20.2.1

TO: Water Management Committee
Agenda Item No. 2

FROM: Micah Clark / Michelle Anderson

DATE: March 27, 2025

SUBJECT: Report on 2025 Water Operations

Issue:

Summary of water operations for 2025.

Recommended Motion:

None – information only.

Discussion:

2025 Recharge Activities

Deliveries of 2024 and 2025 State Water Project water continue to be delivered to the Kern Fan Banking Projects. As of March 17, 2025, the Cross Valley Canal is delivering 160 cubic feet per second (cfs) to the Kern Water Bank (KWB) and the KWB Canal is delivering 475 cfs to the KWB. Intermittent recharge operations for the KWB began on October 26, 2024 and are ongoing. Recharge operations for the Pioneer Project (Pioneer) began on February 3, 2025, and continued until February 7, 2025, at which time the Pioneer Participants ceased operations. Recharge operations for the Berrenda Mesa Project began on February 5, 2025, and continued until February 7, 2025, at which time the Berrenda Mesa Participants ceased operations.

As of February 28, 2025, approximately 16,600 acre-feet have been delivered in 2025 to the Kern Fan banking projects. A summary of deliveries by water type is provided as Attachment 1, and a summary of deliveries by project is provided as Attachment 2.

Groundwater Levels – Kern Fan

A map identifying the location of groundwater measurements is provided as Attachment 3, and a depiction of current and historic groundwater level trends in the Kern Fan banking project area is provided as Attachment 4.

Other Activities

- Completed the county-wide semi-annual DWR monitoring run;
- Operated recharge ponds for the KWB and Pioneer Projects;

Water Management Committee

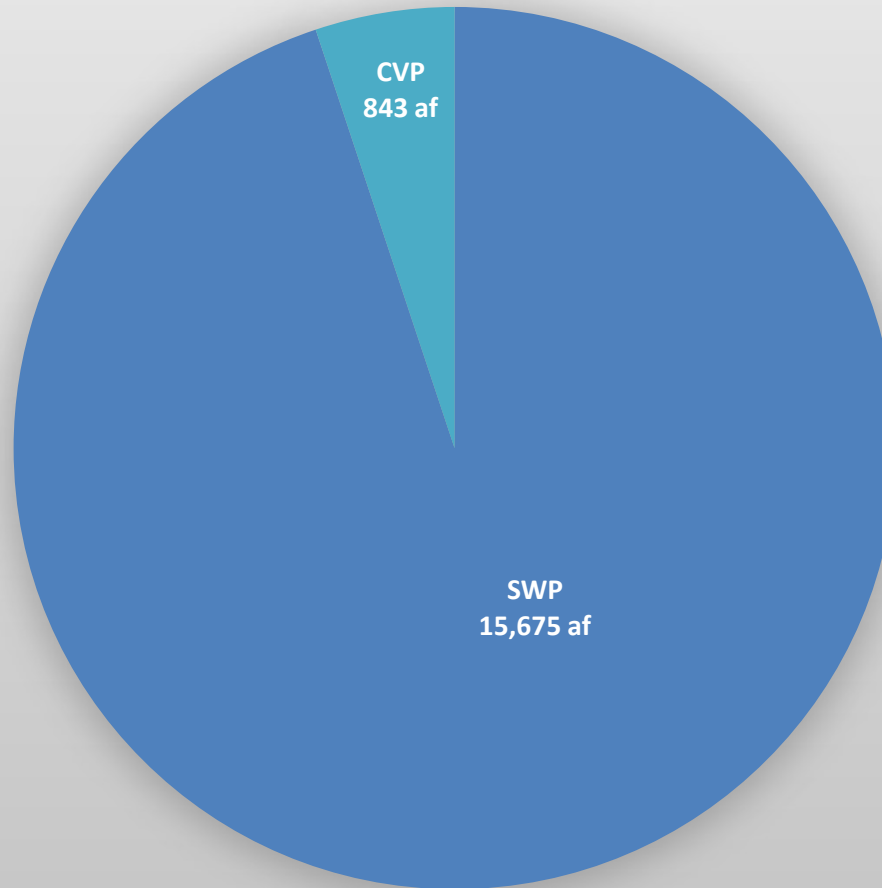
Agenda Item No. 2

March 27, 2025

Page 2 of 2

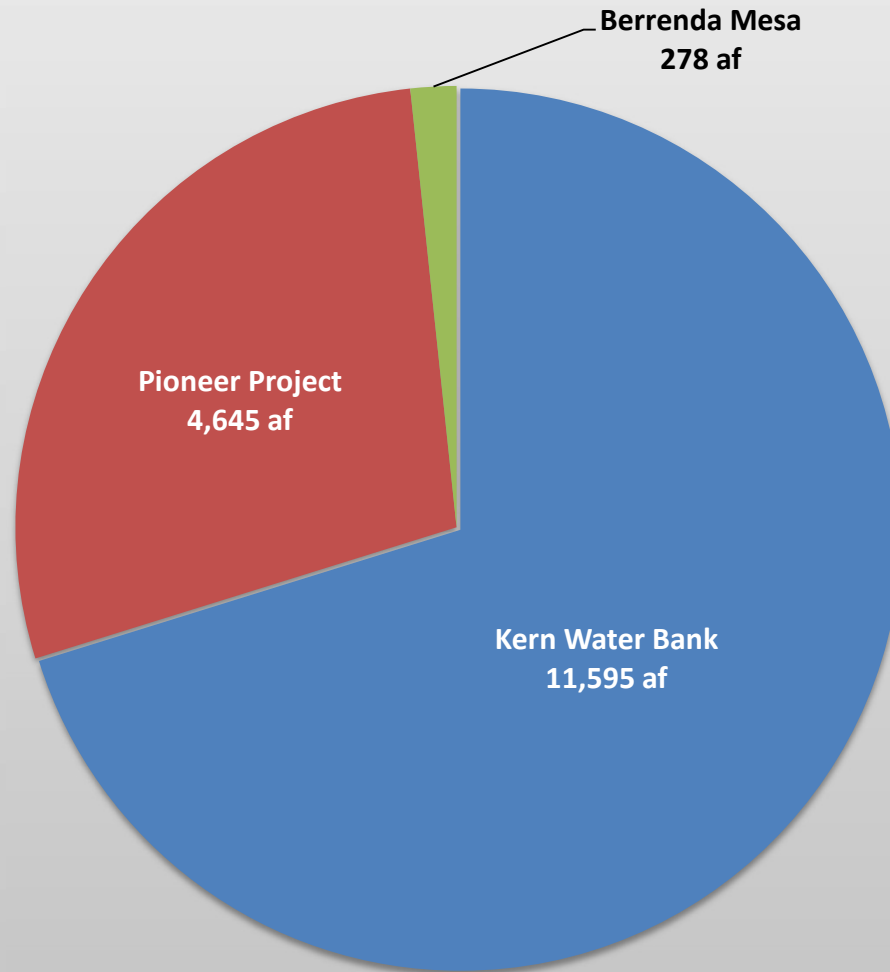
- Burned tumbleweeds on Pioneer South multiple times;
- Performed road maintenance on Pioneer South using the Motor Grader;
- Started the KCWA 1, 8 and 10 wells for 48 hours to perform leak tests on the joint discharge pipe;
- Removed trash dumped on the Berrenda Mesa property;
- Started the Purge Water Quality sampling run;
- Repaired Pioneer South fence;
- Assisted PG&E in replacing the BK-1 well transformer; and
- Installed stainless steel security bars on various recovery well locations.

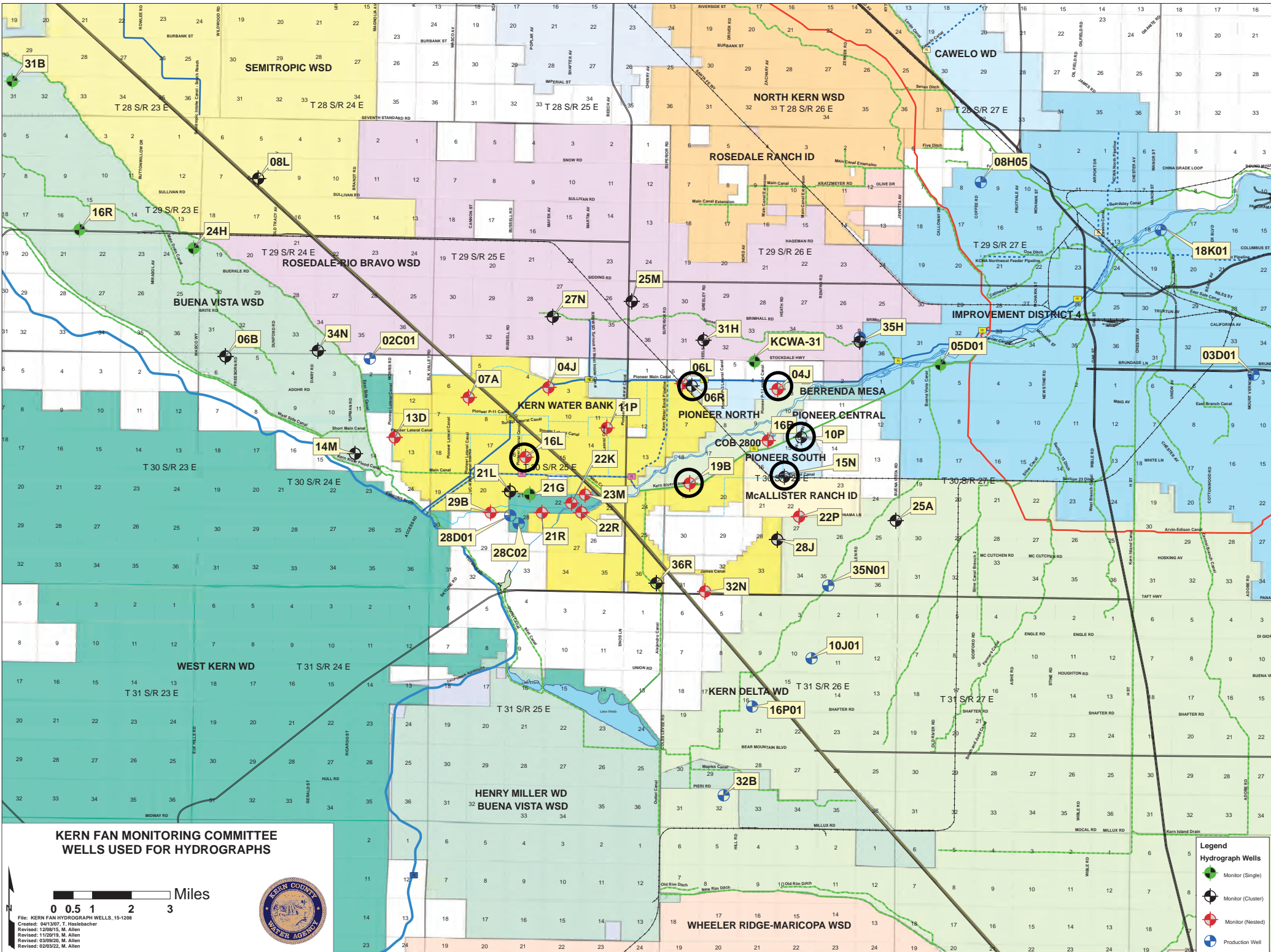
**2025 Estimated Kern Fan Banking Project Deliveries
(by Water Type)
Deliveries through February 28, 2025
Total Deliveries 16,518 af**



2025 Estimated Kern Fan Banking Project Deliveries (by Project)

Deliveries through February 28, 2025
Total Deliveries 16,518 af





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

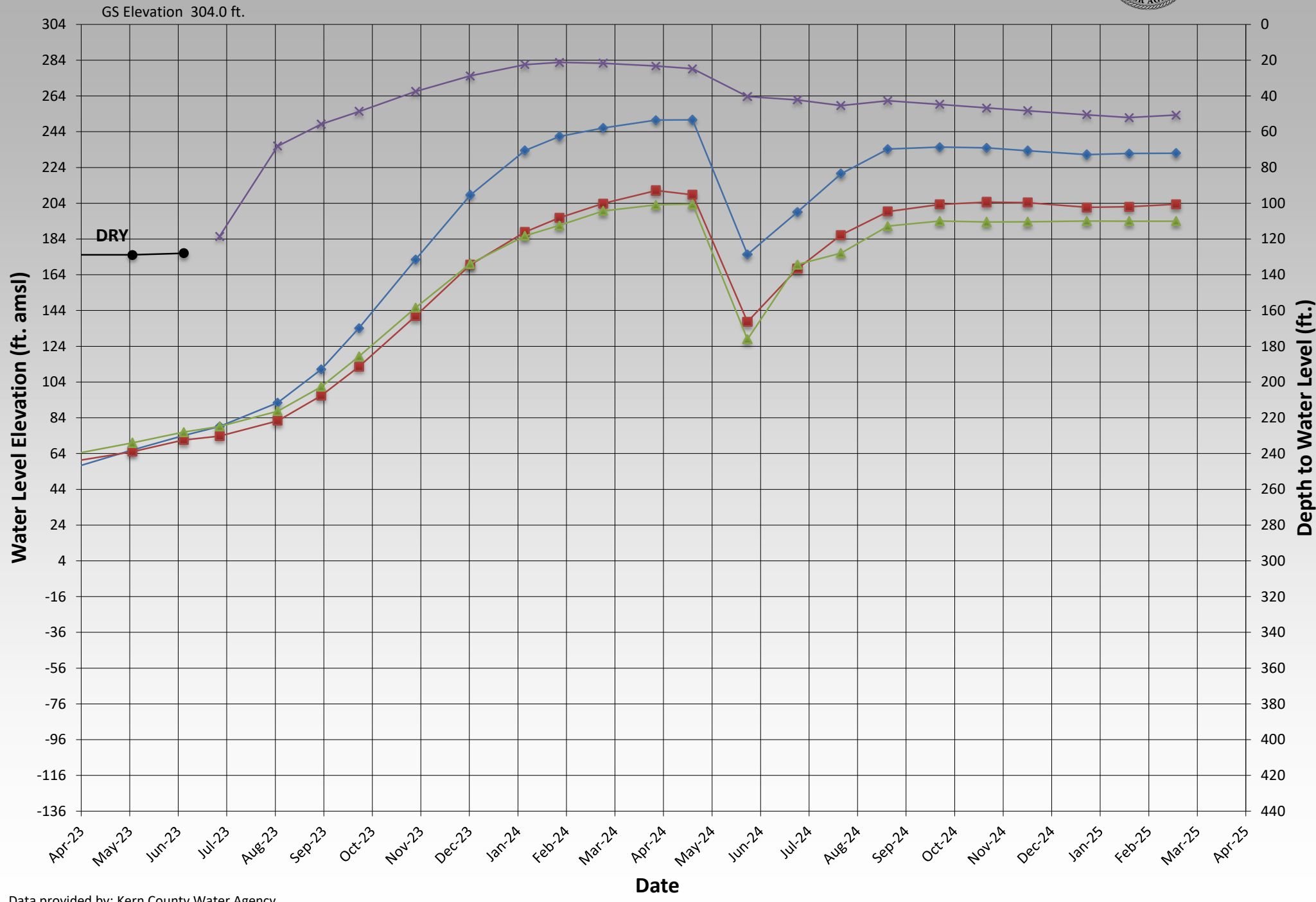


File: KERN FAN HYDROGRAPH WELLS_15-1208
 Created: 04/13/07, T. Haslebacher
 Revised: 12/08/15, M. Allen
 Revised: 03/09/20, M. Allen
 Revised: 02/03/22, M. Allen

Legend
Hydrograph Wells

- Monitor (Single)
- Monitor (Cluster)
- Monitor (Nested)
- Production Well

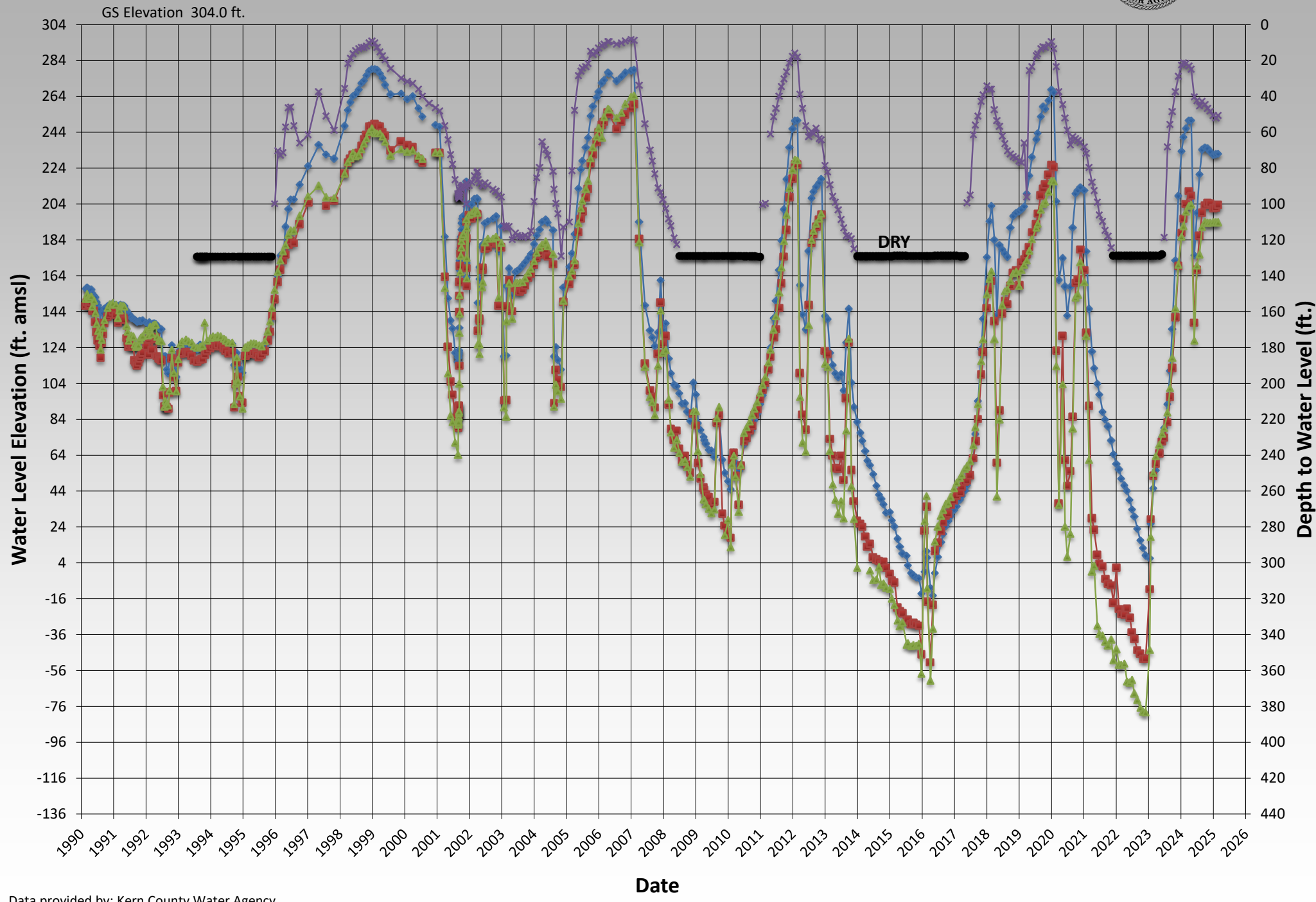
30S/25E-16L



Data provided by: Kern County Water Agency

- ◆ 16L01 PERF INT 285'-345'
- 16L02 PERF INT 515'-555'
- ▲ 16L03 PERF INT 645'-690'
- ✕ 16L04 PERF INT 100'-130'
- DRY 16L04

30S/25E-16L



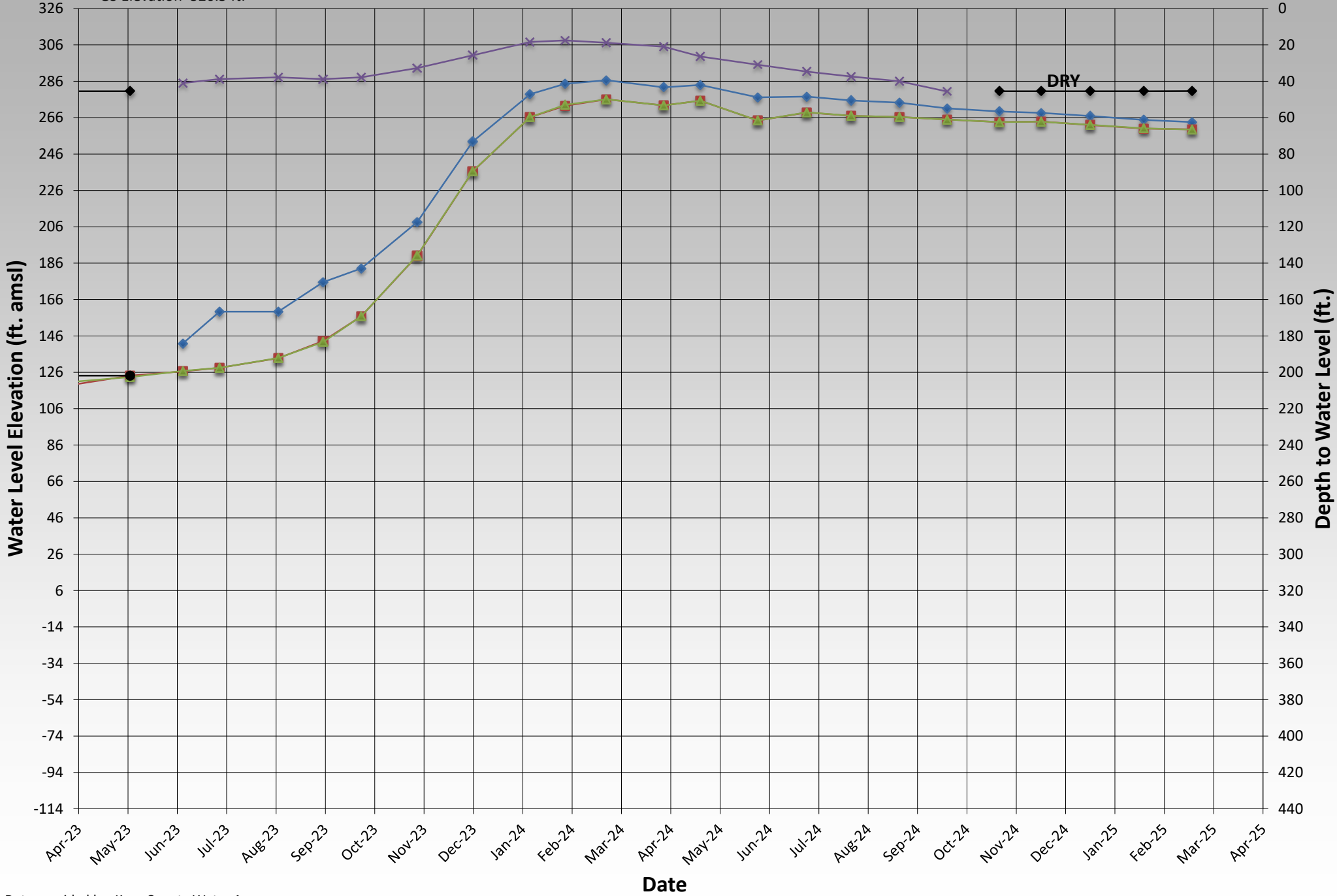
Data provided by: Kern County Water Agency

16L01 PERF INT 285'-345' 16L02 PERF INT 515'-555' 16L03 PERF INT 645'-690' 16L04 PERF INT 100'-130' DRY 16L04

30S/26E-19B



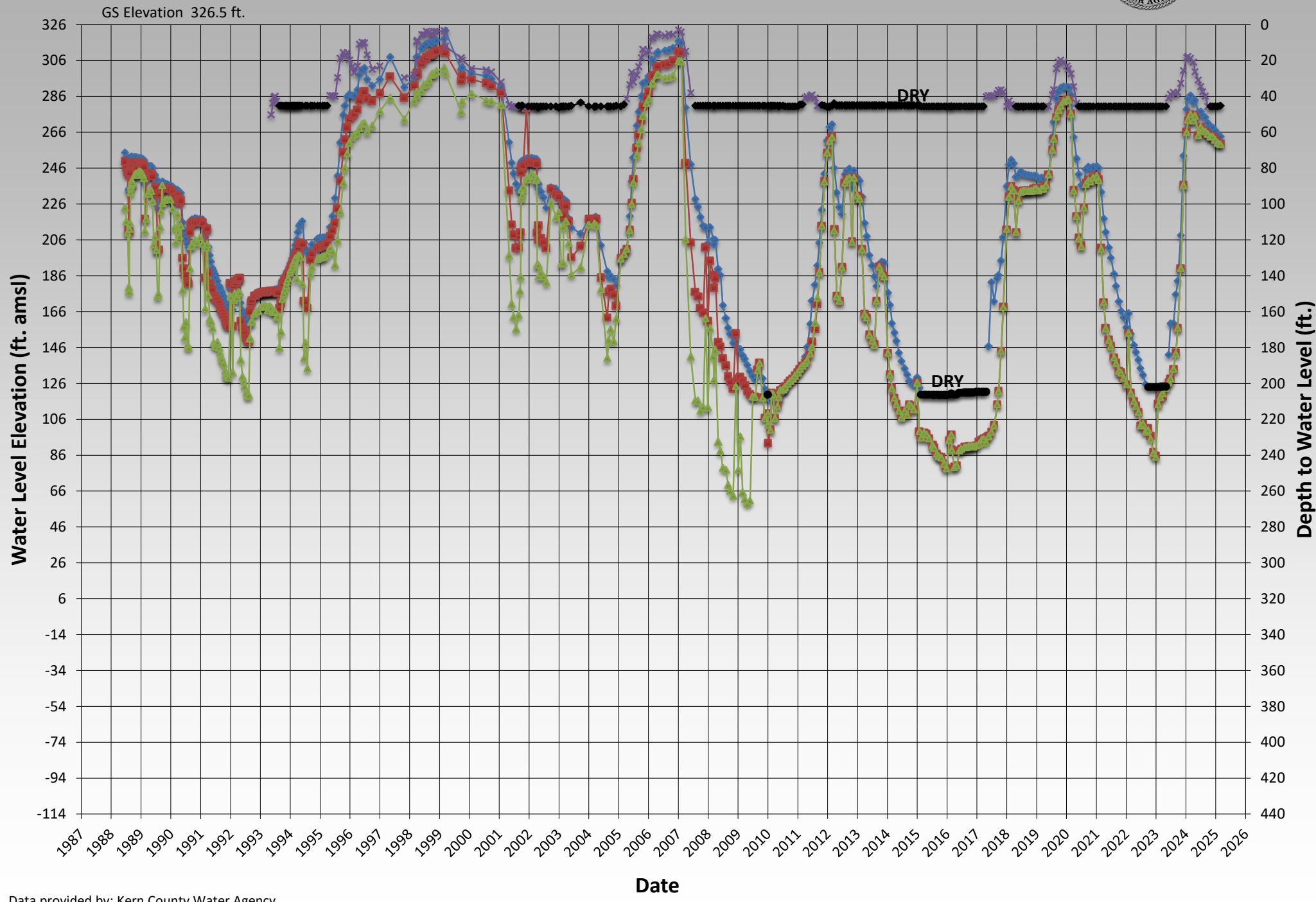
GS Elevation 326.5 ft.



Data provided by: Kern County Water Agency

◆ 19B01 PERF INT 120'-220'
 ■ 19B02 PERF INT 300'-390'
 ▲ 19B03 PERF INT 500'-590'
 ✖ 19B04 PERF INT 35'-45'
 ● DRY 19B01
 ◆ DRY 19B04

30S/26E-19B



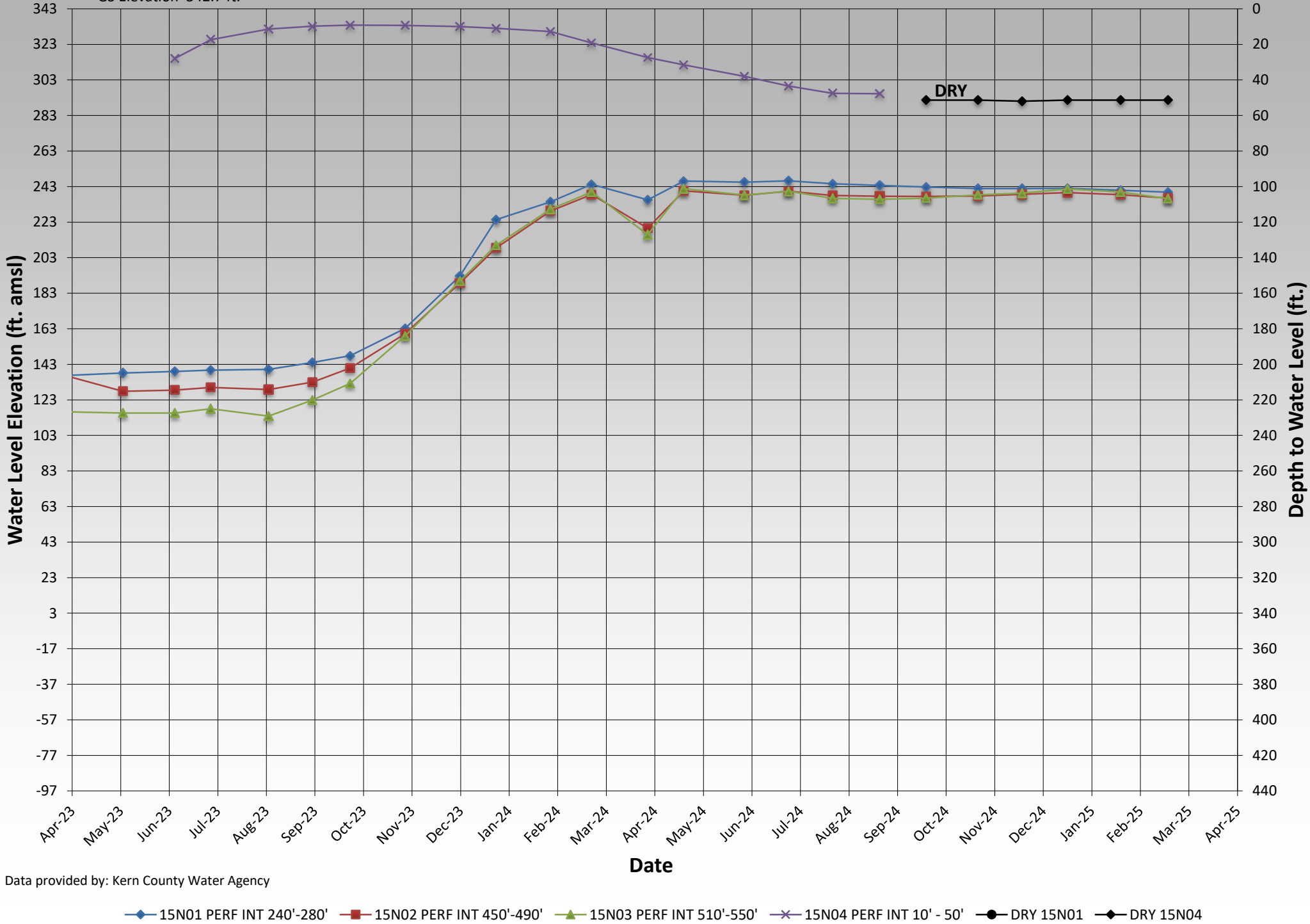
Data provided by: Kern County Water Agency

◆ 19B01 PERF INT 120'-220' ■ 19B02 PERF INT 300'-390' ▲ 19B03 PERF INT 500'-590' ✖ 19B04 PERF INT 35'-45' ● DRY 19B01 ◆ DRY 19B04



30S/26E-15N South Pioneer Monitoring Well

GS Elevation 342.7 ft.

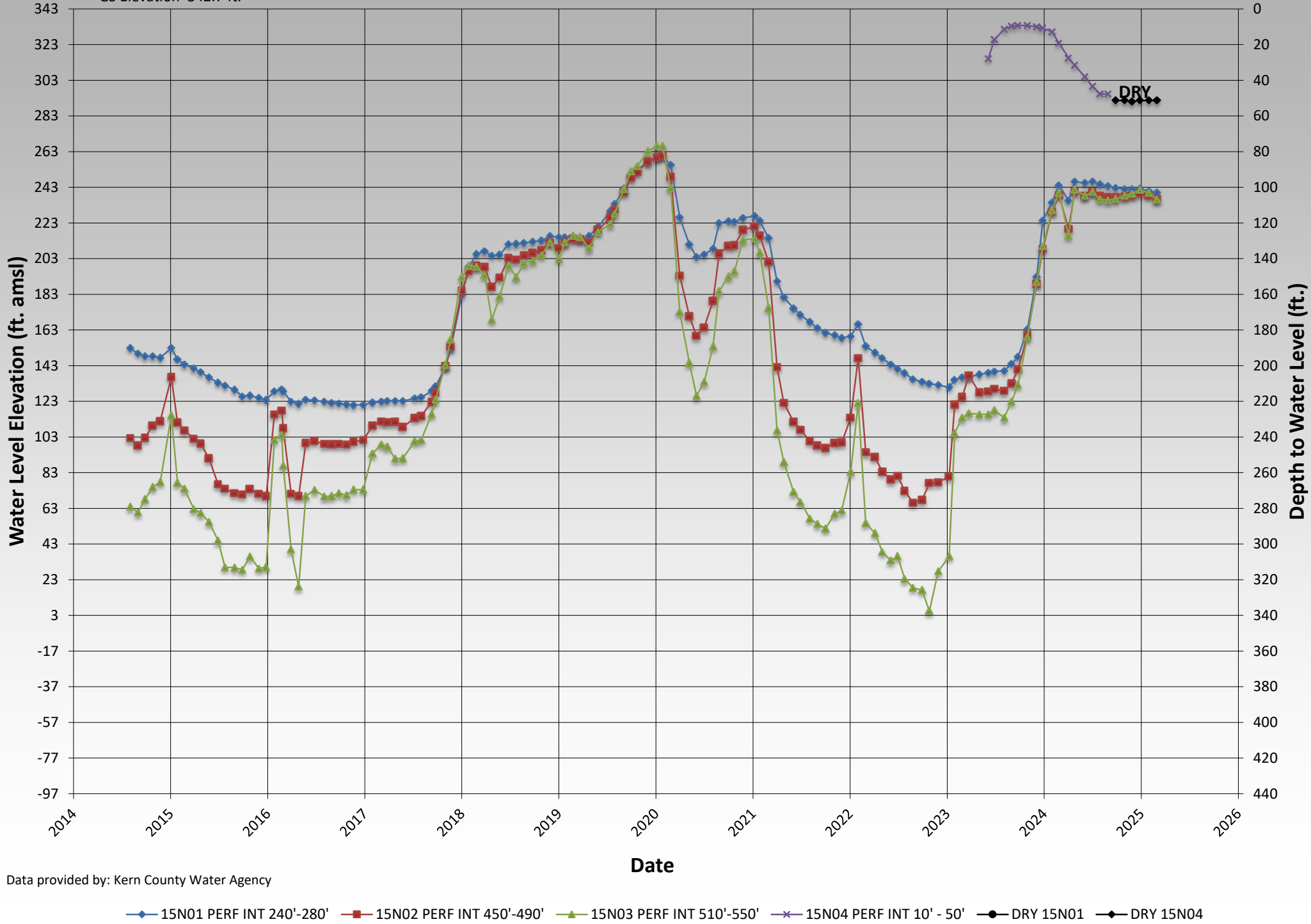


Data provided by: Kern County Water Agency

30S/26E-15N South Pioneer Monitoring Well



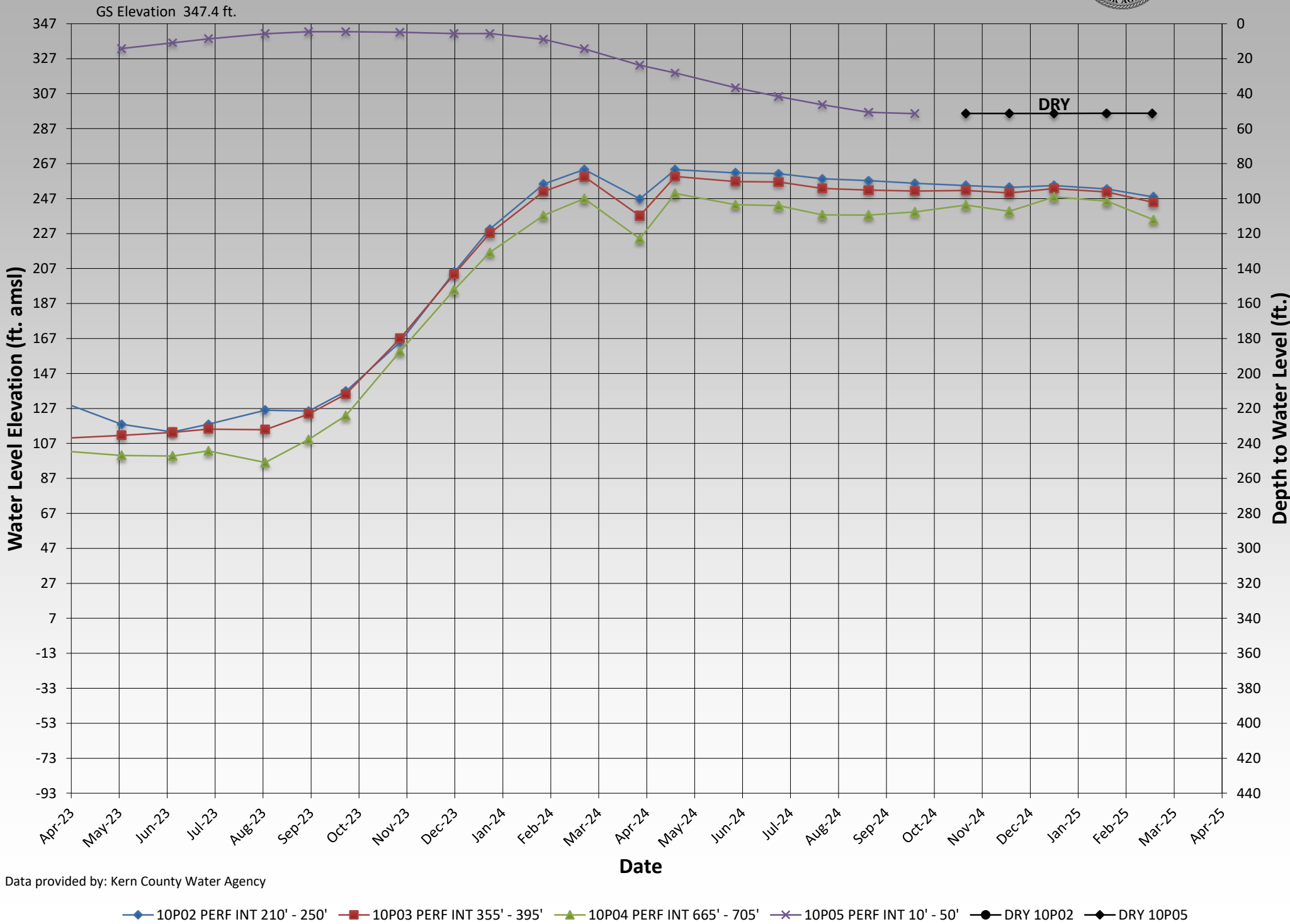
GS Elevation 342.7 ft.



Data provided by: Kern County Water Agency

◆ 15N01 PERF INT 240'-280'
 ■ 15N02 PERF INT 450'-490'
 ▲ 15N03 PERF INT 510'-550'
 × 15N04 PERF INT 10' - 50'
 ● DRY 15N01
 ◆ DRY 15N04

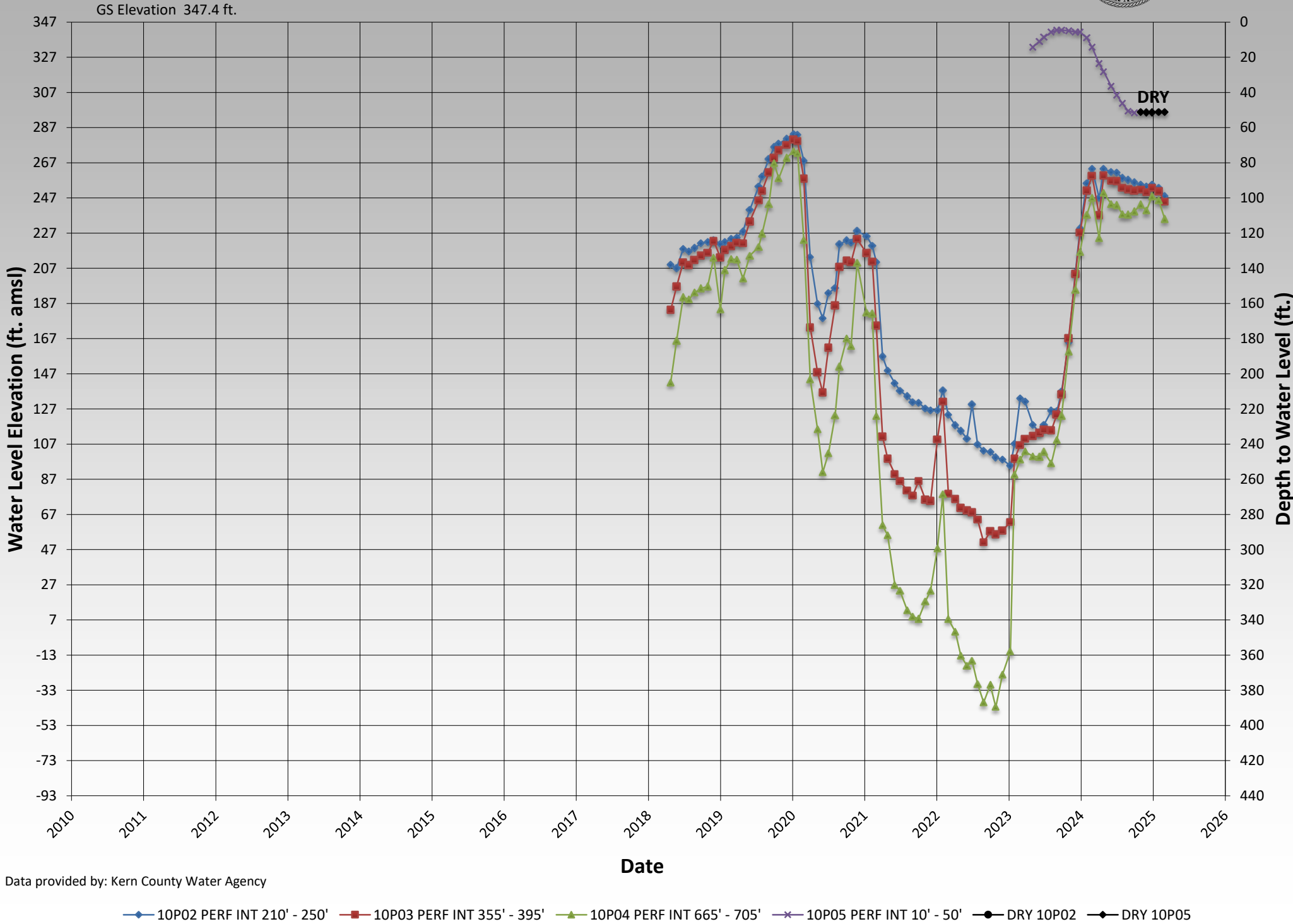
30S/26E-10P



Data provided by: Kern County Water Agency

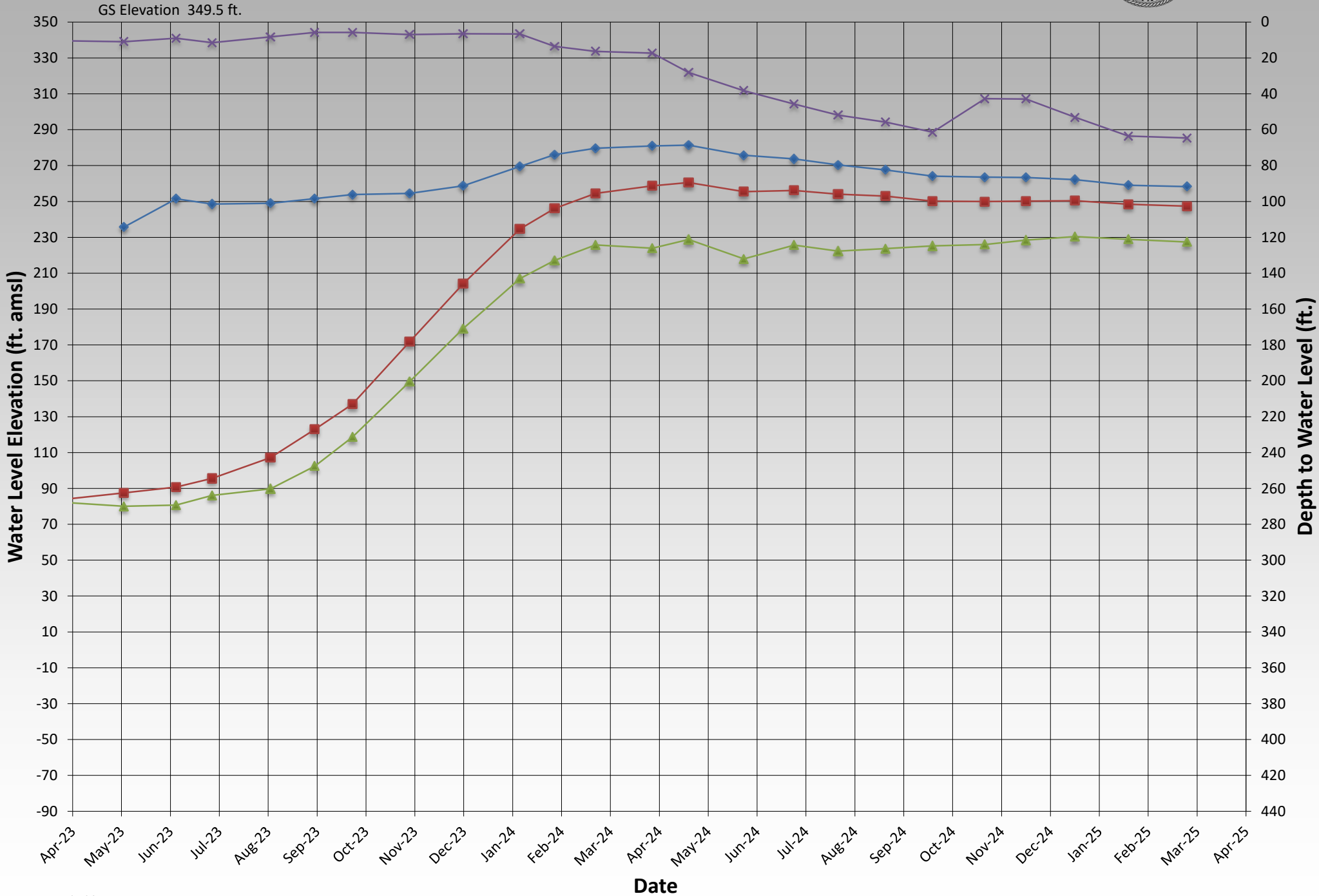
◆ 10P02 PERF INT 210' - 250'
 ■ 10P03 PERF INT 355' - 395'
 ▲ 10P04 PERF INT 665' - 705'
 × 10P05 PERF INT 10' - 50'
 ● DRY 10P02
 ◆ DRY 10P05

30S/26E-10P



Data provided by: Kern County Water Agency

30S/26E-04J



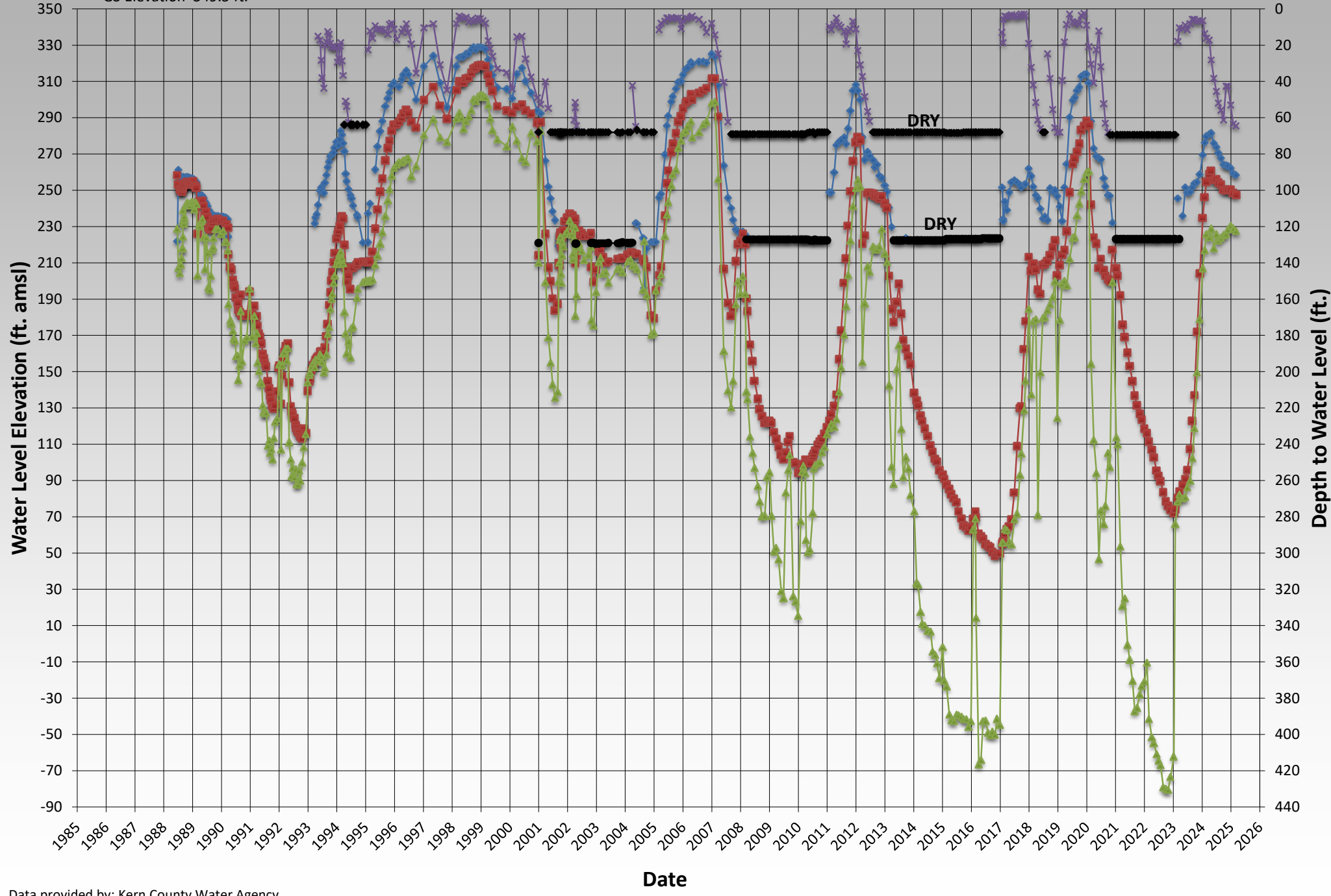
Data provided by: Kern County Water Agency

- ◆ 04J01 PERF INT 100'-150'
- 04J02 PERF INT 223'-375'
- ▲ 04J03 PERF INT 560'-650'
- ✕ 04J04 PERF INT 45'-65'
- DRY 04J01
- ◆ DRY 04J04

30S/26E-04J



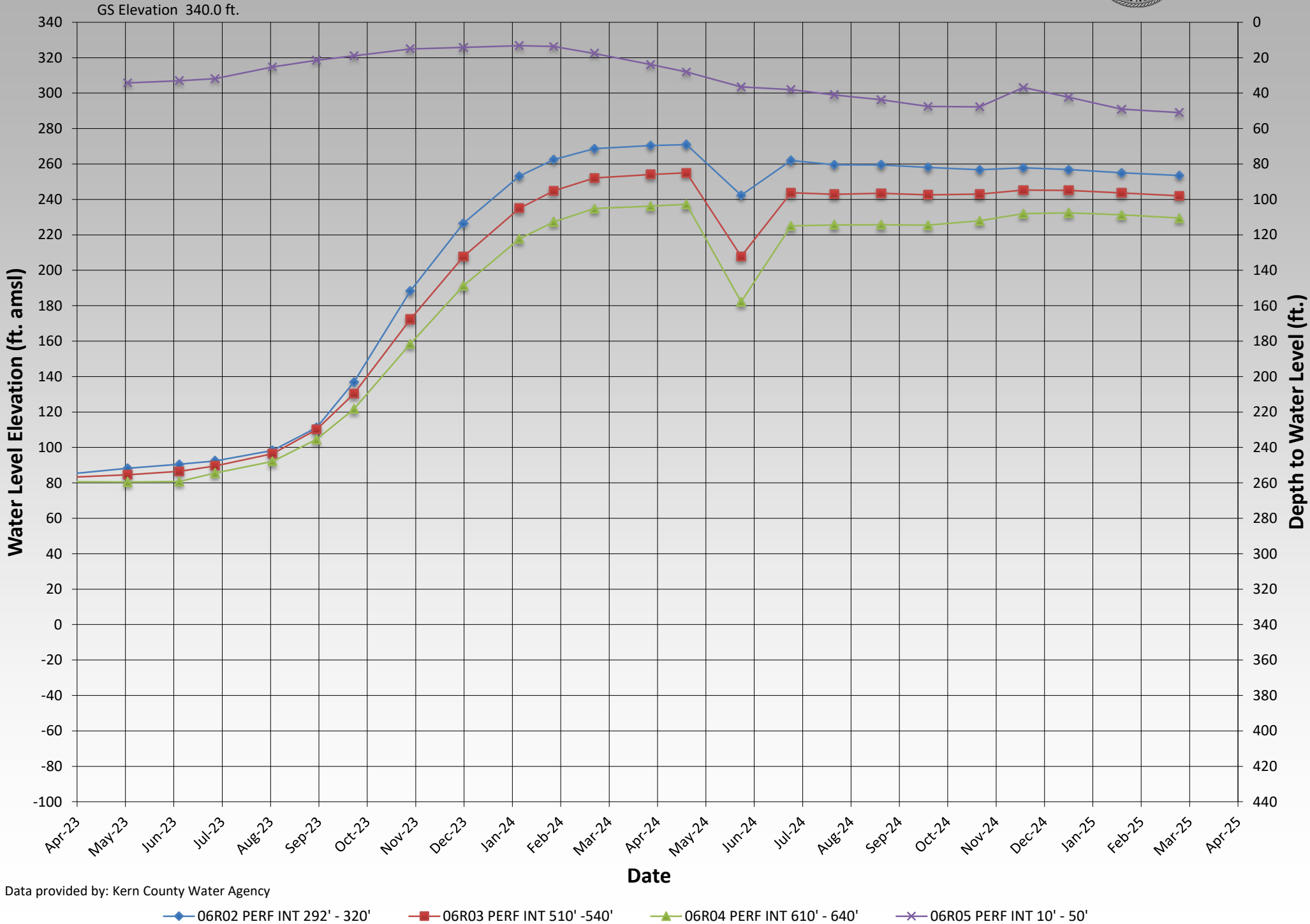
GS Elevation 349.5 ft.



Data provided by: Kern County Water Agency

- 04J01 PERF INT 100'-150'
- 04J02 PERF INT 223'-375'
- 04J03 PERF INT 560'-650'
- 04J04 PERF INT 45'-65'
- DRY 04J01
- DRY 04J04

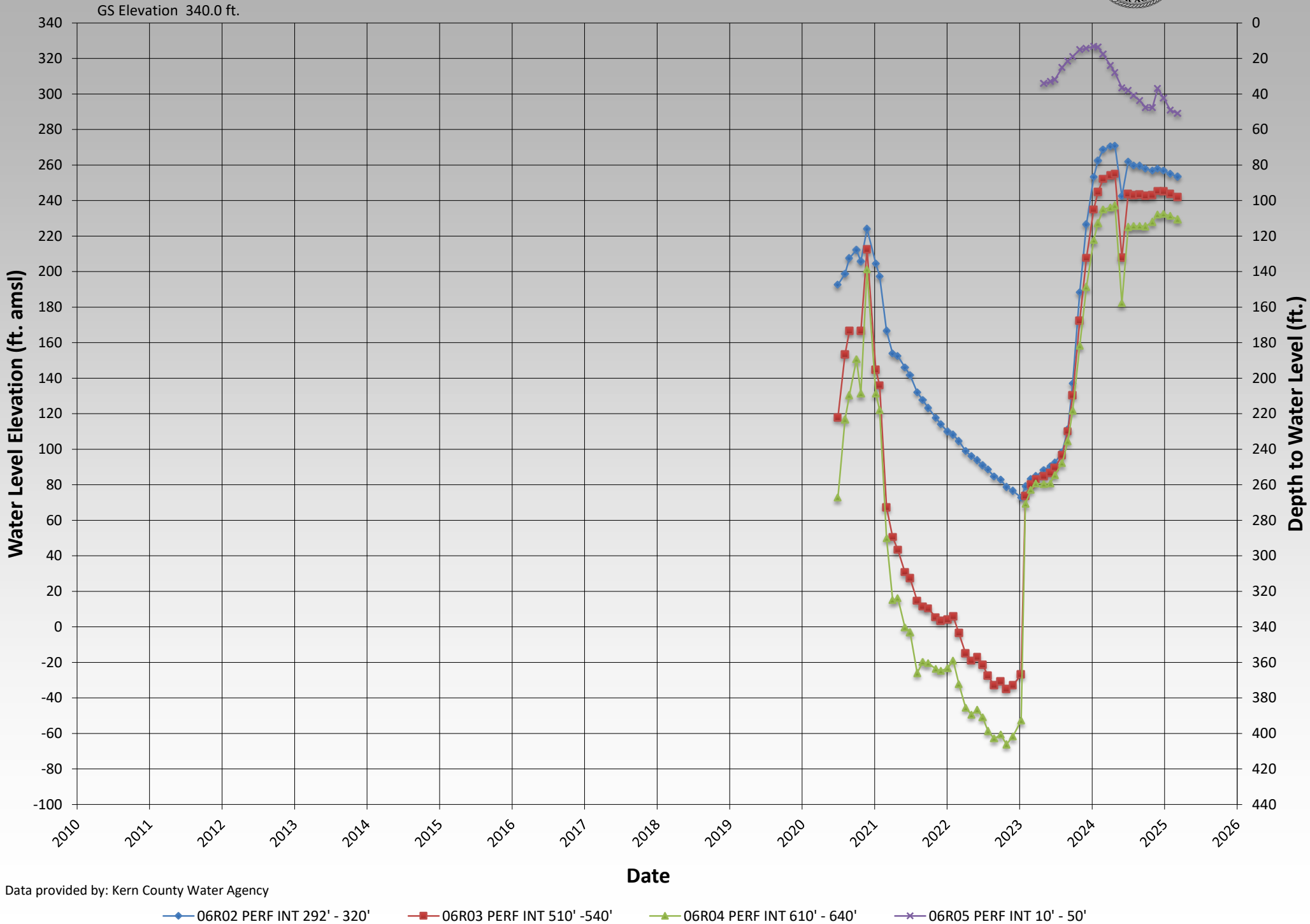
30S/26E-06R



Data provided by: Kern County Water Agency

- 06R02 PERF INT 292' - 320'
- 06R03 PERF INT 510' - 540'
- ▲ 06R04 PERF INT 610' - 640'
- ✕ 06R05 PERF INT 10' - 50'

30S/26E-06R





MEMORANDUM

20.2.1

TO: Water Management Committee
Agenda Item No. 3

FROM: Michelle Anderson

DATE: March 27, 2025

SUBJECT: Authorization to Execute Change Order No. 4 for the KCWA Well 38 & 39 Well Equipping Project – Contract No. KCWA 2021-09B

Issue:

Consider authorizing the execution of Change Order No. 4 for the KCWA Well 38 & 39 Well Equipping Project – Contract No. KCWA 2021-09B.

Recommended Motion:

Authorize execution of Change Order No. 4 for the KCWA Well 38 & 39 Well Equipping Project Contract No. KCWA 2021-09B for a contract time extension of 135 calendar days, subject to approval of General Counsel as to legal form, as outlined in the March 27, 2025, staff memorandum to the Water Management Committee, Agenda Item No. 3.

Discussion:

On November 28, 2022, Kern County Water Agency (Agency) staff issued the Notice of Award letter to W.M. Lyles Company for the KCWA Well 38 & 39 Well Equipping Project – Contract No. KCWA 2021-09B.

The Contract change order extends the duration of the existing contract to account for 988 calendar days. The proposed contract change order is provided as Attachment 1. Agency staff are recommending execution of the change order for a contract time extension of 135 calendar days.

**Contract Change Order No. 4
Kern County Water Agency
KCWA Wells KCWA 38 & 39 Well Equipping Project - KCWA-2021-09B**

Contractor:	W.M. Lyles			
Engineer:	JT Gardiner			
CM:	Curtis Skaggs (DJA)			
CO No:	4			
		Original Contract Amount	\$ 1,735,458.00	Amount, \$ 210
		Previously Approved Changes	\$ -	Days 643
		Current Contract Amount	\$ 1,735,458.00	853
		This Change Amount	\$ -	135
		Revised Contract Amount	\$ 1,735,458.00	988

This change order covers changes to the subject contract as described herein. The Contractor shall construct, furnish equipment and materials, and perform all work as necessary or required to complete the Change Order items for the lump sum price agreed upon between the Contractor and the Kern County Water Agency, otherwise referred to as the Owner.

PCO #	Description of Changes	Increase in Contract Amount \$	Decrease in Contract Amount \$	Contract Time Elapsed
4	Amend for time to accommodate PG&E inspection requirement and start up			135
	Subtotal	\$ -	\$ -	135
	Net Change in Contract Amount	\$ -	\$ -	135

The Contract Price is modified by the sum of \$0.00 and Contract Time is modified by 135 calendar days. By signing this Change Order, the Contractor: (1) agrees to the foregoing modifications to the Contract Price and Contract Time; (2) agrees that such modifications are inclusive of all labor, services, material, equipment and time necessary to complete the added Work identified under the Description of Changes and/or represents an appropriate reduction in the Contract Price and/or Contract Time for the deleted Work identified under the Description of Changes; and (3) agrees that Contractor shall not be entitled to any further modifications to the Contract Time or Contract Price except as provided in this Change Order for the added and/or deleted Work identified under the Description of Changes. This Change Order amends the Contract and, except as provided in this Change Order, all other provisions of the Contract and Contract Documents continue in full force and effect. This Change Order is effective when signed by the representative(s) of the Agency identified below.

Recommended: _____ /KCWA Project Manager (Michelle Anderson)
 (Signature) (Date)

Recommended: _____ /DJA CM (Curtis Skaggs)
 (Signature) (Date)

Accepted: _____ /Contractor (W.M. Lyles)
 (Signature) (Date)

Approved: _____ /KCWA Engineer (JT Gardiner)
 (Signature) (Date)



MEMORANDUM

20.2.1

TO: Water Management Committee
Agenda Item No. 4

FROM: Michelle Anderson / Lauren Bauer

DATE: March 27, 2025

SUBJECT: Authorization to Execute Amendment No. 2 to the Kern County Water Agency Agreement for a Groundwater Sustainability Plan Consultant for the Kern Subbasin Cost Sharing Agreement for Revising Groundwater Sustainability Plans

Issue:

Consider authorizing the Water Resources Manager to execute Amendment No. 2 to the Kern County Water Agency Agreement for a Groundwater Sustainability Plan Consultant for the Kern Subbasin Cost Sharing Agreement for Revising Groundwater Sustainability Plans.

Recommended Motion:

Authorize the Water Resources Manager to execute Amendment No. 2 to the Kern County Water Agency Agreement for Professional Consulting Services with Woodard & Curran for the Kern Subbasin Cost Sharing Agreement for Revising Groundwater Sustainability Plans amending the contract termination term to December 31, 2025, subject to approval of General Counsel as to legal form, as outlined in the March 27, 2025, staff memorandum to the Board of Directors, Agenda Item No. 4.

Discussion:

On November 15, 2023, the Kern County Water Agency (Agency) Board of Directors (Board) authorized the Water Resources Manager to execute the Kern Subbasin Cost Sharing Agreement for Revising Groundwater Sustainability Plans (Basin Cost Share Agreement). As part of the Basin Cost Share Agreement, participants agreed to contract directly with their respective consultants for services for the subbasin and be reimbursed for costs incurred. Woodard & Curran is preparing the Kern Subbasin banking chapter which will be included in the final Kern Subbasin Groundwater Sustainability Plan (GSP).

On December 11, 2024, the Agency Board authorized the Water Resources Manager to execute Amendment No. 1 to the Kern County Water Agency Agreement for Professional Consulting Services (Agreement) with Woodard & Curran for additional time to complete GSP amendments related to the banking sections. This Agreement expires on June 30, 2025.

The Kern Subbasin continues to require GSP development services therefore, Agency staff recommends that the Water Resources Manager be authorized to execute Amendment No. 2 to the Kern County Water Agency Agreement for Professional Consulting Services with Woodard & Curran amending the contract termination term to December 31, 2025. This Amendment includes a change in scope related to QA/QC of the overall final GSP, an increase in time to complete these services and an increase in the budget. Amendment No. 2 is provided as Attachment 1.

**AMENDMENT NO. 2 to
KERN COUNTY WATER AGENCY
AGREEMENT
FOR
PROFESSIONAL CONSULTING SERVICES**

This Amendment No. 2 is made this 27th day of March, 2025, by and between the Kern County Water Agency, a political subdivision of the State of California, hereinafter referred to as “Agency”, and Woodard & Curran, Inc., hereinafter referred to as “Consultant”.

WITNESSETH:

WHEREAS, the Agency and Consultant entered into an agreement for professional services dated January 25, 2024; and

WHEREAS, the Agency and Consultant entered into Amendment No. 1, dated December 11, 2024; and

WHEREAS, the Agency requires additional technical support services for the subbasin work relating to the Groundwater Sustainability Plan; and

WHEREAS, the Agency and Consultant desire to add additional scope of work, increase the budget and extend the time for such professional services; and

NOW, THEREFORE, in consideration of the covenants and conditions herein contained, the parties hereto agree as follows:

- I. Article I of the Agreement with Kern County Water Agency for Professional Consulting Services is hereby amended to include additional services included herein as Exhibit B.
- II. Article III. A. of the Agreement with Kern County Water Agency for Professional Consulting Services dated January 25, 2024 is hereby amended to extend the termination date to December 31, 2025.
- III. Article IV of the Agreement with Kern County Water Agency for Professional Consulting Services is hereby amended to increase the compensation to an amount not to exceed \$112,000.
- II. All other provisions of the Kern County Water Agency Agreement for Professional Consulting Services dated January 25, 2024, as amended by Amendment No. 1 dated December 11, 2024 shall remain in full force and effect.

IN WITNESS WHEREOF, the Agency and Consultant have executed this Amendment No. 2 on the day and year first herein above set forth.

KERN COUNTY WATER AGENCY

CONSULTANT

By: _____
Water Resources Manager

By: _____
Woodard & Curran, Inc.

ATTACHMENT 1: SCOPE OF WORK



General Assumptions:

- This work is to assist the subbasin in addressing SWRCB staff’s final “refinements” to the 2024 Kern Subbasin GSP. This will include review of two documents:
 - **December 2024 Kern Subbasin GSP**
 - **“Refined” 2024 Kern Subbasin GSP** – This document will be developed by others in the first half of 2025. The name of this document has not been finalized at this time but is the December 2024 Kern Subbasin GSP with additional refinements and edits.
- Work under this task is to assess whether “Groundwater Sustainability Plan Deficiencies and Potential Actions to Address Deficiencies” brought forth during 2024 GSP development by SWRCB staff appear to have been adequately addressed. This SOW does not include assessing the 2022 version of the Kern Subbasin GSP nor does it include addressing issues identified in the review.
- SWRCB Staff “Groundwater Sustainability Plan Deficiencies and Potential Actions to Address Deficiencies” are those clearly outlined in the Final Staff Report, Section 4.1, *Table 4-1 Summary of Proposed State Water Board Deficiencies*.
- A redline of the December 2024 GSP and the “Refinements” or final “July” version the Updated Kern Subbasin GSP will be provided and used for the review under Task 4.
- Review of the “Refined” 2024 GSP is to assess overall completeness and whether deficiencies appear to have been addressed, and is not intended to catch all mistakes, missed information, typos, or formatting errors.
- Due to the ambiguous nature of certain deficiencies, we cannot guarantee that all potential issues will be identified. The review is intended to provide guidance and recommendations based on our interpretation of the deficiencies. The level of effort in review and meeting attendance is limited to the budgeted amount.

Task 1 – Project Management

This task includes as-needed calls between W&C staff and the contracting manager to provide updates on project progress and intra-Subbasin coordination efforts, as well as the submittal of monthly invoices.

Task 1 Deliverables:

- Monthly progress reports and invoices.

Task 2 – Review of December 2024 Kern Subbasin GSP

This task includes reading the 2024 Kern Subbasin GSP including select appendices. This document is approximately 1500 pages of text to review.

The purpose of this task is to identify deficiencies in the plan and items included in the GSP that may already address SWRCB Staff comments, and to provide a high-level overview of the main GSP body against the completed selected appendices.

Task 2 Deliverables:



- Minor edits or comments in a redline and common document accessed by the rest of the TWG.

Task 2 Assumptions:

- Only the following appendices are included in this task:
 - Appendix E: Kern Fan Banking Programs
 - Appendix G: General Plan Policies, Goals, and Implementation Measures Relevant to SGMA
 - Appendix H: Stakeholder Communication and Engagement Plan
 - Appendix J: Friant Water Authority Letter of Support for Subbasin Subsidence Mitigation on the Lower Reach of the Friant-Kern Canal
 - Appendix K: Kern County Subbasin Mitigation Program
 - Appendix N: GSA Operational Water Budgets
 - Appendix O: Alternatives Evaluation for Chronic Lowering of Groundwater Levels Minimum Threshold Approaches"
 - Appendix W: Exceedance Policy
 - Appendix X: Representative Monitoring Networks
 - Appendix AA: Public Comment Letters and Responses
- Review will focus on text and not include a detailed review of figures

Task 3 – Review of “Refined” Kern Subbasin GSP.

This task includes two (2) reviews of “refined” GSP material focusing on the sections that have changed relative to the 2024 GSP. Additionally, this task includes participating/attending relevant subsection TWG Meetings and meetings with SWRCB Staff. Subtasks are as follows:

Subtask 3.1: Provide a review of the “Refined” GSP sections, which are anticipated to be complete by July 2025. This review will focus on sections relative to the 2024 GSP.

Subtask 3.1 Deliverables:

- Redline edits/comments on working draft of refined sections

Subtask 3.1 Assumptions:

- Only one review during iterative refinement process
- Sections will be editing in track changes and a redline will be provided for the review.
- This review focuses on the sections that have changed relative to the December 2024 GSP version



Subtask 3.2: Attend relevant subcommittee calls (virtually) used to coordinate refinements and additional calls subcommittees have with SWRCB Staff.

Task 3.2 Deliverables:

- No deliverables.

Task 3.2 Assumptions:

- It is assumed that meetings will total 6 hours per week between March 1 through July 31, or 18 weeks totaling 108 hours.

Subtask 3.3: This subtask includes reviewing the “administrative draft” of the “Refined” GSP in July to look to compare the document against the SWRCB Staffs Final Staff report and the *Groundwater Sustainability Plan Deficiencies and Potential Actions to Address Deficiencies* have been addressed.

Task 3.3 Deliverables:

- Minor edits (ex., fixing typos or minor format updates) and comments in a redline version of the “Refined” GSP.

Task 3.3 Assumptions:

- It is assumed that this review will take three weeks.
- This review will be of a “pencils-down” version of the “Refined” GSP wherein no additional edits are being made by other consultants or GSAs. Any edits conducted during this time cannot be reviewed.
- This review will not include providing major edits to the document, or the development of text to address comments.

ATTACHMENT 2: SCHEDULE AND FEE ESTIMATE

The Scope includes work to be completed from February 2025 through July 2025.

Woodard & Curran proposes to complete the above scope of work on a time-and-materials basis for an amount not-to-exceed \$108,430, based on W&C's standard rate table. See the fee estimate below for a breakdown of estimated costs by task.



Task	Fee
Task 1: Project Management	\$6,700
Task 2: Review Dec 2024 GSP	\$31,630
Task 3: Review Refined GSP and attend meetings	\$70,100
Total	\$108,430



MEMORANDUM

20.2.1

TO: Water Management Committee
Agenda Item No. 5

FROM: Michelle Anderson

DATE: March 27, 2025

SUBJECT: Authorization to Execute Amendment No. 3 to the Kern County Water Agency Agreement for an Engineering and Land Surveying Consultant for the South Pioneer Boundary Survey and Record of Survey

Issue:

Consider authorizing the Water Resources Manager to execute Amendment No. 3 to the Kern County Water Agency Agreement for an engineering and land surveying consultant for the South Pioneer Boundary Survey and Record of Survey.

Recommended Motion:

Authorize the Water Resources Manager to execute Amendment No. 3 to the Kern County Water Agency Agreement for Professional Consulting Services with Meyer Civil Engineering, Inc. for engineering and land surveying services amending the contract termination date to December 31, 2025, subject to approval of General Counsel as to legal form, as outlined in the March 27, 2025, staff memorandum to the Water Management Committee, Agenda Item No. 5.

Discussion:

On April 27, 2023, Kern County Water Agency (Agency) Board of Directors authorized Agency staff to retain Meyer Civil Engineering, Inc. to perform engineering and land surveying consultant to develop a record of survey in accordance with the current version of the California Professional Land Surveyors' Act mapping out the South Pioneer property boundary line.

On November 15, 2023, the Agency Board authorized Amendment No.1 to amend the Agreement termination date to December 31, 2024.

On December 18, 2024, the Agency Board authorized Amendment No. 2 to amend the Agreement termination date to March 31, 2025.

The term of the agreement needs to be extended due to delay of the survey due to recharge operations in the South Pioneer. The Agreement with Meyer Civil Engineering, Inc. expires on March 31, 2025, and the survey has not been submitted to the County of Kern for review and comment; therefore, Agency staff recommends that the Water Resources Manager be authorized to execute Amendment No. 3 to the Kern County Water Agency Agreement for Professional Consulting Services with Meyer Civil Engineering, Inc. amending the contract termination date to December 31, 2025. The amendment is a no cost time extension. Amendment No. 3 is provided as Attachment 1.

**AMENDMENT NO. 3 to
KERN COUNTY WATER AGENCY
AGREEMENT
FOR
PROFESSIONAL CONSULTING SERVICES**

This Amendment No. 3 is made this 27th day of March, 2025, by and between the Kern County Water Agency, a political subdivision of the State of California, hereinafter referred to as “Agency”, and Meyer Civil Engineering, Inc., hereinafter referred to as “Consultant”.

WITNESSETH:

WHEREAS, the Agency and Consultant entered into an agreement for professional services dated April 27, 2023; and

WHEREAS, the Agency and Consultant entered into Amendment No. 1, dated November 15, 2023; and

WHEREAS, the Agency and Consultant entered into Amendment No. 2, dated December 18, 2024; and

WHEREAS, the Agency continues to require professional land surveying services for the South Pioneer Boundary survey and Record of Survey; and

WHEREAS, the Agency and Consultant desire to extend the time for such professional services; and

NOW, THEREFORE, in consideration of the covenants and conditions herein contained, the parties hereto agree as follows:

- I. Article III. A. of the Agreement with Kern County Water Agency for Professional Consulting Services dated April 27, 2023 is hereby amended to extend the termination date to December 31, 2025.
- II. All other provisions of the Kern County Water Agency Agreement for Professional Consulting Services dated April 27, 2023, as amended by Amendment No. 1 dated November 15, 2023 and Amendment No. 2 dated December 18, 2024, shall remain in full force and effect.

IN WITNESS WHEREOF, the Agency and Consultant have executed this Amendment No. 3 on the day and year first herein above set forth.

KERN COUNTY WATER AGENCY

CONSULTANT

By: _____
Water Resources Manager

By: _____
Meyer Civil Engineering, Inc.



MEMORANDUM

20.2.1

TO: Water Management Committee
Agenda Item No. 6

FROM: Thomas McCarthy

DATE: March 27, 2025

SUBJECT: Report on Kern Water Bank Activities

Issue:

Report on Kern Water Bank activities.

Recommended Motion:

None – information only.

Discussion:

The Kern Water Bank Authority's March 11, 2025, Agenda and Monthly Status Report, and Groundwater Sustainability Agency Agenda are provided as Attachments 1, 2 and 3, respectively.

KERN WATER BANK AUTHORITY

**Regular Meeting of Board of Directors
of the Kern Water Bank Authority
Tuesday, March 11, 2025, 3:15 PM
Kern Water Bank Authority Conference Room¹
1620 Mill Rock Way, Suite 500, Bakersfield, California**

This meeting is held in accordance with the Brown Act pursuant to Section 54950, et seq. of the California Government Code and the Kern Water Bank Authority Joint Exercise of Powers Agreement.

1. Roll Call

2. Approval of Minutes

The Board will consider approval of February 11, 2025, Regular Board of Directors Meeting minutes.

3. Treasurer's Report

The Board will consider approval of the February 2025 Treasurer's Report.

4. Authorization to Pay Expenses of Authority

The Board will consider approval of February 2025 accounts payable for payment.

5. Line of Credit Extension

The Board will review and consider approval to request a proposal for extending the US Bank line of credit from August 4, 2025 to March 30, 2026.

6. Reports

A. Staff Report

Review and possibly act on previously submitted Staff Report and staff recommendations regarding:

- (1) Water Bank Operations
- (2) 3rd Party Facilities on Kern Water Bank
- (3) Adjacent Properties
- (4) KWBA HCP/NCCP and Land Management
- (5) Employee Handbook
- (6) Capital Improvements and Funding Status
- (7) Power Update

B. Directors, Counsel and Committee Reports

The Board of Directors will hear and possibly act on reports and recommendations:

- (1) Kern Fan Monitoring Committee
- (2) KWBA IT Committee

¹ Requests for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Secretary in advance of the meeting to ensure availability of the requested service or accommodation.

9. Old Business

This portion of the meeting is set aside for the discussion of matters which have been addressed at previous Board meetings.

10. New Business

This portion of the meeting is set aside to provide the Board an opportunity to bring to the attention of the other Board members and the public matters which have come to their attention, subject to certain exceptions. No action can be taken on any matter discussed during this portion of the meeting; however, a Board member may request that a subject be placed on any future agenda.

11. Public Input

This portion of the meeting is set aside to provide the public an opportunity to bring to the attention of the Board members, matters of which the Board may not be aware, subject to certain exceptions. No action can be taken on any matter discussed during this portion of the meeting; however, a Board member may request that a subject be placed on any future agenda.

12. Closed Session

The Board will meet in a closed session and possibly act on the following:

- A) Conference with Legal Counsel – Pending Litigation (Gov. Code section 54956.9(d)(1)).
 - 1) Various Applications to appropriate Kern River water, complaint and related proceedings before the State Water Resources Control Board.
- B) Conference with Legal Counsel – Anticipated Litigation: Initiation of litigation pursuant to Gov. Code section 54956.9(d)(4). Two potential litigations.
- C) Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation pursuant to Gov. Code section 54956.9(d)(2). Two potential litigations.
- D) Conference with Real Property Negotiator – Gov. Code section 54956.8.
KWBA Representative: General Manager and Geologist
Under Negotiation: Price and Terms of payment
Negotiating Parties: Kern County Water Agency (KCWA) and KWBA
Property: Basin 11 and KCWA Pioneer Project Easement and Joint Use and Construction Agreements.
- E) Conference with Real Property Negotiator – Gov. Code section 54956.8.

KWBA Representative: General Manager and Geologist
Under Negotiation: Price and Terms of Payment
Negotiating Parties: KWBA and Irvine Ranch WD/Rosedale Rio-Bravo WSD

Properties: Strand Ranch - Encroachment Permit and Joint Use Agreement

- F) Conference with Real Property Negotiator – Gov. Code section 54956.8.

KWBA Representative: General Manager and Geologist
Under Negotiation: Price and Terms of Payment
Negotiating Parties: KWBA and the Pioneer Project
Properties: Nord Turnout

- G) Conference with Real Property Negotiator – Gov. Code section 54956.8.

KWBA Representative: General Manager and Geologist
Under Negotiation: Price and Terms of Payment
Negotiating Parties: KWBA and PG&E
Properties: APN #'s 160-030-03,160-030-09, 160-020-05 and 160-020-07

- H) Conference with Real Property Negotiator – Gov. Code section 54956.8.

KWBA Representative: General Manager and Geologist
Under Negotiation: Price and Terms of Payment
Negotiating Parties: KWBA and Irvine Ranch WD/Rosedale Rio-Bravo WSD
Properties: Kern Water Bank Land - Kern Fan Groundwater Storage Project
Conveyance

- I) Conference with Real Property Negotiator – Gov. Code section 54956.8.

KWBA Representative: General Manager and Geologist
Under Negotiation: Price and Terms of Payment
Negotiating Parties: KWBA and Tricor Energy, LLC
Properties: Kern Water Bank Land – Renewal of Various Easement and License
Agreements

13. Reconvene and Report form Closed Session (Gov't. Code section 54957.1)

14. Adjourn

KERN WATER BANK AUTHORITY

MEMORANDUM

To: KWBA Board of Directors; Steve Torigiani,

From: KWBA Staff

Date: March 11, 2025

Subject: Monthly Status Report

CALENDAR

April 8, 2025 – KWBA and KWB GSA Regular Board of Directors Meetings (3:00 P.M.)

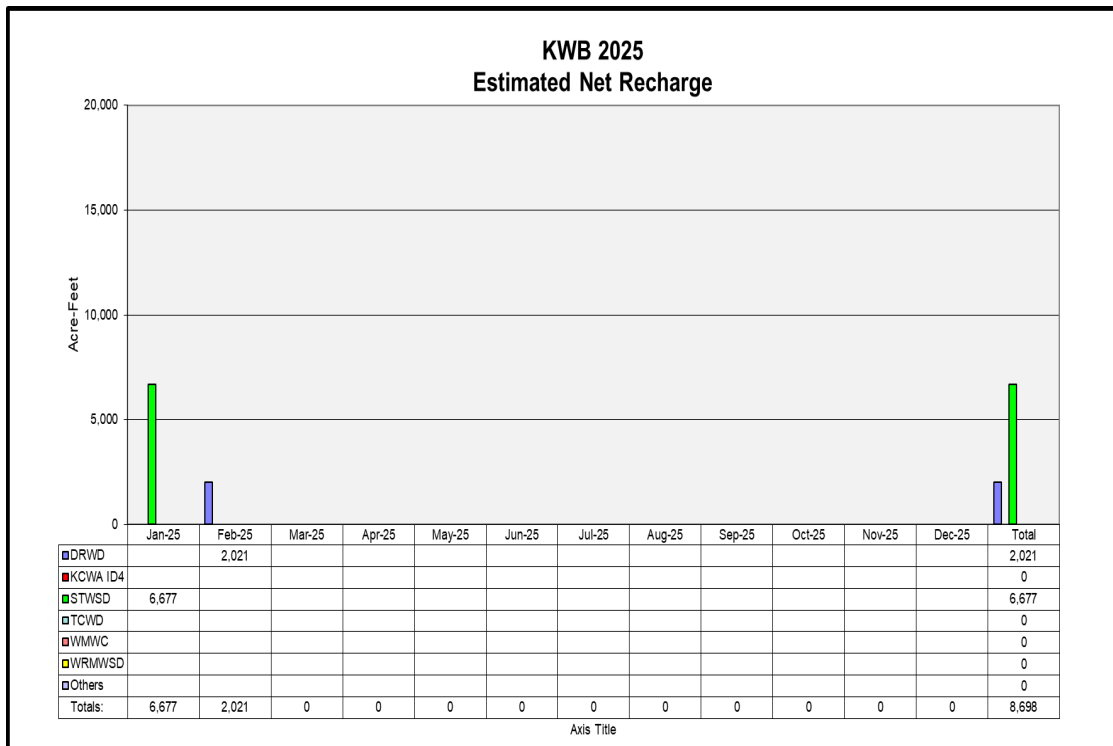
OPERATIONS

Recharge

No current recharge activities. Estimated net recharge for January and February 2025 is approximately 6,650 and 2,000 AF respectively.

Recovery

No current recovery operations.



FACILITIES

Facilities Maintenance

Routine maintenance continues on roads, water delivery structures, wells, pumping stations, and canals. AC-Electric installed replacement soft start panel on Pump #3 at the Main Pumping Station and are currently doing all the final setup adjustments.

Vegetation Management and Grazing

Spraying, tumbleweed removal, mowing along fence lines, structures, and around wells continues. Grazing is occurring throughout all areas.

THIRD PARTIES

Rosedale and Irvine Ranch WD are looking for other participants for their Kern Fan Banking project proposed conveyance facility after being informed that the KWBA was not interested in participating in the conveyance facility.

ENVIRONMENTAL – GENERAL AND HCP ISSUES

Conservation Bank

SoCalGas has purchased 4 credits. Caltrans has purchased 36 credits and expressed an interest in purchasing another 99 credits this year for different project.

CAPITAL IMPROVEMENTS/REPAIR AND REPLACEMENT

Capitalized Maintenance Program

Construction of replacement turnouts is currently in progress.

Replacement Wells

Well 30S/25E-18P02 – Well has been drilled, cased, swabbed, and developed. BWP has poured the well pad foundation, perimeter well pad slab, and installed the underground electrical conduits. Once pump and motor are delivered, they will be installed, and WM Lyles will start the discharge pipeline connection.

Well Rehabilitation and Repairs

No current well rehabilitation. Electrical work on (3) wells that were vandalized due to copper wire theft is on hold until recovery operations resume.

Basin 11

Encroachment permit is in process. KCWA provided KWBA with a construction and joint use of facilities agreement and easement on June 25, which were reviewed and redlined by staff and counsel and returned to KCWA.

Strand Siphon Replacement

The Strand Siphons are not currently in use but are operational. Replacement facilities using a turnout from Strand Ranch to the KWB has been designed. A meeting was held

with Rosedale and Irvine regarding necessary documents on June 18. KWBA forwarded redlined documents to Rosedale for review on June 21. Rosedale returned a further draft of the joint use agreement in December and both the joint use agreement and the encroachment permit have been returned to Rosedale with comments. Rosedale forwarded the documents to Irvine on January 9, 2025.

Enos Lane Culvert

Meyer Engineering has completed the culvert design and submitted plans and an application to Caltrans for review to proceed with the Enos Lane Culvert. We are currently waiting for geotechnical study of the construction site by Krazan to submit to Caltrans as per their requirements to proceed with the application.

ADMINISTRATIVE

Employee Handbook Update

A draft of the updated KWBA employee handbook is currently being reviewed by staff. A summary of the proposed updates will be discussed with the Board at the February 11, 2025 board meeting.

Power Update

The KWBA's NEM2a application is still in the CAISO's cluster study process. Environmental review is in process. Staff is also exploring grant opportunities relating to alternative energy projects.

Data Management Progress

VH Electrical Automation is procuring the equipment for the well sites and has begun to assemble the control panels for the first thirty wells. The Starlink systems is being installed at the main pump station and should be operational next week. The contract with Communications Enterprises Inc. (CEI) is being finalized.

Retirement Plan

The new third party administrator (NWPS) is working with the old third party administrator to transfer the KWBA 401(a) and 457(b) plans to the new custodian with an anticipated completion in April.

Kern Water Bank Groundwater Sustainability Agency



**Regular Meeting of Board of Directors
Tuesday, March 11, 2025, 3:00 P.M.
Kern Water Bank Authority Conference Room¹
1620 Mill Rock Way, Suite 500, Bakersfield, California**

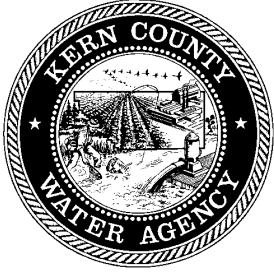
This meeting is held in accordance with the Brown Act pursuant to Section 54950, et seq. of the California Government Code and the Joint Exercise of Powers Agreement for the Kern Water Bank Groundwater Sustainability Agency.

1. **Roll Call**
2. **Consider Approval of February 11, 2025 Board Meeting Minutes**
3. **Consider Approval February 2025 Treasurer’s Report**
4. **Consider Authorizing Payment of GSA Expenses**
5. **GSP Notification Letter (Water Code, 10728.4)**
Discussion and possible action to authorize notification to cities and counties of intention to adopt or amend Groundwater Sustainability Plan.
6. **Kern County Subbasin GSP Costs**
The Board will review and consider approval of the Kern Water Bank GSA’s share of the anticipated costs to finalize the basin wide GSP and related efforts.
7. **Reports**
 - a. Kern County Subbasin GSP
 - b. SWRCB Draft Staff Report/Notice of Hearing Re Proposed Designation of Subbasin as a Probationary Basin
 - c. Kern County Subbasin Coordination Committee
 - d. Kern Non-Districted Land Authority (KNDLA)
 - e. SGMA Compliance
 - f. SB 1156 – FPPC Form 700 E-Filing Requirement
8. **New Business**
9. **Public Comment**

¹ Requests for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Secretary in advance of the meeting to ensure availability of the requested service or accommodation.

10. **Closed Session Item Descriptions (Gov. Code, § 54956.8):**
 - a. Conference with Legal Counsel Regarding Litigation:
 - i. Gov. Code, § 54956.9(d)(2) [Potential: Significant Exposure to
a. Litigation]: One Item.
 - ii. Gov. Code, § 54956.9(d)(4) [Potential: Initiation of
a. Litigation]: One Item.
11. **Reconvene and Report from Closed Session (Gov't. Code section 54957.1)**
12. **Adjourn**

Cross Valley Canal Committee



MEMORANDUM

20.2.1

TO: Cross Valley Canal Committee
Agenda Item No. 1a

FROM: Lauren Bauer

DATE: March 27, 2025

SUBJECT: Update on Cross Valley Canal Construction/Maintenance Projects

Issue:

Update on Cross Valley Canal construction/maintenance projects.

Recommended Motion:

None – information only.

Discussion:

An overview of the construction projects associated with the Cross Valley Canal is provided as Attachment 1.

Cross Valley Canal

Monthly Facilities Improvement and Construction Project Update

March 2025

Attachment 1

1. HEC-RAS Model Compilation and Hydraulic Analysis

- Description: Aggregate the six existing post-expansion HEC-RAS hydraulic models representing Cross Valley Canal (CVC) Pools 1 through 6 into a single comprehensive model that can evaluate pump operations and canal hydraulics in forward and reverse flow.
- Consultant Contract: GEI – Task H
- Participant Group: CVC Integrated Canal Participants
- Progress to date:
 1. Draft technical memorandum distributed to the CVC participants on January 28, 2021.
 2. Consultant presented the technical memorandum to the CVC Advisory Committee on February 24, 2021.
 3. Issued final technical memorandum on April 19, 2021.
- Next Project Milestone:
 1. Conduct field verification of the model 1,000 cfs flow test of CVC Pools 4 through 6.
 - a. Create this milestone as a stand-alone project, item 11.
 - b. Requested by the Hydraulic Improvement Project (HIP) ad hoc committee during the May 1, 2023 meeting.
 2. Conduct field verification of CVC pump flow versus head (lift) data.
 3. Prepare next steps for mitigation of the following:
 - a. Perform review of CVC pumping plant control philosophy.
 - b. Pool 1 dependence on California Aqueduct operations.
 - c. Explore impacts of adjusted Aqueduct water levels on CVC capacity.
 - d. Pool 1A reverse flow hydraulics (back siphonage).
 - e. Prepare feasibility analysis and develop project schedule for proposed mitigations.

2. Evaluation to Review the CVC Channel Freeboard and Pump Submergence

- Description: Evaluate the feasibility and potential risks of reducing the minimum pump submergence for infrequent operations when the CVC is approaching its capacity as a method of increasing the canal freeboard and thereby increasing canal capacity.
- Consultant Contract: GEI – Task J
- Participant Group: CVC Integrated Canal Participants
- Progress to date:
 1. Completed preparation of consultant proposal.
 2. Received Kern County Water Agency (Agency) Board authorization to execute task order on March 25, 2021.
 3. Completed data collection effort.
 4. Completed draft conceptual design review of CVC 'A' Pumping Plant forebays.
 5. Finalized physical model testing and mitigation for all pools and utilize pertinent information in the submergence assessment and freeboard evaluation.
 6. Performed review of CVC pumping plant control philosophy.
- Next Project Milestone:
 1. Prepare pump submergence assessment.
 2. Prepare channel freeboard evaluation.
 3. Coordinate technical study with findings from the Approach Channel and Water Level Fluctuation Hydraulic Analysis.
 4. Submit draft technical memorandum to the Agency.

3. Pumping Plant Forebay Approach Channel and Water Level Fluctuation Hydraulic Analysis

- Description: Develop a scaled physical model and analyze the water level fluctuations associated with the pumping plant bifurcation geometry that causes a diverging flow directly upstream of the pumping plant forebays when both the ‘A’ and ‘B’ Pumping Plants are in operation.
- Consultant Contract: GEI – Task K
- Participant Group: CVC Integrated Canal Participants
- Progress to date:
 1. Completed physical model internal workings.
 2. Completed physical model design and construction.
 3. Constructed physical model.
 4. Initiated physical model startup, testing and calibration.
 5. Conducted physical model testing for Pumping Plants 1 through 5.
 6. Completed testing of mitigation measures for Pumping Plants 1, through 5.
 7. Received draft technical memorandum.
 8. Dismantled the physical model.
 9. Completed staff review of draft technical memorandum.
 10. Staff and GEI-NHC reviewed HIP ad hoc comments on draft technical memorandum.
 11. Prepared and submitted final technical memorandum on June 29, 2023.
- Next Project Milestone:
 1. Determine if recommendations to install blocks in the A-side and B-side channel of the canal will be implemented.

4. Pumping Plant B Spare Pump Procurement

- Description: Procure one spare 800-horsepower (hp) pump, two spare 700-hp pumps and one spare 600-hp pump for ‘B’ Pumping Plants.
- Consultant Contract: GEI – Task C
- Participant Group: CVC Integrated Canal Participants
- Progress to Date:
 1. Performed Agency staff review of Cascade Pump 600-hp spare pump proposal.
 2. Completed evaluation of existing 600-hp motor thrust values.
 3. Reviewed spare pump alternatives based on existing motor thrust rating limitations.
 4. Received updated Cascade Pump 600-hp spare pump price quotation.
 5. Completed review of updated Cascade Pump 600-hp spare pump price quotation.
 6. Received Agency Board approval to executed change order #4 on September 23, 2021.
 7. Issued the Notice to Proceed to Cascade Pumps.
 8. Performed field measurements of existing pump by Cascade Pumps.
 9. Received pump submittals and analysis from Cascade Pumps on February 2, 2022.
 10. Completed submittal review and provided Cascade review comments.
 11. Finalized submittal.
 12. Received completed pump design from Cascade Pump’s engineering department.
 13. Finalized the casting machining process and fabricated the pump.
 14. Coordinated the delivery of the 600-hp motor to Cascade Pump, which occurred in December 2022.
 15. Inspected and tested the 600-hp pump.
 16. Received pump, bowl assembly and motor from Cascade Pump.
 17. Project complete.
 18. Filed Notice of Completion in June 2023.

5. Pumping Plant B Forebay Modifications

- Description: Prepare contract bidding documents to hydraulically isolate ‘B’ Pumping Plant forebays and install pump forebay vortex mitigation modifications.
- Consultant Contract: GEI – Task F
- Participant Group: CVC Expansion Participants
- Progress to Date:
 1. Received draft 100 percent complete project drawing set on April 6, 2021.
 2. Completed 100 percent complete contract bidding documents for Pumping Plant No 2B.
 3. Completed review of engineer’s cost estimate for Pumping Plant No. 2B.
 4. Completed partial value engineering analysis and procurement alternatives evaluation.
 5. Completed staff recommendation for initial project scope of work.
 6. Completed review of removeable baffle wall system price quotations from fabrication shops for Pumping Plant No. 2B.
 7. Determined to delay purchase of inflatable dam system.
 8. Received Agency Board approval to purchase baffle wall system for Pumping Plant 2B on December 15, 2021.
 9. Completed review of fabricator shop drawings which were returned to the fabricator on February 2, 2022.
 10. Received final shop drawings from the fabricator.
 11. Began fabrication of the baffle wall system.
 12. Galvanize the three manufactured baffle walls.
 13. Inspected galvanized baffle walls at fabricators facility.
 14. Received baffle wall system from fabricator.
- Next Project Milestone:
 1. Install baffle wall system and monitor for reduction of vortices in the forebay.
 2. Continue developing project procurement alternatives.
 3. Coordinate final design of pump forebay modifications with pump submergence analysis to verify elevational placement of proposed pump forebay modifications prior to the issuance of the project Notice of Award.

6. Pumping Plant Power Outage Mitigation

- Description: Develop modifications to the pumping plant electrical control relays to provide more information to Agency staff during electrical outages and allow Agency staff to restore electrical power more quickly.
- Consultant Contract: GEI – Task E
- Electrical Field Consultants: Electrical Power Systems (EPS) and Northern Digital Inc. (NDI)
- Participant Group: CVC Integrated Canal Participants
- Progress to Date:
 1. Completed staff recommendation and implementation plan for mitigation measures.
 2. Completed evaluation facility scheduled outages for implementation of mitigation measures.
 3. Received engineering consultant design proposal for implementation of mitigation measures.
 4. Reviewed and evaluated the submitted proposals for all the pumping plants.
 5. Requested a revised proposal to focus on Pumping Plants 1B and 2B.
 6. Received consultant proposals for Pumping Plants 1B and 2B.
 7. Received electrical consultant recommended changes to engineering consultant’s proposal that design was not needed and issues could be addressed with updated programming at the individual sites.
 8. Performed site evaluation at all ‘B’ Pumping Plants and modified programming.
 9. Operated ‘B’ Pumping Plants with programming modifications to determine if issues were addressed.

10. Discussed 'A' Pumping Plants with consultants and developed a plan to address outage issues.
 11. Reviewed 'A' Pumping Plant plan and determined cost and schedule.
 12. Performed site evaluation at all 'A' Pumping Plants.
 13. Prepare construction plans for conduit and equipment installation.
- Next Project Milestone:
 1. Install the new modules, program SCADA and test the system for functionality.
 2. Continue to operate 'A' Pumping Plants with modifications to determine if issues have been addressed.

7. Pioneer Inlet Modifications and Repair

- Description: Prepare Computational Fluid Dynamics (CFD) model on the Pioneer Inlet (Inlet) to evaluate and provide final design parameters based on the selected alternative from the feasibility study. Once the CFD model is completed, the design to repair and modify the Inlet to minimize impacts of Inlet operations in CVC Pool 5. The project will also address structural damage to the Inlet and adjoining CVC concrete canal liner from 2017 high-flow operations.
- Consultant Contract: GEI
- Participant Group: CVC Integrated Canal Participants
- Progress to Date:
 1. Completed final conceptual design based on CFD model.
 2. Completed final inlet facility design.
 3. Received, reviewed and commented on 30, 60 and 99 percent complete drawings.
 4. Issued notice to proceed for the geotechnical analysis.
 5. Received and reviewed geotechnical investigation report.
 6. Authorized GEI proposal to finalize plans, specifications and cost estimate package, prepare construction schedule, provide bid, and design support during construction.
 7. Met with Agency staff to determine project schedule.
 8. Receive 100 percent complete plans and specifications.
 9. Finalize bid set.
 10. Received Agency Board approval for Notice to Invite Bids on September 22, 2022.
 11. Opened bids October 28, 2022.
 12. Presented and obtained recommendation to award contract at the November 14, 2022 CVC Advisory Committee meeting.
 13. Presented and obtained approval to award contract at the November 16, 2022 Agency Board meeting.
- Next project milestone:
 1. Construct replacement structure.
 2. Project currently on hold due to the necessity to operate the Pioneer Inlet for Kern River operations.

8. Cross Valley Canal I-5 Siphon Outlet Freeboard Mitigation

- Description: Prepare investigation and design of the CVC I-5 Siphon Outlet levees and canal liner to mitigate loss of freeboard during high-flow operations.
- Consultant Contract: Meyer Civil Engineering
- Participant Group: CVC Integrated Canal Participants
- Progress to Date:
 1. Completed draft technical memorandum and feasibility analysis.
 2. Completed staff review of draft technical memorandum and feasibility analysis.
 3. Completed phased project feasibility analysis.
 4. Updated draft technical memorandum and feasibility analysis based on staff review.
 5. Finalized technical memorandum.

6. Received first draft of construction drawings for Pool No. 2 Liner Raising Project.
 7. Received 90 percent complete plans for Pool No. 2 Liner Raising Project.
 8. Finalized the review of 90 percent completed plan submittal for Pool No. 2 Liner Raising Project.
 9. Received and reviewed 95 percent completed plans and specifications for Pool No. 2 Liner Raising Project.
- Next project milestone:
 1. Review and evaluate Pool No. 2 Liner Raising Project design based on Task M – Post-expansion (1422 cfs) HEC-RAS model compilation and hydraulic analysis.
 2. Request design proposal for Pool No. 3 Liner Raising Project.

9. Pre-Expansion (922 cfs) Hydraulic Capacity Evaluation

- Description: Prepare a HEC-RAS model reflecting changes to the CVC between 1976 and 2007 to analyze the flow of the canal prior to Expansion.
- Consultant Contract: GEI – Task L
- Participant Group: CVC Integrated Canal Participants
- Progress to Date:
 1. Reviewed consultant proposal with HIP ad hoc.
 2. Received Agency Board approval to execute Task L on January 27, 2022.
 3. Held start-up meeting with HIP ad hoc on February 17, 2022.
 4. Performed hydraulic model testing and verification to validate parameters.
 - a. Reviewed Boyle Technical Memorandum No. 4 Final – 10/11/04.
 - b. Reviewed October 5, 2020 CVC Hydraulic Improvements Project CVC Original Construction Hydraulic Capacity Evaluation Final Technical Memorandum.
 5. Met with HIP ad hoc on March 23, 2022 to review hydraulic model testing and verification to validate parameters.
 6. Received proposal for out-of-scope work for additional analysis as requested by HIP ad hoc.
 7. Met with HIP ad hoc to review proposal for out-of-scope work (Task L -3A).
 8. Provided Task L general project update to CVC Advisory Committee on April 27, 2022.
 9. Received recommendation to approve Task L – 3A from CVC Advisory Committee on April 27, 2022.
 10. Received Agency Board approval to execute Task L – 3A on April 28, 2022.
 11. Presented Task L - 3A parameter recommendations to the HIP ad hoc on May 31, 2022.
 12. Received approval from HIP ad hoc on May 31, 2022 to use recommended parameters and move forward with model runs.
 13. Received additional questions about recommended parameters from HIP ad hoc on June 6, 2022.
 14. Hold work on the model runs until concurrence from HIP ad hoc.
 15. Received direction from HIP ad hoc on June 28, 2022 to present consultant findings and recommendations to CVC Advisory Committee and request direction.
 16. Presented Task L-3A parameter recommendations and general project update to CVC Advisory Committee on July 27, 2022.
 17. Received direction from CVC Advisory Committee on July 27, 2022 to move forward with Task 5 utilizing consultant recommendations for model parameters.
 18. Completed Task 5, Pools 1 through 6 model runs using design flowrates and recommended parameters.
 19. Discussed results with HIP ad hoc and developed additional eight model run scenarios.
 20. Presented Task 5 final model run scenario results with HIP ad hoc on September 12, 2022.
 21. Prepared draft hydraulic analysis report and submitted to HIP ad hoc on October 10, 2022 for review and comment.
 22. Collected and compiled comments from HIP ad hoc review by November 1, 2022.

23. Presented Task 5 results and general project update at the November 14, 2022 CVC Advisory Committee meeting.
24. Finalized final hydraulic analysis report on December 1, 2022.
25. Distributed final report to the CVC Advisory Committee members.
26. Project complete.

10. Post-Expansion (1422 cfs) Hydraulic Capacity Evaluation

- Description: Prepare a HEC-RAS model reflecting changes to the CVC based on the 2007 canal Expansion.
- Consultant Contract: GEI – Task L
- Participant Group: CVC Integrated Canal Participants
- Progress to Date:
 1. Reviewed consultant proposal with HIP ad hoc.
 2. Received Agency Board approval to execute Task M on November 16, 2022.
 3. Scheduled preparation meetings and HIP ad hoc meetings.
 4. Discussed Post-expansion parameters and geometry data, which will be used in the model runs, with the HIP ad hoc for concurrence.
 5. Completed Pools 1 through 6 model runs using design flowrates, recommended parameters and defined geometry.
 6. Discussed results with HIP ad hoc and developed additional eight model run scenarios.
 7. Presented final model run scenario results to HIP ad hoc.
 8. Presented Task M findings and general project update to CVC Advisory Committee on February 22, 2023.
 9. Prepared draft hydraulic analysis report and submitted to HIP ad hoc for review and comment.
 10. Collected and compiled comments from HIP ad hoc.
 11. Received final hydraulic analysis report on August 4, 2023.
- Next project milestone:
 1. Review final hydraulic analysis report to ensure all comments were addressed.
 2. Distribute final report to the CVC Advisory Committee.

11. Field Verification of Model Evaluation

- Description: Collect field data, including flow data, water surface elevations, CA Aqueduct deliveries and SCADA data for Pools 1 through 6 at a flow rate near or greater than 1,000 cfs.
- Work to be performed by Agency staff
- Participant Group: CVC Integrated Canal Participants
- Progress to Date:
 1. Scheduled preparation kick-off meeting.
 2. Discussed Agency staff roles and data collection process. Data collection work sheets and maps have been finalized for Pools 1 through 3.
- Next project milestone:
 1. Finalize data collection work sheets and maps for Pools 4 through 6.
 2. Verify current and collect additional survey benchmarks needed to convert water depths collected during flow measurements to water surface elevations.
 3. Monitor future water deliveries to determine when flow rate criteria may be met in order to schedule field data collection effort.

Cross Valley Canal – California Aqueduct Reconciliation Process

➤ General Assumptions:

- *Meters have a margin of error that require operations to be reconciled*
- *The margin of error varies by meter type and operating conditions (generally assumed to be less than 3%)*

➤ Agency-DWR reconciliation process prior to 2018:

1. *DWR sends monthly delivery reports for CVC 1 and CVC 2 to the Agency*
2. *Agency reconciles CVC operations*
3. *Agency requests adjustments from DWR as needed*
4. *DWR provides updated CVC 1 and/or CVC 2 delivery report(s)*

➤ Post-2018: DWR unwilling to make significant, if any, adjustments to CVC 1 and CVC 2 deliveries



Cross Valley Canal Loss History

Prior 2018: Abnormal reverse flow losses occurred occasionally (1-2 months, if at all)*

2017: Issues with forward flow operations; however, also experiencing hydraulic issues in CVC

2018: Abnormal reverse flow losses March – May (included groundwater and Kern River water)

2020: Abnormal reverse flow losses occurred inconsistently in 6 months (included groundwater and CVP water)

2021: Abnormal reverse flow losses occurred inconsistently in 7 months (included groundwater and Kern River water)

2022: Abnormal reverse flow losses occurred in all 12 months (included groundwater and CVP)

2023: Excess forward flow deliveries occurred in 6 months; Insufficient forward flow deliveries occurred in 3 months

2024: Excess forward flow deliveries occurred in 3 months; insufficient forward flow deliveries occurred in 1 month

2018

2020

2021

2022

2023

2024

*Abnormal losses are greater than 100 af of loss in Pool 1.

Cross Valley Canal Metering and Flow Assessments

Prior 2018: Meter testing completed by DWR as requested

Accounting reconciliations were primary resolution to issues

2022: Agency completes flow testing in June and July (CVC Pools 1-5)

DWR begins quarterly meter testing (2022-2024)

2021: DWR completes metering testing in April and May indicates CVC 1 is functioning accurately

2023: DWR continues quarterly meter testing; identifies ongoing failure of CVC 2

2024: DWR repairs CVC 1 and 2 turnouts

2018

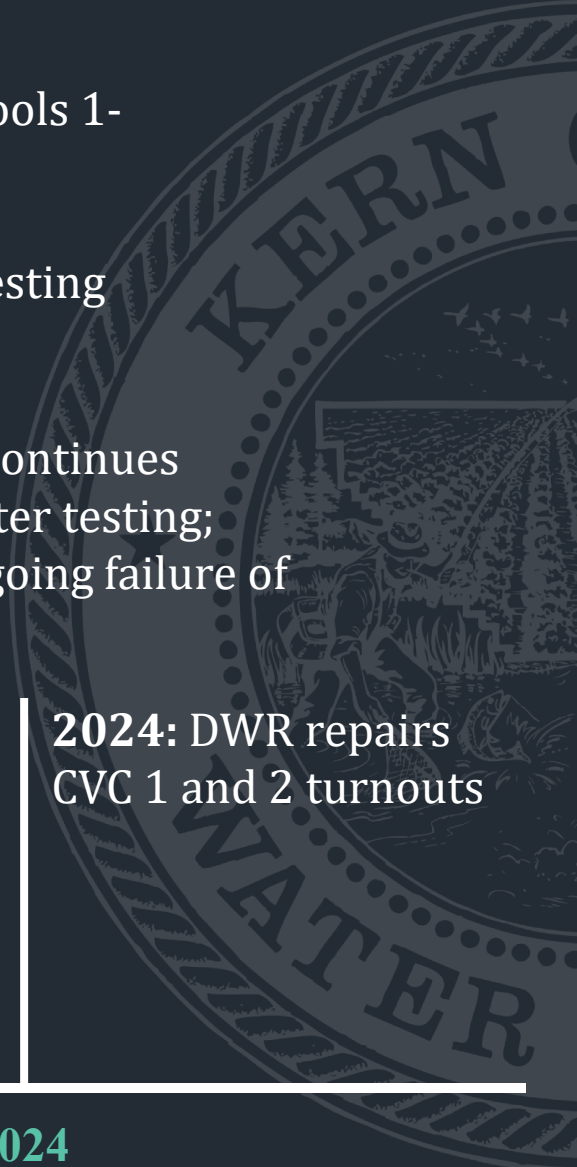
2021

2022

2023

2024

*Abnormal losses are greater than 100 af of loss in Pool 1.



Cross Valley Canal Loss Examples – Reverse Flow

Month	2014			2018		
	Net CAA (af)	P1 Losses (af)	Loss %	Net CAA (af)	P1 Losses (af)	Loss %
January	9,318	99	1.06%			0.00%
February	12,103	56	0.46%	668	8	1.20%
March	17,648	32	0.18%	7,037	215	3.06%
April	16,094	48	0.30%	8,793	225	2.56%
May	16,328	150	0.92%	14,574	216	1.48%
June	5,546	133	2.40%	827	8	0.97%
July	6,123	60	0.98%			0.00%
August	4,350	61	1.40%			0.00%
September	6,079	44	0.72%			0.00%
October	7,131	38	0.53%			0.00%
November	12,582	36	0.29%			0.00%
December	12,201	34	0.28%			0.00%

2018	
Groundwater (af)	CVP (af)
6,913	1,880
11,956	2,618

- * Abnormal losses are greater than 100 af of loss in Pool 1.
- ** Pink highlights indicate CVC Pool 1 losses greater than 2 percent.
- ** Blue highlights indicate groundwater and CVP water.

Cross Valley Canal Loss Examples – Reverse Flow

Month	2021			2022		
	Net CAA (af)	P1 Losses (af)	Loss %	Net CAA (af)	P1 Losses (af)	Loss %
January	11,181	39	0.35%	27,851	468	1.68%
February	9,513	39	0.41%	19,290	528	2.74%
March	17,736	696	3.92%	16,216	522	3.22%
April	17,375	554	3.19%	15,866	480	3.03%
May	17,297	741	4.28%	15,392	578	3.76%
June	15,812	865	5.47%	12,342	395	3.20%
July	11,033	81	0.73%	12,724	407	3.20%
August	24,851	483	1.94%	11,276	535	4.74%
September	24,376	302	1.24%	7,101	219	3.08%
October	26,859	357	1.33%	12,700	513	4.04%
November	15,677	34	0.22%	10,290	230	2.24%
December	18,544	57	0.31%	7,881	200	2.54%

- * Abnormal losses are greater than 100 af of loss in Pool 1.
- ** Pink highlights indicate CVC Pool 1 losses greater than 2 percent.
- ** Blue highlights indicate groundwater and CVP water.

Cross Valley Canal Loss Examples – Reverse Flow

Month	2021				
	Net CAA (af)	P1 Losses (af)	Loss %	Groundwater (af)	CVP Water (af)
January	11,181	39	0.35%	11,181	
February	9,513	39	0.41%	9,513	
March	17,736	696	3.92%	17,736	
April	17,375	554	3.19%	17,375	
May	17,297	741	4.28%	17,297	
June	15,812	865	5.47%	15,812	
July	11,033	81	0.73%	11,033	
August	24,851	483	1.94%	19,520	5,331
September	24,376	302	1.24%	19,042	5,334
October	26,859	357	1.33%	18,856	8,003
November	15,677	34	0.22%	15,651	26
December	18,544	57	0.31%	17,485	1,059

* Abnormal losses are greater than 100 af of loss in Pool 1.

** Pink highlights indicate CVC Pool 1 losses greater than 2 percent.

** Blue highlights indicate groundwater and CVP water.

Cross Valley Canal Loss Examples – Forward Flow

2023							
Month	DWR CVC 1 & 2 Total (af)	DWR Initial Adjustment (af)	DWR Meter Total (af)	KCWA Requested Adjustment (af)	DWR Actual Adjustment (af)	Revised DWR Meter Total (af)	Agency Request % of Total
January	1,710	(1,710)	-	-	-	-	
February	25,610	(637)	24,973	(320)	-	24,973	1.28%
March	44,245	(721)	43,524	(959)	(959)	42,565	2.25%
April	32,325	(730)	31,595	(211)	(211)	31,384	0.67%
May	19,697	(638)	19,059	(191)	(191)	18,868	1.01%
June	27,568	(965)	26,603	(206)	(206)	26,397	0.78%
July	55,666	(1,852)	53,814	(1,264)	(1,264)	52,550	2.41%
August	56,527	(3,527)	53,000	-	-	53,000	
September	44,305	(2,612)	41,693	230	230	41,923	0.55%
October	54,390	(3,534)	50,856	930	930	51,786	1.80%
November	68,059	(4,453)	63,606	988	988	64,594	1.53%
December	65,789	(4,268)	61,521	(726)	(726)	60,795	1.19%

* DWR adjusted CVC 2 only in response to Agency requests.

** Green highlights indicated too much water reported as delivered to the CVC.

*** Pink highlights indicate not enough water reported as delivered to the CVC.

Cross Valley Canal Loss Examples – Forward Flow

2024							
Month	CVC 1 & 2 Total (af)	DWR Initial Adjustment (af)	DWR Meter Total (af)	KCWA Requested Adjustment (af)	DWR Actual Adjustment (af)	Revised DWR Meter Total (af)	Agency Request % of Total
January	51,618	(2,726)	48,892	(2,867)	(2,867)	46,025	6.23%
February	42,405	(2,136)	40,269	(1,576)	(1,576)	38,693	4.07%
March*	5,987	(410)	5,577	(1,206)	(1,206)	4,371	27.59%
April	46	(46)	-	-	-	-	
May	612	(612)	-	-	-	-	
June	1,873	(1,873)	-	-	-	-	
July	4,118	(2,071)	2,047	478	478	2,525	18.93%
August	6,318	(351)	5,967	-	-	5,967	
September	11,485	(9)	11,476	-	-	11,476	
October	11,390	(8)	11,382	-	-	11,382	
November	4,760	-	4,760	-	(3)	4,757	
December	7,257	(28)	7,229	-	-	7,229	

* DWR adjusted CVC 2 only in response to Agency requests.

** Green highlights indicated too much water reported as delivered to the CVC.

*** Pink highlights indicate not enough water reported as delivered to the CVC.

Next Steps

➤ Metering Study

- ***Completed Items:***
 - *Funds included in CVC, Berrenda Mesa and Pioneer budgets*
 - *Compiled metering inventory*
- ***April:*** *Developing system map (manifolds, discharges, etc.) and identifying data gaps*
- ***April/May meeting cycles:*** *Consultant RFP*
- ***September/October:*** *report study findings and recommendations, incorporate recommendations into 2026+ CY budget cycles for CVC, Pioneer and Berrenda Mesa*
- ***November:*** *2026 CY budget approvals*



Next Steps

➤ Accounting procedure

- *Ongoing - April:*
 - *Develop accounting procedure that can be applied to (1) forward and reverse flow and (2) surface and groundwater supplies*
 - *May necessitate amendments to banking project agreements (Berrenda Mesa, Pioneer and Kern Water Bank)*
- *April/May meeting cycles: review draft procedure and examples with CVC and banking project participants, Member Units and other impacted parties*
- *May/July: Incorporate feedback and finalize the procedure*
- *July – TBD: Develop and/or help facilitate any necessary agreements with the impacted parties to implement the accounting procedure*



Next Steps

➤ Other Items:

- *As needed: pursue additional DWR meter testing*
- ***Ongoing:** Water Resources and Engineer and Groundwater Services Departments staff to continual assess the need for additional projects, assessments, etc. as new information becomes available*





MEMORANDUM

20.2.1

TO: Cross Valley Canal Committee
Agenda Item No. 2

FROM: Monica Tennant

DATE: March 27, 2025

SUBJECT: Report on Cross Valley Canal Operations and Deliveries

Issue:

Report on Cross Valley Canal operations and deliveries.

Recommended Motion:

None – information only.

Discussion:

A summary and graph of the Cross Valley Canal (CVC) operations, maintenance and deliveries for February 2025 is provided as Attachment 1. A table summarizing the year-to-date deliveries is provided as Attachment 2. Graphs illustrating deliveries by direction of flow and by source over the last 12 months are provided as Attachment 3. A schematic illustrating current CVC operations is provided as Attachment 4. A schematic illustrating the current maintenance and availability status of the pumps and motors at each pumping plant is provided as Attachment 5.

**CROSS VALLEY CANAL
REPORT ON OPERATIONS, MAINTENANCE AND DELIVERIES
MARCH 2025**

CROSS VALLEY CANAL

OPERATIONS

Preliminary inflows and deliveries for the month of February were as follows:

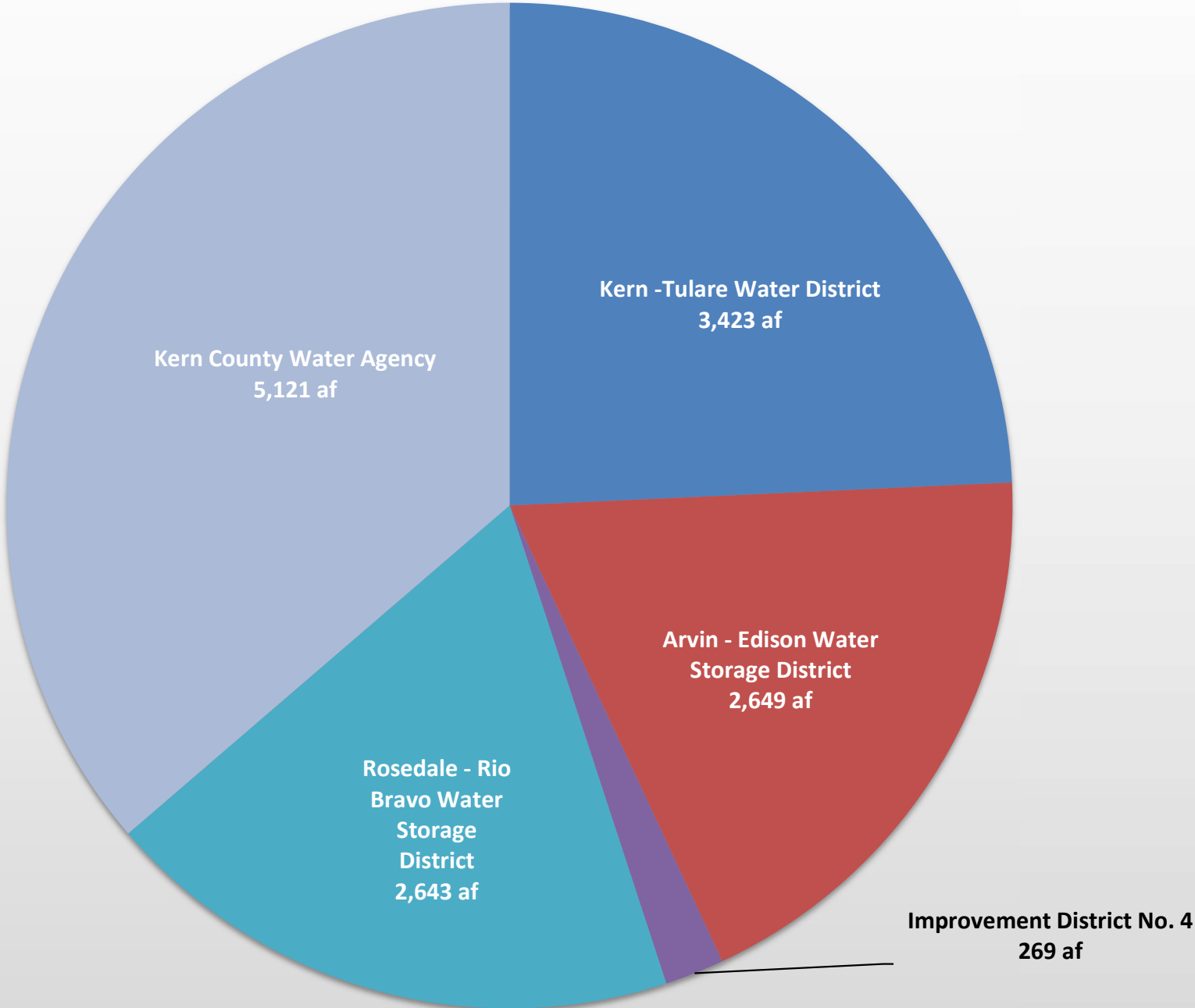
Deliveries by Turnout:	California Aqueduct SWP (AF)	California Aqueduct CVP (AF)	CVC Total (AF)
Pool 4 Refill	10	-	10
Pool 5 Refill	40	-	40
Pool 6 Refill	25	-	25
Rosedale-Rio Bravo Turnout No. 1	-	1,440	1,440
Rosedale-Rio Bravo Turnout No. 1B	-	395	395
North Strand	-	395	395
South Strand	-	397	397
Nord Siphons	1,047	-	1,047
Section 4 Turnout	722	-	722
River Turnout No. 1	2,350	-	2,350
River Turnout No. 2	895	-	895
Arvin-Edison Turnout	-	2,585	2,585
Friant-Kern Canal Pump-in	104	3,236	3,340
Lined Losses - Pools 1-6	32	136	168
Lined Losses – Pool 7	-	27	27
Henry C. Garnett Water Purification Plant	265	-	265
Lined Losses – Pool 8	4	-	4
Total	5,494	8,611	14,105

MAINTENANCE AND REPAIRS

- Assisted the contractor with the semi-annual Cross Valley Canal (CVC) Pumping Plant ‘A’ building roof inspections;
- Performed troubleshooting on pump 2E (565 hp) high bearing alarms at CVC Pumping Plant No. 2A;
- Rebuilt the siphon breaker actuator on pump 6K (250 hp) at CVC Pumping Plant No. 6B;
- Assisted the contractor in the removal of two fuel tanks at CVC Operations and Maintenance Center (O&M);
- Replaced the relay on pump 4A (100 hp) at CVC Pumping Plant No. 4A;
- Finished installing new security door sensors at all CVC pumping plants;
- Performed maintenance on the air conditioner at CVC Pumping Plant No. 3B;
- Sealed electrical boxes at CVC Pumping Plant No. 2A;
- Field Operations staff performed Heat Illness Prevention and Electrical Safety Programs trainings;
- Field Operations staff were trained on the new CVC O&M security system;
- Performed mechanical cleaning of pumping plant forebays and walk decks using Gradall excavator;
- Burned tumbleweeds along CVC fence lines and rights-of-way when permitted by San Joaquin Valley Air Pollution Control District;
- Assisted electrical staff with multiple motor control issues at various pumping plants;
- Continued to collect groundwater level measurements from CVC Pools 1-8 piezometers;
- Performed spare motor maintenance by spinning motor shafts on all spare motors at CVC O&M Center;
- Performed pre-emergent herbicide applications;

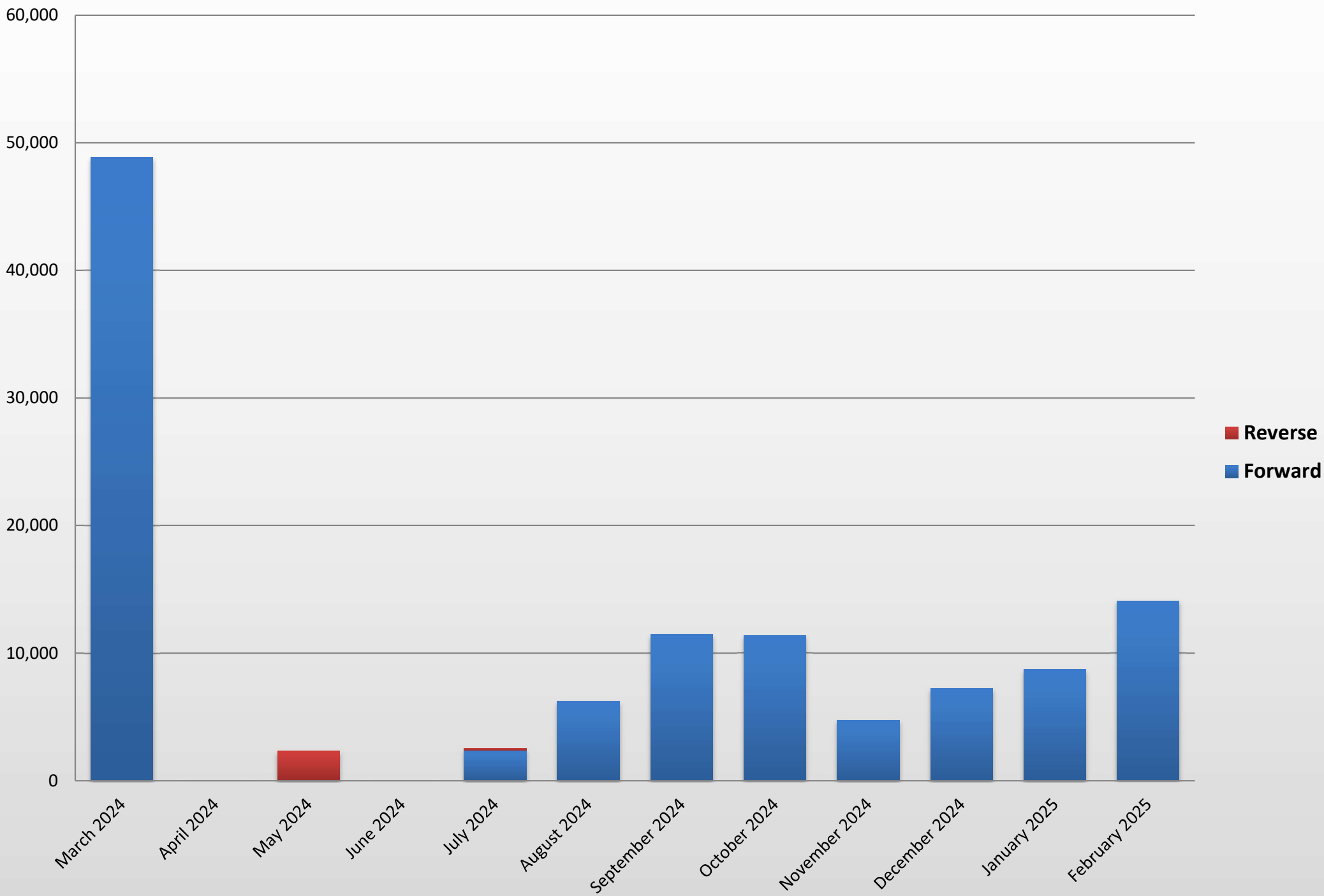
- Performed minor fence and gate repairs;
- Performed road and levee maintenance and washout repairs along CVC rights-of-way;
- Performed siphon breaker and compressor checks throughout entire CVC system;
- Performed electrical preventative maintenance checks and testing at all CVC Motor Control Centers (MCC);
- Performed routine maintenance activities that included vehicle and heavy equipment maintenance repairs, pump maintenance and interior MCC buildings cleaning; and
- Performed a monthly safety inspection at the CVC O&M Center.

**Cross Valley Canal
February 2025 Deliveries
Total deliveries 14,105 af**

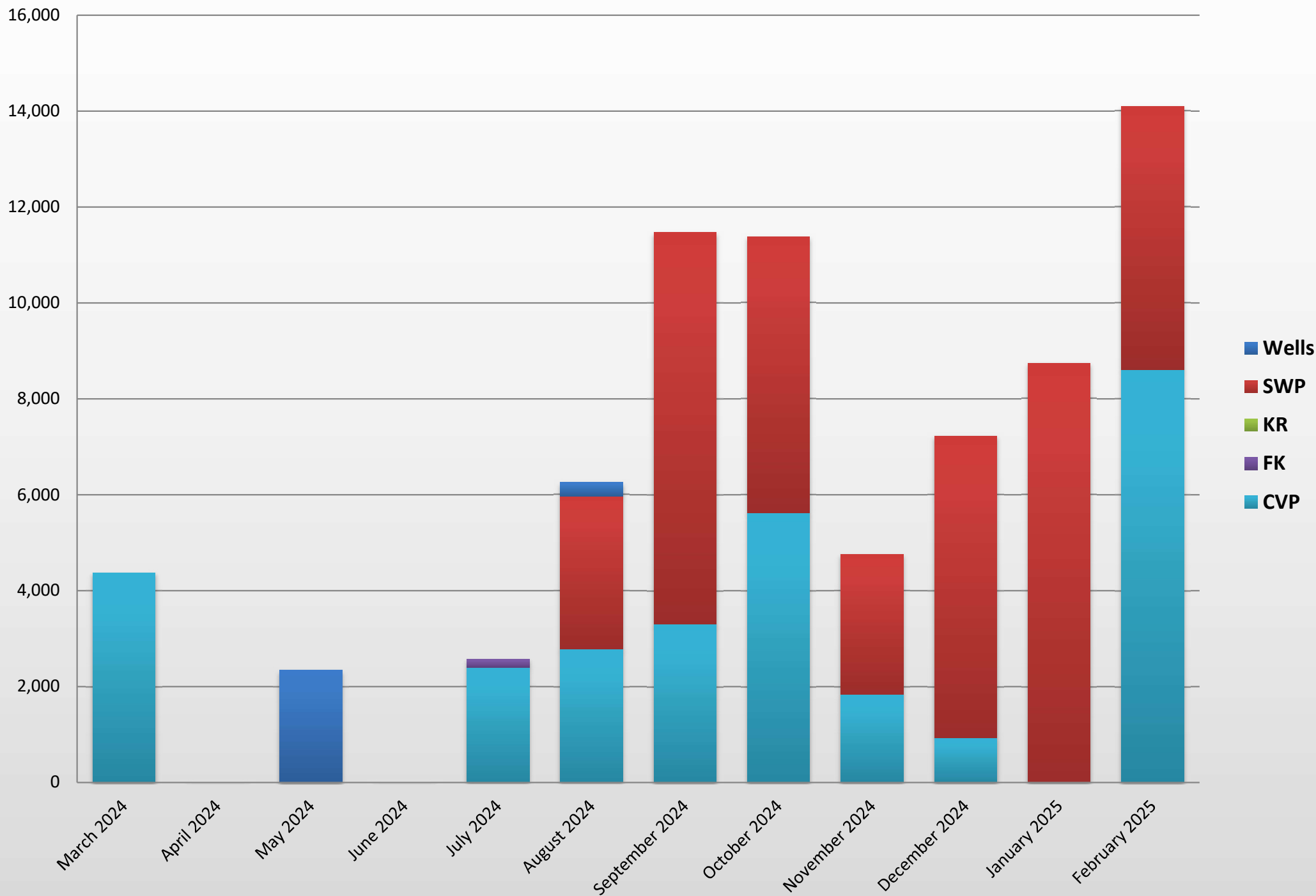


Cross Valley Canal

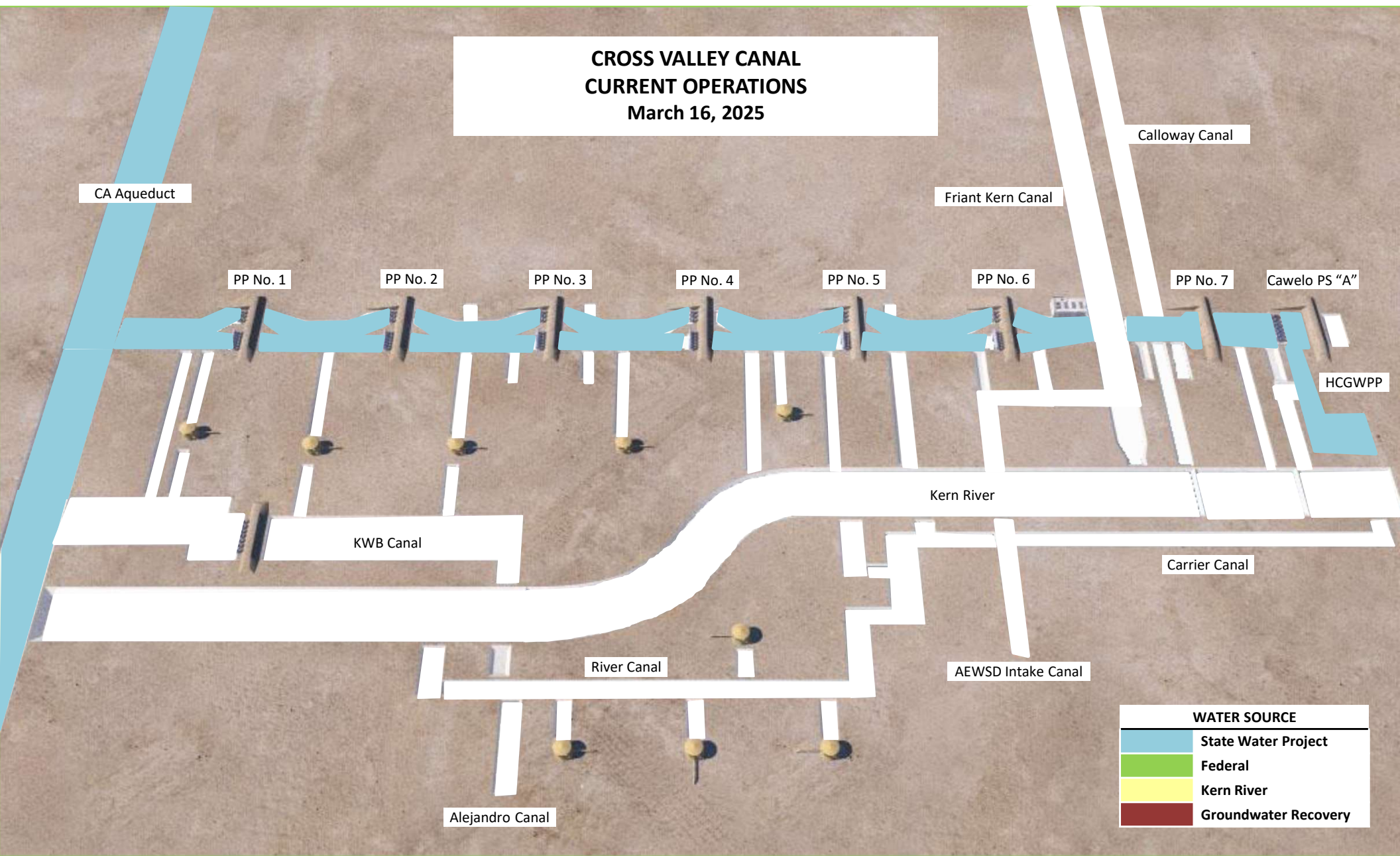
Twelve Month Delivery by Direction



Cross Valley Canal Twelve Month Delivery by Source



**CROSS VALLEY CANAL
CURRENT OPERATIONS
March 16, 2025**



CA Aqueduct

PP No. 1

PP No. 2

PP No. 3

PP No. 4

PP No. 5

PP No. 6

PP No. 7

Cawelo PS "A"

HCGWPP

Calloway Canal

Friant Kern Canal

Kern River

KWB Canal

Carrier Canal

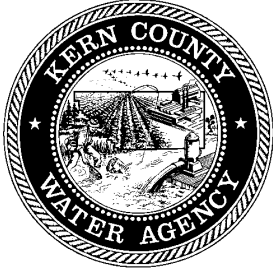
River Canal

AEWSD Intake Canal

Alejandro Canal

WATER SOURCE	
Light Blue	State Water Project
Green	Federal
Yellow	Kern River
Dark Red	Groundwater Recovery

Urban Bakersfield Committee



MEMORANDUM

20.2.1

TO: Urban Bakersfield Committee
Agenda Item No. 1a

FROM: Thomas McCarthy

DATE: March 27, 2025

SUBJECT: Report on the Kern River Groundwater Sustainability Agency Meeting

Issue:

Report on Kern River Groundwater Sustainability Agency activities.

Recommended Motion:

None – information only.

Discussion:

The Kern River Groundwater Sustainability Agency's March 11, 2025 special meeting agenda is provided as Attachment 1.



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

KERN RIVER GSA SPECIAL BOARD MEETING

Tuesday, March 11, 2025
1:30 p.m.

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

AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC STATEMENTS**
- 4. APPROVAL OF MINUTES** of the February 11, 2025, Special Board Meeting
- 5. NEW BUSINESS**
 - A. Correspondence Received (City Clerk, Maldonado)
 - i. Valley Ag Water Coalition
 - B. Finance Updates (McKeegan, Maldonado)
 - i. Receive and File Financial Report
 - ii. Approval of 2024 Invoices to Landowner Participants and other Entities Covered by KRGSA's GSP
 - C. Management Group Updates (Maldonado, McCarthy, Teglia)
 - i. Basin Coordination Committee Updates
 - ii. Basin-wide Cost Share Approvals – Scopes of Work and Cost Shares
 - a. Authorization to participate in Technical Working Group Scope of Work and Cost Share
 - b. Authorization to participate in Rincon Consulting, Inc. Point of Contact Scope of Work and Cost Share
 - c. Authorization to participate in Rincon Consulting, Inc./Intera Community Engagement Plan Scope of Work and Cost Share
 - D. Authorize Public Notice of Intent to Adopt Amended 2024 GSP

6. CLOSED SESSION

A. Conference with Legal Counsel – ***Potential Litigation***

i. Closed session pursuant to Government Code section 54956.9(d)(2),(e),(1)

7. CLOSED SESSION ACTION

8. COMMITTEE COMMENTS

9. ADJOURNMENT



MEMORANDUM

20.2.1

TO: Urban Bakersfield Committee
Agenda Item No. 1b

FROM: Thomas McCarthy

DATE: March 27, 2025

SUBJECT: Update on the Improvement District No. 4 Water Education Program

Issue:

Update on the Improvement District No. 4 Water Education Program.

Recommended Motion:

None – information only.

Discussion:

Water Education Activities

- On March 19 and 20, 2025, Improvement District No. 4 (ID4) hosted a water education booth at Farm Day in the City. The booth included water education items: a water use display, a pizza display, and educational giveaways.

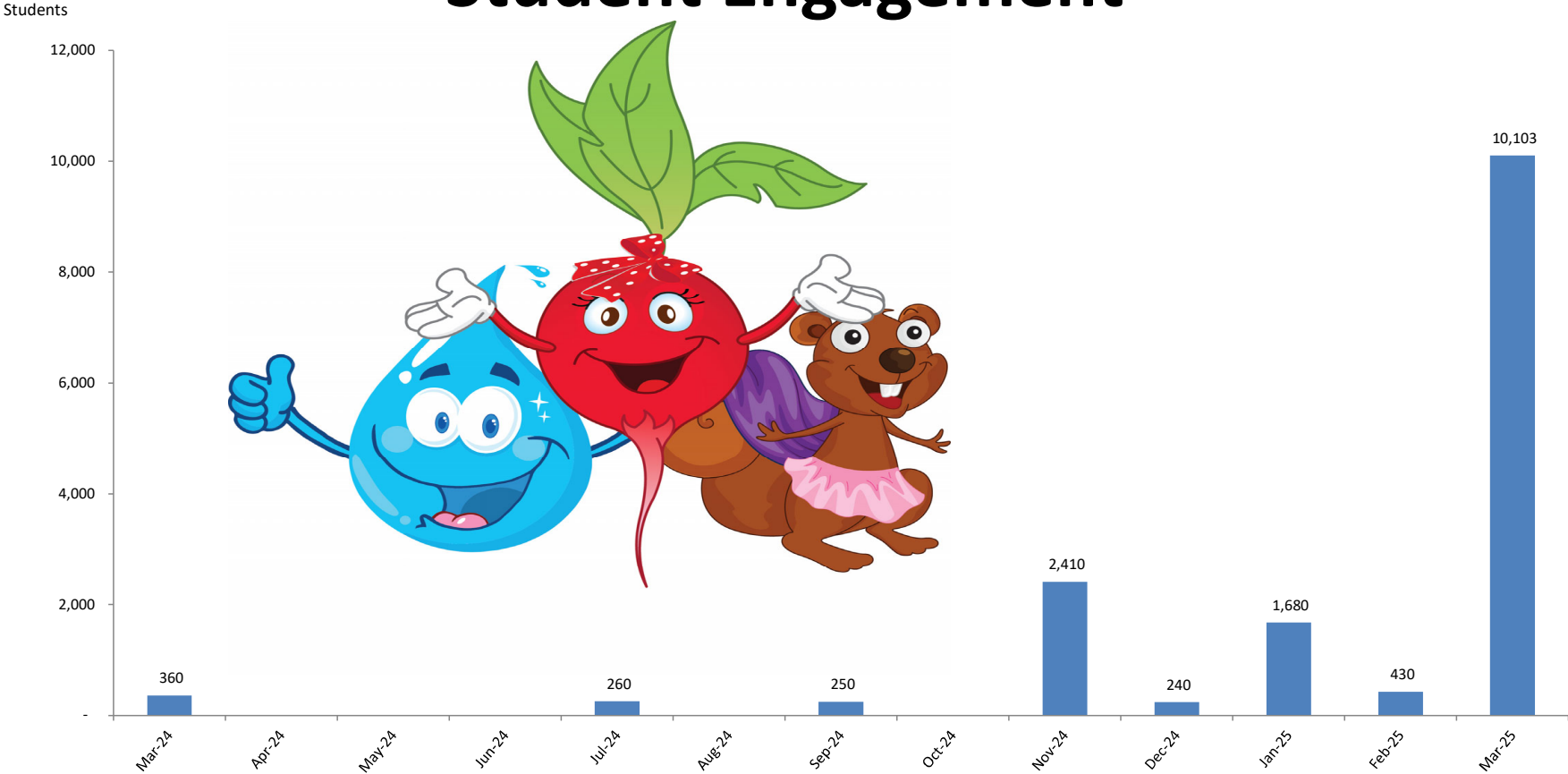
Project WET (Water Education for Today)

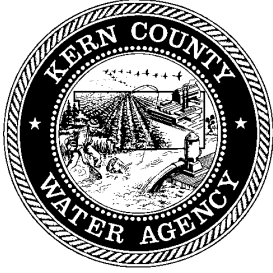
- Water Education Consultant, Sarah Clayton worked in conjunction with the Director of Extended Learning Programs for the Bakersfield City School District (East Niles Community Services District service area, California Water Service Company service area and City of Bakersfield service area), to host ID4's 2025 K-8th grade Project WET Workshop on January 30 and 31, 2025.
- 15 teachers attended and had the opportunity to register for 0.6 continuing education units from California State University, San Marcos, after participating in the workshop.
- Grade-level water education units for all Bakersfield City School District's Extended Learning Programs were delivered to school sites in March 2025.
- A summary of quarterly water education presentations conducted by Water Education Consultant Sarah Clayton is reflected in Attachment 1.

Student Engagement January - March 2025

Contact Information		Heroes of Water Conservation K-2 Grade			Water Education 3-4 Grade	Water Education 5-6 Grade	5th Grade Project WET Presentation	Other	High School Presentations	Teacher Trainings	Purveyor
School/Event	Date	Ruby the Radish - K	Suzie-Q's Water Conservation Campaign - 1st	Casey's Purification Journey - 2nd	Uncover the Facts! Bakersfield's Water Story	H ₂ O & You Exploring Bakersfield's Water Supplies	Incredible Journey	Community Events	Your Water Connections Sources and Careers		
Chipman Jr. High	1/17/2025								200		CWS
Wayside	1/23/2025					100					CWS
Wayside	1/24/2025						100				CWS
Casa Loma	1/31/2025									120	CWS
Eissler	1/31/2025									120	CWS
Evergreen	1/31/2025									40	CWS
Harding	1/31/2025									150	CWS
Horace Mann	1/31/2025									40	CWS
Hort	1/31/2025									40	ENCSD
Longfellow	1/31/2025									150	CWS
MLK	1/31/2025									120	CWS
Mt. Vernon	1/31/2025									150	CWS
Munsey	1/31/2025									40	CWS
Nichols	1/31/2025									40	CWS
Pioneer	1/31/2025									150	ENCSD
Roosevelt	1/31/2025									40	CWS
Stiern Middle	1/31/2025									40	ENCSD
Williams	1/31/2025									40	CWS
Thorner	2/3/2025					160					CWS
Thorner	2/4/2025						60				CWS
Thorner	2/5/2025						100				CWS
College Heights	2/28/2025				110						CWS
Casa Loma	3/3/2025	23	20	26	35	39					CWS
Cato	3/3/2025					21					CWS
Curran	3/3/2025					26					CWS
Chavez	3/3/2025		30	31	74	70					CWS
College Heights	3/3/2025	23	22	24	42	44					CWS
Eissler	3/3/2025		15	35	45	40					CWS
Emerson	3/3/2025					30					CWS
Evergreen	3/3/2025		22	26	57	51					CWS
Fletcher	3/3/2025		30	48	74	40					CWS
Frank West	3/3/2025		26	28	59	24					City
Franklin	3/3/2025		11	24	48	43					CWS
Fremont	3/3/2025		26	21	80	86					CWS
Garza	3/3/2025	23	20	21	57	40					CWS
Harding	3/3/2025	10	20	26	55	40					CWS
Harris	3/3/2025		22	24	48	40					CWS
Hort	3/3/2025		26	26	52	24					ENCSD
Jefferson	3/3/2025		20	24	44	40					CWS
Longfellow	3/3/2025		20	24	53	40					CWS
Horace Mann	3/3/2025	23	20	24	48	35					CWS
McKinley	3/3/2025	23	26	35	60	40					CWS
MLK	3/3/2025		20	26	53	40					CWS
Mt. Vernon	3/3/2025		30	35	70	86					CWS
Munsey	3/3/2025		18	21	43	40					CWS
Nichols	3/3/2025		18	21	43	44					CWS
Noble	3/3/2025		22	26	60	24					CWS
Owens	3/3/2025		20	18	43	44					CWS
Pauly	3/3/2025	23	20	26	48	40					CWS
Penn	3/3/2025		22	21	48	24					CWS
Pioneer	3/3/2025		22	21	48	44					ENCSD
Roosevelt	3/3/2025		15	21	51	27					CWS
Sierra	3/3/2025					20					CWS
Stella Hills	3/3/2025		18	18	51	32					CWS
Stiern Middle	3/3/2025					40					ENCSD
Thorner	3/3/2025		43	36	110	96					CWS
Voorhies	3/3/2025		30	28	64	32					ENCSD
Wayside	3/3/2025		18	13	55	48					CWS
Washington	3/3/2025					24					CWS
Williams	3/3/2025		26	21	45	47					CWS
Farm Day in the City	3/19/2025							2500			
Farm Day in the City	3/20/2025							2500			
Stine	3/25/2025				90						City
Total		148	718	819	1963	1825	260	5000	200	1280	12213

Student Engagement





MEMORANDUM

20.2.1

TO: Urban Bakersfield Committee
Agenda Item No. 2

FROM: Donna Semar

DATE: March 27, 2025

SUBJECT: Authorization to Set Groundwater Charges Within Improvement District No. 4
for Fiscal Year 2025-26

Issue:

Consider adopting Resolution No. 12-25 setting the groundwater charges within Improvement District No. 4 for Fiscal Year 2025-26.

Recommended Motion:

Adopt Resolution No. 12-25 setting groundwater charges within Improvement District No. 4 for the period July 1, 2025 through June 30, 2026.

Discussion:

In 1972, the Kern County Water Agency (Agency) published a Notice of Intent to establish a groundwater charge in accordance with section 14.22 of the Kern County Water Agency Act (Agency Act). The Agency Act, as amended, requires that a report on water conditions within Improvement District No. 4 (ID4) be prepared and a public hearing be held annually on the third Monday in March to receive public testimony on the report. The hearing was held on March 17, 2025, and no public comments were received. The Agency Act requires that the Agency Board of Directors determine and set groundwater charges within 30 days after the close of the hearing. As recommended in the Revised ID4 Financial Plan, proposed groundwater charges for the period July 1, 2025 through June 30, 2026 are: \$20 per acre-foot for agricultural water, \$40 per acre-foot for all other water and a flat rate of \$40 per year for small water-producing facilities.

This item was discussed and recommended by the Urban Bakersfield Advisory Committee at the regular meeting on March 26, 2025.

BEFORE THE BOARD OF DIRECTORS
OF THE
KERN COUNTY WATER AGENCY

In the matter of:

SETTING OF THE GROUNDWATER *
CHARGES FOR IMPROVEMENT *
DISTRICT NO. 4 FOR FISCAL YEAR 2025-26*

I, Stephanie N. Prince, Secretary of the Board of Directors of the Kern County Water Agency, of the County of Kern, State of California, do hereby certify that the following resolution proposed by Director _____, and seconded by Director _____, was duly passed and adopted by said Board of Directors at an official meeting hereof this 27th day of March, 2025, by the following vote, to wit:

Ayes:

Noes:

Absent:

Secretary of the Board of Directors
of the Kern County Water Agency

Resolution No. 12-25

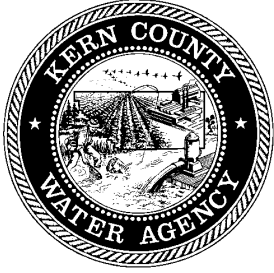
WHEREAS, in accordance with the provisions of sections 14.25 and 14.26 of the Kern County Water Agency (Agency) Act, the Board of Directors (Board) of the Agency held a public hearing on March 17, 2025 at the Stuart T. Pyle Water Resources Center regarding the annual engineering report entitled, "Improvement District No. 4 2024 Report on Water Conditions," (Report) dated January 31, 2025; and

WHEREAS, the opportunity for public comment on the Report, including the proposed groundwater charges, was offered at the hearing and the hearing was closed; and

WHEREAS, the Report accurately represents groundwater conditions within Improvement District No. 4; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Kern County Water Agency, acting as the Board of Directors of Improvement District No. 4, that:

1. The foregoing recitals are true and correct.
2. Based upon the evidence and findings, the Board hereby sets the groundwater charges within Improvement District No. 4 as follows:
 - (a) The charge levied for groundwater pumping is \$20 per acre-foot for agricultural water and \$40 per acre-foot for all other water.
 - (b) For administrative convenience, a flat rate annual charge of \$40 is levied for small water-producing facilities that have a discharge opening not greater than two (2) inches in diameter and do not provide water for an area in excess of 10,000 square feet.
 - (c) For administrative convenience, no charge is levied for very small water-producing facilities where, in the opinion of Kern County Water Agency staff, the cost of collection would exceed the flat rate charge.
3. Agency staff is directed to provide notice of such charges to individuals and entities that shall be charged.



MEMORANDUM

20.2.1

TO: Urban Bakersfield Committee
Agenda Item No. 3

FROM: Donna Semar

DATE: March 27, 2025

SUBJECT: Report on the Improvement District No. 4 2025 Water Supply and Management Plan

Issue:

A summary of the Improvement District No. 4 2025 Water Supply and Management Plan.

Recommended Motion:

None – information only.

Discussion:

A summary of the Improvement District No. 4 2025 water supply activities by source and point of delivery is provided as Attachment 1.

Units in Acre Feet unless otherwise noted.

Subject to revision.

Improvement District No. 4

February 2025

Allocation: **40%**

acre-feet

ID4 SUPPLIES		SWP	Kern River	Total
	SWP (M&I)	30,800		30,800
	SWP (Ag)	2,378		2,378
	Carryover from 2024	12,538	6,361	18,899
	Subtotal	45,716	6,361	52,077
ID4 EXCHANGES / OBLIGATIONS				
	California Aqueduct	(5,000)		(5,000)
	Operational Exchange - Semitropic	317		317
	Total Exchanges/Obligations	(4,683)	-	(4,683)
	Available Supplies	41,033	6,361	47,394
ID4 DELIVERIES		SWP	Kern River	Total
Month of	Henry C. Garnett Water Purification Plant	265	2,192	2,457
	In-District Transportation Recharge	4	738	742
	In-District Recharge		250	250
	Out of District Losses	3	3	6
	Total Deliveries Month to Date	272	3,183	3,455
YTD of	Henry C. Garnett Water Purification Plant	265	4,909	5,174
	In-District Transportation Recharge	4	1,145	1,149
	In-District Recharge	-	250	250
	Out of District Losses	3	57	60
	Total Deliveries Year to Date	272	6,361	6,633
Projected of	Henry C. Garnett Water Purification Plant	39,633		39,633
	In-District Transportation Recharge	219		219
	In-District Direct Recharge			-
	Out of District Losses	171		171
	Carryover to 2026	738.00	-	738.00
	Total Projected Deliveries	40,761	-	40,761
	Deliveries Year To Date	272	6,361	6,633
Total Deliveries	41,033	6,361	47,394	
	Available Supplies	-	-	-

Projected Schedule:

Feb-Dec

Jan-Feb



MEMORANDUM

20.2.1

TO: Urban Bakersfield Committee
Agenda Item No. 4

FROM: Gabriel Ornelas

DATE: March 27, 2025

SUBJECT: Report on the Henry C. Garnett Water Purification Plant

Issue:

Report on the Henry C. Garnett Water Purification Plant.

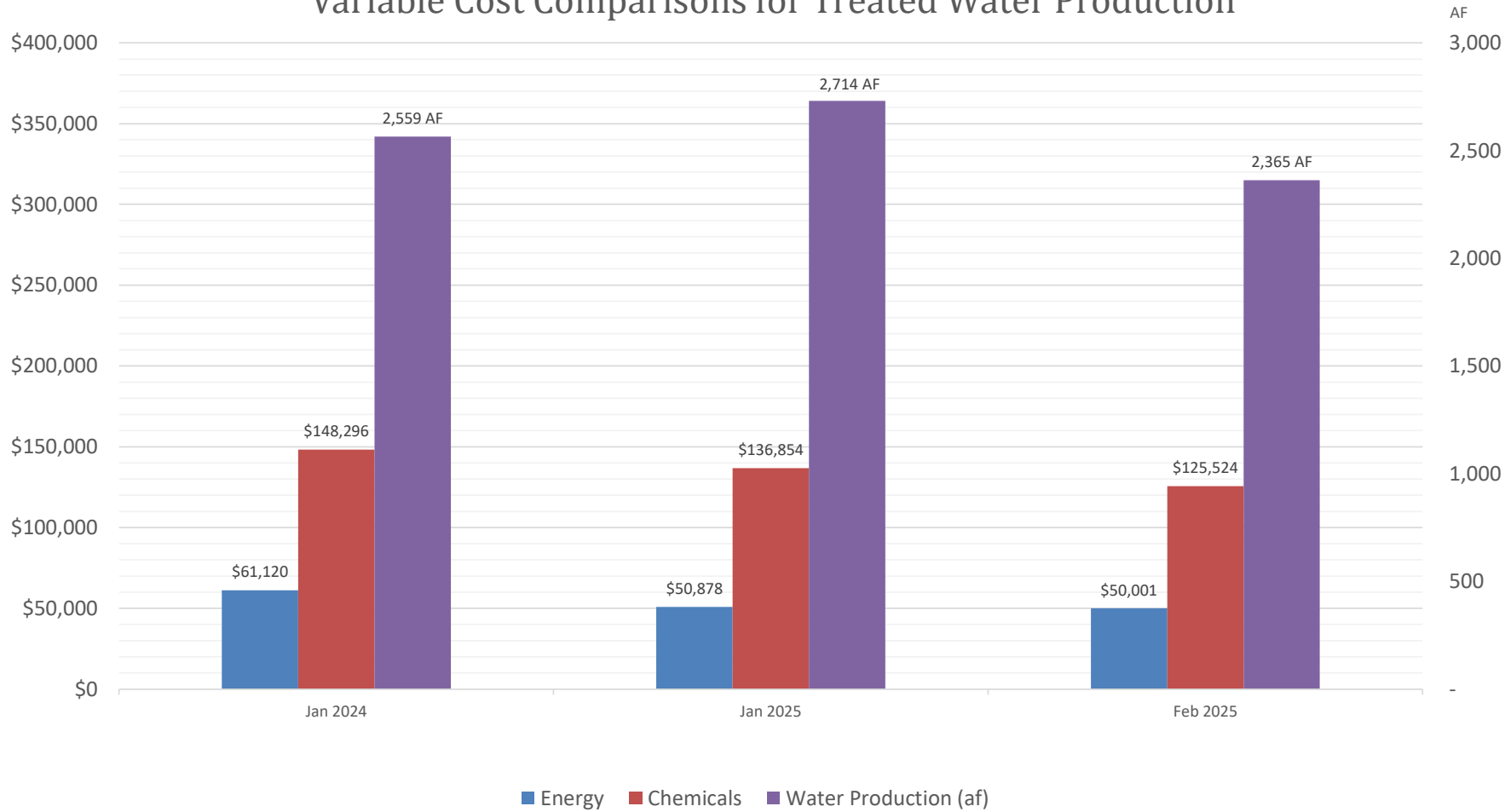
Recommended Motion:

None – information only.

Discussion:

During the month of February 2025, the Henry C. Garnett Water Purification Plant treated Kern River water. Treated water production ranged from 23.3 million gallons per day (mgd) to 35.9 mgd. The average flow for the month was 28.6 mgd. A summary of variable cost comparisons for treated water production is provided as Attachment 1. Graphs illustrating monthly influent and filtered water total organic carbon concentrations, distribution system regulated Haloacetic Acids and Total Trihalomethane concentrations are provided as Attachment 2. A graph reflecting treated water deliveries for years 2021, 2022, 2023, 2024 and 2025 is provided as Attachment 3.

Variable Cost Comparisons for Treated Water Production



Current energy costs are estimated. Actual costs are determined when energy invoices are received.



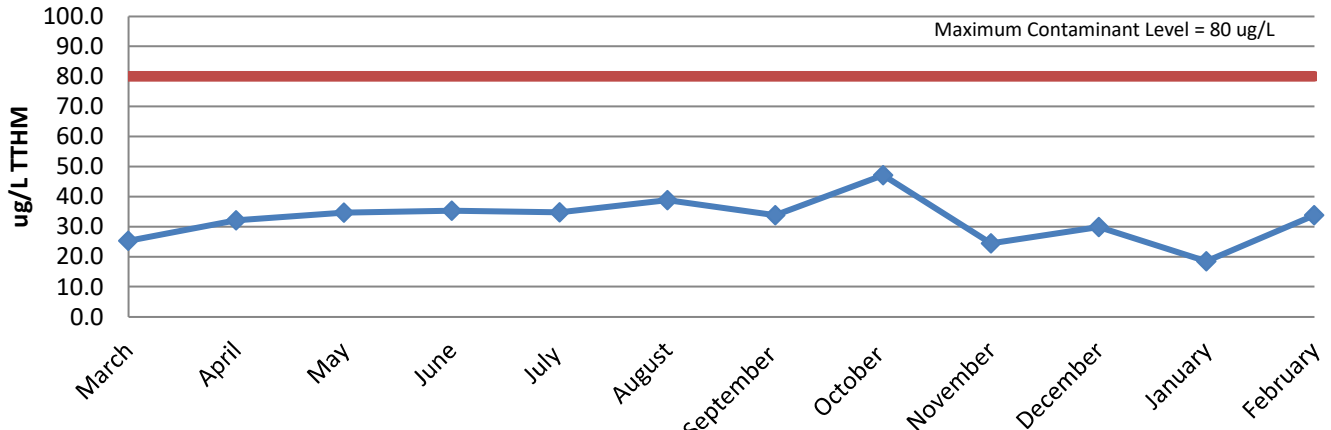
Kern County Water Agency

ID4 Water Quality Laboratory

The following graphs represent data collected from March 2024 to February 2025

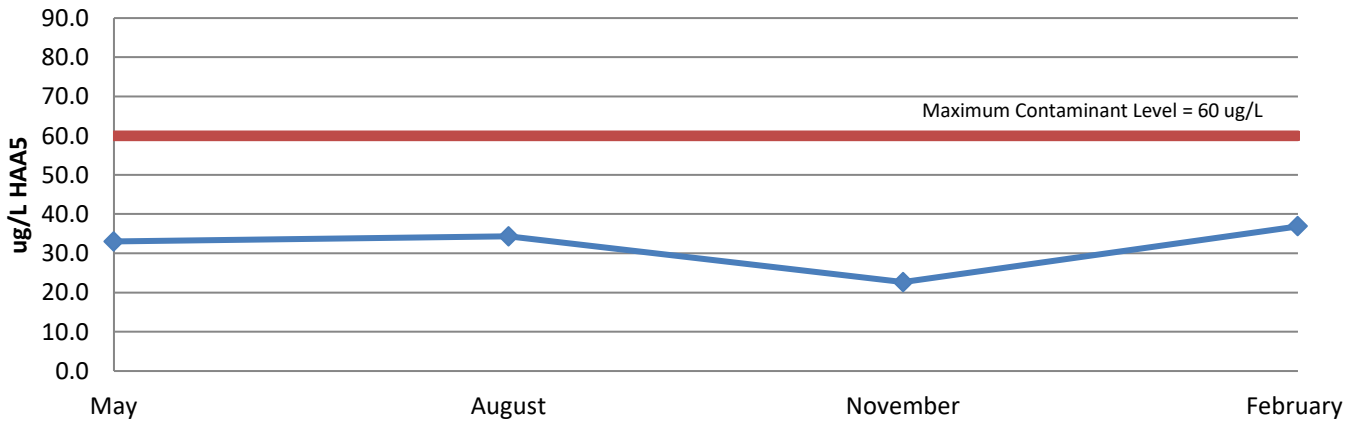
Total Trihalomethanes (TTHM)

Distribution System Monthly Average TTHM Concentration
March 2024 - February 2025



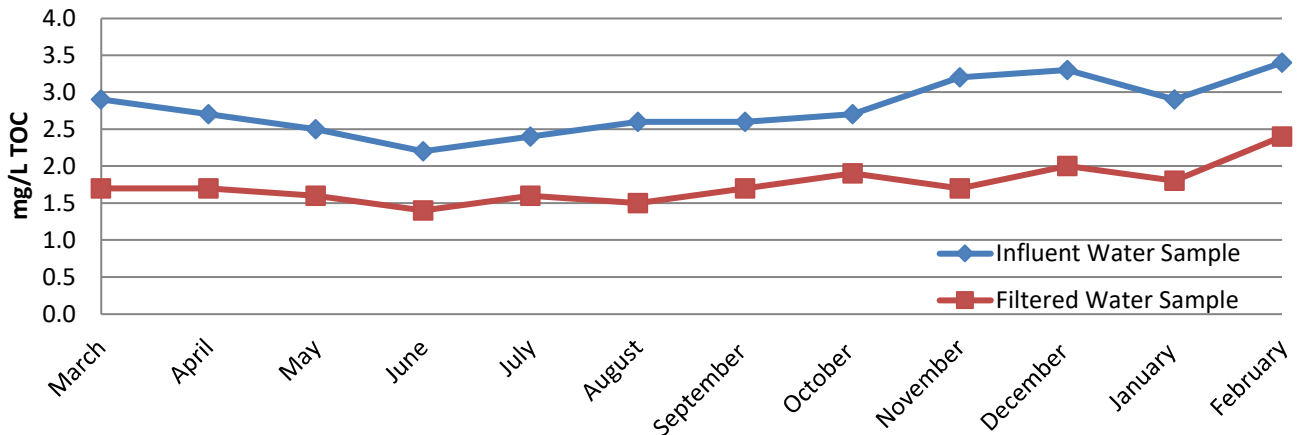
Regulated Haloacetic Acids (HAA5)

Distribution System Quarterly Average HAA5 Concentration
March 2024 - February 2025



Total Organic Carbon (TOC)

Monthly Influent Water and Filtered Water TOC Concentration
March 2024 - February 2025





MEMORANDUM

20.2.1

TO: Urban Bakersfield Committee
Agenda Item No. 4a

FROM: Thomas McCarthy

DATE: March 27, 2025

SUBJECT: Authorization to Increase the Fiscal Year 2024-25 Expenditure Limit for Treated Water Chemicals

Issue:

Consider authorizing an increase to the Fiscal Year 2024-25 expenditure limit for treated water chemicals for the Henry C. Garnett Water Purification Plant.

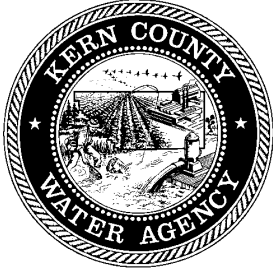
Recommended Motion:

Authorize an increase to the Fiscal Year 2024-25 expenditure limit for treated water chemicals for an amount not to exceed \$600,000, subject to approval of General Counsel as to legal form, as outlined in the March 27, 2025 staff memorandum to the Urban Bakersfield Committee, Agenda Item No. 4a.

Discussion:

The Fiscal Year 2024-25 chemical budget for Improvement District No. 4 is \$2,195,000, which is an aggregate of individual amounts for specific water treatment process chemical supplies. The demand for some of the chemicals used in water treatment processes has been greater than the assumptions used in developing the budget and may result in the total chemical budgetary expenditure authorization being exceeded. The increased chemical demand is related to conditions within the Kern River watershed such as wildfires and high runoff. Kern County Water Agency staff is recommending increasing the total chemical budget amount by \$600,000 for a revised budget amount of \$2,795,000.

This item was discussed and recommended by the Urban Bakersfield Advisory Committee at the March 26, 2025 meeting.



MEMORANDUM

20.2.1

TO: Urban Bakersfield Committee
Agenda Item No. 4b

FROM: Gabriel Ornelas

DATE: March 27, 2025

SUBJECT: Authorization to Request Bids for Chemicals Used in the Water Treatment Process

Issue:

Consider authorizing the Interim Improvement District No. 4 Manager to request bids for chemicals used in the water treatment process.

Recommended Motion:

Authorize the Interim Improvement District No. 4 Manager to request bids for chemicals used in the water treatment process, subject to approval of General Counsel as to legal form, as outlined in the March 27, 2025 staff memorandum to the Urban Bakersfield Committee, Agenda Item No. 4b.

Discussion:

The operation of the Henry C. Garnett Water Purification Plant requires the use of several chemicals that are delivered in bulk to the facility. The Kern County Water Agency (Agency) annually invites bids for aluminum sulfate, zinc orthophosphate, sodium hypochlorite, sodium hydroxide and sulfuric acid.

Agency staff will contact chemical vendors to thoroughly promote the bidding process. Bids will be opened in June 2025. After the bids are opened and reviewed, a recommendation will be presented to the Urban Bakersfield Advisory Committee and the Agency Board of Directors.

This item was discussed and recommended by the Urban Bakersfield Advisory Committee at the March 26, 2025 regular meeting.



MEMORANDUM

20.2.1

TO: Urban Bakersfield Committee
Agenda Item No. 4c

FROM: David Pieper

DATE: March 27, 2025

SUBJECT: Authorization to Execute Amendment No. 1 to the Kern County Water Agency Agreement for an Engineering Consultant for the Hageman Flyover Project

Issue:

Consider an authorization to execute Amendment No. 1 to the Kern County Water Agency Agreement for an engineering consultant for the Hageman Flyover Project.

Recommended Motion:

Authorize the Engineering and Groundwater Services Manager to execute Amendment No. 1 to the Kern County Water Agency Agreement for an engineering consultant for the Hageman Flyover Project, amending the Agreement termination date to December 31, 2025, subject to approval of General Counsel as to legal form, as outlined in the March 27, 2025, staff memorandum to the Urban Bakersfield Committee, Agenda Item No. 4c.

Discussion:

On November 20, 2024, the Engineering and Groundwater Services Manager executed the Kern County Water Agency Professional Services Consultant Agreement (Agreement) to retain an engineering consultant for the Hageman Flyover Project. The initial Contract amount was \$10,900 to provide general engineering services. An amendment to the Agreement is required to extend the length of the contract to allow additional time during potential land acquisition negotiations. Agency staff recommends that the Engineering and Groundwater Services Manager be authorized to execute Amendment No. 1 to the Agreement to amend the termination date to December 31, 2025. Amendment No. 1 to the Agreement is provided as Attachment 1.

This item was discussed and recommended by the Urban Bakersfield Advisory Committee at the March 26, 2025 regular meeting.

**AMENDMENT NO. 1 to
KERN COUNTY WATER AGENCY
AGREEMENT
FOR
PROFESSIONAL CONSULTING SERVICES**

This Amendment No. 1 is made this 27th day of March, 2025, by and between the Kern County Water Agency, a political subdivision of the State of California, hereinafter referred to as “Agency,” and Dee Jaspar and Associates, Inc., hereinafter referred to as “Consultant.”

WITNESSETH:

WHEREAS, the Agency and Consultant entered into an agreement for professional services dated November 20, 2024; and

WHEREAS, the Agency continues to need professional civil engineering and consulting services to be performed as part of the Hageman Flyover project; and

WHEREAS, the Agency and Consultant desire to extend the time for such professional services; and

NOW, THEREFORE, in consideration of the covenants and conditions herein contained, the parties hereto agree as follows:

- I. Article III.A. of the Kern County Water Agency Agreement for Professional Consulting Services dated November 20, 2024 is hereby amended to extend the termination date to December 31, 2025.
- II. All other provisions of the Kern County Water Agency Agreement for Professional Consulting Services dated November 20, 2024 shall remain in full force and effect.

IN WITNESS WHEREOF, the Agency and Contractor have executed this Amendment No. 1 on the day and year first herein above set forth.

KERN COUNTY WATER AGENCY

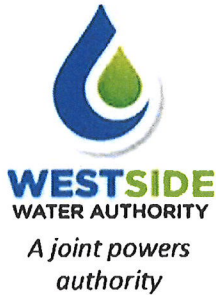
CONTRACTOR

By: _____
Engineering and Groundwater Services Manager

By: _____
Dee Jaspar and Associates, Inc.

Correspondence

From: Mark Gilkey, Executive Director, Westside Water Authority
Subject: Letter to Kern County Water Agency, regarding "DCP
Participation for Belridge WSD, Berrenda Mesa WD and Lost Hills WD".



WESTSIDE WATER AUTHORITY
5555 California Avenue, Suite 209
Bakersfield, CA 93309
Phone: (661) 633-9022
Email: admin@westsidewa.org

RECEIVED
MAR 11 2025
K.C.W.A.

March 11, 2025

Mr. Tom McCarthy, General Manager
Kern County Water Agency (KCWA) Board of Directors
3200 Rio Mirada Drive
Bakersfield, CA 93308

Email: tmccarthy@kcwa.org
sprince@kcwa.com

Tom and KCWA Board Members,

At the March 5, 2025 joint board meeting of Belridge Water Storage District (BWSD), Berrenda Mesa Water District (BMWD), and Lost Hills Water District (LHWD) the aforementioned entities (collectively "Districts") approved participation in the Delta Conveyance Project (DCP) planning and pre-construction costs for calendar years 2026 and 2027 at the same participation level (% of each District's Table 1 quantity) that each of the Districts committed to during the 2021 through 2024 DCP funding cycle. Our Districts and our farmers continue to support actions to address long-term State Water Project (SWP) affordability, recognize the need for improved infrastructure like the DCP and appreciate the support and leadership of the Department of Water Resources on this critical issue. Given the significant affordability concerns facing SWP agricultural entities like BWSD, BMWD, and LHWD, the Districts' boards authorized payment of 2026 and 2027 DCP costs contingent upon:

- 1) Review and approval by the Districts' General Manager (GM) and General Counsel (GC) of the updated funding agreement between KCWA and DWR and the corresponding updated funding agreement between KCWA and each of the Districts. In particular, we seek to understand how the "option to defer a portion of the DCP obligation" will be implemented amongst KCWA's Member Units (MU).
- 2) A written acknowledgement to the Districts by KCWA committing to a formal process of engagement to address the following issues with KCWA MUs, GMs, MU policy members, and/or MU GCs (as necessary):
 - a. Protecting water quality pump-in standards for Kern Fan Banking Projects (KFBP) if DCP improves overall California Aqueduct water quality.
 - b. Establishing a DCP Article 21 allocation policy that specifically addresses how the KFBPs will prioritize recharge relative to both DCP Article 21 and non-DCP Article 21, given that KCWA's DCP participation is through its M&I contract rights with DWR.
 - c. Liberalizing KCWA's transfer policy to support dry year affordability (e.g., allowing transfers out of KCWA to mitigate the extremely expensive dry year SWP Basic Obligation costs for MUs).
 - d. Developing a pathway for MUs to engage directly in State Water Contractor (SWCs) discussions.
 - e. Direct inclusion of MUs in KCWA's engagement process with other SWCs under the Memorandum of Understanding (MOU).

Mr. Tom McCarthy, General Manager
Kern County Water Agency (KCWA) Board of Directors
March 11, 2025
Page 2

Over the past ~10 years, SWP agriculture entities like BWSD, BMWD, and LHWD have faced increasingly dire economic circumstances, such as: lower commodity prices, higher input costs, increasingly restrictive regulations and increasing SWP water costs.

With the next several years of DCP planning costs agreed to by most Participating Water Agencies (PWAs), there is a short window of time (~2 years) to not only clarify important details of the DCP but also identify pathways to improve affordability for SWP agriculture before the major long-term commitment to fund construction of the DCP must be made.

While KCWA holds the contract for SWP Table A with DWR on behalf of the MUs, including BWSD, BMWD and LHWD, KCWA is not responsible for growing the crops or generating the revenue to pay for SWP supplies. Therefore, over the course of the next two years, it is imperative that MUs and landowners (or their direct representatives) who ultimately shoulder all the risk and expense of both the SWP Basic Obligation and DCP be engaged directly and more meaningfully by KCWA and DWR.

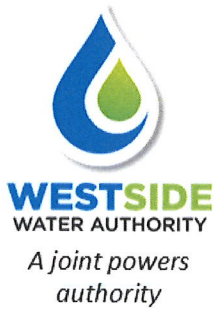
Thank you in advance for your consideration and support. We respectfully request a response by Friday, March 28th, 2025.

Sincerely,



Mark Gilkey
Executive Director

From: Mark Gilkey, Executive Director, Westside Water Authority
Subject: Second Letter to Kern County Water Agency, regarding "DCP Participation for Belridge WSD, Berrenda Mesa WD and Lost Hills WD".



March 18, 2025

Mr. Tom McCarthy, General Manager
Kern County Water Agency (KCWA) Board of Directors
Kern County Water Agency
3200 Rio Mirada Drive
Bakersfield, CA 93308

WESTSIDE WATER AUTHORITY
5555 California Avenue, Suite 209
Bakersfield, CA 93309
Phone: (661) 633-9022
Email: admin@westsidewa.org

RECEIVED
MAR 18 2025
K.C.W.A.

Email: tmccarthy@kcwa.com
sprince@kcwa.com

Dear Tom and KCWA Board Members:

In response to my conversation with Tom regarding our March 11 letter, we understand KCWA's need for certainty in its discussions with the Department of Water Resources (DWR) regarding funding for the Delta Conveyance Project (DCP). As such, we reaffirm the commitment of Lost Hills Water District (LHWD), Belridge Water Storage District (BWSD), and Berrenda Mesa Water District (BMWD) (collectively, "our districts") to participate in the 2026-2027 DCP planning and pre-construction costs at the same proportional level as in the 2021-2024 funding cycle.

We recognize that KCWA requires commitment from its Member Units, and we are providing that here. However, our districts will ultimately be asked to sign funding agreements formalizing this commitment, and it is only prudent that our districts have the opportunity to review and approve those agreements before execution. This is not a condition of our districts' participation but simply a recognition that the formal agreements will set forth the actual terms of our obligation.

As we move forward, we request clarity on key provisions in the DWR-KCWA funding agreement that will directly impact our districts' financial obligations:

1. Implementation of the "Option to Defer a Portion of the DCP Obligation"
 - a. Will all Member Units have equal access to this deferral option?
 - b. If some Member Units defer while others do not, what financial impact will that have on the remaining participants?
 - c. What are the financial cap amounts (\$/AF) and final payment dates?
2. Finalization of Member Unit Funding Agreements
 - a. Will the agreements we sign be materially different from prior DCP funding agreements?
 - b. Confirm that there will be an opportunity for Member Units to review and resolve any inconsistencies before execution.

Mr. Tom McCarthy, General Manager
Kern County Water Agency (KCWA) Board of Directors
Kern County Water Agency
March 18, 2025
Page 2

3. If substantial issues arise during permitting in the next few years, such as those that might result from the current DCP change in point of diversion hearing being conducted by the SWRCB AHO, there will be an opportunity to pause funding and resolve issues (per DWR letter to KCWA).
 - a. How will this be included in the Member Unit Funding Agreements?

Our districts trust that KCWA will provide this information as soon as it becomes available, and we reserve the right to review and approve the final agreements before signing—not as a contingency, but as a matter of standard due diligence.

Our districts March 11th letter referenced broader issues—including water quality standards for Kern Fan Banking Projects, Article 21 recharge prioritization, SWP transfer policies, and direct engagement with KCWA and others—that require structured engagement between KCWA and its Member Units. These issues were not raised as conditions of our DCP funding approval, but rather as critical long-term concerns that must be addressed to ensure continued support for major KCWA projects, including future DCP construction funding. The importance of these issues for Kern County long-term deserves nothing short of our deliberate and coordinated efforts and expertise.

As you know, future commitments for DCP construction funding will require further approvals from participating agencies, including our districts. To maintain alignment and avoid last-minute uncertainty when those approvals are needed, it is essential that KCWA:

1. Commit to a structured process for addressing key Member Unit concerns.
2. Engage in meaningful discussions with Member Units before major funding decisions.

To that end, we will be setting a meeting with you in the coming weeks to establish a structured workplan for these issues. This will ensure that KCWA policies reflect the realities faced by all Member Units, particularly those with agricultural water users who must carefully plan for long-term financial sustainability.

We are fully committed to the 2026-2027 DCP planning phase and appreciate KCWA's leadership in securing funding and advancing this important project. At the same time, we must emphasize that future approvals—including those necessary for full DCP construction funding—will be influenced by how these broader Member Unit concerns are addressed in the coming years.

Mr. Tom McCarthy, General Manager
Kern County Water Agency (KCWA) Board of Directors
Kern County Water Agency
March 18, 2025
Page 3

In turn, we ask that KCWA affirm its commitment to us. To ensure clarity and alignment moving forward, we request KCWA's written response by March 28, 2025, confirming: (1) its commitment to circulating a draft funding agreement to Member Units as soon as possible and providing adequate time for review and discussion before execution; and (2) its commitment to engaging in a structured, good-faith process to address the broader issues identified, including scheduling an initial meeting to establish a workplan and timeline. Failing that commitment, our districts will need to evaluate our options to ensure that these critical issues are addressed.

We appreciate your prompt attention to these matters and look forward to your response.

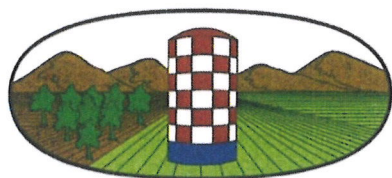
Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark Gilkey', written in a cursive style.

Mark Gilkey
Executive Director

From: Sheridan Nicholas, Engineer-Manager, Wheeler Ridge-Maricopa Water Storage District

Subject: Letter to Kern County Water Agency, regarding "DCP Participation".



WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT

12109 Highway 166, Bakersfield, CA 93313-9630

Telephone: 661.858.2281 ♦ Fax: 661.858.2643 ♦ Water Orders: 661.858.2296

www.wrmwsd.com

SHERIDAN NICHOLAS
ENGINEER-MANAGER

JAMES D. SMITH
CONTROLLER

March 20, 2025

Mr. Tom McCarthy, General Manager
Kern County Water Agency (KCWA) Board of Directors

Tom and KCWA Board Members,

RECEIVED

MAR 20 2025

K.C.W.A.

At its March 12th, 2025 board meeting the Wheeler Ridge-Maricopa Water Storage District (the District or WRMWSO) approved participation in the Delta Conveyance Project (DCP) planning and pre-construction costs for calendar years 2026 and 2027 at the same participation level (32% of the District's Table 1 quantity) that the District committed to during the 2021 through 2024 DCP funding cycle. The District and its landowners continue to support actions to address long-term State Water Project (SWP) affordability and reliability, recognize the need for improved infrastructure like the DCP, and appreciate the support and leadership of the Department of Water Resources (DWR) on this critical issue. Given the significant affordability concerns facing SWP agricultural entities like WRMWSO, the Board of Directors authorized payment of 2026 and 2027 DCP costs contingent upon:

- 1) Review and approval by the District of the updated funding agreement between KCWA and DWR and the corresponding updated funding agreement between KCWA and its Member Units (Funding Agreement). In particular, we seek to understand: (a) how the "option to defer a portion of the DCP obligation¹" will be incorporated into Amendment No. 2 to the Funding Agreement and implemented amongst KCWA's Member Units (MU) as this option was not available during the initial Funding Agreement² nor Amendment No. 1³ thereto, and, to our knowledge, was not included in the KCWA-DWR funding agreement that is attached as an exhibit to the initial Funding Agreement among KCWA and its Member Units; and (b) how the related refund of capital to the MU's "[i]f KCWA and other participating water agencies choose not to fund the capital construction cost, [and] any unspent planning funds earmarked for this project will be returned."⁴
- 2) A written acknowledgement to the District or MUs by KCWA committing to a formal engagement process to address the following issues with KCWA MUs:
 - a. Protecting water quality pump-in standards for Kern Fan Banking Projects (KFBP) if DCP improves overall California Aqueduct water quality.

¹ Per the February 25, 2025 letter from DWR to KCWA regarding continued Delta Conveyance Project Planning Funding – "We understand that the option to defer a portion of the DCP obligation, similar to that used by Dudley Ridge Water District, may also be helpful to KCWA. This option is available as we work together to address near-term affordability."

² Contract Between Kern County Water Agency and Its Member Units for Preliminary Planning and Design Costs related to a Potential Delta Conveyance Project

³ Amendment No. 1 Contract Between Kern County Water Agency and Its Member Units for Preliminary Planning and Design Costs related to a Potential Delta Conveyance Project

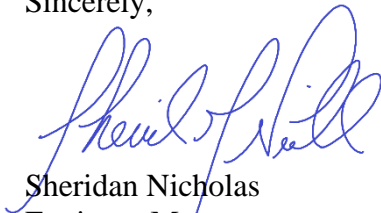
⁴ February 25, 2025 letter from DWR to KCWA

- b. Understanding how DWR will operate the DCP such that it would not adversely affect non-DCP Article 21, together with projections on DCP Article 21 quantities relative to non-DCP Article 21 quantities.
- c. Establishing a DCP Article 21 allocation policy that specifically addresses how the MUs and KFBPs will prioritize banking and recharge relative to both DCP Article 21 and non-DCP Article 21, given that KCWA's DCP participation is through its M&I contract rights with DWR.
- d. Liberalizing KCWA's transfer policy to support dry year affordability (e.g., allowing transfers of surface or stored water out of KCWA to mitigate the extremely expensive dry year SWP Basic Obligation costs for MUs, if an MU so wishes to implement such a policy).
- e. Developing a final resolution with DWR on the implementation of a Health and Human Safety water policy that is satisfactory to the MUs from both a financial perspective and water supply perspective.
- f. Developing a pathway for MUs to engage directly in DWR and State Water Contractor (SWCs) discussions (e.g., DCP negotiations, San Luis Workgroup, etc.).
- g. Direct inclusion of MUs in KCWA's engagement process with other SWCs under any Memorandum of Understanding (MOU) regarding DCP or otherwise.
- h. Developing a strategic plan to pursue federal and state funds to improve the reliability/affordability of the SWP and new infrastructure for the SWP, including DCP.

WRMWSD emphasizes that its participation in the next two years funding cycle is not contingent on immediately resolving each issue listed under Item 2, just that KCWA acknowledge and commit to addressing these issues prior to additional major funding decisions on the DCP. The District's ultimate decision on the DCP will be significantly influenced by the outcome of this process.

Over the past ~10 years, SWP agriculture entities like WRMWSD have faced increasingly dire economic circumstances, such as: lower commodity prices, higher input costs, increasingly restrictive regulations and increasing SWP water costs. With the next several years of DCP planning costs agreed to by most Participating Water Agencies (PWAs), there is a short window of time not only to clarify important details of the DCP but also identify pathways to improve affordability for SWP agriculture before the major long-term commitment to fund construction of the DCP must be made. Over the course of the next two years, it is imperative that MUs and landowners - who ultimately and directly shoulder all the risk and expense of both the SWP Basic Obligation and DCP - be engaged directly and meaningfully by KCWA and DWR.

Sincerely,



Sheridan Nicholas
Engineer-Manager



From: David Ansolabehere, General Manager, Cawelo Water District
Subject: Letter to Kern County Water Agency, regarding "DCP Participation".

17207 Industrial Farm Road
Bakersfield, CA 93308
Phone: (661) 393-6072
Fax: (661) 393-6073

David R. Ansolabehere, General Manager

March 25, 2025

RECEIVED

MAR 25 2025

K.C.W.A.

VIA U.S. MAIL AND EMAIL

Kern County Water Agency
Attn.: Tom McCarthy, General Manager
Craig Wallace, SWP Manager
3200 Rio Mirada Drive
Bakersfield, CA 93308
Email: tmccarthy@kcwa.org
cwallace@kcwa.com

**Re: Cawelo Water District's Continued Participation in the Delta
Conveyance Project Planning Funding**

Dear Messrs. McCarthy and Wallace:

On the morning of March 13, 2025, the Cawelo Water District (District) held its regular meeting of the Board of Directors. At that time, the District Board did not make a decision regarding its participation in the next phase of funding for the Delta Conveyance Project (DCP) Planning (2026 and 2027). While the District is extremely concerned with the lack of reliability and corresponding rise of costs of the State Water Project, it is also concerned with the additional costs of the DCP. It is likely that the District continues at its existing participation of 20% of the District's Table A entitlement. However, prior to formally making a determination as to its further participation in the DCP Planning for 2026 and 2027, the District requires further information. Specifically, the District is in receipt of the March 11, 2025 letter from the Westside Water Authority to the Kern County Water Agency (KCWA), which sets forth certain contingencies for the Westside Water Authority's participation in the 2026 and 2027 DCP planning costs. The District supports the Westside Water Authority's contingencies and cannot make a decision on its participation until the KCWA responds to those contingencies as requested in the March 11th letter. Specifically, the District requests that KCWA confirm it is amenable to the following:

1. Review and approval by the District's General Manager (GM) and General Counsel (GC) of the updated funding agreement between KCWA and DWR and the corresponding updated funding agreement between KCWA and each of the participating Member Units (MUs). In particular, we seek to understand how the "option to defer a portion of the DCP obligation" will be implemented amongst KCWA's participating MUs.

2. A written acknowledgement to the District by KCWA committing to a formal process of engagement to address the following issues with KCWA MUs, GMs, MU policy members, and/or MU GCs (as necessary):
 - a. Protecting water quality pump-in standards for existing California Aqueduct pump-in programs if DCP improves overall California Aqueduct water quality.
 - b. Establishing a DCP Article 21 allocation policy that specifically addresses how KCWA and/or MUs will prioritize recharge relative to both DCP Article 21 and non-DCP Article 21, given that KCWA's DCP participation is through its M&I contract rights with DWR.
 - c. Liberalizing KCWA's transfer policy to support dry year affordability (e.g., allowing transfers out of KCWA to mitigate the extremely expensive dry year SWP Basic Obligation costs for MUs).
 - d. Developing a pathway for MUs to engage directly in State Water Contractor (SWC) discussions.
 - e. Direct inclusion of MUs in KCWA's engagement process with other SWCs under the Memorandum of Understanding (MOU).

After the District Board meeting, the District received an email from Mr. Wallace requesting that the District notify the KCWA of 2026 and 2027 DCP Planning participation and approval of the Member Unit Funding Agreement by March 26, 2025. Unfortunately, this does not provide the District with sufficient time to make these very important and costly commitments. Given the uncertainty surrounding the Sustainable Groundwater Management Act (SGMA), the expected costs of the DCP, which were just recently provided, and uncertainty regarding the issues stated above, the District requires more than a few weeks to make this substantial commitment. However, it is likely that the District will continue its 2026 and 2027 DCP Planning participation at its existing level.

Thank you for your understanding. If you have any questions, please do not hesitate to contact the District.

Sincerely,



David R. Ansolabehere
General Manager
Cawelo Water District

From: Roy Pierucci, President, Rosedale-Rio Bravo Water Storage District
Subject: Letter to Kern County Water Agency, regarding "DCP Participation".



March 25, 2025

RECEIVED

Mr. Tom McCarthy, General Manager
Kern County Water Agency Board of Directors
3200 Rio Mirada Drive
Bakersfield, CA 93308

MAR 26 2025

K.C.W.A.

Email: tmccarthy@kcwa.com
sprince@kcwa.com

Tom and KCWA Board of Directors,

On March 11, 2025, the Rosedale-Rio Bravo Water Storage District (Rosedale) Board of Directors (Board) authorized execution of the "Amendment No. 2 to Contract Between Kern County Water Agency and its Member Units for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project" (Amendment No. 2), which commits Rosedale to continued participation in the Delta Conveyance Project (DCP) planning and pre-construction activities for calendar years 2026 and 2027. Rosedale's Board approved funding these activities at the same level of commitment as Rosedale had during the 2021 through 2024 DCP funding period.

Rosedale's Board and our landowners support addressing long-term State Water Project (SWP) reliability through infrastructure improvements and policy changes. Therefore, we support the efforts of the Kern County Water Agency (KCWA) and the Department of Water Resources (DWR) to work on reliability issues. Rosedale is extremely concerned, however, about the affordability of the SWP in both the short-term and long-term and, specifically, the impact of increased costs on agricultural uses and users. Rosedale's Board would appreciate KCWA's engagement with the KCWA Member Units (MU) on addressing the following critical issues:

1. The development of a comprehensive cost-benefit analysis of the DCP Project that is focused exclusively on agricultural uses and users. This is necessary to better understand the affordability and long-term benefit of the DCP as it pertains to agricultural contractors/contracts.
2. The development of an Article 21 allocation policy and methodology that addresses the following:
 - a. Methodology on how KCWA will prioritize non-DCP and DCP Article 21 allocations to KCWA MU.
 - b. Clearly defined policy on allocating non-DCP and DCP Article 21 supplies.
 - c. Clearly defined policy on allocating non-DCP and DCP Article 21 supplies should KCWA MU enter into agreements that result in out-of-county Article 21 supplies to be diverted to the KCWA service area.
3. A commitment from KCWA to continue and expand engagement with the KCWA MU on the following:
 - a. Protection of water quality pump-in standards for all groundwater banking projects after construction of the DCP. This may include establishing a pre-DCP water quality baseline should DCP operations improve baseline water quality within the California Aqueduct to ensure that local banking operations are not adversely affected by the DCP.

Mr. Tom McCarthy, General Manager
Kern County Water Agency Board of Directors
March 25, 2025
Page 2

- b. Consideration of revising existing KCWA policy pertaining to out-of-county transfers.
- c. Engagement of all KCWA MU in the development of a DCP funding agreement and DCP State Water Contractor MOU/agreement.

Within the next two years, Rosedale will be faced with the decision on whether we will be committing to the DCP beyond the existing planning and pre-construction commitments. It is vital that KCWA understands the various factors that will go into making that decision, including the current agricultural economy, increasing SWP costs, diminishing SWP reliability, and KCWA's allowance for flexibility with respect to all SWP supplies.

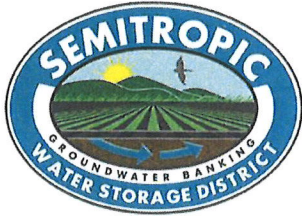
We appreciate the coordination and support KCWA has provided Rosedale to date and look forward to ongoing coordination. We understand that there is still much work to be done. We encourage KCWA to consider engagement with KCWA MU in the discussion and development of creative solutions to alleviate affordability concerns related to long-term SWP and DCP costs. Please contact our Assistant General Manager, Trent Taylor, if you would like to discuss any matters addressed in this letter.

Sincerely,



Roy Pierucci, President

From: Jason Gianquinto, General Manager, Semitropic Water Storage District
Subject: Letter to Kern County Water Agency, regarding "DCP Participation".



1101 Central Avenue, P.O. Box 8043, Wasco, CA 93280-9419

Telephone: (661) 758-5113 Bakersfield: (661) 327-7144
Facsimile: (661) 758-3219 E-mail: mail@semitropic.com
Website: www.semitropic.com

Kern County Water Agency

Attn: Mr. Tom McCarthy, General Manager and Board of Directors

3200 Rio Mirada Dr.
Bakersfield, CA 93305

(Sent via Email)

RECEIVED

MAR 26 2025

K.C.W.A.

Subject: Semitropic Water Storage District and Continued Participation in DCP
Planning/Pre-Construction Costs

Mr. McCarthy and KCWA Board:

On March 12, 2025, The Semitropic Water Storage District Board of Directors acting for and on behalf of the District and its Buttonwillow and Pond-Poso Improvement Districts (collectively, the "District" or "Semitropic"), subject to an acceptable Amendment No. 2 of the existing Contract between KCWA and its Member Units for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project (Funding Agreement), has issued a limited authorization to continue participation in the Delta Conveyance Project (DCP) planning and pre-construction work costs for calendar years 2026 and 2027 at 20% of the District's Table 1 quantity (31,000 AF of 155,000 AF) and authorized the expenditure of up to \$917,113 in 2026 and up to \$1,375,670 in 2027. Accordingly, Semitropic shall have no obligation to pay for any additional costs of the DCP absent further authorization from and approval of its Board of Directors.

Please note that this is a good faith estimate of Semitropic's potential level of participation in the DCP. However, this is not a binding commitment to participate in the DCP or any other project, or pay for any capital or other costs thereof including financing costs, and said authorization is subject to the same limitations, conditions, etc., as are set forth at the end of the AIP (Article IX) and the Funding Agreement. Furthermore, Semitropic reserves the right in its sole discretion to not participate or to change its level of potential participation in the future.



1101 Central Avenue, P.O. Box 8043, Wasco, CA 93280-9419

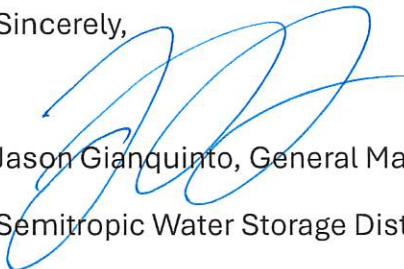
Telephone: (661) 758-5113 Bakersfield: (661) 327-7144
Facsimile: (661) 758-3219 E-mail: mail@semitropic.com
Website: www.semitropic.com

Given the significant affordability concerns of the State Water Project and the future DCP project, the Semitropic Board of Directors remain concerned regarding the policy and strategy alignment of the KCWA and its Member units. Therefore, the District again requests that the KCWA agree to a formal process for engaging with the Member Units to address the following issues:

- Developing a process for Member Units to engage directly in DWR and State Water Contractor discussions regarding any issue that potentially impacts the cost or yield of the State Water Project (DCP Negotiations, San Luis Workgroup, SWC's Committee Meetings, etc.)
- Developing a plan to pursue State and/or Federal funding to improve the affordability of the State Water Project.
- Protecting existing water quality pump-in standards for the Kern Groundwater Banking Projects if the DCP improves the overall California Aqueduct water quality.
- Developing a final resolution with DWR regarding the implementation of the Health and Human Safety policy which is equitable for the Member Units.
- Finalizing a DCP Article 21 allocation policy.

These issues must be addressed prior to any consideration is given to participating in the long term funding commitment for the DCP.

Sincerely,



Jason Gianquinto, General Manager
Semitropic Water Storage District

From: Don Weiden <weidendon123@gmail.com>

Sent: Thursday, March 27, 2025 9:45 AM

To: Prince, Stephanie <sprince@kcwa.com>

Subject: Stop Funding the Delta Tunnel

Quit wasting your ratepayers' money. Stop Funding the Delta Tunnel. Support local and regional solutions to our water supply issues.

The estimated cost for the Tunnel is already too much for the benefits ratepayers will receive and like most mega projects is expected to increase significantly before the project design is complete. Do not get drawn into a "High Speed Rail" type project where costs have skyrocketed, delivery is delayed (years if not a decade) and the product is less than promised.

Don Weiden

Los Altos, CA

From: agroecology@aol.com <agroecology@aol.com>

Sent: Thursday, March 27, 2025 8:24 AM

To: Prince, Stephanie <sprince@kcwa.com>

Subject: delta megatunnel hearing

Kern County Water Agency

Please don't fund the delta megatunnel. The San Joaquin river and SF Bay/Delta ecosystems are already suffering. The water tunnel will exacerbate an already unsustainable relationship developers have with finite California water resources. I

Les Kishler

backpacked 40 years in High Sierra headwaters of San Joaquin River.

From: Gita Dev gd@devarchitects.com
Sent: Thursday, March 27, 2025 12:04 AM
To: Prince, Stephanie sprince@kcwa.com
Subject: Kern County Water Agency

Dear S. Prince,

Please accept the following comment for opposing the funding for the Delta tunnel project:

I OPPOSE giving more funding for the Delta Tunnel and urge Kern County Water Agency to vote against funding it

The Delta Tunnel project is estimated to cost \$20.1 billion, before inflation and overages. Kern County ratepayers would pay ~\$33.66 million now as their portion of project planning costs being financed. Extrapolate that to their share of \$20.1 billion and Kern County will be spending \$2.256 billion on the DCP, which would be better invested in local infrastructure and local water projects

DWR claims that the project will offer water supply reliability with the least amount of environmental damage possible. But in reality, the tunnel project offers NO reliability, incurs MASSIVE environmental damage, decimates Delta communities, and results in HIGHER water costs for Southern Californians.

Not a single Tribe consulted supports this project. They have repeatedly denounced the project for its impact to ecosystems and their culturally significant sites. Indigenous communities often have invaluable knowledge, called Traditional Ecological Knowledge, or TEK, regarding land and water management, honed through generations. Ignoring or undervaluing this knowledge in favor of technical solutions undermines holistic approaches to environmental stewardship. Cultural and burial sites will be destroyed and remains will have to be removed. Salmon populations, a staple in many diets, will be impacted. Every State Water Contractor should consult directly with the impacted Tribes before voting, and read the tunnel's FEIR on Tribal Cultural Analysis chapter

Please vote against this funding.

Thank you.

--

Gita Dev, Woodside, 94062

415.722.3355

From: wetlands100 wetlands100@zoho.com

Sent: Wednesday, March 26, 2025 10:55 PM

To: Prince, Stephanie sprince@kcwa.com

Subject: Delta Conveyance Project

Ms. Prince and Board Members,

I will try to sign in to the meeting tomorrow, March 27, 2025 regarding whether to commit \$33.7 million to fund the next phase of planning for the Delta Conveyance Project (aka the Delta Tunnel or DCP). Please read my email into the record. I oppose funding this project for a number of reasons.

This project will cost more than the projected 20+billion dollars before inflation or tariffs. It will likely will have cost overruns. Studies show that 90% of mega projects exceed their budget with an average cost of 60% in increases.

Further, I do not believe it will improved the water situation in California. The project will not access a new water supply, only divert more water from northern California to southern California in wet years. With the extended timeline and the uncertainties of climate change, there is no guarantee that when the project would be completed there will be wet years.

No tribes have been consulted. All object to this project for its impact to ecosystems on their culturally significant sites. Indigenous communities often have invaluable knowledge, called Traditional Ecological Knowledge, or TEK, regarding land and water management, honed through generations. Ignoring or undervaluing this knowledge in favor of technical solutions undermines holistic approaches to environmental stewardship. Cultural and burial sites will be destroyed and remains will have to be removed. Salmon populations, a staple in many diets, will be impacted.

Every time a version of Delta Conveyance has come up for a vote, it gets shot down by the public. Voters don't want it!

DCP will increase rates for water users. While agro-businesses may have the money to pay increased rates, they only contribute 2.5% to the State economy.

I also have concerns for the environmental impact along the path of construction. Also, diverting water from the Delta will increase the risk of salt water incursion into the Delta affecting water to cities, the environment and farmland. These risks increase with rising sea levels and storms.

I don't want Kern County contributing funds for a project that is so expensive that will not help the water situation. In fact, it will only aggravate the problem of claims exceeding available water by 500%. These problems need to be addressed at the local level.

Please vote no! Thank you.

Penelope LePome Ridgecrest CA

From: Charming Evelyn bcharmz@aol.com

Sent: Wednesday, March 26, 2025 10:37 PM

To: Prince, Stephanie sprince@kcwa.com

Subject: Public Comment: Item VIII.B.2

Dear Kern County Water Agency

I am quite shocked to see this on your agenda, when you've voted no on this in the past.

Our salmon industry is in disarray, because of the harm done to the Delta for big agribusiness. The Ca economy has lost over \$50 million with no salmon industry within the last 2 years and so far this year, it is still closed. That will be another \$20 million in earnings lost, not to billionaires, but to mom and pops fishermen.

This doesn't benefit small farmers neither the fishermen and the entire trickle down effect from vendor to consumer of the fisheries and recreation industry. This doesn't benefit the Delta Tribal community either who depend on the Delta for religious, cultural, recreation, food and economy.

KCWA shouldn't vote on the DCP until after the Bay Delta Plan is updated in summer because there will likely be heavier regulations on flow requirements which would impact the per unit cost of water that each district will receive. Voting on funding prior to the ratification of the Bay Delta Plan is making an uninformed, preemptive decision.

I ask you to vote no, to help save our salmon industry from destruction and all the lives already being heavily impacted from food prices, loss of income, higher utility bills, higher insurance etc.

Thank You,

Charming Evelyn

Pronouns: she, her, hers

213-385-0903

From: john armstrong <armstrongj1@outlook.com>

Sent: Wednesday, March 26, 2025 9:11 PM

To: Prince, Stephanie <sprince@kcwa.com>

Subject: Referring to your 3/27/2025 vote on Delta Conveyance Project funding

I OPPOSE giving more funding for the Delta Tunnel and urge you to vote against funding it.

The Delta Tunnel project is estimated to cost \$20.1 billion, before inflation and overages. Kern County ratepayers would pay ~\$33.66 million now as their portion of project planning costs being financed. Extrapolate that to their share of \$20.1 billion and Kern County will be spending \$2.256 billion on the DCP, which would be better invested in local infrastructure and local water projects.

It's entirely possible that the other State Water Contractors rescind funding commitments for the project at the time of the final vote. If this happens, millions of dollars of pre-funding from KCWA ratepayers will be wasted with no means of being recouped.

While ignoring risk and sensitivity analysis for the project cost, the tunnel's cost estimate still says that costs could increase by 80%, which would amount to a \$6 billion increase for the tunnel. Studies show that 90% of mega projects exceed their budget with an average cost of 60% in increases.

Stop catering to big oil's unquenchable thirst for water and agribiz oligarchs like the reznix.

John Armstrong - Rocklin, CA - Sierra Club CAmember.