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Kern County Water
- Progressive water management
- Significant groundwater banking projects
- Robust groundwater resources

Recent Water Trends – The Perfect Storm
- Reductions impacting imported water supplies
- Drought
- Increasing Local Impacts
- Litigation

Water supply challenges prompted action.
- Meetings between local policy makers (2010-2011)
- Kern Groundwater Committee formed (January, 2012) to:
  "Establish a framework ("basin plan") for the active, comprehensive management of the groundwater basin underlying Kern County to preserve and maintain local control ("self-determination") and provide long-term surety for all basin users."

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Kern Groundwater Committee
- Build upon existing groundwater management efforts
  - AB3930
  - SB3938
  - Urban Water Management Plans
  - Progressive water management
- Put the puzzle pieces together to gain a common understanding of the Kern Basin
- Cost share agreement for analysis of basin supply and demand
- Compile into single unifying report
- Technical based effort to inform policy makers
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Groundwater Legislation Anticipated
- Formed Kern Groundwater Authority ("Authority") (2014)
- Experience with Joint Powers Authorities
- Board exclusively elected officials
- Current Agreement limits powers of Authority
- 19 Members (County/Cities/Water Interests)
  - Meetings held monthly - open to and attended by public/interest groups etc.

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Groundwater Legislation Enacted
- Pavley – SB1168 & SB 1319
- Dickinson – AB 1739

Governor’s signing message
"a central feature of these bills is the recognition that groundwater management in California is best accomplished locally".

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SGMA – What is Required?
- Requires formation of a Groundwater Sustainability Agency ("GSA") (or Agencies) for each Basin (Due in 2027)
- Requires Each Basin to prepare a Groundwater Sustainability Plan ("GSP") (or Plans).
  - GSP must be designed to prevent or eliminate "Undesirable Results"
- Requires significant coordination of information for Basins which have multiple GSPs.....(more later)
  - GSP must have measurable objectives with 5-year milestones to achieve sustainability in 20 years (2020-2040). (Due in 2020)
- Failure to act will result in State Board imposing their own "interim" plan with potential for immediate pumping restrictions.
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SGMA – What is Required?
- Requires the GSA to Manage Groundwater to prevent Undesirable Results.
  - Chronic lowering of groundwater levels
  - Significant / unreasonable reduction of groundwater storage
  - Seawater intrusion
  - Degraded water quality / contaminant plume migration
  - Land subsidence
  - Significant surface water depletions

- Provides GSA's with authority (Financial & Enforcement) to implement GSP's and manage groundwater.

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What Options are available for GSP development?

10727 (b) A groundwater sustainability plan may be any of the following:

1. A single plan covering the entire basin developed and implemented by one groundwater sustainability agency

2. A single plan covering the entire basin developed and implemented by multiple groundwater sustainability agencies

3. Subject to 10727.6, multiple plans implemented by multiple groundwater sustainability agencies coordinated pursuant to a single coordination agreement that covers the entire basin.

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Most Pressing Issue – Of the three presented, what organizational approach is the most reasonable, offers the most value/benefit and has the highest likelihood of success for Kern?

GSA = Groundwater Sustainability Agency
GSP = Groundwater Sustainability Plan

Basins may be managed under one of the following:

1. Single GSA – Single GSP
1a. Single GSA – Single GSP.......Multiple "Plans"
2. Multiple GSA's – Single GSP.......Multiple "Plans"
3. Multiple GSA's – Multiple GSP's

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Option 1a

Single GSA – Single GSP .......Multiple "Plans"

Single GSA
- Authority acts as GSA for Members & assumes responsibility for monitoring/reporting and implementation of member "Plans".......consistent and within the limits of the "Plan".

Multiple Local "Plans" – Single GSP
- Authority members develop the equivalent of a GSP for their respective service areas.
- Each GSP is incorporated as a "chapter" into the Kern Basin GSP.
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Option 2
Multiple GSA’s – Single GSP......Multiple "Plans"

**Multiple GSA's**
- Multiple areas/members of the Authority self designate as GSA's.
- Authority may or may not act as GSA for some Members

**Single GSP**
- Authority acts as coordinating entity/resource to compile member "Plans" into chapters of Single GSP.

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Option 3
Multiple GSA's – Multiple GSP's

**Multiple GSA's**
- Multiple areas/members of the Authority self designate as GSA's.
- Authority may or may not act as GSA for some Members

**Multiple GSP's**
- Authority acts as coordinating entity/resource to ensure sum of GSP's within Basin meet "sustainability" requirements
- Authority may act as coordinating entity/resource to compile member "Plans" into chapters of a coordinated/multi-member GSP.
- Multiple GSP's must be coordinated............10727.6

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Option 1a - Single GSA - Single GSP......Multiple "Plans"

Step 1 - Authority (GSA) coordinates data necessary for drafting GSP – Provides to Members
Step 2 - Members prepare GSP equivalent or "Plan" for their service area & give to Authority
Step 3 - Authority Reviews Plan for coordination and compliance
Step 4 - Authority compiles all Member "Plans" into chapters of Single GSP and submits to DWR
Step 5 - Authority monitors and implements GSP on behalf of Member – acting within the scope of the Member's approved "Plan". No action may be taken by Authority that is beyond those approved or contemplated by the members GSP.

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Option 2 - Multiple GSA - Single GSP......Multiple "Plans"

Step 1 - Authority coordinates data necessary for drafting GSP – Provides to Members
Step 2 - Members prepare GSP equivalent or "Plan" for their service area & give to Authority
Step 3 - Authority Reviews Plan for coordination and compliance
Step 4 - Authority compiles all Member "Plans" into chapters of Single GSP and submits to DWR
Step 5 - Members act as GSA and implement and enforce the GSP within their respective service areas. Authority may act as GSA for requesting Members
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**Preliminary Recommendation - Option 1a**

Single Groundwater Sustainability Plan (GSP) ("MEMBER CHAPTERS")

**Question** - Why a single GSP for Kern?

**Answer** - All options require a single GSP...or what amounts to its equivalent.

Wait, doesn't option 3 allow for Multiple GSP's implemented by Multiple GSA's?

Yes but......... Subject to 10727.6

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**What are the coordination requirements of 10727.6?**

10727.6 "...shall coordinate with other agencies preparing a groundwater sustainability plan within the basin to ensure that the plans utilize the same data and methodologies for the following assumptions in developing the plan:"

(a) Groundwater elevation data
(b) Groundwater extraction data
(c) Surface water supply
(d) Total water use
(e) Change in groundwater storage
(f) Water budget
(g) Sustainable Yield

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Under all of the options.....and before ANY GSP can be prepared All GSP's in the basin must be COORDINATED on the method and assumptions used in developing ALL DATA required to prepare a GSP.
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Potential Concerns

Concern:
I am better off doing my own GSP instead of subjecting my interests/position to those of the group.

Example: Rosedale thinks the average yield of its Kern River supplies is 26,000 AFY and is concerned the "group" analysis would disagree with this estimate or even that there may be some incentive for the group to lower Rosedale's estimate to benefit their own supply outlook.

Response:
The requirement to coordinate extends to BASIN water budgets, including surface water supplies calculated in development of the GSP(s). Agreement on these issues is required by all parties under all circumstances.

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Potential Concerns

Concern:
I am not going to let others dictate what method I will use in calculating sustainable yield for my area.

Example: Rosedale is closer to the Kern River/Kern Fan and feels that its proximity gives it a priority to "native water/safe yield".

Response:
While there will be numerous technical and legal issues to work through, EVERYONE in the BASIN must agree with the METHOD and ASSUMPTIONS used calculating Safe Yield for the BASIN.

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Potential Concerns

Concern:
My district is frequently opposed to the positions taken by district X regarding water issues. How do I know they will not take positions adverse to my interest to further theirs?

Example: Look around......we are all competing for a limited resource.

Response:
These issues will exist under all scenarios/options. We have a greater chance of avoiding significant gridlock if we can agree to a single approach/method vs. each developing individual data then arguing which is right.

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Decision on GSP:
The requirement to coordinate the essential elements of the GSP precludes any independent action or assumption within the Basin.

ALL DATA AND ASSUMPTIONS MUST BE COORDINATED

- Failure to reach agreement on items is an invitation to probationary status and someone else will make the determinations.
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Decision on GSA

- Preservation of local control at as many levels as possible
  - Members should feel that they can and will have authority to implement their GSP within their own service areas.
  - Members are uncomfortable with another organization having authority or jurisdiction over water issues within their service area.

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Where is Kern Headed?

- Preliminary Recommendation to pursue Option 1a
  - Authority will act as GSA but will divest responsibility to Members to implement. Some Members may have Authority act as implementing/responsible agency.
  - Greatest flexibility
  - Authority will act as author of Single GSP for Kern Basin using Member GSP's as "chapters" in the Kern GSP.
  - Authority will act as resource for members
    - Authority to engage technical and legal consultants to navigate and address challenges
    - Authority to provide public venue to discuss and resolve issues
    - Authority to act on behalf of members, not upon members.

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Option 1(a) or 2
Multiple GSA's – Single GSP..... Multiple "Plans"

Option 1(a) Single GSA
- Will only work if regulations allow for Single GSA to delegate implementation to JPA members. Unknown-

Option 2 Multiple GSA's
- Multiple areas/members of the Authority self designate as GSA's.
- Authority may or may not act as GSA for some Members

Single GSP
- Authority acts as coordinating entity/resource to compile member "Plans" into chapters of Single GSP.

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Next Steps

- Public Outreach / Informational Workshops
  - Members of local business/agricultural & water community Elected officials from local government (county/cities etc.) participating in effort
  - Outreach to NGO's and other stakeholders
  - Influence DWR regulatory process to address Kern issues.
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Schedule:
- Workshops February – April
- Member Policy Level Discussions April - June
- Goal to have Member recommendations in July, 2015

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Success is predicated upon:
- Preservation of local control at as many levels as possible
  - Members should feel that they can and will have input into the process and that "others" will not decide their future
- The expectation that working together will provide an outcome that is better than the alternatives.
  - No one will want to participate or support in a process whose outcome is likely to be less desirable than other available alternatives. (state intervention/adjustment)
- Developing an approach to groundwater management within the Kern Basin that is flexible enough to accommodate the various interests and entities.