



Kern River Groundwater Sustainability Agency

April 12, 2016

Mark Nordberg, GSA Project Manager
Sustainable Groundwater Management Section
California Department of Water Resources
P.O. Box 942836
Sacramento, California 94236-0001

Re: Notice of Decision to Become a Groundwater Sustainability Agency

Dear Mr. Nordberg,

Per Section 10723.8(a) of the California Water Code, the City of Bakersfield, the Kern Delta Water District, and the Kern County Water Agency Improvement District No.4 hereby give notice of their decision to form the Kern River Groundwater Sustainability Agency (GSA) for a portion of the Kern County Subbasin (Basin Number 5-22.14, DWR Bulletin 118) within the San Joaquin Valley Groundwater Basin.

The Sustainable Groundwater Management Act (SGMA), passed in 2014, requires that all basins designated as high- or medium-priority basins that are subject to critical overdraft conditions are to be managed under a groundwater sustainability plan (GSP) or coordinated GSPs (Section 10720.7). The Kern County Subbasin is a high-priority basin and is identified as having critical overdraft conditions. Information regarding the status of groundwater basins is provided by the California Department of Water Resources (DWR) at:
<http://www.water.ca.gov/groundwater/sgm/cod.cfm>.

This GSA notification and supporting materials are submitted to DWR within 30 days of the decision to form the GSA by its member agencies per Water Code §10723.8(a).

Water Code §10723.8(a)(1) requires that this GSA notification include information regarding the service area boundaries of the GSA and the boundaries of the basin the GSA intends to manage. Exhibit 1 includes three maps to satisfy the requirements of Water Code §10723.8(a)(1). Map (A) shows the Kern River GSA boundary. Map (B) shows the Kern River GSA boundary within the Kern County Subbasin. Map (C) shows the boundaries of the service areas of the agencies that comprise the Kern River GSA. The digital GIS data corresponding to the GSA boundary maps shown in Exhibit 1 are included with this submittal and provided on compact disc.

Water Code §10723.8(a)(1) also requires information regarding other agencies managing or proposing to manage groundwater within the basin. At the time of this Kern River GSA Notification submittal to DWR, it is our understanding that the Buena Vista Water Storage District has submitted a Notification to Form a GSA with DWR for a portion of the Kern County Subbasin. Within the Kern County subbasin, we understand that other agencies may be considering or proposing to form GSAs to manage groundwater resources in their own services areas. To our knowledge at this time, the following entities have held either a public hearing or expressed interest in forming a GSA: the Kern Groundwater Authority (KGA) and the Olcese Water District. We understand that the Greenfield County Water District has held a public hearing, passed a resolution to form a GSA, and will be submitting their Notification to Form a GSA with DWR.

On March 1, 2016 the governing Board of the Kern Delta Water District held a public hearing (Water Code §10723.b) regarding formation of the Kern River GSA. On March 15, 2016 the Board passed Resolution 2016-03 wherein the District resolved to become a GSA in cooperation with the City of Bakersfield and Improvement District No.4 of the Kern County Water Agency for the portion of the Kern County Subbasin as shown in Exhibit 1. Exhibit 2 contains a copy of the approved resolution to form the Kern River GSA by the governing Board of the Kern Delta Water District. Exhibit 3 includes details regarding the public noticing of the March 1, 2016 hearing by the Kern Delta Water District. The noticing process was consistent with the requirements of Section 6066 of the California Government Code.

On March 2, 2016 the City Council of Bakersfield held a public hearing (Water Code §10723.b) regarding formation of the Kern River GSA. On March 30, 2016 the City Council passed Resolution 039-16 wherein the City resolved to become a GSA in cooperation with the Kern Delta Water District and Improvement District No.4 of the Kern County Water Agency for the portion of the Kern County Subbasin as shown in Exhibit 1. A copy of Resolution 039-16 is included in Exhibit 2. Details regarding the public noticing of the March 2, 2016 hearing by the City Council are provided in Exhibit 3 and are consistent with the requirements of Section 6066 of the California Government Code.

On March 31, 2016 the Board of Directors of the Kern County Water Agency on behalf of Improvement District No.4 held a public hearing (Water Code §10723.b) regarding formation of the Kern River GSA. On March 31, 2016 the Board of Directors passed Resolution 11-16 wherein the Kern County Water Agency, Improvement District No.4 resolved to become a GSA in cooperation with the Kern Delta Water District and the City of Bakersfield for the portion of the Kern County Subbasin as shown in Exhibit 1. A copy of Resolution 11-16 is included in Exhibit 2. Details regarding the public noticing of the March 31, 2016 hearing by the Board of Directors are provided in Exhibit 3 and are consistent with the requirements of Section 6066 of the California Government Code.

Exhibit 4 provides a memorandum of understanding (MOU) between the Kern Delta Water District, City of Bakersfield, and Kern County Water Agency Improvement District No.4 to form the Kern River GSA and manage groundwater resources sustainably within the GSA boundary. Please note that Exhibit C-1 to the MOU in Exhibit 4 contains a list of additional agencies that have joined the Kern River GSA. Exhibit 5 includes additional supporting documents related to these additional agencies that have joined the Kern River GSA.

Per California Water Code §10723.2, GSAs shall consider the interests of all beneficial uses and users of groundwater within their service area, as well as those responsible for implementing Groundwater Sustainability Plans (GSPs). Exhibit 6 lists interested parties developed pursuant to Water Code §10723.2 and describes how these users and uses will be considered during the development and operation of the Kern River GSA and implementation of the GSP for the Kern River GSA. If additional interested parties are discovered, they too will be included in the development and operation of the GSA and the development and implementation of the agency's sustainability plan (Water Code 10723.8(a)(4)).

Water Code §10723.4 states that a GSA shall also establish and maintain a list of persons interested in receiving notices regarding plan preparation, meeting announcements, and availability of draft plans, maps, and other relevant documents. Any person may request, in writing, to be placed on the list of interested persons. The Kern River GSA will establish and maintain such a list of persons interested in receiving notices.

Except for the authorities granted to a GSA pursuant to Part 2.74 of Division 6 of the California Water Code (SGMA), no new bylaws, ordinances, or authorities have been adopted by the District or City at this time of forming the Kern River GSA (Water Code §10723.8(a)(3)).

The undersigned hereby represents that the information required by California Water Code §10728.3 is included within this notice and that the notification process is complete.

If you have any further questions or require any clarification regarding the information provided in this GSA Notification submittal, please do not hesitate to contact one of our GSA program coordinators as identified on the following page.

Thank you,



Rodney Palla

President, Board of Directors, Kern Delta Water District



Harold Hanson

Vice Mayor, City of Bakersfield



Ted Page

President, Board of Directors, Kern County Water Agency

GSA Program Coordinators

Art Chianello
Water Resources Manager
Water Resources Department
(661) 326-3715
achianel@bakersfieldcity.us

Mark Mulkay
General Manager
Kern Delta Water District
(661) 834-4656
mulkay@kerndelta.org

David Beard
Manager
Kern County Water Agency
Improvement District No. 4
(661) 634-1400
dbeard@kcwa.com

Exhibits:

- Exhibit 1: GSA Maps – including (A) map of Kern River GSA boundary, (B) map of Kern River GSA boundary within Kern County Subbasin, and (C) map of Kern River GSA showing member agencies service area boundaries
- Exhibit 2: GSA Forming Resolutions by Kern Delta Water District, City of Bakersfield, and Improvement District No. 4 of the Kern County Water Agency
- Exhibit 3: Public Hearing Noticing Information for GSA Member Agencies
- Exhibit 4: Memorandum of Understanding (MOU) Between the City of Bakersfield, Kern Delta Water District, and Improvement District No.4 of the Kern County Water Agency
- Exhibit 5: Supporting Documents for Entities Also Joining the Kern River GSA
- Exhibit 6: List of Interested Parties
- Exhibit 7: List and Map of Disadvantaged Communities (DAC) in GSA

EXHIBIT 5

SUPPORTING DOCUMENTS FOR ENTITIES ALSO JOINING THE KERN RIVER GSA

INCLUDING:

DOCUMENTS FROM

(A) EAST NILES COMMUNITY SERVICES DISTRICT

(B) NORTH OF THE RIVER MUNICIPAL WATER DISTRICT



**BEFORE THE BOARD OF DIRECTORS OF
THE EAST NILES COMMUNITY SERVICES DISTRICT**

RESOLUTION NO. 2016-04

**EAST NILES COMMUNITY SERVICES DISTRICT DECISION TO FORM AND
PARTICIPATE IN A GROUNDWATER SUSTAINABILITY AGENCY PURSUANT TO
THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT**

WHEREAS, the California legislature passed a statewide framework for sustainable groundwater management, known as the Sustainable Groundwater Management Act (California Water Code § 10720 et seq.) pursuant to Senate Bill 1168, Senate Bill 1319, and Assembly Bill 1739, which was approved by the Governor and Chaptered by the Secretary of State on September 16, 2014; and

WHEREAS, pursuant to the Sustainable Groundwater Management Act, sustainable groundwater management is intended to occur pursuant to Groundwater Sustainability Plans that are created and adopted by Groundwater Sustainability Agencies; and

WHEREAS, pursuant to California Water Code §10723(a), a Local Agency or combination of Local Agencies, as defined in California Water Code §10721(n), may decide to become or form a Groundwater Sustainability Agency; and

WHEREAS, East Niles Community Services District ("District") is a Community Services District formed and operating pursuant to and in accordance with the Community Services District Law, (commencing with Government Code §61000) and overlies a portion of the Kern County Subbasin of the San Joaquin Valley Groundwater Basin portion of the Tulare Lake Hydrologic Region, as defined in Bulletin 118 of the California Department of Water Resources and is therefore a "Local Agency" as defined within California Water Code 10721 (n); and

WHEREAS, Kern Delta Water District ("Kern Delta") is a California Water District formed and operating pursuant to and in accordance with Division 13 of the California Water Code (commencing with Water Code §34000) and is a "Local Agency" as defined within California Water Code 10721 (n); and

WHEREAS, the City of Bakersfield (City) is a local public agency that manages water, has a water supply, and has land use responsibilities, and is therefore a "Local Agency" as defined within California Water Code 10721 (n); and

WHEREAS, the District desires to form and participate in a Groundwater Sustainability Agency which may include Kern Delta, the City of Bakersfield, other Local Agencies, and which may also include the participation of certain water corporations regulated by the Public Utilities Commission and mutual water companies, as authorized pursuant to Water Code 10723.6 (b); and

WHEREAS, the District held a public hearing on Monday, March 21, 2016 pursuant to California Water Code section §10723(b), after publication of notice of such hearing pursuant to California Government Code section §6066; and

WHEREAS, at the public hearing, the East Niles Community Services District Board of Directors considered oral and written comments to the extent provided by the public; and

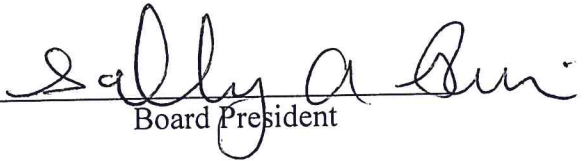
WHEREAS, it would be in the best interests of the District to form a Groundwater Sustainability Agency, which is ultimately intended to include Kern Delta Water District, the City of Bakersfield, and perhaps other Local Agencies, and which may also include the participation of various legally authorized entities.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

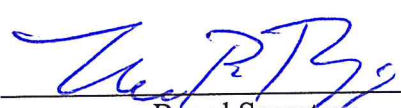
1. That the foregoing is true and correct.
2. That the East Niles Community Services District herein decides to form a Groundwater Sustainability Agency which will include all or part of Kern Delta Water District, the City of Bakersfield, and other local agencies, and which may also include the participation of other legally authorized entities, and which shall have all the powers granted to a groundwater sustainability agency pursuant to the Sustainable Groundwater Management Act.
3. That the portion of the groundwater basin that the herein formed Groundwater Sustainability Agency shall manage shall be that portion of the basin as depicted in the notification provided to the Department of Water Resources pursuant to California Water Code 10723.8, and which boundary may be modified from time to time.
4. That the groundwater sustainability agency hereby created shall consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing groundwater sustainability plans, as required by California Water Code section §10723.2.
5. That the groundwater sustainability agency hereby created shall establish and maintain a list of persons interested in receiving notices regarding plan preparation, meeting announcements, and availability of draft plans, maps, and other relevant documents, as required by California Water Code section §10723.4.
6. That the General Manager of East Niles Community Services District shall be authorized to execute a memorandum of agreement or other legal agreement(s) with other local agencies and legally authorized entities pursuant to Water Code §10723.6(a), as deemed appropriate by the General Manager, and cause notice to be given to the California Department of Water Resources of the decision of East Niles Community Services District to create and participate in the above referenced Groundwater Sustainability Agency.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the East Niles Community Services District held on the 21st day of March 2016, by the following vote, to wit:

AYES: Directors Harger, McCalla, Powell and Ruiz
NOES: None
ABSENT: Director Mayberry
ABSTAIN: None


Board President

ATTESTED:


Board Secretary

**EAST NILES COMMUNITY SERVICES DISTRICT
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that, pursuant to California Water Code section 10723 (b), East Niles Community Services District (District) will hold a public hearing on Monday March 21, 2016 at the hour of 5:30 p.m., at the District offices located at 1417 Vale Street, Bakersfield, California to consider and determine whether the District shall decide to become a Groundwater Sustainability Agency and/or to consider and determine whether the District will form a Groundwater Sustainability Agency with one or more other local agencies and water purveyors, for a portion of the Kern County Subbasin of the Tulare Lake Groundwater Basin. Written comments should be submitted to the District, to the attention of Timothy P. Ruiz, District Manager no later than 5:00 p.m. on Monday, March 21, 2016. During the hearing, the District will receive oral and written comments before making a decision.

PROOF OF PUBLICATION

The BAKERSFIELD CALIFORNIAN
P.O. BOX 440
BAKERSFIELD, CA 93302

EAST NILES COMMUNITY SVC
1417 VALE ST
BAKERSFIELD, CA 93306

Ad Number:	14091226	PO #:	
Edition:	1TBC	Run Times	2
Class Code	Legal Notices		
Start Date	3/1/2016	Stop Date	3/8/2016
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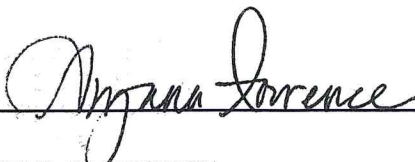
STATE OF CALIFORNIA
COUNTY OF KERN

I AM A CITIZEN OF THE UNITED STATES AND A RESIDENT OF THE COUNTY AFORESAID: I AM OVER THE AGE OF EIGHTEEN YEARS, AND NOT A PARTY TO OR INTERESTED IN THE ABOVE ENTITLED MATTER. I AM THE ASSISTANT PRINCIPAL CLERK OF THE PRINTER OF THE BAKERSFIELD CALIFORNIAN, A NEWSPAPER OF GENERAL CIRCULATION, PRINTED AND PUBLISHED DAILY IN THE CITY OF BAKERSFIELD COUNTY OF KERN,

AND WHICH NEWSPAPER HAS BEEN ADJUDGED A NEWSPAPER OF GENERAL CIRCULATION BY THE SUPERIOR COURT OF THE COUNTY OF KERN, STATE OF CALIFORNIA, UNDER DATE OF FEBRUARY 5, 1952, CASE NUMBER 57610; THAT THE NOTICE, OF WHICH THE ANNEXED IS A PRINTED COPY, HAS BEEN PUBLISHED IN EACH REGULAR AND ENTIRE ISSUE OF SAID NEWSPAPER AND NOT IN ANY SUPPLEMENT THEREOF ON THE FOLLOWING DATES, TO WIT: 3/1/16
3/8/16

ALL IN YEAR 2016

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.



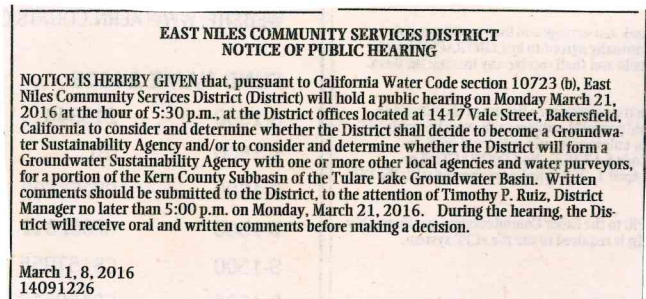
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MAR 08 2016

Solicitor I.D.: 0

First Text
EAST NILES COMMUNITY SERVICES DISTRICT NC

Ad Number 14091226



RECEIVED MAR 15 2016



North of the River Municipal Water District

PO Box 5836 – Bakersfield, CA - 93388
(661) 399-5516 office / (661) 399-5598 fax

RESOLUTION No. 2016-2

NORTH OF THE RIVER MUNICIPAL WATER DISTRICT DECISION TO FORM AND PARTICIPATE IN A GROUNDWATER SUSTAINABILITY AGENCY PURSUANT TO THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT

- WHEREAS,** the California legislature passed a statewide framework for sustainable groundwater management, known as the Sustainable Groundwater Management Act (California Water Code sections 10720 et seq.) pursuant to Senate Bill 1168, Senate Bill 1319, and Assembly Bill 1739, which was approved by the Governor and Chaptered by the Secretary of State on September 16, 2014; and
- WHEREAS,** pursuant to the Sustainable Groundwater Management Act, sustainable groundwater management is intended to occur pursuant to Groundwater Sustainability Plans that are created and adopted by Groundwater Sustainability Agencies; and
- WHEREAS,** pursuant to California Water Code section 10723(a), a Local Agency or combination of Local Agencies, as defined in California Water Code section 10721(n), may decide to become or form a Groundwater Sustainability Agency; and
- WHEREAS,** North of the River Municipal Water District ("District") is a local agency qualified to become a GSA because the District manages water and has a water supply in a portion of the Kern County Sub-basin (Basin Number 5-22.14, DWR Bulletin 118) within the San Joaquin Valley Groundwater Basin, a DWR-designated high-priority basin and is therefore a "Local Agency" as defined within California Water Code section 10721(n); and
- WHEREAS,** Kern Delta Water District ("Kern Delta") is a California Water District formed and operating pursuant to and in accordance with Division 13 of the California Water Code (commencing with Water Code section 34000) and is a "Local Agency" as defined within California Water Code section 10721(n); and
- WHEREAS,** the City of Bakersfield ("City") is a local public agency that manages water, has a water supply, and has land use responsibilities, and is therefore a "Local Agency" as defined within California Water Code section 10721(n); and
- WHEREAS,** Improvement District No. 4 of the Kern County Water Agency ("ID4") is also a local agency qualified to become a GSA and overlies a portion of the Kern County Sub-basin and is therefore a "Local Agency" as defined within California Water Code section 10721(n); and
- WHEREAS,** the District desires to form and participate in a Groundwater Sustainability Agency which may include Kern Delta, the City of Bakersfield, ID4, other Local Agencies, and which may also include the participation of certain water corporations regulated by the Public Utilities Commission and mutual water companies, as authorized pursuant to Water Code section 10723.6(b); and

- WHEREAS,** the District held a public hearing on Wednesday, April 6, 2016 pursuant to California Water Code section 10723(b), after publication of notice of such hearing pursuant to California Government Code section 6066; and
- WHEREAS,** at the public hearing, the North of the River Municipal Water District Board of Directors considered oral and written comments to the extent provided by the public; and
- WHEREAS,** it would be in the best interests of the District to participate in a Groundwater Sustainability Agency, which is ultimately intended to include Kern Delta Water District, the City of Bakersfield, and ID4, and perhaps other Local Agencies, and which may also include the participation of various legally authorized entities.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the foregoing is true and correct.
2. That the North of the River Municipal Water District herein decides to participate in a Groundwater Sustainability Agency which will include all or part of Kern Delta Water District, the City of Bakersfield, ID4, and other local agencies, and which may also include the participation of other legally authorized entities, and which shall have all the powers granted to a groundwater sustainability agency pursuant to the Sustainable Groundwater Management Act.
3. That the portion of the groundwater basin that the herein formed Groundwater Sustainability Agency shall manage shall be that portion of the basin as stated in the notification provided to the Department of Water Resources pursuant to California Water Code section 10723.8, the map provided at the public hearing, and which boundary may be modified from time to time.
4. That the groundwater sustainability agency hereby created shall consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing groundwater sustainability plans, as required by California Water Code section 10723.2.
5. That the groundwater sustainability agency hereby created shall establish and maintain a list of persons interested in receiving notices regarding plan preparation, meeting announcements, and availability of draft plans, maps, and other relevant documents, as required by California Water Code section 10723.4.
6. That the General Manager of North of the River Municipal Water District shall be authorized to execute a memorandum of agreement or other legal agreement(s) with other local agencies and legally authorized entities pursuant to Water Code section 10723.6(a), as deemed appropriate by the General Manager, and may consent to the City of Bakersfield or Kern Delta to provide notice to the California Department of Water Resources of the decision of the North of the River Municipal Water District to participate in the above referenced Groundwater Sustainability Agency.
7. Consistent with the Sustainable Groundwater Management Act and in particular Water Code section 10720.5(b), the District's participation in the above-referenced Groundwater Sustainability Agency shall not determine or alter in any manner the District's or its constituents' surface water or groundwater rights or otherwise modify the District's powers and authorities under applicable law.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the North of the River Municipal Water District held on the 6th day of April 2016, by the following vote, to wit:

AYES: Directors: Etcheverry, Tyack, Hupp, Barnes and Enos

NOES: None

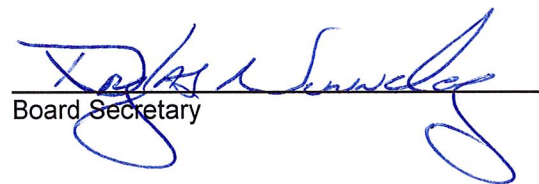
ABSENT: None

ABSTAIN: None



Board President

ATTESTED:



Board Secretary

**North of the River Municipal Water District
Notice of Public Hearing**

Notice is hereby given pursuant to California Water Code Section 10723 (b) and California Gov. Code Section 6066 that a Public Hearing with the North of the River Municipal Water District ("NOR") Board of Directors will be held on April 6, 2016 at 4:30 p.m. at 2836 McCray Street, Bakersfield, CA 93308. The purpose of the hearing is to hear public comments regarding a proposed NOR Groundwater Sustainability Agency ("GSA") or become a GSA under the Sustainable Groundwater Management Act of 2014 for certain portions of the Kern County Sub-basin lying within the service area.

PROOF OF PUBLICATION

The BAKERSFIELD CALIFORNIAN
P.O. BOX 440
BAKERSFIELD, CA 93302

YOUNG WOOLRIDGE/LEGAL
1800 30TH AVE 4TH FLR
BAKERSFIELD, CA 93301

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Start Date 3/23/2016 Stop Date 3/30/2016
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BAKERSFIELD, CA 93301

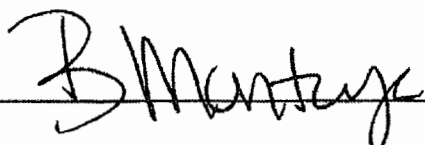
STATE OF CALIFORNIA
COUNTY OF KERN

I AM A CITIZEN OF THE UNITED STATES AND A RESIDENT OF THE COUNTY AFORESAID: I AM OVER THE AGE OF EIGHTEEN YEARS, AND NOT A PARTY TO OR INTERESTED IN THE ABOVE ENTITLED MATTER. I AM THE ASSISTANT PRINCIPAL CLERK OF THE PRINTER OF THE BAKERSFIELD CALIFORNIAN, A NEWSPAPER OF GENERAL CIRCULATION, PRINTED AND PUBLISHED DAILY IN THE CITY OF BAKERSFIELD COUNTY OF KERN,

AND WHICH NEWSPAPER HAS BEEN ADJUDGED A NEWSPAPER OF GENERAL CIRCULATION BY THE SUPERIOR COURT OF THE COUNTY OF KERN, STATE OF CALIFORNIA, UNDER DATE OF FEBRUARY 5, 1952, CASE NUMBER 57610; THAT THE NOTICE, OF WHICH THE ANNEXED IS A PRINTED COPY, HAS BEEN PUBLISHED IN EACH REGULAR AND ENTIRE ISSUE OF SAID NEWSPAPER AND NOT IN ANY SUPPLEMENT THEREOF ON THE FOLLOWING DATES, TO WIT: 3/23/16
3/30/16

ALL IN YEAR 2016

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.



DATED AT BAKERSFIELD CALIFORNIA
3/30/16

Solicitor I.D.: 0

First Text
NOTICE OF PUBLIC HEARING NORTH OF THE RI

Ad Number 14105292

NOTICE OF PUBLIC HEARING NORTH OF
THE RIVER MUNICIPAL WATER
DISTRICT

Notice is hereby given pursuant to California Water Code Section 107230 and California Gov. Code Section 6066 that a Public Hearing with the North of the River Municipal Water District (NOR) Board of Directors will be held on April 6, 2016 at 4:30 p.m. at 2836 McCray Street, Bakersfield, CA 93308. The purpose of the hearing is to hear public comments regarding a proposed NOR Groundwater Sustainability Agency ("GSA") or NOR combining with other public agencies to become a GSA under the Sustainable Groundwater Management Act of 2014 for certain portions of the Kern County Sub-basin lying within its service areas.

March 23, 30, 2016
(14105292)