

ATTACHMENT 1

Authorization and Eligibility Requirements

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1 Attachment 1 - Authorization and Eligibility Requirements

1.1 Authorizing Documentation

The applicant must provide a resolution adopted by the applicant's governing body designating an authorized representative to submit the application and execute an agreement with the State of California for an IRWM Implementation Grant.

A resolution was adopted by the Tehachapi-Cummings County Water District (TCCWD) Board of Directors authorizing the General Manager, John Martin, to submit the 2013 Implementation Grant Proposal on behalf of the Tulare Lake Basin Portion of Kern County IRWM Group (herein referred to as the Kern IRWM Group) and to execute an agreement with the State of California for an IRWM Implementation Grant. A copy of the resolution is included as **Appendix 1.1-A**.

1.2 Eligible Applicant Documentation

Eligible applicants are local public agencies or non-profit organizations. The applicant must provide a written statement (and additional information if noted) containing the appropriate information outlined below.

TCCWD, a public agency, is one of the signatories to the Kern IRWM Plan Participation Agreement and a member of the Kern IRWM Group. It is an appropriate entity to submit the Proposition 84, Round 2, Implementation Grant application materials on behalf of the Kern IRWM Plan RWMG and the application project proponents. TCCWD has the authority to enter into a grant agreement with the California Department of Water Resources. The questions listed in the Proposal Solicitation Package are answered as follows:

- *Is the applicant a local public agency as defined in Appendix B of the 2012 Guidelines? Please Explain?*

The Tehachapi-Cummings County Water District is a local public agency. The District is a County Water District, organized and existing pursuant to the County Water District Law (California Water Code, §§ 30000 et seq.). The District satisfies the definition of 'local agency', which is described in the CWC 10701(a) as any city, county, district, agency, or other political subdivision of the state for the local performance of governmental or proprietary functions within limited boundaries.

- *What is the statutory authority or other legal authority under which the applicant was formed and is authorized to operate?*

The District is a County Water District, organized and existing pursuant to the County Water District Law (California Water Code, §§ 30000 et seq.).

- *Does the applicant have the legal authority to enter into a grant agreement with the State of California?*

The District has the authority to enter into a Water Code Section 10795.8 grant contract with the Department of Water Resources under the authority vested in the District pursuant to Water Code sections 31020, 31022, 31041, 31042, 31047, 31048 and 31049. Specifically, Water Code section 31048 authorizes a County Water District to “cooperate, act in conjunction and contract with the State of California or any agency thereof...with respect to the salvage, control, storage, spreading, distribution, treatment, purification and recapture of any waters...and the construction of any work, the acquisition of any property or the doing of any act with respect thereto or for the protection of property, watersheds, water courses and underground water supplies, and for the use, operation, management, or control of any public works or property.”

- *Describe any legal agreements among partner agencies and/or organizations that ensure performance of project and tracking of funds.*

Prior to TCCWD signing a funding contract with DWR, each implementing agency that will receive funding will enter into and execute a memorandum of understanding (MOU) with TCCWD that will include, at a minimum, commitments on the following topics:

- The implementing agency will agree to, by extension, all of the conditions and requirements that are included in the funding contract between DWR and TCCWD.
- Verify that the implementing agency has sufficient available funds to proceed with their project as planned with the knowledge that the grant program is a reimbursement program and that they must incur costs before those costs can be invoiced to DWR through TCCWD.
- That the implementing agency will submit all the identified deliverables in the proposal and all future reimbursement requests in a timely manner to DWR through regular submittals to TCCWD.
- That the implementing agency will accomplish project monitoring, project assessment and collection of performance measures in a timely manner and relay that information back to DWR through submittals to TCCWD.

A draft version of the MOU between TCCWD and implementing agencies can be found in the Proposal as **Appendix 1.2-A**.

1.3 GWMP Compliance

For groundwater management and recharge projects and for projects that directly affect groundwater levels or quality, the applicant or the participating agency responsible for such projects must provide in Attachment 1 the following, as applicable:

- *If the Proposal does not contain a groundwater project that directly affects groundwater levels or quality, so indicate, and include in Attachment 1 the justification for such a conclusion.*
- *Identification of projects in the Proposal that involve any groundwater projects or other projects that directly affect groundwater levels or quality.*
- *The agency(ies) that will implement such project(s).*
- *The status of the applicable GWMP compliance option as described below:*
 - *The applicant or participating agency has prepared and implemented a GWMP that is in compliance with CWC §10753.7.*
 - *The applicant or participating agency participates or consents to be subject to a GWMP, basin-wide management plan, or other IRWM program or plan that meets the requirements of CWC §10753.7.*
 - *The applicant or participating agency conforms to the requirements of an adjudication of water rights in the subject groundwater basin.*
 - *The applicant or participating agency is in the process of revising the GWMP to be compliant with CWC §10753. In which case, Attachment 1 must state the estimated date for adoption, which must be within one year of application due date (see the Schedule in Table 3).*

1.3.1 Introduction

This proposal contains five (5) projects, two of which directly affect groundwater levels or quality (as described below).

The other projects are two (2) water use efficiency projects and one (1) flood management/flood damage reduction project. The water use efficiency projects consist of various programs to encourage reduced water use in the residential and commercial sectors in two urban areas of the Region. The flood management project consists of constructing sub-surface stormwater and flood water infrastructure in a Disadvantaged Community area that experiences flooding on a regular basis. None of these projects directly affect groundwater levels or quality in the areas of the Region where they will take place.

The two projects that do directly affect groundwater levels or quality are:

1. The Snyder Well Intertie Pipeline for Irrigation and Nitrate Removal Project reduces nitrate levels in the Tehachapi Groundwater Basin. The City of Tehachapi groundwater supply is obtained from the Tehachapi Basin, which is an adjudicated groundwater basin.
2. The Kern Water Bank Recharge and Recovery Enhancement Project enhances groundwater storage and recovery in an existing groundwater banking program, in particular to increase the capacity to take advantage of available wet year water supplies and store them, thus directly impacting groundwater levels. The Kern Water Bank Authority operates through the Memorandum of Understanding Regarding Operation and Monitoring of the Kern Water Banking Program that is an equivalent plan that meets the requirements of CWC §10753.

The groundwater management plans for both of these projects are described further in the following sections. GWMP Compliance self-certification forms are contained in Attachment 11 – GWMP, AB 1420, and Water Meter Compliance Information.

1.3.2 Snyder Well Intertie Pipeline for Irrigation and Nitrate Removal

The project proponent for the Snyder Well Intertie Pipeline, the City of Tehachapi, obtains its groundwater supply from the Tehachapi Basin, which is an adjudicated groundwater basin. TCCWD is the court designated Watermaster for the Tehachapi Basin (as well as the adjacent Brite and Cummings Basins), which are adjudicated groundwater basins under California Superior Court Order. Adjudication of the basin was determined to be necessary due to dwindling groundwater supplies. Since the groundwater basin is managed pursuant to court judgments, no additional groundwater management plans are required as AB 3030 allows for this type of alternative structure for management of groundwater basins (Water Code Sections 10750 to 10756). The basins have been actively managed by TCCWD, the court designated Watermaster, for the past 40 years. As Watermaster, TCCWD prepares annual reports and submits them to the Court on a calendar year basis. The 2011 Watermaster Report for the Tehachapi Basin is included as **Appendix 1.3-A**. The 2012 report is currently being finalized and will be completed later this year.

In 1966, a lawsuit was filed in the Kern County Superior Court for the Tehachapi Groundwater Basin. The Judgment, Superior Court Case No. 97210, was filed in 1971. A physical solution to meeting the parties' water needs was established by filing the "Amendment to Judgment" in 1973. This ruling created "allowed pumping allocations" for each party as well as party domestic rights which restricted total annual extractions within the Tehachapi Basin to the safe yield of 5,500 AF.

The Judgment incorporated the following requirements:

- Appointed TCCWD as Watermaster and designated duties, powers, and responsibilities;
- Injunction against exporting native groundwater from the basin;
- Injunction against diverting surface water from the watershed;
- Remains under continuing jurisdiction of the Court.

A detailed boundary description of the basin is included in the court judgment. **Figure 1-1** is a map that shows the boundaries of the Tehachapi Basin (and the adjoining adjudicated groundwater basins) as identified in the court rulings. The Figure also shows the boundaries of the groundwater basins as delineated in DWR Bulletin 118. A copy of the Judgment is included in **Appendix 1.3-B**.

The main purpose of the Judgment is to provide a groundwater management program in the basins in order to prevent further damage to the basins and to allow the integration of imported supplemental water with local groundwater supplies. TCCWD and the stakeholders in the basin have been working diligently to resolve groundwater related concerns.

In accordance with the Court Judgments, TCCWD has the following responsibilities:

- Serving as Watermaster of the basins, monitoring groundwater and surface water activities within the basins.
- Completing annual Watermaster Reports summarizing groundwater basin activities.
- Approving permanent and temporary transfer of water rights.
- Establishing and enforcing Watermaster rules and regulations to administer the Judgments and to carry out its duties, powers and responsibilities under the Judgments.

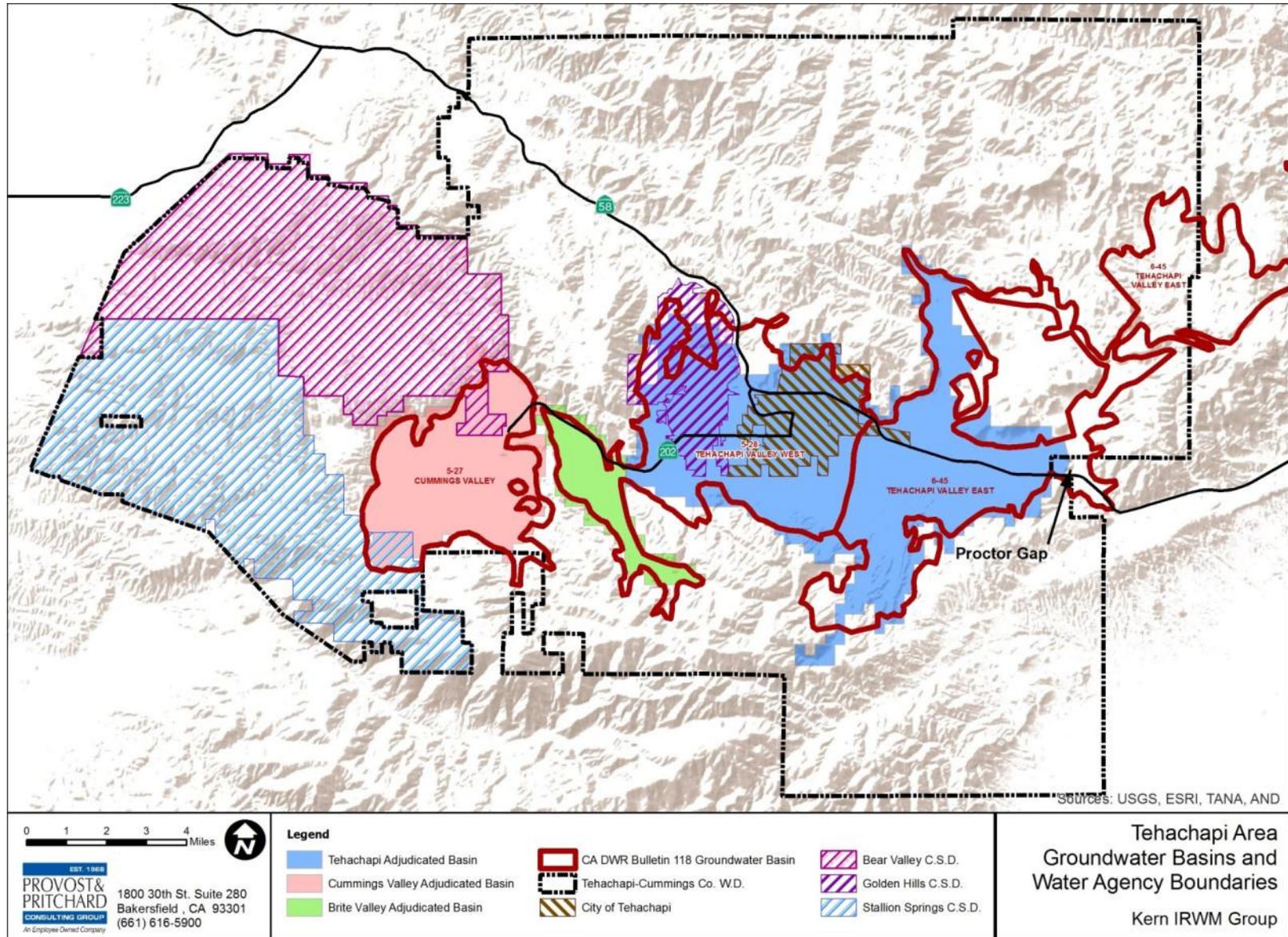


Figure 1-1: Tehachapi, Brite, and Cummings Adjudicated Groundwater Basi

1.3.3 Kern Water Bank Recharge and Recovery Enhancement Project

The Kern Water Bank Authority operates under a comprehensive and detailed groundwater management program that is spelled out in its “Memorandum of Understanding Regarding Operation and Monitoring of the Kern Water Bank Groundwater Banking Program,” (MOU) entered into October 26, 1995. This MOU represents the culmination of extensive collaboration among many parties regarding groundwater management in the Kern Fan area. A List of Participants involved in its development and subsequent implementation is shown below.

Table 1-1: Kern Fan Monitoring Committee Participants:

Belridge Water Storage District
Berrenda Mesa Water District
Buena Vista Water Storage District
City of Bakersfield, Water Resources Dept.
Dudley Ridge Water District
Henry Miller Water District
KCWA Improvement District No. 4
Kern County Water Agency
Kern Delta Water District
Kern Water Bank Authority
Lost Hills Water District
McAllister Ranch Irrigation District
North Kern Water Storage District
Rosedale-Rio Bravo Water Storage District
Semitropic Water Storage District
Tejon-Castac Water District
West Kern Water District
Westside Mutual Water Company
Wheeler Ridge-Maricopa WSD

The Kern Water Bank property and the neighboring water districts are shown in **Figure 1-2**. The figure also shows Kern County Portion of the San Joaquin Basin as defined in the DWR Bulletin 118.

The MOU provisions, which are summarized in Table 1-2, contains specific project objectives, operating criteria, and monitoring programs to govern construction and operation of the Kern Water Bank in a manner that maximizes water quality, water supply, and water level benefits while avoiding and/or mitigating adverse impacts.

Requirements of the MOU stipulate that water quality is to be at least maintained and, where possible, enhanced. Some of the measures prescribed in the MOU to protect water quality include: 1) giving recharge priority to the best quality water available, 2) removing more salts than are recharged, 3) controlling the migration of poor quality water, and 4) extracting poorer quality groundwater where practicable (and where blending with excellent quality water from elsewhere in the project results in the water quality objectives of downstream users being met

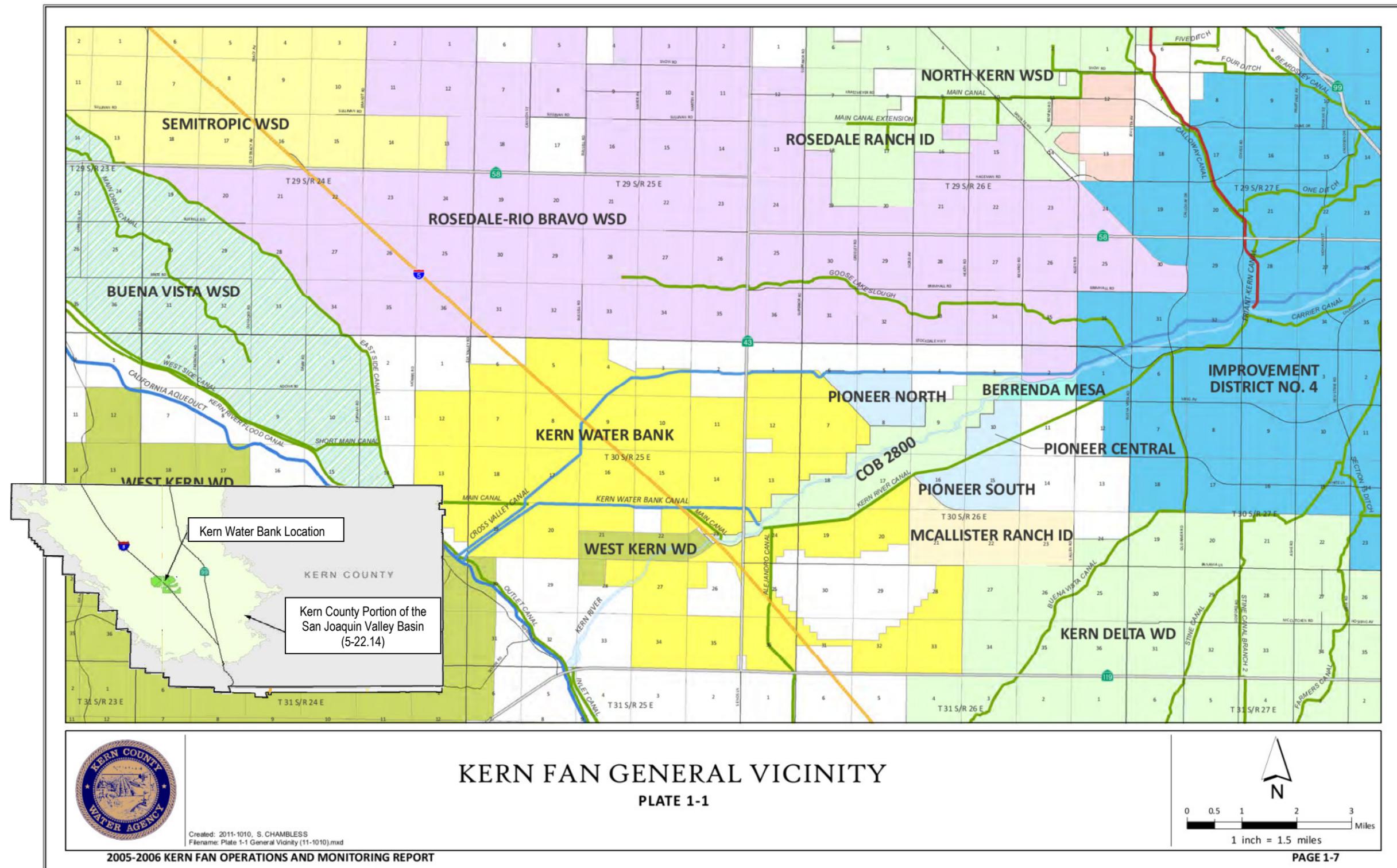


Figure 1-2: Kern Fan General Vicinity Map

Table 1-2 Summary of Groundwater Management Provisions of Kern Water Bank Groundwater Banking Program MOU

1. Project Design and Construction
CEQA process and Monitoring Committee review required for major modification
2. Project Operation
 - a. Project Objectives (good faith effort required to meet the following objectives)
 - (1) operate projects to maintain and, when possible, enhance Kern Fan groundwater quality
 - (2) priority given to purest or best quality recharge water
 - (3) recovered water avg. TDS will exceed recharged water avg. TDS
 - (4) extract poorer quality water, but meet regulatory rules. blending allowed
 - (5) all groundwater pumpers attempt to control migration of poor quality water
 - (a) limit or terminate extractions that draw poorer quality water into useable water areas
 - (b) increase extractions in areas that might generate a beneficial, reverse gradient
 - (c) increase recharge within usable water area to promote favorable groundwater gradients
 - (6) without mitigation, banker may not operate so as to create worse conditions than without project
 - (7) develop and operate project to prevent, eliminate, or mitigate significant adverse impacts
 - (a) mitigation measures include, but are not limited to:
 - (i) spread out recovery area
 - (ii) provide buffer areas between recovery wells and neighboring overlying users
 - (iii) limit monthly, seasonal, and/or annual recovery rate
 - (iv) provide sufficient recovery wells to allow rotation of recovery wells or the use of alternate wells
 - (v) provide adequate well spacing
 - (vi) adjust pumping rates or terminate pumping to reduce impacts, if necessary
 - (vii) impose time restrictions between recharge and extraction to allow downward percolation
 - (viii) provide recharge of water that would otherwise not recharge the Kern Fan Basin
 - (b) mitigation measures that compensate for unavoidable adverse impacts include, but are not limited to:
 - (i) lower pump bowls or deepen wells of affected overlying user
 - (ii) provide alternative water supplies to affected overlying user
 - (iii) provide financial compensation to affected overlying user
 - b. Minimum Operating Criteria
 - (1) notify Monitoring Committee prior to recharge of potentially unacceptable water
 - (2) recharge may not occur in, on or near contaminated areas, and:
 - (a) participate with other groundwater pumpers to investigate source of contamination
 - (b) work with authorities to ensure that responsible party meets responsibilities to remove contamination
 - (c) operate the project in cooperation with other groundwater pumpers to eliminate migration of contaminants
 - (3) operators will avoid diminishing the natural, normal, and unavoidable recharge of water native to Kern Fan area
 - (4) 0.3 acre-feet per acre per year mitigation for allowed land
 - (5) use of lands shall not contribute to overdraft of the groundwater basin
 - (6) measurement devices for recharge and recovery subject to evaluation of Monitoring Committee
 - (7) user responsible for accurate measurement and timely reporting to Monitoring Committee
 - (8) flow deposited in other transportation facilities shall be measured by the operator and reported to the Monitoring Committee
 - (9) Monitoring Committee maintains official public records and annual reports of recharge and recovery activities
 - (10) losses shall be assessed as follows:
 - (a) fixed 6 percent surface recharge losses
 - (b) 4 percent deduction for overdraft correction on banked water compensated within 3 years at SWP Delta Water rate.
 - (c) additional 5% loss assessed to water banked against out-of-County, non SWP Ag Contractors
 - (d) all losses are non-bankable and non-recoverable by Project Participants
 - (11) Recovery shall be from the Project Site unless otherwise allowed by overlying entity and Monitoring Committee
 - (12) Recovery not allowed if not otherwise mitigated if it will result in significant adverse impacts to surrounding overlying users
 - (13) KWBA will stop pumping as necessary to mitigate interference, compensate owner, or both per Monitoring Committee criteria
 - (14) Kern Fan Element Groundwater Model may be used by Monitoring Committee to estimate groundwater impacts of Project
3. Project Monitoring
 - a. Monitoring Committee comprised of one representative of each of the Adjoining Entities and Project Participants shall:
 - (1) engage services of suitable independent professional groundwater specialist to assist
 - (2) meet and confer monthly or at other appropriate intervals
 - (3) establish groundwater evaluation methodologies
 - (4) prepare monitoring plan and water quality and water level network maps
 - (5) specify additional monitoring wells and ancillary equipment
 - (6) prepare annual water balance studies and other interpretive studies to designate sources and use of water
 - (7) develop criteria for determining whether excessive mounding or withdrawal is likely to occur in an area of interest
 - (8) determine impacts of the Project on each Adjoining Entity by evaluating with and without Project conditions, and
 - (9) develop procedures, review data, and recommend Project operational criteria to address imbalances or adverse impacts
 - b. Collection and Sharing of Data
Adjoining entities make groundwater data collected by each available. KWBA annually reports water deliveries and withdrawals.
 - c. Monitoring Costs
 - (1) Project participants bear cost of construction of initial monitoring wells and ancillary equipment
 - (2) each party bears cost of its representative on Committee and monitoring costs within their respective boundaries
 - (3) all other groundwater monitoring costs split 50:50 between Project Participants and Adjoining Entities
 - (4) provision to add to Monitoring Committee
4. Modification of Project Operations: Monitoring Committee may make recommendations for modification in Project operations

Note: This table paraphrases provisions of MOU, see MOU for exact language of all provisions

In order to ensure that the above goals are met, the MOU provided for the establishment of a Monitoring Committee to oversee banking operations, and the results of an extensive monitoring program that has subsequently been implemented. The committee (known as the Kern Fan Monitoring Committee) is made up of several basin stakeholders including the Kern County Water Agency and all adjoining water districts. This committee, which typically meets bimonthly, has completed a number of tasks required by the MOU, including:

1. Preparing and implementing a monitoring plan;
2. Specifying monitoring wells;
3. Preparing annual water balance studies and other interpretive studies of sources and uses of water within the project area and within adjoining water districts (2005-2006 Kern Fan Area Operations and Monitoring Report is an example);
4. Determining the impacts of project operations on surrounding areas;
5. Developing criteria for identifying, verifying, avoiding, eliminating or mitigating significant adverse impacts from project operations.

Extensive monitoring has been used to establish baseline groundwater quality and ensure that groundwater problems are not developing. This monitoring consists of two elements: 1) the regular sampling of approximately 57 dedicated monitoring wells for several potential constituents of concern, and 2) the sampling of all recovery wells according to a Monitoring Schedule developed by the Department of Health Services. A map showing the locations of the monitoring wells is on Page 21 (Plate 1-2) of the 2005-2006 Kern Fan Area Operations and Monitoring Report (**Appendix 1.3-D**).

Under this program monitoring well water levels are measured at least semiannually and water samples are analyzed for several potential constituents of concern at least annually (described in the Sampling Plan for Groundwater Monitoring for Kern Fan Water Banking Program (**Appendix 1.3-E**)). The results of this monitoring are reported to and reviewed by the Monitoring Committee to ensure that excellent groundwater quality is maintained (e.g. see Kern Fan Monitoring Report).

All recovery wells are sampled and tested according to a DHS Title 22 Monitoring Schedule for wells providing water to municipal purveyors. In addition to providing extensive information regarding groundwater quality, the results of this sampling are used to model expected changes in water quality in conveyance facilities receiving the recovered water. First, the distribution of various quality indicator parameters is mapped, and then a blending model is used to calculate the potential impacts to downstream users.

Monitoring for signs of inelastic land surface subsidence is conducted at an extensometer installed and maintained by DWR on the Kern Water Bank. Inelastic land surface subsidence has not been a problem, and is not directly mentioned in the MOU. But it would be a potential adverse impact, which is mentioned in the MOU.

A primary purpose of the monitoring committee is to evaluate groundwater information and determine if impacts are likely to occur as a result of project operations. If the monitoring committee determines that impacts are likely, then mitigation strategies are developed. Measures to prevent significant adverse impacts from occurring may include: (1) spreading out recovery areas; (2) providing buffer areas between recovery wells and neighboring overlying users; (3) limiting the monthly, seasonal, and/or annual recovery rate; (4) providing sufficient recovery wells to allow rotation of recovery wells or the use of alternate wells; (5) providing

adequate well spacing; (6) adjusting pumping rates or terminating pumping to reduce impacts; and (7) imposing time restrictions between recharge and extraction to allow for downward percolation of water to the aquifer.

The Kern Water Bank MOU has been heralded statewide and even nationally as an example of effective groundwater management in areas with groundwater storage and recovery projects. Representatives from other areas contemplating groundwater storage projects often study the MOU as a starting point for their projects. Some of KWBA's neighboring agencies also developed groundwater banking projects with nearly identical MOUs with KWBA and their neighbors.

While the MOU was not prepared as a Groundwater Management Plan, it contains all of the provisions and more of what would be expected of an excellent Groundwater Management Plan under the California Water Code. Moreover, in contrast to many agencies with Groundwater Management Plans that "sit on a shelf", KWBA has implemented the plans provisions, and has demonstrated excellent compliance with the MOU.

Table 1-3 compares provisions of California Water Code Section 10753.7 with the Kern Water Bank Groundwater Banking Program MOU and lists portions of the Kern Fan Monitoring Committee's Annual Report that show their implementation.

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Table 1-3: Comparison of Water Code 10753.7 Groundwater Management Plan Provisions to Kern Water Banking Program MOU

CAL. WAT. CODE § 10753.7 : California Code - Section 10753.7 Provision	Kern Water Bank Groundwater Banking Program MOU Provision	Evidence in Kern Fan Monitoring Committee Annual Report of Operations to show implementation
(a)For the purposes of qualifying as a groundwater management plan under this section, a plan shall contain the components that are set forth in this section. In addition to the requirements of a specific funding program, any local agency seeking state funds administered by the department for the construction of groundwater projects or groundwater quality projects, excluding programs that are funded under Part 2.78 (commencing with Section 10795), shall do all of the following:		
(1)Prepare and implement a groundwater management plan that includes basin management objectives for the groundwater basin that is subject to the plan. The plan shall include components relating to	2. Project Operation - a. Project Objectives	
the monitoring and management of groundwater levels within the groundwater basin	(7) develop and operate the project to prevent, eliminate, or mitigate significant adverse impacts	Section 4 of Report Addresses Groundwater Level Interpretive Studies
groundwater quality degradation	(7) develop and operate the project to prevent, eliminate, or mitigate significant adverse impacts	Section 5 of Report Addresses Water Quality of Groundwater
inelastic land surface subsidence	(7) develop and operate the project to prevent, eliminate, or mitigate significant adverse impacts	Not mentioned in Report because subsidence has not been a problem
changes in surface flow and surface water quality that directly affect groundwater levels or quality or are caused by groundwater pumping in the basin	(7) develop and operate the project to prevent, eliminate, or mitigate significant adverse impacts	Section 1, 2, and 3 of Report summarize surface water supplies and project operations. Surface water quality is covered in Chapter 5, Section 5D-1.
(2)For the purposes of carrying out paragraph (1), the local agency shall prepare a plan to involve other agencies that enables the local agency to work cooperatively with other public entities whose service area or boundary overlies the groundwater basin.	3. Project Monitoring - a. Monitoring Committee	Pages 2, 3, and 4 list Monitoring Committee Participants in June 2012
(3)For the purposes of carrying out paragraph (1), the local agency shall prepare a map that details the area of the groundwater basin, as defined in the department's Bulletin No. 118, and the area of the local agency, that will be subject to the plan, as well as the boundaries of other local agencies that overlie the basin in which the agency is developing a groundwater management plan.	Map not mentioned in MOU, which preceded the water code requirement	See Plate 1-1, Page 1-7 of Report
(4)The local agency shall adopt monitoring protocols that are designed to detect changes in	3. Project Monitoring - a. Monitoring Committee Shall	
groundwater levels	(4) prepare monitoring plan and water quality and water level network maps	Section 4 of Report has well water level measurement, depth and elevation maps, level profiles, contours, and hydrographs
groundwater quality	(4) prepare monitoring plan and water quality and water level network maps	Section 5 of Report has sampling programs, quality monitoring program for monitoring and recovery wells
inelastic surface subsidence for basins for which subsidence has been identified as a potential problem	Not specifically mentioned, but KFMC uses DWR extensometer and Aqueduct level surveys to monitor inelastic subsidence, and has determined it is not a problem	Not mentioned in report because subsidence has not been a problem
flow and quality of surface water that directly affect groundwater levels or quality or are caused by groundwater pumping in the basin	3. Project Monitoring - b. Collection and Sharing of Data ... KWBA annually reports water deliveries and withdrawals	Surface water in-flows are accounted in Sections 3D&E. Surface Water quality is accounted in Section 5D.
The monitoring protocols shall be designed to generate information that promotes efficient and effective groundwater management.		

It is also important to recognize the background of cooperative groundwater management in the Kern fan area. The Kern Water Bank is within the Kern County Water Agency's (KCWA) jurisdiction. The Kern County Water Agency Act, Act 9098 signed into law July 6, 1961, conferred to KCWA broad groundwater management authorities for those basins within KCWA's boundaries. KCWA has been exercising its groundwater management powers since its inception, in ways that are compatible with, and extend beyond, the groundwater management plan components listed Section 10753.7 of the California Water Code.

In summary, the Kern Water Bank, operates under the functional equivalent of a Groundwater Management Plan and represents a successful model for cooperative groundwater management, including intensive use of groundwater data to drive management and operational decisions.

1.4 Urban Water Management Planning Act Compliance

KCWA Improvement District No. 4

The KCWA Board of Directors adopted the Improvement District No. 4 (ID4) 2010 Urban Water Management Plan (UWMP) update on May 25, 2011. DWR received the ID4 2010 UWMP update for review on June 23, 2011. In correspondence dated March 4, 2013, DWR notified KCWA the ID4 2010 UWMP update addressed the requirements set forth in the California Water Code.

Link:

<http://www.water.ca.gov/urbanwatermanagement/2010uwmps/Kern%20County%20Water%20Agency%20Improvement%20District%20No%204/>

City of Bakersfield

The City of Bakersfield's current Retail UWMP was updated and adopted in November 2007. The City prepared this update in response to the development boom that occurred from 2002 until 2007. The City's current Wholesale UWMP was updated and adopted in July 2008.

The City of Bakersfield is currently working on its 2010 Urban Water Management Plan update. The City plans to have the UWMP adopted by June 2013. The 2010 UWMP update will include both the City's wholesale and retail water systems. The City has prepared a draft copy of Sections 1 through 4 of the 2010 UWMP and is currently working with their consultant on Sections 5 and 6. The City will work closely with the DWR in the next couple of months and will send the complete draft copy to DWR for review and comment within a month. City staff anticipates that the City's Water Board will hold a public hearing for the adoption of the 2010 UWMP at the Board's May 8, 2013 meeting.

TCCWD and Tehachapi Area Water Purveyors

It should be noted that TCCWD, Golden Hills CSD, Stallion Springs CSD, Bear Valley CSD, and the City of Tehachapi conjunctively prepared the 2010 Tehachapi Regional Urban Water Management Plan that was submitted to DWR for review on July 27, 2011. However, none of the participating agencies were required to submit an UWMP, as none of them serve 3,000 or more connections, nor do they supply 3,000 or more acre-feet of water per year for urban uses.

TCCWD provides State Water Project water primarily for agriculture but also for urban uses through conjunctive use programs. Currently TCCWD supplies less than 2,500 AF of water for urban uses per year. TCCWD also acts as the court-appointed watermaster for the three adjudicated groundwater basins, from which the water purveyors produce most of the water delivered in their service areas. However, TCCWD does not supply the agencies with this native groundwater. The retail water purveyors have rights pursuant to the Judgments to exercise their groundwater supplies, which supply is not provided by TCCWD.

Link:

<http://www.water.ca.gov/urbanwatermanagement/2010uwmps/Tehachapi%20Regional%20Alliance/>

1.5 AB 1420 Compliance & Water Meter Compliance

Agencies Classified as Urban Water Suppliers

ID4 provides a wholesale treated water supply to four customers, California Water Service Company, City of Bakersfield, East Niles Community Services Department and North of the River Municipal Water District. ID4's customer connections are fully metered.

ID4 is a signatory to the California Urban Water Conservation Council (CUWCC) Memorandum of Understanding and implements Best Management Practices (BMPs) as a wholesale water agency. On July 19, 2011, CUWCC notified KCWA that information submitted regarding BMP implementation showed ID4 to be on-track and in compliance with the wholesale water agency BMPs.

The **City of Bakersfield** is not currently a member of CUWCC. However, as part of this Proposal, the City is submitting the required AB1420 self-certification forms. With the assistance of this grant, the City will implement all of the required Demand Management Measures (DMMs) as determined in its 2010 UWMP, which the City should adopt by June 2013. At this time, the City of Bakersfield is planning on showing compliance with the BMP water savings goals by accomplishing set water savings goals as measured in gallons per capita per day consumption.

The City of Bakersfield's domestic water system is fully metered and all new connections are required to have a meter prior to obtaining domestic water service per City of Bakersfield's Domestic Water Standards. The City of Bakersfield is submitting Water Meter Compliance self-certification form as part of this Proposal.

Agencies Not Classified as Urban Water Suppliers

The **City of Tehachapi** currently serves less than 3,000 water service connections. Therefore, the City is not considered an urban water supplier and is not required to provide documentation for AB1420 or water meter compliance. However, all of the City of Tehachapi's water service connections are metered and charged a volumetric rate.

The **Tehachapi-Cummings County Water District** recharges groundwater that is used by urban water purveyors but does not directly provide urban water supplies. Therefore, the District is not considered an urban water supplier and is not required to provide documentation for AB1420 or water meter compliance. However, all of the District's imported water accounts

are metered, charged for the water consumed and billed monthly (with the exception of the California Correctional Institute, whose billing frequency is semi-annually per the contract between CCI and TCCWD). Also, Stallion Springs CSD, Golden Hills CSD, and Bear Valley CSD (retail water purveyors within TCCWD that are secondary implementing agencies for the Tehachapi Regional Water Use Efficiency Project) are not considered urban water suppliers as each purveyor serves less than 3,000 connections. Even though, these agencies do not need to comply with AB1420, the water service connections for these agencies are metered and charged at volumetric rates.

The **Kern Water Bank Authority** does not obtain and provide urban water supplies to its participants. The Authority recharges and recovers water supplies that are first provided by its participants. Therefore, the Authority is not classified as an Urban Water Supplier.

The City of Arvin does not own or operate the water system within the City. Arvin Community Services District, unrelated to the City of Arvin, provides water to the City's residents.

AB1420 and Water Meter Compliance self-certification forms are contained in Attachment 11.

1.6 Progress on Meeting Current IRWM Plan Standards

All applicants in the process of updating their IRWM Plan must complete the Overview of Selected IRWM Plan Standards in Table 1 and include it as part of Attachment 1, to demonstrate that its respective region will adopt an IRWM Plan that meets the IRWM Plan Standards contained in Appendix C of the 2012 Guidelines.

Please keep responses to each standard in Table 1 to less than one page, 12-point font. Section II.B of this PSP presents two possible scenarios whereby projects within an IRWM Plan are eligible for Implementation Grant funding. If eligibility for this criterion is being established using an IRWM Plan that meets current plan standards as explained in the 2012 Guidelines that plan must be submitted as part of Attachment 1. If eligibility is being established using an IRWM Plan adopted prior to September 30, 2008 the Plan does not need to be submitted.

The Tulare Lake Basin Portion of Kern County Integrated Regional Water Management (IRWM) Region (Kern County IRWM Region, Kern Region) covers the Kern County area west of the crest of the Sierra Nevada and north of the Tehachapi Mountains. This Region is surrounded by mountain ranges to the east, south, and west. The north boundary consists of the Kern/Kings and Kern/Tulare county lines. The Region is contained entirely within the Tulare Lake Hydrologic Region, and within the Proposition 84 Tulare/Kern (Tulare Lake) Funding Region. The Kern Region, in relation to the other IRWM Regions, is shown in **Figure 1-3**.

Increasing development and environmental demands on water availability and quality for agricultural and M&I purposes, coupled with curtailments of imported SWP and CVP deliveries due to prolonged drought and regulatory restrictions, have intensified the competition for available water supplies in the Kern Region. Consensus was needed to develop a water resources management plan and strategy that addresses the needs of both municipal and industrial purveyors to reliably provide the quantity and quality of water necessary to serve continually expanding urban needs and the needs of agricultural water users that require

adequate and reliable supplies of reasonably-priced irrigation and groundwater recharge water. In addition, the Tulare Lake hydrologic region is a “closed basin.” In general, water that enters the basin is not ‘lost to’ or ‘returned to’ a salt sink after use (with a few local exceptions). Thus opportunities for recycling and conjunctive use programs are magnified. For all these reasons, the Kern County IRWM Region is an appropriate area for integrated regional water management.

The Kern County Regional Water Management Group (RWMG), initially formed in 2008, consists of over 50 participants; the majority of them are public agencies that have statutory authority over water supply or water management. In addition, there are approximately 100 stakeholders representing cities, town councils, regulatory agencies, environmental, agricultural, tribal and land use planning entities throughout Kern County. The Kern County RWMG was formed through a Participation Agreement among approximately 30 public agencies and other signatories for development and implementation of the Kern IRWM Plan

This Region has made significant progress regarding governance, public outreach, and identification of Disadvantaged Communities (DACs). The Kern County RWMG developed the IRWM Plan and collected and prioritized implementation projects submitted by stakeholders, which were included in the Plan. The RWMG adopted the updated Plan on January 23, 2012. The Plan is included as **Appendix 1.6-A**.

The Kern IRWM Plan was prepared through a collaborative process of many agencies and organizations with interest in improving water supply, operational efficiency, water quality, flood management, and promoting land use planning and resource stewardship in the Kern Region. The Region is large in area (over 8,000 square miles) and geographically diverse. To develop an IRWM Plan that identifies and addresses those issues specific to the Kern Region, while recognizing and honoring local conditions and preferences over such a large geographic area, the Kern IRWM Plan was organized to solicit input from nine (9) “subregions.” This “subregion” stakeholder structure acknowledges the variation in geography and water management strategies in the Region. The nine (9) subregions include: Greater Bakersfield, Kern River Valley, Mountains/Foothills, Kern Fan, West Side, North County, South County, Kern County Water Agency, and the County of Kern as shown in **Figure 1-4**.

The Kern IRWM also actively participates in the Tulare Basin IRWM planning group, which meets monthly to discuss issues relating to water management planning within the Tulare Basin. The Tulare Basin IRWM planning group also includes the following IRWM planning efforts as active participants:

- Poso Creek IRWMP
- Kaweah Basin IRWMP
- Upper Kings IRWMP
- Tule IRWMP
- Southern Sierra IRWMP

The Kern IRWM Plan represents a new spirit of collaboration in the Region. Historically the water agencies in the region worked on projects individually, or in limited partnership arrangements. The IRWM Plan and its ongoing participatory processes have enabled new opportunities for cooperation and integration by multiple parties on long-standing local resource issues such as water use efficiency and stormwater management. The projects submitted in this Proposal represent some of these new realities for the Kern Region.

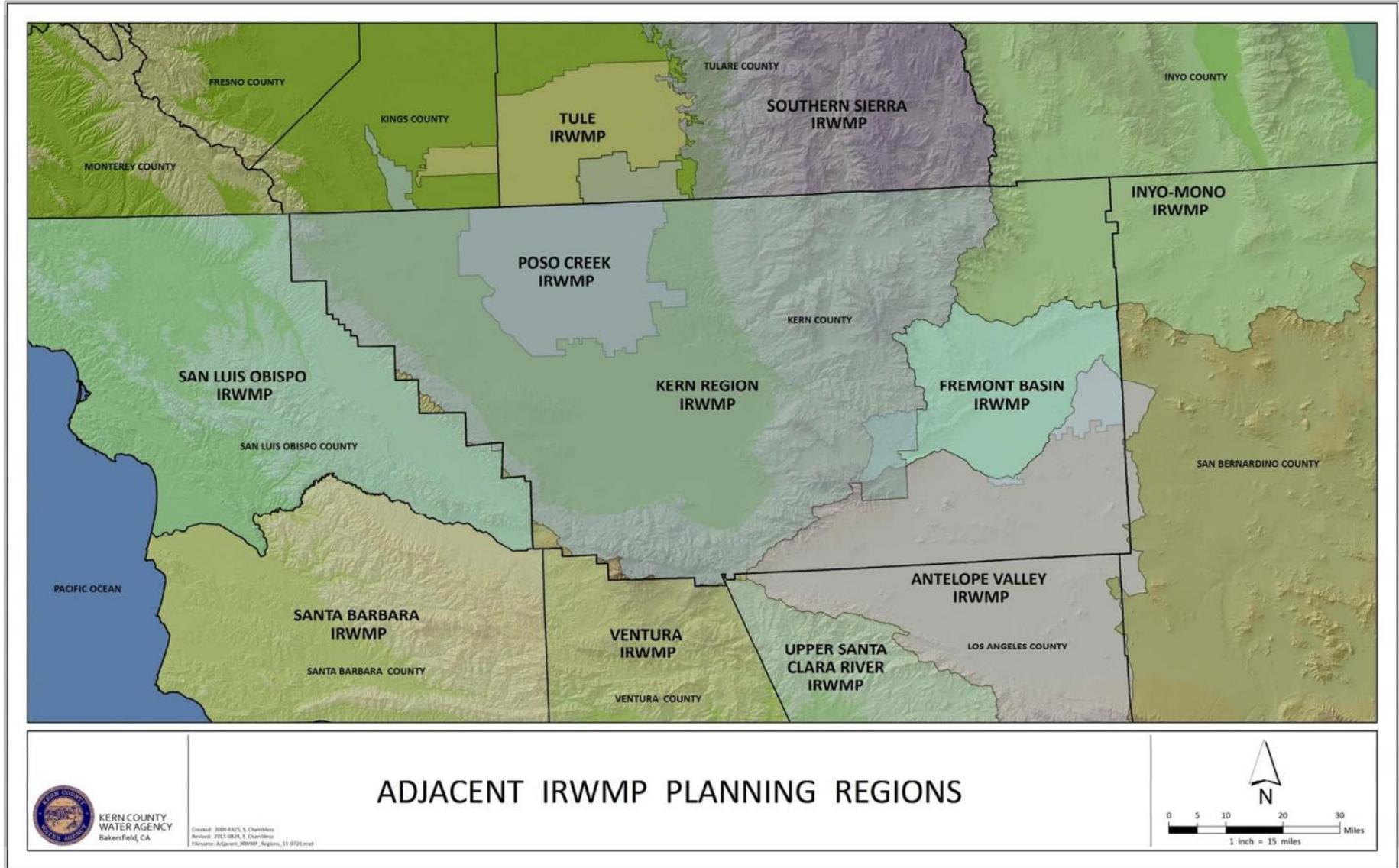


Figure 1-3: Adjacent IRWMP Planning Regions

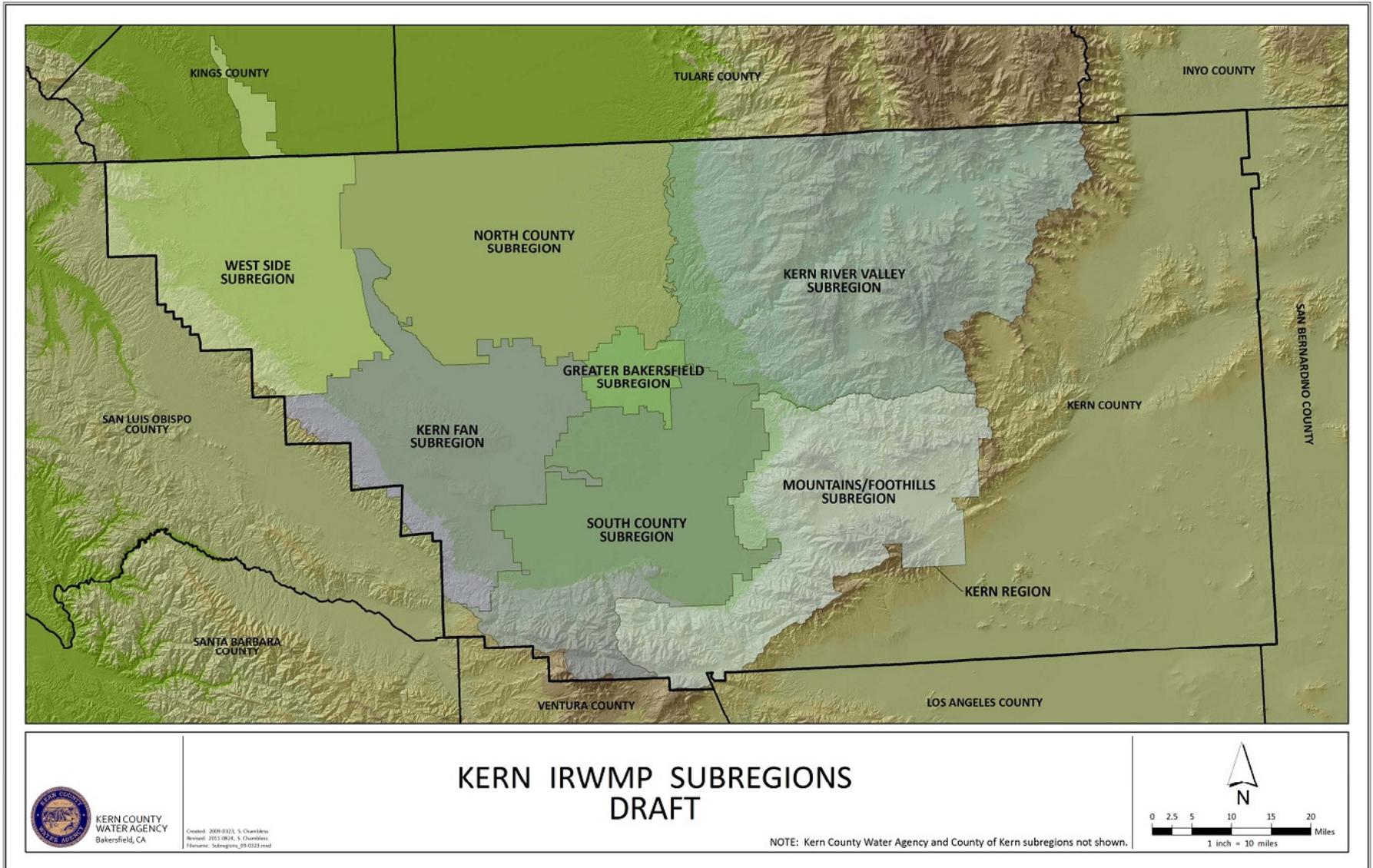


Figure 1-4: Kern IRWMP Sub-regions

1.7 Project Consistency with an adopted IRWM Plan

Consistency with the adopted IRWM Plan means either the project is included as an implementation project for the IRWM Plan, or the project has been added to the IRWM Plan after adoption, but in accordance with the procedures in the adopted IRWM Plan. In Attachment 1, the applicant must provide a listing of projects proposed for funding and how those projects are consistent with the adopted IRWM Plan. In cases where the project has been added post adoption, please discuss how the addition of the project(s) was consistent with the procedures established in the adopted IRWM Plan. Applicant must provide documentation indicating that project(s) added post adoption were vetted by the IRWM group. Documentation such as meeting minutes and/or project approval letters from the IRWM group are considered acceptable for submittal.

The Proposal contains five (5) projects, based on water management strategies identified in the Kern IRWM Plan, from four (4) of the subregions. All of these projects were included in the Plan prioritized project list. They are briefly described below with the subregion represented, the project proponents listed, and Kern IRWM Plan objectives they address. Attachment 3 – Work Plan, documents how each of these objectives are met in this Proposal.

1. Urban Bakersfield Water Use Efficiency Project (Greater Bakersfield subregion; project proponents Kern County Water Agency Improvement District No. 4 and City of Bakersfield Water Resources Department). Plan Objectives: Increase Water Supply; Promote Land Use Planning and Resource Stewardship.

This project represents the initiation of integrated programs, as well as the continuation of existing efforts, to bring the Greater Bakersfield subregion, which contains the Kern IRWM Region's largest urban areas, into compliance with AB 1420 and SBX7-7. It is intended that this starting point project will ultimately incorporate participation of all the retail water suppliers serving this subregion.

2. Tehachapi Regional Water Use Efficiency Project (Mountains/Foothills subregion; project proponents Tehachapi-Cummings County Water District, City of Tehachapi/DAC, Bear Valley Community Services District, Golden Hills Community Services District, and Stallion Springs Community Services District). Plan Objectives: Increase Water Supply; Improve Operational Efficiency; Promote Land Use Planning and Resource Stewardship.

This project represents initiation of indoor water conservation programs to bring the urbanized areas of the Mountains/Foothills subregion into compliance with a variety of state initiatives. It will benefit a disadvantaged community by directly installing residential and commercial conservation measures in that community. The Project is designed to reduce water consumption and assist in meeting state SBX7-7 regulatory requirements. The participating agencies have agreed to set the SBX7-7 baseline and conservation targets as a regional alliance.

As mentioned before, none of the participating agencies are required to submit an UWMP, as none of them serve 3,000 or more connections, nor do they supply 3,000 or

more AF of water per year for urban uses. Notwithstanding the exemption, TCCWD voluntarily submitted the 2010 Tehachapi Regional Urban Water Management Plan to serve as a coordination effort with its local retail agencies so that the group has a better understanding of the reliability of its supplies for future IRWM Plan efforts. Also, the participating agencies have agreed to set baseline and conservation targets as a regional alliance. The group is committed to implementing conservation as identified both in the regional UWMP and the IRWM Plan.

In addition, while none of the agencies are currently subject to either SBX7-7 or AB1420 at this time, they are proactively pursuing water use efficiency programs to transition into meeting SBX7-7 requirements, as some of the urban water purveyors will likely attain the 3,000 connection threshold in the next few years and will then be obligated to meet these requirements.

3. Snyder Well Intertie Pipeline for Irrigation and Nitrate Removal (Mountains/Foothills subregion; project proponents City of Tehachapi/DAC and Tehachapi-Cummings County Water District (secondary implementing agency). This project was originally submitted to the IRWM Plan project list as “Public Facility Distribution Line and Nitrate Removal Program.” It has been upgraded to meet multiple Plan Objectives: Increase Water Supply; Improve Operational Efficiency; Improve Water Quality.

This project will connect a City of Tehachapi well that produces groundwater with high nitrate concentrations to TCCWD’s raw water pipeline system to deliver non-potable water for irrigation of nearby school athletic fields as well as crops, thereby decreasing water demands on the City’s water system. The nitrate in the water produced by the Snyder Well is beneficial for crop irrigation; by extracting high nitrate groundwater from the aquifer, the nitrate levels in the underlying groundwater may decline over time. Water pumped from the Snyder well by TCCWD would provide additional conjunctive use extraction capacity that may be needed during drought years when the allocation of SWP water is reduced. This project addresses a critical water supply need for the DAC.

4. Kern Water Bank Recharge and Recovery Enhancement Project (Kern Fan subregion; project proponent Kern Water Bank Authority). Plan Objectives: Increase Water Supply; Improve Operational Efficiency, Promote Land Use Planning and Practice Resource Stewardship.

This project represents continued improvements in the investments the Authority has made in groundwater banking programs, in particular to increase the capacity to take advantage of available wet year water supplies and store them for recovery in later dry periods.

5. Sycamore Road Flood Damage Reduction Project: (South County subregion; project proponent City of Arvin/DAC). This project was originally submitted to the IRWM Plan project list as “Sycamore Drainage Facilities.” It has been upgraded to meet multiple

Plan Objectives: Promote Land Use Planning and Resource Stewardship; Improve Regional Flood Management.

This project will benefit a disadvantaged community by constructing sub-surface stormwater and flood water infrastructure in an area that experiences flooding on a regular basis. The current conveyance (utilizing the road surface) is insufficient for large storm events.

These multi-benefit integrated projects represent the first Implementation Grant Proposal from this Region. Taken together, they represent an important initial step in achieving several of the Kern Region IRWM Plan objectives and for cooperation and integration by multiple parties on long-standing local resource issues.

Project Prioritization Process

As mentioned previously, the RWMG adopted the updated IRWM Plan on January 23, 2012. The original prioritized project list was prepared in July 2009. The Governance structure allows the RWMG and participants to update the project list on a more frequent basis without having to re-adopt the entire Plan document.

After Plan adoption in 2012, the RWMG issued a new call for projects and began the effort to update the Project List. Although projects are accepted on an on-going basis, participants were given until September 28, 2012 to submit projects for scoring and consideration for Round 2 IRWM Implementation funding. Subsequent to the submission deadline, each subregion was tasked with scoring the projects within their subregion using the Tier I scoring criteria as defined in the Project Prioritization Process of IRWM Plan (Section 12.1). The subregions were required to submit their scored projects, including their top five projects, to the Executive Committee by December 21, 2012. The top five projects, if applicable, from each subregion were used to create the high priority list. Consistent with the Kern IRWMP project prioritization process, the remaining projects were sorted into the medium and low priority lists based on their scores (see **Appendix 1.7-A**). Additionally, each proponent of a project on the high priority list was contacted to determine their readiness to proceed with a grant application should their project be selected by the Executive Committee. The final project list was reviewed with the RWMG at the January 28, 2013 meeting (see **Appendix 1.7-B**). Lastly, the Executive Committee met on January 29, 2013 to score the high priority project list using the Tier II scoring criteria and select projects to proceed with the grant application.