

WEST KERN WATER DISTRICT
BOARD OF DIRECTORS
REGULAR BOARD MEETING

Minutes – Board of Directors
Tuesday, March 25, 2025

800 Kern Street
Taft, California

Directors Present: *Scott Niblett*
 Bo Bravo
 David A. Wells
 Barry M. Jameson
 Gary Morris

Ex-Officio Officer: *Greg A. Hammett, General Manager/Secretary*

District Counsel: *Alex Dominguez*

Recording Secretary: *Adeana McDaniel-Furman*

Staff in Attendance: *Taylor Miller, Troy Turley, John Stuntebeck,*
 Zak Crabb

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL/DETERMINATION OF A QUORUM

President Scott Niblett called the meeting to order at 5:30 p.m. Controller/Finance Administrator, Adeana McDaniel-Furman called roll and noted President Scott Niblett, Vice President Bo Bravo, Director Barry M. Jameson, Director David A. Wells and Director Gary J. Morris as present.

IV. CONFLICT OF INTEREST STATEMENTS

No conflicts to report.

V. PUBLIC COMMENT

No comments to report.

VI. APPROVAL OF THE AGENDA

*Upon Motion by Director Jameson, Seconded
By Director Bravo and Carried Unanimously
With 5 Ayes, 0 Noes
To approve the March 25, 2025
Regular Board Meeting Agenda.*

VII. DISCUSSION AND APPROPRIATE ACTION REGARDING:
APPROVAL OF MINUTES

A. February 25, 2025 Regular Board Meeting

*Upon Motion by Director Wells, Seconded
By Director Morris and Carried Unanimously
With 5 Ayes, 0 Noes
To approve the Minutes of the
February 25, 2025 Regular Board Meeting.*

VIII. APPROVAL OF CONSENT AGENDA

IX. CONSENT AGENDA ITEMS

- i. Discussion and Appropriate Action Regarding:
Training Report

RECOMMENDATION: Information Only.

- ii. Discussion and Appropriate Action Regarding:
Operations Department Review

RECOMMENDATION: Information Only.

- iii. Discussion and Appropriate Action Regarding:
Cash Flow for February 2025

RECOMMENDATION: Information Only.

- iv. Discussion and Appropriate Action Regarding:
Capital Improvement Budget Comparison and Equipment Procurement

RECOMMENDATION: Information Only.

- v. Discussion and Appropriate Action Regarding:
Safety Meeting & Project Report

- vi. Discussion and Appropriate Action Regarding:
Position Vacancies

X. DISCUSSION & APPROVAL OF ITEMS PULLED FROM CONSENT AGENDA

*Upon Motion by Director Morris, Seconded
By Director Wells and Carried Unanimously
With 5 Ayes, 0 Noes
To Approve Consent Items i-vi of the
March 25, 2025 Regular Board Agenda.*

XI. COMMITTEE REPORTS

A. WATER RESOURCES COMMITTEE
(Wells, Bravo)

1. Discussion and Appropriate Action Regarding:
Water Supply Report

Regulatory Administrator, Wendy Adams-Rosenberger, reviewed the current Water Supply Report with Directors and staff.

2. Discussion and Appropriate Action Regarding:
General Manager Water Report

General Manager, Greg A. Hammett reviewed the Northern Sierra Precipitation report, state reservoir conditions, snowpack and various hydrology reports with the board, the General Manager also reported on the Delta Conveyance Project.

B. ADMINISTRATION COMMITTEE
(Jameson, Bravo)

1. Discussion and Appropriate Action Regarding:
Resolution No. 25-03 of West Kern Water District
Setting Time & Day of Regular Board Meeting
Rescinding Resolution 21-02

General Manager, Greg A. Hammett reported in June 2004, the Board adopted Resolution 04-02 changing the time of the regular board meeting from 7:00 p.m. to 6:00 p.m. and in February 2021 the board adopted Resolution 21-02 changing the start time of the regular board meeting to the current time of 5:30 p.m. Attached for review and adoption is Resolution 25-03 changing the start time of the regular board meeting from 5:30 p.m. to 5:00 p.m. on the fourth Tuesday of each month. In a related matter, on January 23, 2007, the Board approved a change in office hours from 8:00 a.m. - 5:00 p.m. to the current hours of 8:00 a.m. - 4:30 p.m. After consideration, moving the start time of the board meeting to 5:00 p.m. or closer to the close of business, would seem a more efficient use of Staff and Director's time and still afford the public ample opportunity to participate in meetings.

Upon Motion by Director Jameson, Seconded

By Director Bravo Carried Unanimously

By a Roll Call Vote

With 5 Ayes, 0 Noes

To Adopt Resolution 25-03 of the West Kern Water District Setting Time and Day of Regular Board Meeting to 5:00 p.m. on the fourth Tuesday of each month and Rescinding Resolution 21-02.

2. Discussion and Appropriate Action Regarding:
Resolution of The Board of Directors of
West Kern Water District Resolution 25-04 on
Final Environmental Impact Report for the Delta
Conveyance Project

General Manager, Greg A. Hammett reported in January 2019, Governor Newsom announced that he supported a one tunnel conveyance project under the Sacramento/San Joaquin Delta (Delta). In May 2019, DWR began planning for a single tunnel option with 6,000 cubic feet per second (cfs) of capacity referred to as the Delta Conveyance Project (DCP). In November 2020 Member Units were asked to fund a share of the planning and environmental review costs related to the DCP, based on participation level and enter a funding agreement with DWR for their percentage of the planning and environmental review processes. The District's total share of those costs was about \$2.3MM. and averaged about \$575,000 annually.

Under the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, 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 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, 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").

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 as responsible agencies for actions related to the DCP. As a Member Unit of Kern County Water Agency (KCWA), a State Water Contractor, which would potentially utilize water derived from the DCP, the District also is a responsible agency for actions related to the DCP.

Although DWR has approved the Delta Conveyance Project, the District is not approving or committing to its participating in the broader Delta Conveyance Project at this time. Instead, the narrow approval action before the Board of Directors today is the provision of funding, at DWR's and KCWA'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.

Resolution No. 25-04 (attached) would take those CEQA actions, approve an expenditure of funds for the Pre-Construction Work, and authorize the General Manager to execute a letter communicating to KCWA the approved level of the District's additional funding for the Pre-Construction Work in calendar years 2026-2027.

The District's Share of the Delta Conveyance Project Planning and Pre-Construction Costs for the Calendar Years 2026-2027 in an Amount Not to Exceed \$1,850,000.

The participating SWP PWAs will be reimbursed or receive credit for the advanced funds (both WaterFix and DCP) upon the sale of revenue bonds to pay for construction of the DCP. If the DCP does not proceed with construction, the advanced funds cannot be recovered.

If the DCP moves to construction, Member Units will be asked to decide whether to participate in the project and obligate their district to share the construction costs.

Upon Motion by Director Wells, Seconded

By Director Bravo Carried Unanimously

By a Roll Call Vote

With 5 Ayes, 0 Noes

To Adopt Resolution 25-04 (1) considering the Final Environmental Impact Report for the Delta Conveyance Project (State Clearinghouse No. 2020010227); (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; and (5) Authorizing the General Manager to execute an agreement setting forth the District's contribution of additional money for the District's share of the Delta Conveyance Project Planning and Pre-construction costs for the calendar years 2026-2027 in an amount not to exceed \$1,850,000.00.

3. **Discussion and Appropriate Action Regarding:
Approve Funding to Prepare a Revised Groundwater
Sustainability Plan for the Kern Subbasin**

General Manager, Greg A. Hammett reported in January 2025 the State Water Resources Control Board (SWRCB) issued a Final Staff Report, based upon review of the Kern Subbasin's 2024 Draft and Final Groundwater Sustainability Plans, recommending that the Kern Subbasin be placed on probation. At the Subbasin's probationary hearing on February 20, 2025, State Board staff reported the Subbasin has made significant progress to address the deficiencies

identified in the Final Staff Report and recommended that the State Board consider continuing the probationary hearing until September 2025 and allow the Subbasin to continue to rectify remaining deficiencies. The State Board agreed with State staff's recommendation and continued the hearing until September 2025. The resolution adopted by the State Board continuing the hearing, requires, among other things, the Kern Subbasin develop and submit to State Board Staff within 30 days of adopting the resolution, an enhanced community outreach plan. The Subbasin will continue to engage State staff and develop a revised GSP to address remaining deficiencies that avoids a probationary designation at the September hearing. The revised GSP will be submitted to State Staff by June 20, 2025. Addressing said deficiencies will require considerable changes to the Kern Subbasin Plan to which West Kern GSA is a participant. At the request of the Coordination Committee, consultants of the Technical Working Group (TWG) provided a joint proposal to revise the GSP, provide administrative support and prepare the community outreach plan. The estimated cost to provide those services is about \$1,300,000. The District's share of those costs is about \$63,000. The Subbasin GSAs have reviewed the proposal and recommend approval.

*Upon Motion by Director Jameson, Seconded
By Director Morris and Carried Unanimously
With 5 Ayes, 0 Noes
To Approve Funding to Prepare a Revised Groundwater
Sustainability Plan for the Kern Subbasin*

4. **Discussion and Appropriate Action Regarding:
Notice of Intent to Revise/Adopt Groundwater Sustainability Plan**

General Manager, Greg A. Hammett reported since July 2023, local Groundwater Sustainability Agencies (GSAs) in the Kern Subbasin have been working to address deficiencies, identified by DWR, in the Kern Subbasin Groundwater Sustainability Plan (GSP) and avoid a probationary status determination by the State Water Board. Addressing said deficiencies will require considerable changes to the Kern Subbasin Plan to which West Kern GSA is a participant. California Water Code allows, among other things, a GSA to adopt or amend a GSP after a public hearing, held at least 90 days after providing notice to a city or county within the area of the proposed plan or amendment. Legal Counsel reported that a Notice of Intent to Revise/Adopt a Groundwater Sustainability Plan for the Kern Subbasin was submitted to the County and cities in the Subbasin including Taft and Maricopa. This is an informational item and no action is required.

5. **Discussion and Appropriate Action Regarding:
Amendment to Agreement with Rincon Consulting for Plan
Manager/Point of Contact Services**

General Manager, Greg A. Hammett reported Kristin Pittack with Rincon Consulting has served as point-of-contact and coordinator (aka Plan Manager) for the Kern Subbasin since August 2023. The current contract with Rincon terminated February 2025 and a contract amendment is required to continue her services. A copy of the proposal is attached. The new contract will extend Kristin's service through September 2025 for a cost not-to-exceed \$162,382.00. West Kern's obligation under the amended contract is approximately \$7,400.00. The proposal has been discussed with other GSAs in the subbasin and is recommended for approval.

*Upon Motion by Director Morris, Seconded
By Director Wells and Carried Unanimously
With 5 Ayes, 0 Noes
To Authorize the General Manger to execute Amendment
to Agreement with Rincon Consulting to provide Plan
Manager Services for the Kern Sub-basin.*

**C. FACILITIES COMMITTEE
(Jameson, Niblett)**

**1. Discussion and Appropriate Action Regarding:
25 Hill Tank #2 Emergency Roof Repair and Debris Cleanup
Job #25-3201**

Production Administrator, John Stuntebeck reported during the recent wind storms the rolled roofing top on Tank #2 at 25 Hill was damaged. The wooden rafters are still in place, however most of the rolled roofing was blown off. The roof will need to be re-shingled for safety reasons and to protect the water supply, however near term the roof will be secured and debris removed.

*Upon Motion by Director Jameson, Seconded
By Director Bravo and Carried Unanimously
With 5 Ayes, 0 Noes
To Authorize Staff to A. Approve to dispense with the normal bidding
procedures to perform emergency roof repairs to Tank #2 at 25 Hill,
per Purchasing Policy Rule III Section 5 and Rule IV Section 1.d.
B. Contract services with a roofing company to perform the repairs to
Tank #2. C. Contract service with a trash removal company to remove
debris at the Tank site.*

**D. FINANCE COMMITTEE
(Morris, Niblett)**

**1. Discussion and Appropriate Action Regarding:
Accounts Payable for March 2025**

Controller/Finance Administrator, Adeana McDaniel-Furman presented the accounts payable report for March 2025.

*Upon Motion by Director Wells, Seconded.
By Director Morris and Carried Unanimously
With 5 Ayes, 0 Noes
To Approve Expenditure for March 2025
Bills When Funds are Available.*

**E. PERSONNEL COMMITTEE
(Wells, Morris)**

No items to discuss.

XII. INFORMATION ITEMS

No items to discuss.

XIII. ISSUES OF CONCERN

A. April 2025 Meeting Calendar

Directors approved the April Calendar.

B. Potential Issues to be Addressed at Next Board Meeting

No items to report.

C. Board of Director Announcements or Reports

No items to report.

D. General Manager's Report

No items to report.

E. Management Staff Report

No items to report

F. Kern Non-Districted Land Authority Issues

The General Manger provided a brief report on KNDLA issues.

G. Attorney Report

No items to report.

XIV. CLOSED SESSION

1. Discussion and Appropriate Action Regarding:
Government Code, § 54956.9(d)(1)
Conference with Legal Counsel
Existing Litigation: 1 Case

- A. Rosedale-Rio Bravo WSD et al. v. KCWA et. al.;
Kern County Superior Court Case No. BCV-21-10418

2. Discussion and Appropriate Action Regarding:
Government Code, § 54956.9(d)(4)
Conference with Legal Counsel
Potential Litigation: 3 Cases

3. Discussion and Appropriate Action Regarding:
Government Code, § 54956.8
Conference with Real Property Negotiator
Agency Negotiator: Greg A. Hammett, General Manager
Negotiation Parties: West Kern Water District and
California Resources Corporation
Under Negotiation: Subsurface Easement

Directors moved into Closed Session at 6:20p.m. The meeting was reconvened at 6:32p.m.


President Scott Niblett reported there was no action taken in Closed Session:

XV. ADJOURNMENT

The meeting adjourned at 6:32 p.m.

April 22, 2025

Date Approved



**Greg A. Hammett,
Secretary of the Board of Directors of
WEST KERN WATER DISTRICT**

am