

# Appendix F

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Memorandum of Understanding between Kern Water Collaborative and Groundwater Sustainability Agencies in the Kern Subbasin

**MEMORANDUM OF UNDERSTANDING BETWEEN KERN WATER COLLABORATIVE AND  
GROUNDWATER SUSTAINABILITY AGENCIES IN THE KERN SUBBASIN**

**RECITALS**

WHEREAS, the Kern Water Collaborative (KWC) is a nonprofit public benefit corporation created to maintain and improve the quality of life within the Kern County Subbasin, which includes the subbasins of Westside South, Poso and Kern River<sup>1</sup> (hereafter referred to as Kern County Subbasin) by providing groundwater testing and free drinking water for residents in the Subbasin who are impacted by nitrate contamination;

WHEREAS, the KWC also seeks to improve the quality of life in the Kern County Subbasin by identifying long-term drinking water needs for those in the Region that are impacted by nitrate contamination;

WHEREAS, starting on or about February 28, 2025, KWC will implement an Early Action Plan that conducts outreach to residents in the Kern County Subbasin that rely on domestic wells for their source of drinking water;

WHEREAS, the KWC's Early Action Plan will offer free domestic well testing to measure nitrate levels in such wells and will provide replacement water to those whose wells exceed the state's primary maximum contaminant level for nitrate at no cost to the resident;

WHEREAS, the KWC may seek grants from the State Water Resources Control Board's (State Water Board) Safe and Affordable Funding for Equity and Resilience (SAFER) to provide groundwater testing and free drinking water for residents in the Subbasin who are impacted by other contaminants besides nitrate;

WHEREAS, in the Kern County Subbasin, there are 20 individual Groundwater Sustainability Agencies<sup>2</sup> (GSAs) formed under and pursuant to the provisions of the Sustainable Groundwater Management Act (SGMA) (Wat. Code, § 10720 et seq.) that are required to prepare and implement Groundwater Sustainability Plans that meet the requirements of SGMA;

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<sup>1</sup> The KWC also looks to maintain the quality of life within a small portion of Kings County's Tulare Lake Basin that is located within the Dudley Ridge Water District Boundaries and that also exists within the boundaries of the Westside Water Quality Coalition's boundaries.

<sup>2</sup> The 20 GSAs include the following agencies: Arvin GSA, Wheeler-Ridge Maricopa GSA, Tejon-Castac Water District GSA, Kern River GSA, Cawelo Water District GSA, North Kern Water Storage District GSA, Shafter-Wasco Irrigation District GSA, Shafter-Wasco 7<sup>th</sup> Standard Annex GSA, Southern San Joaquin Municipal Utility District GSA, Semitropic Water Storage District GSA, West Kern Water District GSA, KCWA – Pioneer GSA, Kern Water Bank Authority GSA, Kern-Tulare Water District GSA, Westside Water District GSA, Rosedale-Rio Bravo Water Storage District GSA, Henry Miller Water District GSA, Olcese Water District GSA, Buena Vista GSA, and Kern Non-District Land Authority GSA.

WHEREAS, the individual GSAs have worked in cooperative groups to prepare multiple GSPs that collectively cover the entirety of the Kern County Subbasin;

WHEREAS, on or about March 2, 2023, the California Department of Water Resources (DWR) issued Inadequate Determinations for the GSPs that collectively cover the entirety of the Kern County Subbasin;

WHEREAS, DWR's determination of inadequacy results in transferring primary jurisdiction for review of revised GSPs to the State Water Board and creates the need for additional amendments to the GSPs;

WHEREAS, the 20 GSAs have a shared interest in revising the multiple GSPs covering the Kern County Subbasin to satisfy the requirements of SGMA and the State Water Board's potentially alleged deficiencies regarding GSP implementation and potential impacts that may result in degraded groundwater quality;

WHEREAS, the GSAs, as part of GSP implementation, propose to mitigate groundwater quality impacts caused by GSP implementation and that result in degradation of groundwater quality above certain levels identified in the amended GSPs;

WHEREAS, the GSAs have entered into a Letter of Intent with Self-Help Enterprises to enter into a proposed agreement between the Kern County Subbasin and Self-Help Enterprises for the administration of the Kern County Subbasin Groundwater Sustainability Plan(s) Well Mitigation Program (well mitigation program);

WHEREAS, the KWC, in cooperation with its members, will prepare a long-term plan for monitoring of nitrate groundwater quality throughout its designated area of interest;

WHEREAS, the GSPs under SGMA must have a groundwater monitoring program; and,

WHEREAS, the KWC and the 20 GSAs desire to coordinate efforts related to monitoring groundwater quality and for providing replacement water;

NOW, THEREFORE, the KWC and the 20 GSAs agree as follows:

#### **AGREEMENT TERMS**

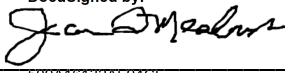
1. KWC and the 20 GSAs agree to work collaboratively to avoid duplication of efforts in their respective administration of their programs, including but not limited to: 1) compilation and assessment of groundwater data; 2) groundwater monitoring; 3) testing domestic wells for drinking water constituents of concern; 4) mitigating dry wells; and/or, 5) providing replacement drinking water.

2. The KWC and the 20 GSAs agree that it is in their mutual interest that all residents in the Kern County Subbasin have access to an adequate supply of safe and affordable drinking water.
3. KWC agrees, consistent with its Early Action Plan once approved by the Central Valley Regional Water Quality Control Board (Central Valley Water Board), to conduct outreach to residents within the Kern County Subbasin to offer free domestic well testing for nitrate and will provide replacement water to residents if the domestic well exceeds the primary contaminate level for nitrate.
4. KWC agrees that as part of its Early Action Plan outreach efforts, KWC will provide residents throughout the Kern County Subbasin with information regarding the 20 GSAs well mitigation program, as long as such information is provided to the KWC for dissemination.
5. The 20 GSAs agree to identify a single point of contact for the KWC for cooperation and collaboration associated with its well mitigation program.
6. KWC agrees that if KWC, during the normal course of implementing its Early Action Plan, encounters a dry well that may be eligible for the 20 GSAs well mitigation program, KWC will notify the contact person identified by the 20 GSAs of the dry well and will provide the resident with referral information from the 20 GSAs of the resident's options for seeking mitigation under the GSAs well mitigation program.
7. The KWC and the 20 GSAs agree that it is their intent to develop a future agreement, or amendments to this agreement, whereby the 20 GSAs will contribute annually to the KWC to provide funding to the KWC to cover costs for well testing and replacement water that may be associated with implementation of the GSPs and that are not already addressed by the 20 GSA's through their well mitigation program.
8. The 20 GSAs agree to provide the KWC with publicly available groundwater well data and information compiled by the GSAs to assist the KWC in its development of a Preliminary Management Zone Implementation Plan, and future plans as appropriate and applicable.
9. The KWC and the 20 GSAs agree to work collaboratively in the development of their monitoring well networks to ensure that there are not duplicative monitoring efforts and to share monitoring results of wells monitored so that each program enhances the other's well monitoring program rather than duplicating such programs.

**EXECUTION**

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of 11/20/2024.

**Kern Water Collaborative**


DocuSigned by:  
  
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Jason Meadors, Vice-Chair

**Kern Subbasin Groundwater Sustainability Agencies**


Arvin GSA

Signed by:  
  
ETC62EE4B0C1471...  
Derek Yurosek, Director


Wheeler-Ridge Maricopa GSA

Signed by:  
  
20AA0A3F61324E8...  
Dennis Atkinson, President

Tejon-Castac Water District GSA

DocuSigned by:  
  
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Angelica Martin, Board Secretary


Kern River GSA

DocuSigned by:  
  
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Rodney Palla, Chair

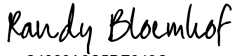
Cawelo Water District GSA

Signed by:  
  
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David Halopoff, Assistant General Manager


North Kern Water Storage District GSA

DocuSigned by:  
  
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Kevin Andrew, Board President


Shafter-Wasco Irrigation District GSA

Signed by:  
  
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Randy Bloemhof, Board Member

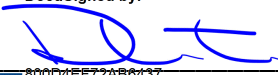
Shafter-Wasco 7<sup>th</sup> Standard Annex GSA

Signed by:  
  
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Randy Bloemhof, Board Member

Southern San Joaquin Municipal Utility District

Signed by:  
  
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Roland Gross, General Manager

Semitropic Water Storage District GSA

DocuSigned by:  
  
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Dan Waterhouse, Board President


West Kern Water District GSA

Signed by:  
  
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Greg A. Hammet, General Manager


KCWA – Pioneer GSA

Signed by:  
  
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Thomas D. McCarthy


Kern Water Bank Authority GSA

Signed by:  
  
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Joseph Butkiewicz, General Manager


Kern-Tulare Water District GSA

DocuSigned by:  
  
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Skye Grass, General Manager

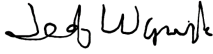
Westside District Water Authority GSA

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Mark Gilkey, Executive Director

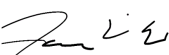
Rosedale-Rio Bravo Water Storage District GSA

DocuSigned by:  
  
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Dan Bartel, Engineer-Manager


Henry Miller Water District GSA

DocuSigned by:  
  
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Jeof Wyrick, President, Chairman

Olcese Water District GSA

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James L. Nickel, President

Buena Vista GSA

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Terry Chicca, Board President

Kern Non-Districted Land Authority GSA

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Barry Watts, Chair