

**MINUTES**

**Borrego Valley Groundwater Basin: Borrego Springs Subbasin  
Sustainable Groundwater Management Act (SGMA)  
Advisory Committee (AC)**

**January 31, 2019 @ 10:00 AM – 3:00 PM**

**Location: Borrego Springs Library, Community Room, 2580 Country Club Rd., Borrego Springs, CA 92004**

**I. OPENING PROCEDURES**

**A. Call to Order**

The meeting was called to order at 10:00 a.m. by Facilitator Meagan Wylie.

**B. Pledge of Allegiance**

Those present stood for the Pledge of Allegiance.

**C. Roll Call of Attendees**

**Committee members:** Present: Rebecca Falk, Gary Haldeman, Bill Berkley,  
Gina Moran, Diane Johnson, Jim Wilson, Jack McGrory,  
Ryan Hall

Absent: Jim Seley

**Core Team members:** Leanne Crow, County of San Diego Jim Bennett, County of San Diego  
Geoff Poole, BWD

Dave Duncan, BWD

**Staff/Consultants:** Meagan Wylie, Center for Collaborative Policy  
Trey Driscoll, Dudek, GSP Consultant  
Wendy Quinn, Recording Secretary

**Public:** Linda Haneline Stephen Ballas  
Bill Haneline Tim Ross, CA DWR  
Martha Deichler Susan Percival  
Saul Miller Cathy Milkey, Rams Hill  
Laara Maxwell Jeffrey Gates  
Dan Jellis Steve Rone  
Hans Hofer Kathy Dice, BWD

**D. Review of Meeting Agenda**

Meagan Wylie reviewed the meeting ground rules and Agenda.

**E. Approval of October 4, 2018 AC Meeting Minutes**

Upon motion by Member Haldeman, seconded by Member Johnson and unanimously carried by those present, the Minutes of the November 29, 2018 AC Meeting were approved as amended (add to Item IV.B, "Member Haldeman asked if any of the farmers were currently considering following their property voluntarily. Member McGrory responded to the inquiry that he is not currently considering this.").

**F. Updates from the Core Team**

Leanne Crow reported that the Severely Disadvantaged Community (SDAC) grant had been received from the Department of Water Resources (DWR). A grant agreement has been circulated, signed by the County of San Diego (County) and returned to DWR. The draft agreement was provided to Borrego Water District (BWD). The funds will be transferred through the County to BWD. Geoff Poole announced that more related information would be on the BWD Board Agenda for February 12, 2019. BWD is working to replace wells and install meters, as well as continuing SDAC work with consultants Rachel Ralston and Dr. Jay Jones. He invited the AC's attention to Dr. Jones' reports in the last two BWD Agenda packages.

Mr. Poole reported that a parcel had been identified for the second replacement well, and negotiations for installation are underway between BWD and the property owner. Member Falk asked

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whether a water quality management agreement was included in the Proposition 1-funded agricultural metering program. Mr. Poole replied that the well locations have been identified and estimates developed, but the agreements were not yet in place.

Jim Bennett presented a time line of Groundwater Sustainability Plan (GSP) activities since the last AC meeting and plans for 2019. The Core Team is working with Dudek to finalize the draft GSP, and the final chapter (Chapter 5) of the draft GSP will be reviewed today. The 60-day non-mandatory public review period will begin in March. Thereafter, the Core Team will review and respond to the comments and include them in an appendix to the GSP. During the summer, there will be an AC meeting(s) to discuss proposed changes to the draft GSP made in response to comments, and ask for a consensus recommendation from the AC in support of adoption of the GSP. Mr. Bennett noted that Member Falk had requested additional meetings to discuss the public comments and responses in more detail. The Core Team suggested one AC meeting solely devoted to the comments and responses, after which the Members reconvene and discuss with their constituent groups before the final consensus request. Mr. Bennett and Mr. Poole plan to attend a Sponsor Group meeting during the review period to discuss the GSP. Mr. Poole reported that Rachel Ralston of LeSar Development, socioeconomic consultant, also plans a meeting during the review period. Member Falk asked about a working group meeting for those wishing to go through the draft GSP in detail. Mr. Poole replied that BWD had approved the concept, and he will work with Member Falk on the timing and topics. Member Wilson asked how the public would be notified of the review period and where to access the draft GSP. Mr. Poole replied that there would be newspaper articles, and Ms. Wylie added that the draft GSP would be made available on the County website, and an email notification of its availability circulated via the County list serve. AC Members will inform their constituents. Member Haldeman expressed concern about scheduling AC meetings in the summer, when many constituents are gone, particularly the ratepayers.

GSP adoption by the BWD Board and the County Board of Supervisors is contemplated in the fall. After submission of the GSP to DWR, there will be a final opportunity for the public to review and comment during DWR's review process.

Mr. Poole reported that DWR's grant contract for Ms. Wylie's services as facilitator had reached its expiration date, so BWD is providing the funds.

Ms. Wylie responded to questions from Member Falk asked during review of the last Minutes. Ms. Wylie had asked permission from the State Water Resources Control Board (SWRCB) to post slides they have available regarding possible intervention in the event groundwater sustainability is not reached by 2040, and would continue to follow up. Mr. Poole had answered Member Falk's question about the number of water credits currently owned by BWD and the number of retired water credits, and will share the information with the other AC Members. Mr. Bennett will ensure that de minimis pumpers are notified of the GSP development prior to the public review period. Mr. Poole located the new herb farm, which had previously been a palm tree farm. The Baseline Pumping Allocation (BPA) was calculated for this farm based on evapotranspiration for the highest use between 2010 and 2015, and eventually they will have to install a meter. In response to Cathy Milkey's suggestion that the map of wells indicate which are private, domestic and irrigation, Dudek will include that in the final slides. Tim Ross of DWR was not aware of any plans to require economic considerations in the GSP. Ms. Crow noted that Proposition 68 funding may be available to address economic impacts.

### **G. Updates from Advisory Committee Members**

Member Haldeman reported that he had had three ratepayers' gatherings since the last AC meeting, and plans to continue them weekly. They are developing a statement of concerns and beliefs to submit during the GSP comment period. He felt the ratepayers should be allowed to use 1,700 acre-feet of water per year. They have expressed concern about water quality and Groundwater Dependent Ecosystems (GDEs). The gatherings are posted on Facebook at Borrego Springs 92004, Borrego

Events.com and the BWD website. Those that attend and provide their e-mail addresses are also notified by e-mail.

**II. GROUNDWATER SUSTAINABILITY PLAN: REVIEW OF DRAFT CHAPTERS**

**A. Chapter 5: GSP Implementation**

Trey Driscoll outlined SGMA requirements, including a GSP implementation cost estimate and schedule, annual reporting to DWR and five-year comprehensive evaluations. The budget includes monitoring of groundwater levels, water quality and streams, pump metering, subsidence review, operations and maintenance, data management, groundwater model updates, annual DWR reporting, project management and communications. There are also administrative costs such as rent, utilities, engineering, audits, legal services, insurance, public outreach, office repairs and maintenance, supplies and equipment, permits and fees. Some expenses associated with projects and management actions may be grant funded.

Mr. Driscoll presented an estimate of the cost per acre-foot of groundwater in 2020, approximately \$40. Funding sources could include administrative pumping fees, assessment/parcel taxes, grants and/or low interest loans. Member Falk felt a parcel tax would be a burden on the ratepayers, and preferred pumping fees. Mr. Driscoll explained that the financing is complex; attorneys and financial consultants are still considering the details.

The implementation schedule begins in 2020 with submission of the GSP to DWR. For some projects and management actions, a California Environmental Quality Act (CEQA) review will follow during the next two years. Although the GSP itself is exempt from CEQA, the projects and management actions are not. Member Moran brought up governance during implementation and the Groundwater Sustainability Agency's (GSA's) potential involvement in enforcement. Mr. Driscoll explained that one full-time equivalent staff member is contemplated. He/she will work with the GSA and coordinate consultants. Member Moran suggested providing an estimate of water cost when sustainability is attained, and Mr. Driscoll replied that Raftelis had included it in the model.

Member Wilson asked whether there were specific allocation targets for each five-year reporting period, and Mr. Driscoll replied that there were: four percent per year until 2040. Member McGrory inquired about the water credit program, and whether it would be suspended pending CEQA review. Mr. Poole explained that BWD was reviewing its following procedures, but anticipated that the water credit program would continue.

**The Committee broke for lunch at 12:35 p.m. and reconvened at 1:10 p.m.**

Mr. Driscoll went on to summarize the annual reporting requirements, including groundwater information and plan implementation progress. In the five-year evaluation, the information will consist of current groundwater conditions, project/management action implementation status, monitoring, pumping allowances, new information, relevant issues, enforcement and legal actions, plan amendments, summary of coordination and other information.

Member Berkley questioned the estimate for citrus irrigation at 4.9 acre-feet per year, which was then increased to 5.8. Mr. Driscoll explained that instead of using the average evapotranspiration rate for 2010-2015, the maximum year was used and a leaching factor was applied (flushing salts below the roots). Member Hall asked whether it could be declared after any five-year period that sustainability had been achieved. Mr. Driscoll replied that there are many variables such as recharge and climate, and sustainability has to be evidenced over long periods time greater than five years. Member Haldeman commented on the proposed linear reduction, and Mr. Driscoll explained that the recommendation is based on current knowledge and can be adjusted as time goes on. The GSP is an adaptive plan. Dave Duncan added that the GSP is a framework and does not address details, which will be addressed by the

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GSA after adoption. Mr. Bennett added that there are elements such as water trading, water quality and fallowing that are subject to CEQA, so there is more work ahead.

Dan Jellis hoped that the proposed costs for enforcement and legal action would be addressed in the GSP. Mr. Driscoll confirmed it was a budget line item. Saul Miller asked whether the aquifer overdraft would impact water quality. Mr. Driscoll explained that based on available data, water quality assessments are specific to individual locations in the Basin. He went on to explain the various readings in the three Management Areas. Hans Hofer expressed concern about whether he should build a house here in view of the uncertain future of groundwater supply. Martha Deichler pointed out that many people stand to lose jobs if land fallowing ensues, and schools would lose students. She suggested a re-training program for employees of businesses that may fold. Cathy Milkey asked about the GSA and governance during GSP implementation. Mr. Bennett replied future governance is being contemplated by the County and BWD.

### **B. GSP Appendices**

Mr. Driscoll summarized the draft Appendices, including information on DWR, a GSP checklist, GSA formation, interagency agreements, stakeholder engagement, technical reports and hydrographs, GSP metering, networks, baseline pumping methodology and GSP comments and responses. Member Falk asked whether letters published as part of the AC Agenda packages would be included in the comments appendix. Mr. Driscoll replied that the comments would be restricted to those received during the 60-day public review period.

Mr. Driscoll presented additional information on GDEs, which are addressed in Chapter 2 of the GSP. Three potential GDE areas in Borrego Springs are Coyote Creek, Palm Canyon and the Mesquite Bosque. Coyote Creek and Palm Canyon are supported by flows from outside the Subbasin, so there is no substantial nexus between potential GDEs and Basin pumping. As for the Mesquite Bosque, it used to be a primary source of groundwater discharge, but now it has essentially evaporated due to pumping since the 1940s. This has resulted in the gradual decimation of the honey mesquite. At this time the GSP finds no substantial nexus between potential GDEs and Basin pumping.

Member Falk questioned the absence of allowance for GDEs in the water budget. She inquired about older mesquites with deeper roots, and Mr. Bennett replied that this would be an appropriate subject to bring up during the public comment period. It was further noted the GSP is adaptive and can be changed over time per best available science and data. Member Haldeman noted that the population of mesquites on the east side of the Bosque are increasing. Mr. Driscoll explained that pumping in the Basin does not affect those trees. Ms. Crow added that the GSP may, but is not required to, address issues that occurred before 1/1/15.

### **C. Wrap Up Discussion of Entire GSP**

Member Falk inquired about projects and management actions on the GSP implementation timeline, and asked whether some could be done simultaneously. Mr. Bennett explained that the water conservation does not require CEQA compliance, so it will begin first. The other projects will likely require CEQA, which is approximately a two-year process. Fallowing, reduction and water trading should be done together. Water quality and intrabasin transfers will be done on an as-needed basis. Water quality monitoring is an ongoing program. Member Falk asked whether a certain number of trees needed to be removed before an effort could be considered fallowing, and Mr. Poole replied that the Core Team would review these requirements.

Ms. Wylie reported that the County website contains archives of material from prior AC meetings. She added that she had just received permission from SWRCB to post slides regarding potential actions should the Basin fail to reach sustainability and they will be included on the website.

## **III. CLOSING PROCEDURES**

### **A. Correspondence**

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Ms. Wylie reported that the Core Team would be issuing a written response to a letter from Member Falk posing a number of questions regarding the GSP. Kathy Dice added that the BWD Board had addressed her questions and hoped to discuss them more thoroughly at the upcoming Town Hall Meeting.

### **B. General Public Comments**

Saul Miller hoped everyone cares about managing the aquifer responsibly, including the agricultural pumpers. Hans Hofer felt every pump should be metered and everyone should pay for water.

### **C. Review Action Items from Previous AC Meetings, Next AC Meeting Date(s), and Next Steps**

The next AC meeting will be announced in the summer.

There being no further business, the meeting was adjourned at 3:05 p.m.