

MINUTES
Borrego Valley Groundwater Basin: Borrego Springs Subbasin
Sustainable Groundwater Management Act (SGMA)
Advisory Committee (AC)
January 25, 2018 @ 10:00 AM – 3:00 PM
Location: University of California, Irvine
Steele/Burnand Anza-Borrego Desert Research Center
401 Tilting T Drive
Borrego Springs, CA 92004-2098

I. OPENING PROCEDURES

A. Call to Order

The meeting was called to order at 10:00 a.m. by Borrego Water District (BWD) President Beth Hart.

B. Pledge of Allegiance

Those present stood for the Pledge of Allegiance.

C. Roll Call of Attendees

Committee members: Present: Jim Seley, Jim Wilson, Rebecca Falk, Dave Duncan, Bill Berkley, Gina Moran, Ryan Hall, Jack McGrory, Diane Johnson

Core Team members:	Beth Hart, BWD	Jim Bennett, County of San Diego
	Geoff Poole, BWD	Leanne Crow, County of San Diego
Staff:	Meagan Wylie, Center for Collaborative Policy	Wendy Quinn, Recording Secretary Trey Driscoll, Dudek, GSP Consultant
	Julia Chase, County of San Diego	Doug Baumwirt, Consulting Team

Public:	Michael Sadler, <i>Borrego Sun</i>	Linda Haneline
	Cathy Milkey, Rams Hill	Bill Haneline
	Mike McElhatton	Ray Shindler, independent ratepayers
	Martha Deichler	Ray Burnand

D. Review of Meeting Agenda

Meagan Wylie reviewed the meeting ground rules, Agenda and Brown Act provisions. Member Duncan asked if Item V.B, Updates and Comments from Advisory Committee Members, could be moved to new Item I.G during Opening Procedures. Upon motion by Member Duncan, seconded by Member Falk and unanimously carried, the request was approved.

E. Approval of November 27, 2017 AC Meeting Minutes

Upon motion by Member Moran, seconded by Member Johnson and unanimously carried, the Minutes of the November 27, 2017 AC Meeting were approved as amended (Section II.B amended to read: "Member Berkley noted that at least one of Rams Hill's wells had once been owned jointly by the BWD and Rams Hill. Rams Hill had owned 85% of well #12 until mid-2011 when the BWD bought Rams Hill's entire interest in the well from the previous Rams Hill owners. He pointed out that Rams Hill is now irrigating with non-potable water from its wells on Rams Hill property. Member Berkley suggested using aerial photos to determine the amount of irrigated acreage multiplied by the amount of water required by each crop (adjusted by local evapotranspiration rates) to estimate both golf course and agriculture water usage. This is preferable because the recreation and agriculture pumping records are incomplete and, in most cases, not available. Mr. Bennett said that if the farmers provide their extraction data to the Core Team by the end of the year [2017], the information would be reviewed to

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determine if it could be used instead of the estimates”; and add a hyphen to read “Anza-Borrego” in Section IV.A).

- F. Updates from the Core Team
 - a. Proposition 1 Funding

Geoff Poole reported that Leanne Crow had compiled a Proposition 1 grant application on behalf of the Groundwater Sustainability Agency (GSA) and submitted it by the December deadline. The total amount of grant applications matched the funds available. A sum of ten million dollars is in a separate pool for Severely Disadvantaged Communities. A decision on allocation of grant funding by Department of Water Resources (DWR) is expected in February, and BWD is ready to move forward on the projects/efforts described in the grant application prior to award notification. The BWD Board will consider this at a February meeting, the 20th or the 28th.

- b. Water Supply and Water Quality Act of 2018

BWD Director Brecht reported that BWD had been working with Sacramento on a public initiative bond for the 2018 ballot and encouraging local agricultural and recreational pumpers to contribute support. The bond includes a \$35 million earmark for Borrego Springs, and it is very probable it will qualify for the ballot. A committee is currently discussing marketing for ballot support, and researching potential grant conditions, upon approval by the BWD Board. Grant funds may be used to reimburse expenditures for approved projects or put into escrow to be drawn upon. Funds must be spent within three years of award or they are returned to the State.

- c. Groundwater Sustainability Plan (GSP) Development Schedule

Jim Bennett presented slides depicting the proposed GSP schedule for the next six months. Today the AC will again discuss baseline pumping allocations, i.e. the amount of water each groundwater pumper has prior to SGMA-related actions, and how to determine the amount for each pumper. Beginning in March and throughout the spring, Dudek’s initial findings on projects and management actions to achieve sustainability will be available for AC input. A water trading program is also being investigated, as well as agricultural fallowing and management of fallowed land, and groundwater quality.

Mr. Bennett noted that another topic to be covered today is the water credits program, which has been used for a few years to mitigate new water extraction by developers. Dudek is looking at how to transfer that program into SGMA, and this relates to the water trading program. Other topics for further discussion include sustainability indicators and establishment of thresholds for undesirable effects of excessive groundwater pumping. In March, the AC will discuss how each sector (municipal, recreational and agricultural) may respond to water use reductions. Work is underway on a draft well metering plan by Dudek for discussion at a future AC. Hopefully, the Proposition 1 grant application will be approved by the March AC meeting; if so, it will be discussed at aforementioned meeting. In April through June, the AC will discuss a financing plan, fees and penalties, as well as SGMA-related regulatory land use changes.

Member Falk recommended a February AC meeting, noting that there are pending issues that the community needs to discuss, including the possible implementation of the recommendation on baseline pumping allocations made by the AC, and the Human Right to Water. Member Falk requested a briefing on the Human Right to Water law, now included in the California Water Code. Member Duncan shared her concerns. Mr. Bennett pointed out that the deadline for the first draft GSP is January 20, 2019, so there is some time for important discussions. Member Johnson supported the idea of community discussions on the effects of SGMA in February, and Member Hall thought it acceptable to wait until March for that discussion. Member Moran thought more discussion on socioeconomic effects was needed and suggested establishing deadlines for interim decisions. Member Berkley supported Member Falk’s recommendations and asked the Core Team when the economic impacts to the community that GSP projects and management actions would be addressed.

Further discussion followed, with AC and Core Team members pointing out the final 01/31/2020 GSP deadline and the aim to complete the draft by 12/19/2018 for public input several months in advance of approval by the County Board of Supervisors and BWD Board of Directors. Interim milestones related to socio-economic focused efforts will be established once there is a decision on the Proposition 1 grant application. Director Brecht reminded AC and public of the BWD Town Hall Meeting on March 28, 2018, which will be an opportunity for public updates and input. Mr. Bennett explained that the Core Team is addressing difficult and sensitive technical and legal issues and needs time in advance of the next AC meeting to frame them in an understandable way.

Member Moran suggested a scoping meeting in February for Proposition 1 socio-economic efforts, including input from the community. Member Wilson supported a February meeting, noting the need for better communication with the public. President Hart suggested that the Core Team discuss these issues during the lunch break. Leanne Crow pointed out that the Core Team was trying to develop a meeting schedule to ensure there is tangible technical material to discuss, with information that had been thoroughly investigated, before bringing issues to the AC. In this way, the CT would be ready to answer questions from the AC and public. She said the Core Team and consultants would not have time to adequately prepare technical materials for a February meeting. Public member Mike McElhatton supported the February meeting, opining that the non-technical components of SGMA should get attention equal to that of the technical aspects. He added that seasonal Borrego residents begin leaving at the end of March.

G. Updates and Comments from Advisory Committee Members

Member Duncan reported that many ratepayers expressed the concerns discussed today, i.e. that there are many competent technical people on the SGMA team, but this is really a socioeconomic issue for community members. Member Falk reported that the Sponsor Group is concerned about the quality of life after GSP adoption and would not support the recommended baseline pumping allocations until that was addressed more fully. Member Johnson reported that the Stewardship Council also wants the “big picture” addressed, as well as land use and redevelopment.

II. ITEMS FOR DISCUSSION AND POSSIBLE RECOMMENDATION

A. AC POLICY ISSUE #2: Baseline Pumping Allocation (BPA)

Mr. Bennett recommended that the baseline pumping allocation be based on the maximum one-year water use during a five-year period, January 1, 2010 through December 31, 2014, as discussed in the November meeting. He asked the AC members to look at this issue from the point of view of their constituents and hoped that they would reach a consensus today. Member McGrory supported the Core Team proposal, subject to working with the County on assumptions regarding how much water is actually being used on his properties. He expressed concern that Member Berkley’s concerns from the previous meeting’s discussion had not been addressed; i.e. Rams Hill Golf course had been closed for an extended period and the Borrego Springs Resort had closed nine of its twenty-seven holes during this proposed baseline allocation period. Mr. Bennett reported he was working with BWD and Rams Hill to address this unique situation as the allocation process is developed. Mr. Poole added that he works on it daily. It is a priority. Ms. Wylie explained that the issue before the AC today is a policy decision. The AC will address methodology in the future. Trey Driscoll explained that in the absence of pumping data, the consultants would look at amount of irrigated turf and apply the consumptive use published in the County Groundwater Ordinance.

Member Falk reported that the Sponsor Group favors using a ten-year average. Discussion followed regarding metering data from the farmers, and Member Seley had some metered data reports with him today which he distributed to the CT. Member Berkley said his constituents had discussed the baseline pumping allocation but hadn’t voted. They all have individual concerns. Member Moran expressed the State Park’s support for the five-year maximum. Public member Cathy Milkey stated that

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the proposed five-year period is not acceptable to Ram's Hill because of the temporary fallowing of the golf course. She asked that a different methodology be used for that golf course.

The AC voted on the following Policy Issue: *The baseline pumping allocation will be developed based upon the highest annual water consumption during the 5-year period from January 1, 2010 through December 31, 2014. The pumping allocation will take into account water use by all pumpers within Borrego Springs Subbasin. Do you recommend a Baseline Pumping Allocation (prior to any SGMA required reductions) using the highest annual water consumption based upon the five-year period from Jan. 1, 2010 thru Dec. 31, 2014?* Using the established comfort levels (1- Agree wholeheartedly; 2- Accept as best option; 3- Can live with it but not enthused; 4- Do not fully agree and want to register view, but don't want to block the decision so will stand aside; 5- Need more work before consensus; and 6- Wants to block the decision), the vote was as follows: Member Falk 5, Member Wilson 2, Member Duncan 4, Member Hall 1, Member Berkley 5, Member Moran 2, Member Johnson 3, Member Seley 3, Member McCrory 2. As the AC failed to reach consensus, the Core Team will make the decision.

The Committee broke for lunch at 12:10 p.m. and reconvened at 12:40 p.m.

President Hart noted that a socioeconomic study is included in the Proposition 1 grant application, and per the requests made by the AC during the morning discussion period, a scoping meeting with the consultant was planned. It is tentatively scheduled for early March. The AC and Core Team will be notified by e-mail when it is confirmed.

III. TECHNICAL AND POLICY ISSUES FOR INTRODUCTION OR DISCUSSION

A. Sustainability Indicators

Mr. Driscoll reported on the groundwater monitoring results since fall, 2017. Thirty-six wells were included. Graphs and data were presented for each of the three management areas (North, Central and South). The North and Central areas showed continuing declines in groundwater elevation, but in the South there was variation. This may be in part because for a time Rams Hill Golf Course was getting its water from the Central area, but is now using its own wells; plus, the course was closed in 2014-15. Mr. Driscoll noted that the highest groundwater elevations are in Coyote Creek and the De Anza area.

The groundwater quality in the monitoring wells was also tested. The tests were for arsenic, fluoride, radionuclides, nitrate, sulfate and total dissolved solids. The arsenic levels in the North Management Area do not yet show trends because more samples are needed, but all wells tested were at a level acceptable for drinking, as were those in the Central and South Management Areas. Continued semi-annual monitoring is planned. Mr. Driscoll went on to summarize the results of testing for other contaminants in the three Management Areas. Ray Shindler inquired about soil monitoring, and Mr. Driscoll agreed to come back to this topic at a future time.

Doug Baumwirt of Geosyntech, part of the GSP Consulting Team, reminded the AC of the sustainability indicators, lowering of groundwater level, reduction in storage and degradation of water quality. The GSA needs to develop measurable objectives for reaching groundwater sustainability, interim milestones in four to five-year increments, undesirable results and minimum thresholds. Each Management Area should have at least one monitoring well and may have several. Mr. Baumwirt showed slides depicting possible well sites and graphs of sustainability indicators. Director Brecht recommended including dynamics such as climate change in modelling efforts.

B. Water Credits Program

Ms. Wylie announced that the water credits program would be on the AC Agenda for March. President Hart explained that the program allows farmers to fallow their land in exchange for water credits, which are offered both by the County and BWD. Mr. Driscoll reported that 1,885.5 water credits

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have been issued, 45.5 retired and 1,840 available. To determine whether credits could be included in the baseline pumping allocation, he took the maximum allowable acreage for all credit sites, determined the crop types and used the consumptive use factor, then compared the baseline to the credits to determine conformance. They were comparable. He recommended that acceptable water credits be converted to baseline pumping allocations and included in the GSP, and that the water credit program be dissolved and replaced with a GSA water trading program. The County staff will put Mr. Driscoll's slides on the County website and will present more details on the water trading program at the March AC meeting. Mr. Bennett explained that the baseline pumping allocations could be traded and used for development like the water credits.

C. Projects and Management Actions to be Considered

Mr. Bennett referred to the AC's discussion in April regarding types of projects that would be useful for achieving sustainability. The list of projects to be presented today will be discussed further in March. Mr. Baumwirt presented a preliminary list of six projects and management actions, noting that more could be added and he welcomed suggestions. Those listed were the water trade program, water conservation and efficiency programs, modification of land use designations, agricultural land fallowing, groundwater quality mitigation, and intra-basin water transfer. Mr. Baumwirt showed a chart depicting how these projects relate to each other. Member Moran requested an example of how these projects would support the allocation and reduction system in March.

IV. INFORMATIONAL ITEMS

A. Fall 2017 Groundwater Monitoring – Groundwater Levels and Water Quality

This item was presented previously.

B. Public Outreach Efforts

Mr. Poole reported that he had been working with Member Duncan on the ratepayers' meetings. Information on the GSP process is being included in the BWD water bills. Member Falk suggested including Member Duncan's contact information on water bill inserts. Mr. Poole further reported that the BWD website now includes a list of water studies transferred from the old BWD website. The new site is continually improved and updated, and suggestions are welcome. Member Johnson suggested posting flyers on the bulletin boards around town and including information on social media sites.

Member Falk inquired about forming AC subcommittees, as discussed at the last meeting. Ms. Wylie explained that the AC can form ad hoc subcommittees as long as they are not on a set meeting schedule or for a long period of time and less than a quorum participates. President Hart added that small groups could work informally before the next AC meeting, but in order to actually form a subcommittee it would have to wait until the next meeting.

V. CLOSING PROCEDURES

A. Correspondence

None.

C. General Public Comments

None.

D. Review Action Items from Previous AC Meetings, Next AC Meeting Date(s), and Next

Steps

The next AC meeting was scheduled for March 29. Ms. Wylie asked that anyone with questions e-mail her.

There being no further business, the meeting was adjourned at 3:00 p.m.