

**MINUTES**  
**Borrego Valley Groundwater Basin: Borrego Springs Subasin**  
**Sustainable Groundwater Management Act (SGMA)**  
**Advisory Committee (AC)**  
**November 27, 2017 @ 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  
Geoff Poole, BWD  
**Staff:** Meagan Wylie, Center for Collaborative Policy  
Derrick Kapalla, County of San Diego

Jim Bennett, County of San Diego  
Leanne Crow, County of San Diego  
Wendy Quinn, Recording Secretary  
Trey Driscoll, Dudek, GSP Consultant  
Linda Haddock, Chamber of Commerce/  
Borrego Water Coalition (BWC)  
Ray Shindler, independent ratepayers  
Ray Burnand

**Public:**

Michael Sadler, *Borrego Sun*  
Betsy Knaak, ABDNHA  
Joe Gury, BWC  
Bill Bancroft

**D. Review of Meeting Agenda**

Meagan Wylie reviewed the meeting ground rules, Agenda and Brown Act provisions.

**E. Approval of October 26, 2017 AC Meeting Minutes**

Upon motion by Member Falk, seconded by Member Berkley and unanimously carried, the Minutes of the October 26, 2017 AC Meeting were approved as written.

**F. Updates from the Core Team**

Geoff Poole reported that the Proposition 1 grant application had been submitted to the State of California (State). A response is expected in early 2018. Member Falk asked whether the socioeconomic component included community outreach, and Mr. Poole replied that it did. Plans include mailings and other contact methods for community members who do not receive water bills. President Hart announced that BWD was prepared to finance its projects in the grant application regardless of whether the grant is approved. Member Seley asked whether farmers who did not indicate their willingness to participate in voluntary metering when BWD distributed its survey could still participate. Mr. Poole explained that five extra meters had been included in the budget to account for this possibility.

Mr. Poole reported that he attended a ratepayers' meeting with Member Duncan, and the Core Team met since the last AC meeting. Member Moran reported that Mr. Poole and Trey Driscoll toured Coyote Canyon with her.

**II. ITEMS FOR DISCUSSION AND POSSIBLE RECOMMENDATION**

**A. AC POLICY ISSUE #1: Metering Requirements for Non-de Minimis Wells**

Mr. Poole noted that there was concern on the part of some farmers as to how metering records would be gathered, stored, transmitted and reported to the State. He and Jim Bennett met with Member Seley and the Agricultural Alliance for Water and Resource Education (AAWARE) to discuss these issues and other GSP topics.

Mr. Bennett pointed out that the AC had continued discussion on the metering policy issue at their September meeting. If the AC recommends required metering, there are two options proposed for data collection: The Groundwater Sustainability Agency (GSA) could inspect, monitor and read meters on a monthly basis and provide an annual statement to the State; or the property owner or an acceptable third party contractor could perform these monthly functions, with the accuracy of the data and the calibration of the meters verified semi-annually by a third party contractor who would then report to the State. The State Department of Water Resources (DWR), citing Government Code section 6254(e), allows the collection of data but exempts certain information, including metering statistics, from the Public Records Act. Legal Counsel for the County of San Diego (County) and BWD concurred.

The second option was a compromise developed by the Core Team with input from AAWARE since the last AC meeting. Member Falk expressed concern that she had not had an opportunity to discuss the revised second option with her constituent group, although they had originally preferred the first option, which had not changed. Member Wilson suggested using the first option, but with verification and calibration done semi-annually.

After further discussion, the AC voted to recommend that required metering for non-de minimis wells be included in the GSP. 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 Moran 1, Member Seley 2, Member Hall 2, Member Berkley 1, Member Wilson 1, Member Duncan 1, Member Johnson 1, Member McGrory 1, Member Falk 1. As to monitoring Option 1, monitoring by GSA, the vote was as follows: Member Moran 1, Member Seley 5, Member Hall 5, Member Berkley 3, Member Wilson 2, Member Duncan 1, Member Johnson 5, Member McGrory 5, Member Falk 1. As to monitoring Option 2, monitoring by the property owner or third party with verification by an acceptable third party, the vote was as follows: Member Moran 5, Member Seley 1, Member Hall 1, Member Berkley 2, Member Wilson 1, Member Duncan 3, Member Johnson 4, Member McGrory 1, Member Falk 5.

**B. AC POLICY ISSUE #2: Baseline Pumping Allocation**

Mr. Bennett explained that the baseline pumping allocation is the amount of water pumped prior to the reductions under SGMA. A ten-year average was originally contemplated based on a BWC recommendation, but during subsequent discussions this was highlighted as a problem for some AC members. Trey Driscoll reported that Dudek had considered using a ten-year average, a ten-year maximum or a five-year maximum, and recommended the five-year maximum, using the period 1/1/10 to 1/1/15. Due to current lack of verifiable pumping data from the farmers, evapotranspiration rates are currently being used to estimate the farmers' pumping amounts. Mr. Driscoll reviewed data using each of the three baseline options, and noted that the five-year maximum method had been used in adjudication and prescriptive rights.

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

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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 calendar year [2017], the information would be reviewed to determine if it could be used instead of the estimates.

**The Committee broke for lunch at 12:15 p.m. and reconvened at 12:55 p.m.**

Ms. Wylie suggested delaying the formal request for recommendation on baseline pumping allocation issue until the January AC meeting. In the meantime, Mr. Poole can work with Rams Hill to resolve the issue involving sharing and transfer of wells. Member McGrory expressed concern regarding the possibility that golf courses would have to reduce their water usage so much that the quality of golf would be reduced, affecting the local economy. Ms. Wylie requested that any specific issues/concerns related to this topic that AC or Core Team members want captured in detail, in addition to the summary provided in the minutes, be submitted in writing. The AC is anticipated to make a recommendation on the baseline pumping allocation in January.

### **III. TECHNICAL AND POLICY ISSUES FOR CONTINUED DISCUSSION**

#### **A. Pumping Allowance**

Mr. Bennett introduced Mr. Driscoll's presentation, which would be a conceptual scenario of potential individual pumping allocations following a determination of the baseline. Member Falk pointed out that Mr. Driscoll's working draft technical memorandum referred to a 70 percent reduction in all sectors (agriculture, recreation and municipal), although the AC had not agreed to that. Mr. Driscoll explained that in this case it was simply used as an example.

Mr. Driscoll explained that the pumping allowance is the maximum allowable groundwater production for each well owner during a given year. It is based on the necessary groundwater pumping reduction to reach sustainable yield. Pumping allowances will be continually reevaluated during the 20-year reduction period. Mr. Driscoll presented three examples of varying levels of reduction, accompanied by illustrative charts and graphs. Based on a United States Geological Survey (USGS) report and the water budget, the Borrego Springs Subasin's sustainable yield is estimated at 5,700 acre-feet per year.

Mr. Bennett reported that the Core Team is proposing a court validation process of the GSP, once the GSP is finalized. This is not an adjudication, but will limit the time period during which the GSP can be legally contested. President Hart asked what would happen if a large pumper ceases pumping (for example, a farm is fallowed or a golf course closes). Mr. Driscoll said he was looking at ways in which the allocation might be transferred to another well owner. Member Johnson suggested including written information on water laws in the next AC agenda. President Hart suggested she talk to Michael Sadler at the *Borrego Sun* about writing an article for the paper, which can be included in the next AC meeting agenda packet.

#### **B. Sustainability Period and Reduction Period**

Mr. Driscoll presented the steps underway to develop the Borrego Springs Subasin's sustainability criteria: Assessment of sustainability indicators (significant and unreasonable conditions, management areas, representative monitoring sites), minimum thresholds, undesirable results, measurable objectives, interim milestones and sustainability goal. He explained that the three management areas, North, South and Central, have differences in water use, geology and other factors and may have different measurable objectives and thresholds. Interim milestones are target values representing measurable groundwater conditions in five-year increments. The measurable objectives are goals for the 20-year timeframe of GSP implementation. Minimum thresholds are quantitative

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values representing the groundwater condition at a representative monitoring site that when exceeded, may cause undesirable results; for example, a well running dry. Potential undesirable results must be identified for each sustainability indicator.

Member Falk asked whether undesirable results which occurred before 1/1/15, such as water quality degradation, could be dealt with in the GSP. Mr. Driscoll replied that they could, since we are in a critically overdrafted basin. He added that the GSP must develop sustainability goals and explain why each goal will lead to success and maintain it. Betsy Knaak asked whether impacts to the community and local economy, such as challenges faced by restaurants or individuals who have already reduced water use as much as possible, would be addressed. Mr. Driscoll explained that his presentation addressed quantitative issues, but socioeconomic issues are addressed in other SGMA components.

### **IV. INFORMATIONAL ITEMS**

#### **A. Stream Gauge Effort**

Mr. Driscoll reported that the Anza-Borrego Desert State Park (State Park), DWR, USGS and BWD had been involved in measurement of stream flows in Coyote Canyon. The gauges are no longer available, and when last in operation, were somewhat inaccurate due to the shifting channel and high sediment rate. Agencies involved met on November 2 to assess the potential of installing new stream gauges. Stream flow has been documented by USGS as the number one source of groundwater recharge in Borrego Springs. However, due to the shifting channel and high sediments, USGS did not recommend installing new gauges. DWR is considering monthly manual stream flow measurements, and the GSA will continue working with the other agencies to collect data and incorporate it into the groundwater model. Mr. Poole added that he is exploring funding available for stream gauges from the State. Member Moran pointed out there is an operable gauge in Palm Canyon.

### **V. CLOSING PROCEDURES**

#### **A. Correspondence**

Ms. Wylie invited attention to the correspondence included in the agenda package on pages 31 through 38.

#### **B. Updates and Comments from Advisory Committee Members**

Member Falk expressed concern that the BWD website did not include a link to the County website, nor did it list the AC members. She felt this should be addressed as part of the public outreach component of the socioeconomic study, and offered to help with this effort.

Member Johnson reported that the Stewardship Council had discussed the fact that Borrego Springs had moved from an agricultural economy to a tourism focus.

Member Falk urged more of the AC members to publicize their e-mail addresses. Member Johnson agreed to share hers, and others wishing to do so were asked to contact Mr. Poole. Member Duncan noted that his BWD e-mail address had been malfunctioning, and Mr. Poole agreed to work with him. Mr. Poole will establish BWD e-mail addresses for others upon request.

Member Johnson asked whether the AC could form subcommittees, and if so, how many members could participate in each committee. Ms. Wylie agreed to look into it.

#### **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 January 25. Ms. Wylie will update the timeline and work with the Core Team to post minutes and presentations on the County website and the BWD website. Information for the agenda should be sent to Ms. Wylie.

There being no further business, the meeting was adjourned at 2:50 p.m.