

MINUTES
Borrego Valley Groundwater Basin: Borrego Springs Subbasin
Sustainable Groundwater Management Act (SGMA)
Advisory Committee (AC)
October 26, 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. She announced that Suzanne Lawrence had resigned as the Stewardship Council representative to the AC, so the position is currently vacant. Diane Johnson has been accepted by BWD as the replacement and is present via teleconference for discussion but not yet as an AC member pending County of San Diego (County) approval.

B. Pledge of Allegiance

Those present stood for the Pledge of Allegiance.

C. Roll Call of Attendees

Committee members:	<u>Present:</u>	Jim Seley, Jim Wilson, Rebecca Falk, Dave Duncan, Bill Berkley, Gina Moran, Ryan Hall, Jack McGrory
Core Team members:	Beth Hart, BWD	Jim Bennett, County of San Diego
	Geoff Poole, BWD	Lyle Brecht, BWD
Staff:	Meagan Wylie, Center for Collaborative Policy	Wendy Quinn, Recording Secretary Trey Driscoll, Dudek, GSP Consultant
Public:	Michael Sadler, <i>Borrego Sun</i>	Judy Haldeman
	Diane Johnson, Stewardship Council (via teleconference)	Linda Haneline Bill Haneline
	Heather Davidson	Ray Shindler, independent ratepayers
	Peter Quinlan, Dudek	Mike Seley, Seley Ranch
	Richard Dopp	Ray Burnand
	Michael Bozick	James Saint, CR&R
	Mike Himmerich, BMA BAR	J.C. Bambach, Borrego Springs Resort
	Brian Moniz, Department of Water Resources (via teleconference)	

D. Review of Meeting Agenda

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

E. Approval of September 28, 2017 AC Meeting Minutes

Upon motion by Member Seley, seconded by Member Berkley and unanimously carried by those present, the Minutes of the September 28, 2017 AC Meeting were approved as amended (Item IV.A, revise fourth line to read, "Member Falk commented . . ."; add a sentence following that one, "She also suggested that the legal arguments given in the letter about water allocations appear to be flawed"; Item IV.B, revise second sentence to read, "She asked whether BWD was considering refusing future projects.")

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F. Updates from the Core Team

Geoff Poole reported that the new BWD website is now in operation. It includes links to County and Groundwater Sustainability Plan (GSP) information and announcements on BWD ratepayer meetings. Ms. Wylie asked AC and Core Team members to contact Mr. Poole if they want their contact information included on the site and/or if they want a BWD e-mail address to keep business separate from personal messages.

G. Review of Consensus Voting Process per the AC Bylaws

Ms. Wylie reviewed the approval levels agreed to for consensus voting: 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 do not want to block the decision so will stand aside; 5- Need more work before consensus; and 6- Wants to block the decision. If all members are between 1 and 4, a recommendation will be made to the Core Team and the discussion will be reflected in the Minutes.

Discussion followed regarding whether to postpone recommendations on the two Policy Issues before the AC today until there is a seated Stewardship Council representative. Members agreed to move forward today.

H. Updates from Brian Moniz, Department of Water Resources

Mr. Moniz explained that as Regional Coordinator for the Southern Office of the Department of Water Resources (DWR), part of his job is to facilitate GSP support services. DWR will continue its support of the Borrego Valley Groundwater Sustainability Agency (GSA) in support of GSP development by providing a facilitator (Center for Collaborative Policy (CCP), with Ms. Wylie as lead facilitator). This service is approved on a fiscal year annual basis, and includes GSP development and outreach. Mr. Moniz encouraged all participants to access the DWR website and review the stakeholder communications and engagement document.

Mr. Moniz discussed Proposition 1 funding, which will complete its Phase 1 application period on November 13. If there is sufficient money remaining, there will be a Phase 2.

II. ITEMS FOR DISCUSSION AND POSSIBLE RECOMMENDATION

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

Jim Bennett reminded the AC that there were two questions before them: with the exception of domestic de minimis wells, do you recommend the GSP require metering of all wells; and if yes, what options of well meter collection, reporting and calibration are preferred? So far two options are acceptable to the Core Team: monitoring and calibration by the GSA or by a third party contractor. Remote telemetry might also be considered. President Hart added that as part of the Proposition 1 grant application, funding may be available for installation of 17 well meters. If metering is required as part of the GSP and pumpers have not voluntarily installed meters, they would have to pay for it at some point in the future, following adoption and implementation of the GSP.

Discussion followed regarding concerns of some in agriculture about privacy issues associated with monitoring. Member Seley reported that the Agricultural Alliance for Water and Resource Education (AAWARE) has ten to twelve members, and they are split about 50/50 as to those who are willing to support monitoring and those who are not. Member Falk reported that of seven members on the Sponsor Group committee, six favored mandatory metering and one did not. Member Duncan reported that at all three ratepayers' meetings, they favored mandatory metering. Member Berkley reported that most recreation pumpers already meter. Member Wilson reported that his constituents supported mandatory metering. Member McGrory felt that metering was necessary, but was willing to defer the decision another month to give Member Seley's constituents more time to consider it. Member Ryan reported he was continuing to collect data from his constituents. Trey Driscoll explained that there are other methods of collecting extraction data besides metering, but they are not as

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accurate. Member Moran reported that the State Park supports mandatory metering and is already metering.

Member Seley explained that about 20 years ago, BWD proposed a plan to meter farmers' wells and impose a pump tax. The BWD Board at that time indicated if the farmers did not comply, they would increase the tax to the point they would be forced out of business. There is still some concern about this, and it is part of the reason the farmers are resisting metering. Member Falk pointed out that if the AC cannot agree on a recommendation, the decision will go to the GSA, which may include mandatory metering in the GSP. Mr. Poole reiterated his offer to attend constituent meetings to explain the issue, and Member Seley agreed to schedule a constituent meeting in the next few weeks and invite the Core Team.

A straw poll was conducted of each member's consensus level, with the following results: Member Moran 1, Member Duncan 1, Member Seley 5, Member Falk 1, Member McGrory 5, Member Berkley 1, Member Hall 5, Member Wilson 1. Member Moran suggested adding to the Policy Issue question proposed to the AC, "within a reasonable time frame after adoption."

The Committee broke for lunch at 11:45 a.m. and reconvened at 12:20 p.m.

B. AC POLICY ISSUE #2: Baseline Pumping Allocation

Mr. Bennett explained that the baseline pumping allocation is the amount of groundwater each pumper will be allocated prior to applying SGMA-related reductions. There will be a process through the GSP to see how much water each individual has, then there will be required reductions relative to the respective baseline. The question to the AC is, do you recommend basing the pumping allocation on extraction using a ten year average from 1/1/05 through 1/1/15? Mr. Driscoll explained that the ten-year period was suggested after discussions with the Borrego Water Coalition, considering that a longer baseline period would account for yearly fluctuations.

Member Duncan reported that the ratepayers support the suggested baseline period, but were concerned that "gerrymandering" could lead to an increased rate of reduction. Member McGrory pointed out that La Casa Del Zorro was closed for three years during that time frame, so that would skew their baseline usage. Mr. Driscoll envisioned that the Core Team would address such situations on a case-by-case basis. Member Wilson suggested developing a formula whereby only years where pumping actually occurred would be considered in the allocation. Member Falk reported that the Sponsor Group had six yes votes on the ten-year period and one no. Member Berkley pointed out that if one farmer used flood irrigation and another drip, the wasteful one would get a larger allocation. He had a concern similar to Member McGrory's; the Rams Hill Golf Course was closed for three years. He suggested looking into other allocation methods. Mr. Driscoll felt the average usage for ten years was the most appropriate. He had 100 percent records from BWD and most of the golf courses, but not agriculture. Member Moran supported the ten-year period, but asked whether the average usage would be calculated for each individual or by sector (recreation, municipal and agriculture). Mr. Driscoll said he would look at both, but eventually recreation and agriculture would be allocated individually and municipal by sector.

Mr. Bennett requested that the agricultural pumpers provide their extraction data to the Core Team prior to the November AC meeting. A straw poll was conducted of each member's consensus level, with the following results: Member Falk 1, Member Hall 5, Member Wilson 5, Member Duncan 1, Member Seley 5, Member Moran 2, Member McGrory 5, Member Berkley 5.

A member of the audience suggested running a variety of methods of allocation through the model to see if one yields less variance than the other, and Mr. Driscoll agreed to investigate.

III. INTRODUCTION TO TECHNICAL AND POLICY ISSUES

A. Water Budget

Mr. Bennett explained that the water budget is a key milestone in GSP development. Dudek has been gathering data since May 2017 and modifying the United States Geological Survey (USGS) water budget to develop the GSP model. Mr. Driscoll introduced Peter Quinlan of Dudek, who narrated a slide show, and it was agreed to put the slides on the County website. Mr. Quinlan reviewed the presentation topics, including the model, budget, results and uncertainties, accuracy and predictions. The project is at Step 1, looking at the USGS sustainable yield. The next step is benchmarking and establishing sustainability goals and objectives, projects and management actions and an implementation plan. Today's presentation focused on Step 1. Mr. Quinlan reviewed the USGS numerical groundwater model, and explained the additions. Agricultural pumping and recharge were estimated. A schematic of hydrology was presented, showing input and output for various land use types. The study looked at surface water, rainfall and runoff, most of which is from Coyote and San Felipe Creeks. The outflow is mostly from pumping (74 percent). The sustainable yield is 5,700 acre feet per year, and the Borrego Valley is currently at 13,700 acre feet per year (a 65-year average). Mr. Quinlan showed recharge and pumping levels over the 65-year period. Recharge is up and down, but pumping has steadily increased. Storage is going steadily down. 500,000 acre feet of water have been taken out of storage over the last 65 years. Dudek is working to refine three areas of the water budget by well metering, testing the aquifer and adding stream gauges. In conclusion, the model has been updated and shows a good representation of the basin, and uncertainties have been identified and quantified. For next steps, the GSP must identify criteria for sustainable indicators, and eventually the model can be used to quantify the sustainable yield. Mr. Driscoll explained that once other criteria are reviewed, such as water quality and levels, the data can be refined. This will help with projects and management actions.

Member Falk asked whether climate change had been incorporated into the study, and Mr. Quinlan replied that it had not yet been incorporated, but he planned to do so. Member Moran pointed out that a lot of the water shed is in the State Park. President Hart said this is good, because it is an unpopulated area.

B. Reduction Period

President Hart shared there had been a good deal of discussion in the community regarding the proposed 20-year period for reaching sustainable yield contemplated by SGMA, and whether the time period should be shorter or longer. The 20-year proposed deadline is the maximum implementation period of the GSP for the basin to reach sustainability per SGMA. A letter from Dudek in the Agenda Package explained the statutory obligations under SGMA. Five-year milestones are required during the proposed twenty-year period, at which time objectives, potential undesirable results and thresholds will be assessed to see if sustainability goals are being met, or if a modification to the GSP is warranted. . Member Falk asked whether frequency of water quality monitoring would be increased upon GSP implementation, and Mr. Driscoll replied that it would be. Over the next two weeks, DWR, BWD staff and Dudek will be sampling BWD wells for water quality, and in November, 15 additional wells will be sampled. Member Duncan inquired about the mechanism for adjusting the GSP if, during a five-year review period, it is determined that management objectives are not being met. He further asked how long it would take to implement an adjustment. Currently, the process is not described in SGMA. The Core Team will initiate conversations with DWR, as appropriate, to gain information on the potential mechanism(s) for making adjustments to the reduction period following implementation of the GSP and subsequent monitoring/measuring of sustainability indicators.

IV. INFORMATIONAL ITEMS

A. Proposition One Grant Application Update

Mr. Poole reported that yesterday the BWD Board reviewed recommendations from its Proposition One Bond Ad Hoc Committee for projects to be included in its Proposition One GSP implementation grant application. They included a socioeconomic study, meter installation rebates and a feasibility study to identify locations for new potable water wells. The County is hoping to fund an Environmental Impact Report for the GSP through its portion of the grant, and will submit a joint application with BWD. The County will take the lead in developing the application, working closely with BWD. Mr. Bennett reported that the earliest the funds could be received would be late December. Member Falk urged a request for as much funding as possible for the socioeconomic study. Director Brecht pointed out that BWD intends to fund the three projects proposed in the Proposition One grant application regardless of whether the grant is approved. President Hart added that there may be additional grant opportunities to pursue in the future.

B. Policy on Correspondence

Ms. Wylie explained that per the Brown Act, there is no requirement to publish correspondence in the AC Agenda Packet. The Core Team acknowledges the AC's desire to review correspondence. Thus, the Core Team will review all submitted correspondence and publish items in the Agenda package if said correspondence is relevant to AC discussions and GSP development.

IV. CLOSING PROCEDURES

A. Updates and Comments from Advisory Committee Members

Member Berkley inquired about the pending statewide water bond. Director Brecht reported that signature gathering is going well. The Governor has signed another bond issue which includes several water related matters, but it should not affect the Borrego Springs bond. President Hart pointed out that there is a \$35 million earmark for Borrego Springs which can be used to address SGMA issues. Member Hall asked whether bond proceeds could be used to assist farmers wanting to relocate, and Director Brecht replied that \$29 million is designated to buy out farmers.

B. General Public Comments

None.

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

The next AC meeting was scheduled for November 27, 2017. There will be no meeting in December, and the AC will reconvene on January 25, 2018.

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