

MINUTES
Borrego SGMA Advisory Committee
Meeting #3

Monday, May 15, 2017
10:00 AM – 3:00 PM

Location: Borrego Water District
806 Palm Canyon Drive, Borrego Springs, CA 92004

Attendance: **Committee members:** Present: Jim Seley, Jim Wilson, Suzanne Lawrence, Rebecca Falk, Jack McGrory (via teleconference, participating as a member of the public), Bill Berkley, Ryan Hall, Kathy Dice, Rebecca Falk

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

Staff: Megan Wylie, Center Wendy Quinn, BWD
for Collaborative Policy

Public: Ray Schindler Dave Duncan
Michael Sadler, *Borrego Sun* Susan Percival, Club Circle East
James Swartz Gina Moran, State Parks
Mike Seley, Seley Ranches Chris Ruiz, State Parks
Dennis Jensen Caroline Manilow
Betsy Knaak, ABDNHA Judy Haldeman
Mike McIlhatten

Item #1: Welcome, Introductions and Opening Remarks

A. Review Agenda and Meeting Objectives: Megan Wylie welcomed the attendees and reviewed the meeting ground rules, agenda and Brown Act provisions. Those present introduced themselves.

B. Approval of April 10, 2017 A/C Meeting Minutes: Upon motion by Member Wilson, seconded by Member Falk and carried, the Minutes of the April 10, 2017 A/C Meeting were approved as corrected (change the first sentence of the third paragraph on page 3 to read, “Member Lawrence expressed concern that the A/C not limit their discussions related to potential projects and management actions to current budgetary constraints”).

Item #2: Review, Discussion and Possible Adoption of A/C By-Laws

Ms. Wylie reviewed the proposed changes to the draft A/C By-Laws presented at the last meeting. Article 1, Section D, will state that “The GSP shall include, but not be limited to, groundwater use enforcement measures” In Article 2, Section B, the acronym PDS is spelled out (Planning & Development Services). Section C was modified to provide that “The AC shall notify the Core Team if a position is deemed vacant pursuant to items 1-4 above, or if the AC recommends the removal of a member as related to items 5-7 above.” Discussion followed regarding the discussion covenants listed in Article 5, Section D, and the fact that regular failure to abide by them could be grounds for deeming an AC member’s position vacant.

Ms. Wylie explained that she was not comfortable with the references in Article 4 to the facilitator serving as chair, or chairing the meeting. After discussing this with the Core Team, she had prepared and presented an alternate Article 4, providing that the meetings would be facilitated, rather than chaired. If the facilitator is unable to act, a Core Team member would assume the duties. After

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discussion, the A/C concurred in the proposed amendments. As discussed at the last A/C meeting, the levels of consensus set forth in Article 5, Section C were rearranged to switch numbers 5 and 6 and modify the wording of new number 5 (old 6).

Mike McIlhatten expressed his opinion that there should be more than one ratepayer representative on the A/C, based on the number of residents, number of homes and dollar value of the property. Member Seley pointed out that there are Core Team members that represent the ratepayers, the Borrego Water District (BWD) participants. The A/C serves in an advisory capacity. Member Dice added that although each A/C member represents a specific constituent group, many are also ratepayers. Jim Bennett assured the group that the Groundwater Sustainability Plan (GSP) would include economic considerations, and the Core Team has discussed this at length. It is hoped that the A/C will avoid fractious decision-making and focus on a consensus-based approach and collaboration.

After discussion, the A/C agreed to keep the By-Laws separate from the A/C Agenda Development Schedule and Interaction with Constituent Group document. Upon motion by Member Dice, seconded by Member Berkley and carried, staff was requested to prepare the By-Laws in final form and place on the next Agenda for action.

Item #3: Review and Discussion of Draft A/C Agenda Development Schedule and Interaction with Constituent Group (CG)

BWD President Hart invited the A/C's attention to the Organizational Questions to be Considered by A/C Members ("Interaction with CG"), presented at the last meeting and included in today's Agenda for the members' guidance. Geoff Poole reiterated his offer to facilitate CG meetings upon request. Ms. Wylie reviewed the Basic Principles of Operation for A/C Engagement with Core Team and Constituent Groups, including an Agenda Development Schedule. The document had been reviewed by the Core Team.

Item #4:

Borrego Valley Stewardship Council (BVSC)

Member Lawrence displayed the BVSC website on the screen and invited the A/C's attention to the memo from the BVSC to the Core Team, included in the Agenda. She explained that the Council was developed in response to the water crisis. The website includes the BVSC's charter, mission and activities. They have sponsored three community workshops, addressing topics such as water availability, clean air, habitat preservation and human health. In addition to individual members, the BVSC includes representatives of the State Park, the Anza Borrego Foundation (ABF) and the Anza Borrego Desert Natural History Association (ABDNHA). Member Falk took exception to the portrayal of BVSC as a "neutral convener" in the last sentence of the memo.

Item #5:

Receive Updates from A/C Members on CG Engagement

Upon motion by Member Falk, seconded by Member Dice and carried, the updates in Item #5 were combined with the General Comments from A/C Members and the Public (Item #7).

The Committee broke for lunch at 12:00 p.m. and reconvened at 12:30 p.m.

Item #6:

Presentation on the Borrego Basin Groundwater Sustainability Plan

Trey Driscoll of Dudek, Inc., prime GSP consultant, presented slides outlining four topics: water budget, water credits, water quality, and projects and management actions. The slides will be posted on the County of San Diego (County) website. Mr. Driscoll explained the water budget fundamentals, storage and movement of water among the atmosphere, land surface and subsurface. Most of the recharge in the Borrego Valley comes from Coyote Creek. Over the 66-year United States Geological Survey (USGS) study period (1945 through 2010), on average, the natural recharge that reaches to the saturated groundwater system is approximately 5,700 acre-feet per year, but natural recharge fluctuates in the arid climate from less than 1,000 to more than 25,000 acre-feet per year. Under SGMA, current and projected recharge must also be addressed. Member Lawrence asked whether climate change would be included in the projections, and Mr. Driscoll replied that it would, as required by SGMA. Member Berkley inquired about absorption of rainfall into the aquifer, and Mr. Driscoll explained that most of it evaporates.

Mr. Driscoll went on to summarize the water credit program, which was created by BWD and the County to address the overdraft. The current policy requires one credit to satisfy the County's Groundwater Ordinance and four for BWD. Approximately 1,423 water credits have been issued to date for fallowed agriculture and turf replacement. An important question is, should water credits be counted as part of the baseline water use under SGMA and production rights assigned to water credits? Mr. Driscoll explained the different types of water credits, "AG-1" being the only one that satisfies the County (agricultural irrigation from 2008 to present followed by complete removal of crops). BWD accepts several other types, including less stringent prior farming requirements, turf removal and tamarisk removal. Ms. Wylie suggested the A/C members review the water credit program, which is available on the BWD website. Member Berkley pointed out that a farmer might continue irrigating nonproductive crops to preserve his ability to obtain water credits, since there is little development now and therefore little demand. BWD President Hart explained that production credits may be offered, and one of the tasks for the A/C will be to suggest an economic incentive for fallowing beyond the current credit program.

Water quality was the next topic, and Mr. Driscoll summarized data for the Borrego Springs Sub-basin obtained from BWD. There are upper, middle and lower aquifers. The basin is proposed to be divided into north, central and south management areas, and Mr. Driscoll showed the location of monitoring wells in each. Most wells are screened in the middle and lower aquifers. Data were presented for total dissolved solids (TDS), sulfates, nitrates and arsenic. While the tests in the north and central management areas are within safe drinking water standards, most in the north exceed standards for arsenic. In the GSP, 15 wells will be sampled annually in all management areas. There is a concern that water quality will decline as groundwater levels drop. Member Lawrence requested a couple of concise sentences explaining the potential decline in water quality and why it is integral to SGMA. BWD President Hart assured her that water quality is a high priority for BWD. Ms. Wylie suggested that Mr. Driscoll add some bullet points to his slide presentation. Mr. Driscoll recommended that the A/C address each of the management areas and develop groundwater storage, groundwater level and water quality goals for each. Member Falk expressed concern regarding nitrate levels in the north management area due to agriculture, and Mr. Driscoll explained that additional study of the upper

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aquifer is needed. Chris Ruiz inquired about data on seismic events, and Mr. Bennett replied that more data are needed, including some on seismic events.

Lastly, Mr. Driscoll presented a list of potential projects and management actions suggested by the Department of Water Resources (DWR) in 2014 for the Borrego Valley Basin. Each was ranked by cost, net overdraft reduction, cost per acre-feet per year (AFY) over 20 years and AFY cost. He asked the A/C to review the list and determine if the options are still viable and whether additional projects and actions should be included. Member Berkley requested totals for each of the parameters in the chart.

Item #7:

General Comment from A/C Members and Public

Member Falk reported that at the last Community Sponsor Group meeting there was discussion about a new farming enterprise in Borrego Springs. She wondered what the County regulations were on new agriculture.

Member Berkley reported that Rams Hill had done some research on creating a second golf course. Under the General Plan they are entitled to it. It would be irrigated with non-potable water, as is the current course, and it would not be over seeded. Although the other golf courses in Borrego Springs are losing money, Rams Hill is profitable. Another course would benefit tourism and the community as a whole.

Mr. Poole reported that Richard Dopp, the BWD ratepayer representative on the A/C, had resigned due to his wife's health. The BWD Board will meet tomorrow and discuss the procedure for appointing a replacement. He hoped to fill the position as soon as possible. Dave Duncan expressed support for Mr. McIlhatten's suggestion for additional representation of ratepayers on the A/C.

Betsy Knaak asked what the significance is of an increase of sulfides in the north and middle management areas. Mr. Driscoll replied that 10 or 12 new drilling locations are being investigated for water quality testing.

Jim Swartz inquired about well metering. Mr. Driscoll explained that all municipal and recreational wells are metered and reported to the County or BWD. As for private wells, they may be metered, but the data are not reported. BWD President Hart predicted that metering and reporting from all wells will eventually be mandatory.

Ms. Wylie announced that she would share her list of action items with the A/C and Core Team. It is attached and incorporated by this reference.

Next Steps and Closing Remarks

The next meeting was tentatively scheduled for June 29. There being no further business, the meeting was adjourned at 3:10 p.m.

Action Items from Borrego AC Meeting #3

05-15-17

	Responsible Party	Action Item	Status
1.	All AC Members	Review Water Credit Program Policy, document found on BWD website here: http://borregowd.org/POLICIES_AND_STUDIES.php (scroll 3/4 down the page, under header Water Credit Policy). Review Section 67.720 Borrego Valley of the San Diego County Ordinance found on the County website here: http://www.sandiegocounty.gov/dplu/docs/GROUNDWATER-ORD.pdf	
2.	All AC Members	Recommended Action: Review the Borrego Springs Community Plan as an important piece of background information: <i>Community Plan Update</i> : http://www.borregovillageassociation.org/documents/BorregoSprings_Community%20Plan_2009-07-01%20(1).pdf County of San Diego site: http://www.sandiegocounty.gov/content/sdc/pds/gpupdate/comm/borrego.html	
3.	All AC Members	Prepare and bring any proposed language revisions/edits to Meeting Minutes (or any future formal document) into subsequent meeting for efficiency of group discussion	
4.	County Team Trey Driscoll	Post May 15 th PowerPoint presentation slides re: GSP Overview by Trey Driscoll, Dudek, Inc. to the Project Webpage. As needed, work with Trey to ensure notes/annotations accompany the various slides for further explanation of detail	
5.	Geoff Poole	Confirm June 29 th meeting date with all AC and CT members, and confirm recurring meeting date of Fourth Thursday of the month (i.e. July 27 th)	
6.	Geoff Poole	Update AC Contact List and re-circulate to AC, Core Team, and staff support	
7.	Geoff Poole	Provide AC with link to Roger Mann 2014 economic study on potential water use reduction projects/management actions	
8.	Meagan Wylie	Revise By-laws with “tracked changes” agreed to real-time during 5/15 meeting for circulation to AC members. Work with Mr. Poole to circulate revised By-laws to AC members for review.	In Progress
9.	Meagan Wylie	Work with Mr. Poole to share list of AC Discussion Point related to Agenda Item #4 from 4/10 Meeting with all AC Members	In Progress
10.	Meagan Wylie	To revise and finalize 4/10 AC Meeting Meetings per revisions agreed-to during 5/15 meeting. Work with Mr. Poole to circulate to AC	In Progress

Ongoing Action Items

1. **All AC Members** to prepare and bring any proposed language revisions/edits to Meeting Minutes (or any future formal document) into subsequent meeting for efficiency of group discussion.
2. **All AC Members** to contact Geoff Poole if they would like a unique email address set up specifically for Advisory Committee correspondences
3. **All AC Members** to contact Geoff Poole if they would like to request his attendance/participation at constituent group meetings

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4. **Geoff Poole** to collect all written public comment, compile, and include in "Meeting Packets" that are posted 72 hours in advance of meeting dates
5. **Wendy Quinn** to incorporate Action Items list into Meeting Minutes