

AGENDA
Borrego SGMA Advisory Committee

Meeting #2

Monday, April 10, 2017

10:00 AM – 3:00 PM

Location: Borrego High School (Meeting Room next to Gymnasium)
2281 Diegueno Rd, Borrego Springs, CA 92004

Conference Line:

Listen to the Committee Meeting by calling: 218-339-7816. Access Code: 591-7105

NOTE: Public comment periods will be accommodated at the end of each agenda item (excluding items 1 and 7). The duration of each comment period will be at the discretion of the meeting Facilitator.

Meeting Objectives:

- Discuss and possibly approve the Draft A/C By-Laws
- Explain available support for A/C Members in the future
- Receive information regarding content, timing, and deliverables related to Groundwater Sustainability Plan (GSP) development

#	TIME	ITEM	PRESENTER
1	10:00 am	Welcome, Introductions and Opening Remarks A. Review Agenda and Meeting Objectives B. Approval of April 6, 2017 A/C Meeting Minutes	Meagan Wylie – Facilitator: Center for Collaborative Policy (CCP)
2	10:10 am	Support for A/C Members A. BWD Staff Support with Nominating Organizations B. Optional Email Addresses for A/C Members	Geoff Poole – BWD “
3	10:45 am	Review, Discussion and Possible Adoption of A/C By-Laws	M. Wylie
	12:00 pm	<i>Lunch</i>	PROVIDED
4	12:30 pm	GSP Update, Overview and Informational Presentation; A. Group discussion of Goals for GSP B. High Priority Projects and Deliverables	Jim Bennett & Leanne Crow, County of San Diego M. Wylie Lyle Brecht, BWD
5	1:15 pm	General Comment from A/C Members	All
6	1:45 pm	General Public Comment	All
7	2:30 pm	Next Steps and Closing Remarks Discussion of Next Meeting Date	M. Wylie All
	3:00 pm	<i>Adjourn</i>	

Please be advised that times associated with agenda are approximations only.

Borrego Basin Groundwater Sustainability Plan

Advisory Committee Meeting #2

April 10, 2017

TO: Advisory Committee Members

FROM: Geoff Poole, BWD

SUBJECT: ITEM 2: Support for AC Members

Item Explanation:

2.A BWD Staff Support for A/C Members with Nominating Organizations:

As we all know, the 9 member Borrego Groundwater Basin Advisory Committee (AC) is made up of representatives from 5 stakeholder organizations/agencies. Throughout the Groundwater Sustainability Plan (Plan), key components will be presented to the AC for their input, and it will be the responsibility of the AC Member to take the issue back to their Nominating Organizations (Organization) for discussion and possible direction. To help facilitate the exchange of information and address questions that may come up during this process, BWD Staff is offering their support to assist the AC Member in taking the issues back to their Organizations throughout the GSP Process.

2.B Optional Email Addresses for AC Members' GSP Correspondence:

Recent court decisions have determined that personal devices and email accounts are subject to the Public Records Request Act. In an effort to create a single point of contact for all future official correspondence and to minimize the impact on personal emails accounts, BWD is offering a "BVGSP.ORG" email address for those who are interested in having one.

Borrego Basin Groundwater Sustainability Plan

Advisory Committee Meeting #2

April 10, 2017

TO: Advisory Committee Members

FROM: Geoff Poole, BWD

SUBJECT: ITEM 3: Review, Discussion and Possible Adoption of A/C By-Laws

Item Explanation:

3 Review, Discussion and Possible Adoption of AC By-Laws

At the March 6th Advisory Committee (AC) Meeting, a set of draft by-laws were distributed and a request made for the AC members to review the document and return to the next meeting (April 10th) with their comments. This section of the Agenda is dedicated to receive the AC Members comments on the draft By Laws and consider its approval.

Attachments:

3: Draft By-Laws



**BORREGO VALLEY
GROUNDWATER SUSTAINABILITY PLAN
ADVISORY COMMITTEE
BY-LAWS**



Adopted and approved at the _____, 2017 Borrego Valley GSP Advisory Committee Meeting:

Article 1 PURPOSE AND FORMATION of the ADVISORY COMMITTEE

Section A – On September 20, 2016, the Board of Directors of the Borrego Water District (District) approved a Memorandum of Understanding (MOU) between the County of San Diego (County) and the District, which memorialized each agency's role and responsibilities for developing a Groundwater Sustainability Plan (GSP) for the Borrego Valley Groundwater Basin (Borrego Basin). On October 19, 2016, the Board of Supervisors of the County also approved the MOU, thereby establishing a multiple-agency Groundwater Sustainability Agency (GSA) responsible for developing and implementing a GSP for the Borrego Basin. The MOU establishes a Core Team comprised of County and District staff tasked with coordinating the activities of the Borrego Basin GSP Advisory Committee (AC).

Section B – In consideration of the interests of all beneficial uses and users of groundwater in the basin, stakeholder engagement and education of both stakeholders and the general public will be conducted in part via the deliberations of the AC pursuant to California Water Code Section 10723.2. The purpose of the AC is to provide input to aid in the development of the planning and policy recommendations contained in the GSP. As information supporting the GSP is prepared by the GSA, these items will be brought before the AC for discussion, analysis, and recommendations.

Section C – The AC is a non-partisan, non-sectarian, non-profit advisory organization. The AC is not

empowered by ordinance, establishing authority, or policy to render a binding decision of any kind.

Section D – The AC is advisory to the Core Team. The Core Team will develop a GSP that meets the requirements of SGMA and is acceptable to the District and to the County. The GSP shall include, but not be limited to, groundwater use enforcement measures, a detailed breakdown of each Party's responsibilities for Plan implementation, anticipated costs of implementing the Plan, and cost recovery mechanisms, if necessary.

Article 2 MEMBERSHIP AND TERM OF OFFICE

Section A – The AC shall consist of individuals with backgrounds in developing, deliberating, planning, and/or advocating for sustainable use of groundwater in the Borrego Basin, under the requirements of SGMA.

Section B – The AC is limited to nine (9) members as established in the MOU. Potential representatives shall be nominated by the following six (6) Stakeholder Organizations and shall be apportioned as follows:

- (1) Four members nominated by the Borrego Water Coalition and filling the following representative roles- 1 agricultural member; 1 recreation member; 1 independent pumper; 1 at large member,
- (2) One member nominated by the Borrego Springs Community Sponsor Group,
- (3) One member nominated by the Borrego Valley Stewardship Council,
- (4) One member nominated by the Borrego Water District Board of Directors who is not an employee or elected official – to represent ratepayers/property owners,
- (5) One member nominated by the County of San Diego who is not an employee or elected official – to represent the Farm Bureau, and
- (6) One member nominated by the California State Parks, Colorado Desert Region – to represent the Anza-Borrego Desert State Park.

Each person nominated to the AC by the above Stakeholder Organizations must be endorsed by the Board of Directors of the District and the Director of PDS of the County before serving on the AC.

Substitution of an alternate for an endorsed AC Member is not permitted. Only endorsed Members may serve on the AC.

Section C – Each AC Member shall serve a term, which shall run concurrently with the development and completion of the GSP.

Section D - A vacancy shall be recognized for any AC Member who: (1) dies; (2) resigns; (3) has unexcused absences from more than three of the scheduled AC meetings within a single calendar year; (4) regularly fails to abide by the discussion covenants of the AC; (5) misses 3-meetings in a row; (6) violates the Ralph M. Brown Act; or (7) fails to exercise the purpose and authority of the AC as described in Article 1 above. The AC shall notify the Core Team if a position is deemed vacant. If a vacancy occurs, the Stakeholder Organization may nominate another AC member appointee for that position that must then be endorsed by the District Board and County Director of PDS. The new appointee Member shall serve through the development and completion of the GSP.

Article 3 DUTIES

The AC shall have the following duties and responsibilities:

- (1) Serve as a resource to the Core Team on GSP development issues for the Borrego Basin;
- (2) Advise in the formation of the planning and policy recommendations to be included in the GSP. This may include reviewing technical materials and providing comment, data, and relevant local information to the GSA related to Plan development; assisting in communicating concepts and requirements to the stakeholder constituents that they represent; providing comments on materials and reports prepared; assisting the Core Team to anticipate short- and long-term future events that may impact groundwater sustainability, trends and conditions that will impact groundwater management;
- (3) Participate in AC and Core Team public decision-making meetings, expected to occur on an approximately quarterly basis or as needed during GSP development.

Article 4 STRUCTURE

Section A – At the start of each AC meeting, members shall determine who will chair the meeting or have an opportunity to request District or County staff to run the meeting.

Section B – The designated Chairperson shall provide general supervisory guidance to the AC, certify the presence of a quorum, and preside over each meeting.

Section C – AC meetings may be led by a Facilitator from the California State University, Sacramento, Center for Collaborative Policy (“CCP”) or other such facilitator acceptable to the Core Team.

Section D – If utilized, the Facilitator shall provide general guidance to the AC and facilitate its meetings. The Facilitator, in consultation with the AC shall assign coordinating duties and/or specific tasks to subcommittees of the AC as necessary.

Section E – The District shall assign staff to record the minutes of all AC meetings, maintain a list of all active representatives, handle committee correspondence, and keep records of actions as they occur at each meeting. It is the responsibility of the Core Team staff assigned to the AC to assure that posting of meeting notices in a publicly accessible place for 72 hours prior to an AC meeting, to keep a record of such posting, and to reproduce and distribute the AC notices and minutes of all meetings.

Article 5 ORGANIZATIONAL PROCEDURES

Section A – Robert’s Rules of Order govern the operation of the AC in all cases not covered by these by-laws, the AC may formulate specific procedural rules of order to govern the conduct of its meetings.

Section B – Any voting is on the basis of one vote per AC member. No proxy or absentee voting is permitted.

Section C – All AC recommendations regarding the GSP shall be made by consensus. Consensus is achieved when AC participants indicate that they are at Levels 1-4 (not Levels 5 or 6) as described below. If after multiple attempts, the AC deems consensus improbable among the AC members on a particular matter, the issue will be returned to the Core Team without a recommendation.

Levels of consensus are as follows:

1. I can say an **unqualified 'yes'** to the decision. I am satisfied that the decision is an expression of the wisdom of the group.
2. I find the decision **acceptable**. It is the best of the real options we have available to us.
3. I can **live with** the decision. However, I'm not enthusiastic about it.
4. I do not fully agree with the decision and need to register my view about it. However, I do not choose to block the decision and will **stand aside**. I am willing to support the decision because I trust the wisdom of the group.
5. I do not agree with the decision and feel the need to **block** the decision being accepted as consensus.
6. I feel that we have no clear sense of unity in the group. We need to **do more work** before consensus can be achieved.

Section D – AC meetings shall be held under the following discussion covenants:

- What is past is past – focus on the future.
- All perspectives are valued. You are not required to defend your perspective, but you are asked to share it and to provide supporting rationale.
- All ideas have value. If you believe another approach is better, offer it as a constructive alternative.
- Everyone will have an equal opportunity to participate.
- Everyone will be encouraged to talk.
- One person speaks at a time.
- No side conversations.
- View disagreements as problems to be solved rather than battles to be won
- Avoid ascribing motives to or judging the actions of others. Please speak about your experiences, concerns, and suggestions. Treat each other with respect.
- Avoid right-wrong paradigms.
- When communicating outside of the AC, Members are asked to speak only for themselves when asked about AC progress unless there has been adoption of concepts or recommendations by the full body.

Section E – A majority of the AC members currently appointed shall constitute a quorum. A quorum is required for an Official Meeting to occur. No consensus vote of the AC shall be considered as reflecting an official recommendation by the AC unless a vote was taken at an Official Meeting.

Section F – All meetings of the AC and its subcommittees are open to the public to the extent required by the Ralph M. Brown Act. Meetings are to be held in accessible, public places in Borrego Springs, California. Notice of all AC meetings shall be posted in a publicly accessible place for a period of 72 hours prior to the meeting. A majority of the AC members shall not use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any AC-related business outside of a public meeting in violation of the Ralph M. Brown Act.

Section G – All members of the AC must abide by these by-laws. The County and District reserve the right to remove members that do not abide by the by-laws.

Article 6 COMPENSATION

Members of the AC shall serve without compensation.

Borrego Basin Groundwater Sustainability Plan

Advisory Committee Meeting #2

April 10, 2017

TO: Advisory Committee Members

FROM: Geoff Poole, BWD

SUBJECT: Item 4: Groundwater Sustainability Plan (GSP) Overview

Item Explanation:

4 Groundwater Sustainability Plan Update and Overview –

The County of San Diego has entered into a contract with Dudek Inc of Encinitas to be the Prime Consultant (Trey Driscoll Project Manager) for development of the Borrego Valley Groundwater Basin GSP. Dudek, with corporate headquarters in Encinitas, is an environmental and engineering consulting firm with more than 400 planners, scientists, engineers, licensed contractors and technical staff. Subconsultants on this project include Geosyntec Consultants, Hidden Valley Pump Systems, O'Day Consultants, Raftelis Financial Consultants, Wieldlin and Associates Inc. Fain Drilling and Pump Co., Environmental Navigations Service Inc and Babcock Laboratories. Dudek has been providing the District with technical advice regarding on a wide array of issues including the overdraft of the Basin for the past three years. At the AC Meeting, Staff will make a presentation to the AC on the Borrego Valley GSP Scope of Work (Scope).

The following is an issue that BWD feels should be a high priority in the Scope.

Benchmark and Water Credit Transfer Mechanism: BWD and the County have operated a Water Credit system to act as a water transfer mechanism. The current program needs to be evaluated and customized to fit the SGMA requirements.

BWD is considering funding additional work outside of the GSP Scope of Work by adding depth-dependent water quality data to establish a probabilistic forecast whether a tipping point for expensive water treatment may occur between now and the arbitrary reduction period of 2040 in SGMA. Given the high risk to the District's operations and its customer's water rates from this issue, the District feels that additional work in this area of water quality trends is warranted.

Attachments:

4.A – Outline of Borrego Valley GSP Scope of Work Activities

OUTLINE OF BORREGO BASIN GROUNDWATER SUSTAINABILITY PLAN

1. Existing Data Compilation

Compile existing data. Data could include, but is not limited to, local and regional reports, plans, studies, models, existing well information, basin condition information, pumping records, groundwater elevation data, surface and groundwater quality data, stream gauging data, precipitation records, water rights summary, water demand (including historic use), groundwater contamination, prior water budgets, subsidence records, and other information pertinent to GSP development.

2. Existing Data Assessment

Review collected data, ensure that it corresponds to the SGMA requirements, and identify data gaps.

3. Evaluate/Develop Monitoring Program

Evaluate the existing monitoring network and provide recommendations on expanding the network and developing an ongoing monitoring program to include water level monitoring and water quality sampling throughout the GSP implementation phase.

4. Develop Data Management System

Develop a data management system capable of storing and reporting information relevant to the development of the GSP and monitoring of the basin.

5. Water Level and Quality Data Collection

- Semi-annual water level monitoring of wells in the groundwater monitoring network. A minimum of two rounds of monitoring to be provided per contract year.
- Semi-annual groundwater sampling of wells and analyze for nitrate, total dissolved solids (TDS), arsenic, fluoride, gross alpha and uranium.

6. Water Budget

Develop the hydrogeologic flow model/water budget to simulate current conditions and future impacts to the groundwater system regarding water levels and water quality.

7. Support Sustainable Management/Monitoring Network Assessments

Develop proposed projects, management actions and Best Management Practices (BMPs) to achieve the sustainability goals for the basin. Examples include:

- Water Credits/Entitlements
- Water Conservation/Efficiency Projects
- Land Use/Planning
- Agricultural Fallowing

8. Support Projects and Management Actions

Evaluate the costs for the proposed projects and management actions identified to achieve the sustainability goals for the basin, including a cost benefit analysis for each proposed project/management action to determine its impact on the community.

9. Groundwater Sustainability Plan (GSP)

Prepare a Draft/Final GSP utilizing data and results obtained from modeling and basin analyses.

Borrego Basin Groundwater Sustainability Plan

Advisory Committee Meeting #2

April 10, 2017

TO: Advisory Committee Members

FROM: Geoff Poole, BWD

SUBJECT: ITEM 7: Discussion of Future Meeting Dates

Item Explanation:

ITEM 7: Discussion of Future Meeting Dates

Please bring your calendars to the Meeting and the AC members can have a group discussion on future meeting dates and hopefully we can find a recurring date that works for everyone.