

Comment on the Draft Groundwater Sustainability Plan (GSP)
Borrego Valley Groundwater Basin
May 17, 2019

This comment letter is about the lack of consideration for the interests of the Borrego Springs community as an SDAC in the draft GSP for the Borrego Valley Basin and is also a request to amend the GSP to include such consideration. Consideration for SDACs is a part of state water law and pertains to SGMA and GSPs. Please see the citation of CA Water Code 10723.2 (2017) below. The draft Borrego Valley Basin GSP merely notes that our SDAC status was discussed in some GSP AC Ad Hoc Committee Meetings, that informational outreach was made to our SDAC, and that grant monies were received through a DWR SGMA related SDAC grant to BWD for re-drilling a well. There are no provisions in the GSP that specifically address the interests of our SDAC community. The term SDAC is used only five times in the GSP for the notes mentioned above.

Please also refer to this document published online by SWRCB (State Water Board), particularly page 18 and also the pages surrounding it:

https://www.waterboards.ca.gov/water_issues/programs/gmp/docs/sgma/sgmaoverview_oct15.pdf

Note that on p. 18 of this document, the following words include more than hearing from people at public meetings: "Comprehensive Approach Will Identify and Factor in Interested Parties' Perspectives", and the list of interested parties is drawn from the section of CA Water Code cited below and includes Disadvantaged Communities.

CA Water Code § 10723.2 (2017)

The groundwater sustainability agency shall consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing groundwater sustainability plans. These interests include, but are not limited to, all of the following:

(a) Holders of overlying groundwater rights, including:

(1) Agricultural users, including farmers, ranchers, and dairy professionals.

(2) Domestic well owners.

(b) Municipal well operators.

(c) Public water systems.

(d) Local land use planning agencies.

(e) Environmental users of groundwater.

(f) Surface water users, if there is a hydrologic connection between surface and groundwater bodies.

(g) The federal government, including, but not limited to, the military and managers of federal lands.

(h) California Native American tribes.

(i) Disadvantaged communities, including, but not limited to, those served by private domestic wells or small community water systems.

(j) Entities listed in Section 10927 that are monitoring and reporting groundwater elevations in all or a part of a groundwater basin managed by the groundwater sustainability agency.

The Borrego Water District has commissioned reports from Environmental Navigation Services, Inc (ENSI) that should be reviewed to help address SDAC interests in the Borrego Valley Basin GSP. The report for task 2, dated April 15, 2019, entitled "SDAC Impact/Vulnerability Analysis" and the report for task 3, dated May 13, 2019, entitled "Decision Management Analysis," have important analyses of the factors that will impact our community and will be needed for a consideration of our interests as an SDAC in the GSP.

We are a small town, with a few thousand residential and commercial meters to cover any costs that ratepayers must bear for the drafting and implementation of plans to bring our sole-source aquifer into sustainable use. We are likely to have to purchase water from other sectors for municipal needs going forward. The economics of the town will be altered as a result of groundwater management, and that will affect employment, schools, and plans for a viable economy. We will need to make sure that the Borrego Water District remains financially sound to maintain water delivery for the town despite that Borrego Springs is an economically severely disadvantaged community. All of these factors are challenged or put at risk by potential side effects of the plan or plans to reach sustainable water use. The Borrego Valley Basin Groundwater Sustainability Plan has to avoid killing the patient while curing the disease by making sure these risk factors are included and addressed.

Sincerely,

Rebecca Falk

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