

## Bennett, Jim

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**From:** carylowe@cox.net  
**Sent:** Friday, May 17, 2019 4:02 PM  
**To:** LUEG, GroundWater, PDS  
**Subject:** Comments on Borrego Valley Draft GSP

Dear Mr. Bennett,

I wish to comment on the draft Borrego Valley Groundwater Basin Sustainability Plan. I speak both as a land use professional with a long history in dealing with water issues and as a 40-year property owner in Borrego Springs. In an effort to avoid repetition of comments you have received from others, I will limit my comments to just a few key points:

I wish to comment on the draft Borrego Valley Groundwater Basin Sustainability Plan. I speak both as a land use professional with a long history in dealing with water issues and as a 40-year property owner in Borrego Springs. In an effort to avoid repetition of input you have received from others, I will limit my comments to just a few key points:

- Agriculture should bear a significantly greater share of mandated water use reductions than is currently proposed. Over 70% of historical water consumption in the Borrego Valley is attributable to agriculture. With no restrictions on pumping and little incentive to conserve, these interests have taken advantage of their rights under California water law to effectively drain the groundwater basin, thereby assuming primary responsibility for the current critical overdraft condition. In return, they have provided only a small contribution to the valley's economy in terms of jobs or revenue. Now, it is proposed that they reduce their consumption in the same proportion as the rest of the community. While that may seem fair at first impression, it ignores the fact that the agricultural landowners can reduce consumption by selling their property to parties who will maintain it as open space or convert it to non-ag uses. In other words, reducing consumption imposes little burden on the agricultural users; it actually provides them with a profit opportunity which would be unlikely to exist if there were not a legislative mandate to drastically reduce water consumption. Consequently, agriculture should bear a disproportionately higher percentage burden for reduction in water consumption.
- Recreational users can be distinguished from ag users. Recreational water users, primarily golf courses, are responsible for about 18% of total water consumption. Like ag users, they have been free to pump without limit for many years, and similarly bear a disproportionate responsibility for the current overdraft condition. However, they may be distinguished from the ag users. While the golf course and hotel interests also have the option, in theory, of "fallowing" their land, they have enormous investments in their operations and they make a substantially greater contribution to the local economy, so a stronger argument can be made for not burdening them to the point of undermining their economic viability.
- Residential and other users should be exempted from mandatory water use reductions. Residential users are responsible for a mere 10% or so of water consumption. Given the very small amount of exterior landscaping at virtually all homes in the valley, any significant cutbacks in water usage will affect primarily indoor use and will therefore severely impact the health and safety of residents. That alone should invalidate the proposed reductions as applied to residential users. Moreover, this impact will be sufficiently great as to render most homes incapable of supporting human habitation. Since that is the only permitted use of those properties, the proposed cutbacks will constitute a complete and permanent regulatory taking of those properties. The county would then be liable for the value of all those homes. This is particularly a concern as to specialized residential uses such as the Borrego Air Ranch which fall into the category of "other" users. A regulatory taking of those properties would subject the county to liability for not only the homes, but for all the flight facilities and other improvements as well. Given that water users in this category represent a mere fraction of a percent of total consumption, it seems irrational and punitive to impose on them the same percentage of use reductions to be

applied to the major water users. Inflicting such a burden on users in this category will have virtually no effect on basin conditions, while rendering their properties unusable and creating major liabilities for the county.

In summary, I suggest reconsideration of the manner in which future mandated water use reductions are to be applied, with more of the burden being shifted to agricultural users and with residential users being burdened far less, if at all. Thank you for your consideration.

Cary D. Lowe, Ph.D., AICP  
Land Use Attorney & Mediator  
3517 Garrison Street  
San Diego, CA 92106  
Tel. (619) 255-3078  
E-mail [carylowe@cox.net](mailto:carylowe@cox.net)

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