

Borrego Water District
MINUTES
Groundwater Management Standing Committee
Wednesday, May 13, 2009, 9:15 a.m.
806 Palm Canyon Drive
Borrego Springs, CA 92004

Attendance: Directors: Mendenhall, Smiley
Staff: Richard Williamson, General Manager
 Jerry Rolwing, Operations Manager
 Wendy Quinn, Recording Secretary
Public: Clark Shimeall Ronald Pecoff
 Paul Nordman, Pecoff Farms Brent Dix
 Rebecca Falk Rudy Monica
 Beth Hart Bill Wright

CALL TO ORDER
INTRODUCTION OF PARTICIPANTS

Those present introduced themselves.

APPROVAL OF MINUTES

The Minutes of March 11 and April 8, 2009 were approved as written.

CURRENT AGENDA ITEMS

1. Discussion of Water Mitigation and Entitlement Policy. Rich Williamson reported that the County had commented on the last draft of the Water Mitigation and Entitlement Policy. Director Smiley reported that Kathleen O'Meary of the Bureau of Reclamation in Yuma had offered to calculate consumptive use for typical crops, and had arrived at 3.9 acre-feet per acre per year for citrus, 8.5 for turf and 5.4 for date palms. Paul Nordman requested a copy of the calculations.

The Committee reviewed the April 7 draft of the Water Mitigation and Entitlement Ordinance, with editing and comments by the County. Mr. Williamson noted that the definitions section would be expanded, and he would ask Allison Burns to suggest additions. It was agreed to specify that eligible land must be five acres or more (instead of in excess of five acres) to accommodate plots of exactly five acres.

Discussion followed regarding credit for reduction in irrigation, such as golf course partial turf removal or conversion to less water-intensive crops, and the right of a farmer who is planning to fallow to continue farming until his/her credits are sold. Mr. Williamson had understood that the County was agreeable to these provisions, but in the latest version, they were omitted. He pointed out that although the District and County had been working toward a uniform policy, the District may choose to adopt one that differs from the County's. Discussion followed regarding the County's "Comment [A3]," which stated, "Pursuant to CEQA, current actual irrigation of groundwater needs to be removed from production in Borrego Valley. Simply having a right to operate an agricultural operation does not provide the means in which to obtain water credits. As such, the County will only accept water credits for fallowing of agricultural land which is currently irrigated." Mr. Williamson suggested that the District act as lead agency under CEQA, since the County is

concerned about lawsuits and he did not believe this was a significant risk. Beth Hart suggested that the District redraft the policy or ordinance as we want it and submit it to the County for acceptance or rejection, and Bill Wright concurred. Mr. Williamson pointed out that the County wants the District to enforce the terms. Rudy Monica felt that most farmers would want to totally fallow, so the negotiation process should continue.

Mr. Williamson summarized the possible outcomes: The District agrees with the County policy and implements it, or the District recognizes the County credits but implements its own credit program. He questioned what would happen if a farmer fallowed, as the County wants prior to development approval, and then the development is not approved.

Mr. Williamson explained that there are 3,000 lots in Borrego, which do not have to satisfy the County mitigation requirements but must satisfy the District's. He agreed to redraft the document according to the District's wishes, and suggested a special Committee meeting following the next Board meeting. Meanwhile, he will discuss the issues with Jim Bennett of the County. Director Mendenhall recommended that we continue to work with the County in an effort to reach agreement and perhaps seek legal assistance.

2. Status of Financing/Grant Requests. Mr. Williamson reported he met with one of Senator Boxer's representatives on Monday regarding possible FY 10 STAG funding for water importation and/or water rights acquisition. Jim McConnell also attended. The I-Bank loan continues to appear promising and is expected to yield \$500,000.

3. Update on Groundwater Management Study. Jerry Rolwing reported that the District has submitted the proposed participants in the regional plan to the Department of Water Resources. The two other agencies would be the County and the Greater San Diego County Resources Conservation District. AAWARE, the golf course association and perhaps the State Park will also participate.

The California Water Plan is out for public comment. BWD was represented at a recent meeting on the Plan and will submit wording to better address the Borrego Valley.

The USGS/DWR study is continuing, and another meeting will be scheduled soon with these agencies.

4. Status of Sustainable Water Supply Projects. Mr. Williamson reported that the engineering design for the Clark Lake pipeline is complete. The CEQA documents are being revised to include treatment facility impacts, and the legal staff is addressing easement issues. Work has begun on the survey and design for the southeast importation line. Some costs may be reimbursed from future grants, and the District is saving money by doing the engineering in-house. Staff is looking at reservoir and well sites, which could be funded through the I-Bank loan.

5. Groundwater Management Budget Review/Proposal for FYE 2010. Mr. Williamson reported that the largest groundwater management budget item is the USGS/DWR study, approximately \$300,000 this year. The budget will be presented to the Board for comment at its next meeting and adopted in June.

There being no further business, the meeting adjourned at 11:20 a.m. A special Groundwater Management Committee Meeting was scheduled for Wednesday, May 27, 2009 at 2:00 p.m.; and the next regular Groundwater Management Committee Meeting was scheduled for Wednesday, June 10, 2009 at 9:15 a.m.