

Borrego Water District
MINUTES
Groundwater Management Standing Committee
Wednesday, May 27, 2009, 2:00 p.m.
806 Palm Canyon Drive
Borrego Springs, CA 92004

Attendance: Directors: Mendenhall, Smiley
Staff: Richard Williamson, General Manager
 Jerry Rolwing, Operations Manager
 Allison Burns, Stradling, Yocca, Carlson & Rauth
 Wendy Quinn, Recording Secretary
Public: Rebecca Falk Rudy Monica
 Beth Hart Bill Wright
 Jim Engelke Marshal Brecht

CALL TO ORDER
INTRODUCTION OF PARTICIPANTS

CURRENT AGENDA ITEM

1. Discussion of Water Mitigation and Entitlement Policy. Rich Williamson noted that the District had been working with the County, at the County's request, since last fall to develop a joint water mitigation and entitlement policy or ordinance. The District submitted a draft, and the County returned it with comments. Although at one time it appeared we were close to agreement, the latest comments did not reflect that agreement. As presently drafted, the ordinance would incentivize farmers who would otherwise fallow to continue irrigating. At this point, Mr. Williamson suggested the District adopt its own policy and the County can adopt the portions which it finds acceptable. He hoped for adoption at the June Board meeting.

Director Smiley had calculated standard rates for crediting the typical crops, based on evapotranspiration: Citrus at five acre-feet per acre per year, palms at six, turf at eight and annual crops at two. He explained that the calculations were based on an annual reference evapotranspiration of 84 inches multiplied by the respective crop coefficient, divided by 12, and rounded to the nearest whole number. Jim Engelke noted that he too had made these calculations, using a different method, but his conclusions were similar.

Mr. Williamson suggested that the District issue two types of certificates, one which will satisfy the County's mitigation requirements and one which will satisfy the District's. It is anticipated that the District will buy some credits, using a bid process, for sale to small developers. The price for resale would be based on the District's cost, including administration. The in-lieu fee would then be eliminated.

Discussion followed regarding whether to require mitigation at the time the water meter is purchased or at the time the building permit is issued. Beth Hart suggested that mitigation be required when irrigation meters (homeowners' association common areas, golf courses, etc.) are installed, but for residential it would be tied to the building permit. The issue of future home builders who wish to landscape and irrigate prior to construction was discussed, but it was agreed this was not done frequently enough to be significant.

Mr. Williamson asked Allison Burns to redraft the policy and the easement form based on today's discussion and e-mail it to the interested parties prior to the next

Committee meeting on June 10. It was agreed that the District policy would provide credit for reduced water use, such as partial turf removal or changes in crops.

Bill Wright asked whether nonprofit organizations would be required to mitigate. Jerry Rolwing believed the County offered an exemption and agreed that the District should follow the County's practice on this.

It was agreed that credit for tamarisk removal will be included in the District's policy. Director Smiley recommended that we include a provision that the farmer bears the cost of fallowing, removal and disposal. Rudy Monica recommended that the terminology be consistent, i.e. certificates, credits, mitigation entitlement. Director Mendenhall inquired about the advantage of an ordinance versus a policy. Ms. Burns explained that if the District activates its police powers, it could enforce an ordinance. However, she suggested a policy be adopted initially and it can become an ordinance later if the District so chooses.

There being no further business, the meeting adjourned at 4:00 p.m. The next regular Groundwater Management Committee Meeting was scheduled for Wednesday, June 10, 2009 at 9:15 a.m.