

BWC Meeting Notes

Agenda and Goals

- The acting facilitator opened the meeting, and reviewed agenda items:
 - Review of ongoing action items.
 - Review GSP governance structure and financing options, and discuss BWC's role in participating with BWD and San Diego County in development and implementation of the GSP.
 - Discuss technical questions and model for agricultural water use.
 - Discuss finance status report, and review next steps

GSP Governance Structure

- A member discussed the reception of the BWC's letter by the BWD and the general public, and highlighted that these are crucial issues at every level of participation for developing a lasting governance structure.
- Members discussed the format for the next round of communication:
 - Members agreed on face-to-face, principle-to-principle negotiation by a negotiating committee as a next step, as well as the development of specific needs and requests for the negotiating committee to promote on behalf of the BWC. It was also suggested that the BWC take a leadership role in promoting DAC issues.
 - Members discussed the makeup of the negotiating committee. Members agreed that the 3-5 member committee should represent the Agricultural, Recreation, and Community Caucuses.
 - **ACTION ITEM: Member** will send request via email to confirm agreement that the BWC should form a negotiating committee of 3-5 people representing stakeholder interests within the general group. This email will also include a preliminary request for volunteers. **Member** will confer with Members to discuss interest/availability to participate.
- Members discussed the merits of having a public "BWC representative" to participate in the GSP process vs. having BWC members participate as individual citizens:
 - A member recommended that the BWC take the role of advisory group on stakeholder issues, which would require negotiating the Brown Act, and balancing a potential need for confidential meetings and private information sharing with a potentially negative community perception of "secret" meetings.
 - A member noted that the issue is creating a more inclusive process so that the community can be involved in GSP decision making. The BWC could meet privately and not be under the Brown Act, but participate in public decision making processes as individuals. Members debated whether it would be better for the BWC to participate formally as an

- organization (representing the interests of the BWC as an entity, and subject to rules governing public entities), or as individual stakeholders on a larger advisory committee.
- A member expressed concern that, while the BWC represents pumpers in the valley, the group may not necessarily represent the community as a whole.
 - Members discussed the role of the BWC as a possible negotiating partner with GSAs on a GSP. What should the BWC's role be, knowing what the partnership and co-development process between the BWD and County will likely look like?
 - Members discussed possible precedents or models for participation in formal governmental processes that could be discussed by the BWC. A member suggested that an existing model could be identified, modified, and then sent to the County as a suggestion for how the BWC could participate.
- Members brainstormed priorities for the next round of responses. Specific concerns for the negotiating process were raised, including:
- A member highlighted the need for assurances that the BWC's analysis and recommendations will be taken seriously in the decision making process, and proof that the GSAs are not making decisions in an arbitrary and/or capricious manner.
 - Another member added the need to participate in the development and implementation of the GSP as well.
 - A member noted that the BWC is the stakeholder group required for participation by the SGMA, and suggested the BWC articulate their role as making sure stakeholders are heard and can challenge recommendations from the top down as needed. The County could circumvent the BWC, but the BWC could also then legally challenge a GSP that doesn't include stakeholder input.
- Members discussed next steps for identifying successful models of participation, and for drafting response letters to the BWD and the County.
- Members agreed that the BWC should suggest a model for participation, rather than waiting for a top-down system from the County. Members also agreed that the BWD should be enrolled to support the BWC's suggestion to the County.
 - A member suggested the following wording: "BWC is the stakeholder support group required by legislation," and suggested that the BWC request written recognition by the BWD and the County stating that the BWC is an advisory committee to the GSAs, that the GSAs will work with the BWC as part of their requirement to gather stakeholder input, and that the BWC could provide stakeholder input regarding water consumption in the valley, and proactively provide input and recommendations, and BWC could provide community meetings to gather stakeholder input for the GSAs". Members agreed that this wording and request for written recognition would be a productive next step.
 - A member expressed concern that this kind of recognition would subject the BWC to the Brown Act, and clarified that the BWC may want to create a public advisory group/sub-committee that is an extension of (but does not publicly represent) the BWC. This may require the creation of 2 BWCs, one private and one public. A member noted that the County likely cannot recognize a private group speaking on behalf of the general public,

and recommended that the BWC ask the BWD and County counsel whether a recognized stakeholder group could be private.

- A member suggested a structure where the BWC maintain its status as a private group, with some members participating in a sub-group that would participate in the GSP development process, with private BWC meetings treated as fact-finding opportunities and knowledge sharing for those members. Members discussed whether the BWC's credibility would be enhanced by speaking/participating as a group vs. as individuals.
- **ACTION ITEM - Member** will prepare a summary document/slide deck highlighting different models for BWC participation in the GSP process, with the goal of facilitating more specific discussion. **Members** will then discuss options, with the goal of modifying and then pitching a model to the County for participation in the decision making process.

GSP Financing Options

- A member discussed the presentation of GSP financing options slide deck at the BWD Town Hall meeting on 3/25, and particularly the recommendation of a blended proportional share model for GSP development costs. Discussion on this presentation followed. Key points include:
 - Probability for public funding is high, and determining funding processes will be an early discussion for the GSAs. Bonding would not be an option here. The County will fund their own piece, and this is the local piece. The BWD likely could not offload technical staff costs to the County. The BWD noted in the Town Hall that their plan will include local funding, rather than relying on the state or the county (and also losing control over costs and results). Whatever agency is used as the "collection agency" would enforce payment. The BWD has not yet discussed what power they would have as a GSA in this capacity.
 - Final vetted numbers, water rights, etc. for groups would theoretically be determined during the development/adjudication process. Overall cost is currently being reviewed by the BWD.
 - 2,125 customers fall under municipal use. Costs to municipal users would be distributed according to use, and spread over 5 years. This distribution is for upfront development costs only, and the proportions would likely change during the ongoing, long-term implementation process.
 - The new proclamation requiring a 25% reduction would likely not impact the cost of developing a GSP.
 - Costs include technical analysis by consultants.
- A member suggested that the BWC consider whether they would like to recommend a particular cost sharing mechanism to the County.
- **ACTION ITEM - Member** to distribute the slide deck to the BWC, and request feedback on whether members support the recommendation of a blended proportional share of costs (or other proportional distribution) to the County.

Technical Questions

- A member reviewed the slide deck distributed via email prior to the meeting, which summarizes attempts to reconcile multiple data sources (USGS, AAWARE, etc.) in to a single model of the whole life cycle of water use in the BVGB. The goal of this model is to assist BWC with calculation of return flow from agricultural land and determination of trade offs in how water is used, which options for reducing use are more effective, and what the overall reduction should be. It could also be used to develop incentives for more efficient water use, and to help develop a more robust GSP. Points highlighted include:
 - The USGS model looks at flow of water below the surface, while agriculture approaches water efficiency by looking at water flowing down from the surface.
 - As agricultural land is removed from production, efficiency increases and return flow from irrigation decreases.
- Discussion followed on this material followed. Key points include:
 - A member recommended the group discuss which assumptions and other points of interest should be included in a letter to the USGS asking for clarification on their model. Members reiterated concerns that USGS's model does not include water quality issues.
 - A member requested a written set of assumptions/logic that went in to the model, such as formulation for return flow, as well as a list of technical questions for clarification from relevant experts.
 - Members clarified that return flow is water that actually returns to the aquifer vs. being trapped in the soil. The timeframe and circumstances for water actually returning to the aquifer vs. being held in suspension is a question for USGS.
 - Members discussed how and why “excess” water might be applied in an agricultural context, and whether it is possible to water agricultural land just enough to saturate the plants without generating return flow, thus decreasing overall water use. Members emphasized the need to understand timing and mechanism of return flow, and to build a living model that can be updated as efficiencies and metered usage are factored in.
 - Members discussed methods for better capturing water and returning flow to the aquifer, such as injection and catchment basins.
- **ACTION ITEM - Member** to review model with Tim R., and write up assumptions/formulas in the model. **Members** will continue discussion on technical questions to be sent to USGS and other experts.

Finance Status Report

- A member reviewed documents distributed in hard copy at the meeting detailing BWC transactions for facilitation and legal fees that were run through the Chamber of Commerce as intermediary. The Chamber has now been fully invoiced for services rendered for facilitation. Once outstanding invoices to members are paid, all remaining facilitation and legal charges will be cleared.
- Members requested confirmation from counsel that all legal work has been completed.

Meeting Recap and Next Steps

- Future BWC Meetings are scheduled for May 7 and June 4.

Action Items

- The list of action items was reviewed and updated to reflect the following:
 1. **CLOSED - Member** will ask the Sun to publish the BWC policy recommendations. District will continue public input sessions. Members agreed that making BWC recommendations available online and in print at the BWD is sufficient.
 2. **IN PROGRESS - Member** to report on Neighborhood Reinvestment Program Application. **Member** will follow up offline.
 3. **IN PROGRESS - Members** to follow up with Toni Atkins. **Members** report that Atkins is still willing to visit the Valley in the fall. **Member** will continue following up offline.
 4. **IN PROGRESS – Members** continue to follow up with DWR regarding funding for the GSP process. DAC priority funding may be an option. DWR likely will not have funding until year end 2015. SWRCB may have funding for wastewater and drinking water in spring/summer.
 5. **IN PROGRESS - Members** to reconcile baseline numbers in Policy Document. **Member** will follow up with USGS. **Member** will follow up with agriculture.
 6. **CLOSED - Member** reviewed the current BWC technical recommendations and made recommendations for updates to add to the log. This document will be put on the BWC dropbox. **Member** will circulate the recommendations via email. **Members** should review this document on a regular basis.
 7. **IN PROGRESS - Members** wrote a letter to both the BWD and San Diego County asking for consultation and clarification regarding whether their models of the BVGB include return flow, and how return flow has been calculated. Responses to this letter will allow the BWC to adjust their use of models as needed. **Member** to review the model with Tim R., and write up assumptions/formulas in the model. **Members** will continue discussion on technical questions to be sent to USGS and other experts.
 8. **IN PROGRESS - Member** presented discussion on GSP structural options to the BWD at the Special Board Meeting on 3/17, and at the BWD Town Hall meeting on 3/25. Content was discussed further later in the meeting. **Member** to distribute the slide deck to the BWC. **Members** to review the deck and give feedback to Mike S. and Lyle on whether they support the recommendation of a blended proportional share of costs (or other proportional distribution) to the County.
 9. **IN PROGRESS - Members** wrote and distributed response letters to the BWD and the County regarding BWC's participation in the GSP process. Responses from the BWD and County are pending.
 10. **OPENED - Member** will send request via email to confirm agreement that the BWC should form a negotiating committee of 3-5 people representing stakeholder interests within the general group. This email will also include a preliminary request for volunteers. **Members** will confer to discuss interest/availability to participate.

Thursday, April 2, 2015

11. **OPENED - Member** will prepare a summary document/slide deck highlighting different models for BWC participation in the GSP process, with the goal of facilitating more specific discussion. **Members** will then discuss options, with the goal of modifying and then pitching a model to the County for participation in the decision making process.
12. **OPENED - Member** to send out information on Dr. Famiglietti's talk for ABDNHA, as well as a count of members who would like to attend.
13. **OPENED - Member** will send out updated distribution list and ensure access to the drop-box. **Member** will send final public versions of notes to the website editor for posting.
14. **OPENED - Member** will send information on the 4/30 listening session in San Bernardino.

Attendance

Borrego Water District	Lyle Brecht, Board Member Beth Hart, Board Member Jerry Rolwing, General Manager
Agriculture	Dennis Jensen, Oasis Ranch Jim Seley, Seley Ranch Mike Seley, Seley Ranch (alternate)
Recreation	Bill Berkley, Rams Hill Golf Course Jim Moxham, Borrego Springs Resort (alternate) Mark Vonarx, De Anza Country Club (replacing Jim Wermers)
Community & Tourism	Linda Haddock, Borrego Springs Chamber of Commerce
University of California, Irvine	Emily Brooks, Doctoral Student