AAWARE

1515 Hope Street SOUTH PASADENA, CA 91030

September 22, 2015

VIA U.S. MAIL AND E-MAIL (sgmps@water.ca.gov)

California Department of Water Resources
Attn: Sustainable Groundwater Management Section
P.O. Box 942836
Sacramento, CA 94236

Re: Comments on the California Department of Water Resources' Draft Designation of Critical Overdraft for Borrego Valley Basin, No. 7-24

To Whom It May Concern:

The following comments are submitted on behalf of the Agricultural Alliance for Water and Resource Education ("AAWARE"), a California nonprofit mutual benefit corporation formed in 2003 by the majority of the growers in the Borrego Valley Groundwater Basin area. AAWARE has been working on a path to bringing the Borrego Valley aquifer into balance over the next 20 years. For the past two years, AAWARE's efforts have been focused on participating as part of the Borrego Water Coalition, which was created by the Department of Water Resources' ("Department") local facilitation process to assemble the major water users in Borrego Valley. The Coalition's recommendations have been shared with the Borrego community, Borrego Water District, the County of San Diego, and the Department.

This comment letter is submitted in response to the Department's draft list of Critically Overdrafted Groundwater Basins dated August 6, 2015 ("Draft List"). Specifically, the following comments address the Department's proposed designation of the Borrego Valley Basin, No. 7-24 ("Basin") as a critically overdrafted groundwater basin. As discussed below, the publicly available Basin data does not support the proposed designation of the Basin as being critically overdrafted. For the reasons discussed in this letter, the Department should remove the Basin from the Draft List.

According to the Department's public notice, the Department analyzed basins for the Draft List based on the Department's groundwater well data for the non-hydrologic base period, 1989-2009 ("base period"). Those that showed "obvious evidence of adverse impacts within the hydrologic base period" were included on the Draft List. (*See* the Department's August 2015 presentation in connection with its Update of Critically Overdrafted Basins 2-15 Draft List at http://www.water.ca.gov/groundwater/sgm/pdfs/CriticalOverdraftPresentation_V8_final.pdf.)

AAWARE has reviewed the data available on the Department's Groundwater Level Data Reports webpage at http://www.water.ca.gov/waterdatalibrary/groundwater/hydrographs/

index.cfm for data available during the base period, consistent with the Department's evaluation process. ***The Department's data does not support the Basin's draft designation for reasons including the following***:

- The Basin boundaries were changed in the various Department Bulletin 118 publications during the base period. The current Basin boundary was shown for the first time in the Department's 2003 Update to Bulletin 118. However, all of the Department's publicly available data appear to be within the pre-2003 Basin boundary.

- Of the 16 wells that contain data during the base period, half cannot establish elevation trends because they contain only one water level measurement. Without additional water level measurements from the same wells, it is impossible to determine changes in water levels.

- 5 of the remaining 8 wells have just two water level measurements, taken exclusively in years 2008 to 2009. Some wells show an actual increase in water levels. Also, some of the well measurements are taken just days apart. For example, the two measurements for State Well No. 10S06E34M001S were taken on December 4 and December 5, 2008.

- Measurements for the 3 remaining wells are limited to the first five years of the base period, 1989-1994. That is, three-quarters of the base period are not measured. Additionally, these data show that one well has remained stable, one well has increased in elevation, and the last well has decreased slightly.

Based upon the Department's publicly available data, there is inadequate support for the Basin's proposed designation as critically overdrafted. The Department also acknowledged that it lacked sufficient data to make the determinations without looking to other data sources, but the Department did not disclose the other reports and data. ***AAWARE requests a meaningful opportunity to review and comment on any additional reports and data considered by the Department in advance of designating the Basin as critically overdrafted.***

For the reasons discussed above, AAWARE urges the Department to remove the Basin from proposed list of critically overdrafted basins. If the Department would like to discuss these comments further, please contact me at (626) 799-1196 or jim@seleyco.com.

Sincerely,

James C. Seley