

# **Comment Letter #1**

**From:** [Steve Anderson](#)  
**To:** [Bennett, Jim](#); [Crow, Leanne](#)  
**Cc:** [Geoff Poole \(geoff@borregowd.org\)](mailto:geoff@borregowd.org)  
**Subject:** [External] Draft County Groundwater Ordinance  
**Date:** Monday, May 1, 2023 11:46:46 AM

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Hi Jim and Leanne,

Thanks for taking time this morning to discuss the draft ordinance. Below are a few comments from BWD.

- Mention should be made in the Ordinance and the accompanying guidance that the provisions are not intended to supersede water service requirements imposed by local water purveyors. With that, you could add to both documents: “Nothing in the Ordinance is intended to supersede any requirements imposed on water service adopted by any local public agency water provider or any other water purveyor.”
- Consider changing the text of Section 67.720 as follows:
  - “All future water ~~use~~ pumping will be subject to . . . “
  - “The Watermaster, with the oversight from the Superior Court of California, is the entity primarily responsible for . . . “
  - “The Judgment assigns Baseline Pumping Allocations (BPAs) to specific parcels and landowners (except as to specific public agencies named in the Judgment) which become . . . “
  - “A. A Project listed in Section 67.711 proposing to use groundwater ~~resources~~ shall obtain adequate BPA for all proposed water uses in accordance with requirements of the ~~Watermaster Board Judgment~~ “

Thanks again,



[Steve Anderson](#)  
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## **Comment Letter #2**

**From:** [Crow, Leanne](#)  
**To:** [Cathy Milkey](#)  
**Cc:** [Shannon Smith](#); [Bennett, Jim](#)  
**Subject:** RE: New ordinance  
**Date:** Monday, May 8, 2023 9:08:00 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

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Ok. Thanks. We'll discuss internally. Much appreciated.

Thanks.

**Leanne Crow, PG**  
**Sr. Hydrogeologist**



**County of San Diego**

Planning & Development Services, Sustainability Planning Division  
5510 Overland Avenue, Third Floor, San Diego, CA 92123  
Phone: (619) 323-6867 work cell  
[Leanne.Crow@sdcounty.ca.gov](mailto:Leanne.Crow@sdcounty.ca.gov)

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**From:** Cathy Milkey <[cmilkey@considinecos.com](mailto:cmilkey@considinecos.com)>  
**Sent:** Monday, May 8, 2023 9:07 AM  
**To:** Crow, Leanne <[Leanne.Crow@sdcounty.ca.gov](mailto:Leanne.Crow@sdcounty.ca.gov)>  
**Cc:** Shannon Smith <[ssmith@considinecos.com](mailto:ssmith@considinecos.com)>; Bennett, Jim <[Jim.Bennett@sdcounty.ca.gov](mailto:Jim.Bennett@sdcounty.ca.gov)>  
**Subject:** [External] RE: New ordinance

Hi Leanne – Good to hear from you! I hope you're well.

The reason I think we should state that the BPA attaches to wells is b/c the Watermaster is monitoring withdrawal (pumping) at each well, which is how it knows if pumpers are in compliance. The below is also accurate, but I think it would be clearer to just state that it "attaches that BPA to wells in the basin."

Cathy

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**From:** Crow, Leanne <[Leanne.Crow@sdcounty.ca.gov](mailto:Leanne.Crow@sdcounty.ca.gov)>  
**Sent:** Monday, May 8, 2023 9:54 AM  
**To:** Cathy Milkey <[cmilkey@considinecos.com](mailto:cmilkey@considinecos.com)>  
**Cc:** Shannon Smith <[ssmith@considinecos.com](mailto:ssmith@considinecos.com)>; Bennett, Jim <[Jim.Bennett@sdcounty.ca.gov](mailto:Jim.Bennett@sdcounty.ca.gov)>  
**Subject:** FW: New ordinance

Hi Cathy,  
Does this statement work for you?

“The Judgment assigns Baseline Pumping Allocations (BPA) to specific individuals or entities and attaches that BPA to parcels or wells in the basin. The BPA becomes the basis for annual pumping allowances to ensure sustainable groundwater management of the basin.”

Thanks.

**Leanne Crow, PG**  
**Sr. Hydrogeologist**



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**From:** Bennett, Jim <[Jim.Bennett@sdcounty.ca.gov](mailto:Jim.Bennett@sdcounty.ca.gov)>  
**Sent:** Monday, May 8, 2023 7:44 AM  
**To:** Crow, Leanne <[Leanne.Crow@sdcounty.ca.gov](mailto:Leanne.Crow@sdcounty.ca.gov)>  
**Subject:** FW: New ordinance

Hi Leanne,

[Comment letter \(e-mail\) for GW Ordinance/CEQA Guidelines.](#)

Jim Bennett, P.G., C.HG.  
Water Resources Manager

**County of San Diego**

Planning & Development Services, Sustainability Planning Division

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**From:** Cathy Milkey <[cmilkey@considinecos.com](mailto:cmilkey@considinecos.com)>  
**Sent:** Wednesday, May 3, 2023 3:04 PM  
**To:** Bennett, Jim <[Jim.Bennett@sdcounty.ca.gov](mailto:Jim.Bennett@sdcounty.ca.gov)>; Shannon Smith <[ssmith@considinecos.com](mailto:ssmith@considinecos.com)>  
**Subject:** [External] RE: New ordinance

Thanks, Jim! You’ve done a good job of capturing the adjudication, and I’m glad to see these changes. It makes a lot of sense to have the County ordinance capture the judgment, and we are lucky that you are so up to speed!

There is one sentence that caught my eye, so I offer this minor edit:

“The Judgment assigns Baseline Pumping Allocations (BPAs) to specific ~~wells~~ ~~parcels~~ which become the basis for annual pumping allowances to ensure sustainable groundwater management of the basin.”

Cathy

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**From:** Bennett, Jim <[Jim.Bennett@sdcounty.ca.gov](mailto:Jim.Bennett@sdcounty.ca.gov)>  
**Sent:** Wednesday, May 3, 2023 11:22 AM  
**To:** Shannon Smith <[ssmith@considinecos.com](mailto:ssmith@considinecos.com)>  
**Cc:** Cathy Milkey <[cmilkey@considinecos.com](mailto:cmilkey@considinecos.com)>  
**Subject:** RE: New ordinance

Hi Shannon,

If you had any questions, please let me know and we can schedule a few minutes to discuss.  
Otherwise, hope you all enjoying the day!

Thanks,

Jim Bennett, P.G., C.HG.  
Water Resources Manager

## County of San Diego

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**From:** Shannon Smith <[ssmith@considinecos.com](mailto:ssmith@considinecos.com)>  
**Sent:** Wednesday, April 12, 2023 12:53 PM  
**To:** Bennett, Jim <[Jim.Bennett@sdcounty.ca.gov](mailto:Jim.Bennett@sdcounty.ca.gov)>  
**Cc:** Cathy Milkey <[cmilkey@considinecos.com](mailto:cmilkey@considinecos.com)>  
**Subject:** [External] New ordinance

Dear Jim,

I hope you are well!

Can you point me to the area of your website that has the information on the new groundwater ordinance impacting Borrego? I can see some earlier versions, but wanted to make sure we saw the entirety and more recent and any comments to date. I have a few questions, but wanted to check what has been published before asking for a short call where Cathy and I can ask a few narrow questions.

Many thanks and

Best,  
Shannon

Shannon Smith  
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