

MINUTES
BORREGO SPRINGS INTERIM WATERMASTER BOARD MEETING
Conducted Virtually via GoToMeeting
Monday, December 10, 2020, 4:30 p.m.

I. Opening Procedures

- A. Chairman Duncan called the meeting to order at 4:30 p.m.
- B. Chairman Duncan led the meeting participants in the Pledge of Allegiance.
- C. Samantha Adams (Executive Director) called roll and confirmed that all members of the Board were present. The following individuals were present at the meeting:

Directors Present	Chairman Dave Duncan – Borrego Water District
	Vice Chairman Shannon Smith – Recreational Sector
	Jim Bennett – County of San Diego
	Mike Seley – Agricultural Sector (joined at 4:35)
	Mark Jorgensen – Community Representative
Watermaster Staff Present	James M. Markman, Legal Counsel
	Samantha Adams, Executive Director, West Yost
	Andrew Malone, Lead Technical Consultant, West Yost
	Kristan Culbert, Staff Scientist, West Yost
Others Present	Kathy Dice, BWD Board Member (Board Alternate)
	Lyle Brecht, BWD Board Member
	Rebecca Falk
	Leanne Crow, County of San Diego (Board Alternate)
	Martha Diechler, Board Alternate – Community Rep.
	Steve Anderson, BB&K
	Michele Staples, Jackson Tidus
	Cathy Milkey, Rams Hill
	Anita Regmi, DWR
	Rich Pinel, Roadrunner Club/Springs Resort (Board Alternate)
	Tammy Baker, BWD Board Member
	Diane Johnson, BWD Board Member

- D. Approval of Agenda.

Motion: Motioned by Director Smith, seconded by Director Bennett to approve the Agenda as included in the Board meeting package. *Motion carried unanimously (5-0-0).*

II. Public Correspondence

- A. Correspondence Received. Correspondence was received from Rebecca Falk. Ms. Adams noted that the questions related Agenda Item V.D (Status of Stipulated Judgement) and would best be heard then.
- B. Public Comments – none

III. Consent Calendar

The Consent Calendar for the December 10, 2020 meeting included:

- A. *Approval of Minutes for Regular Board Meeting on November 12, 2020.* Several changes and errors were identified by the Board members and Executive Director Adams noted that Staff's draft meeting notes and not the draft formal meeting minutes were mistakenly included in the agenda package. She noted that the minutes would be corrected and recirculated for review.

Motion: Motioned by Director Smith, seconded by Director Seley to accept Consent Calendar with noted corrections to meeting minutes. *Motion carried unanimously (5-0-0).*

IV. Items for Board Consideration

- A. *Consideration of Adoption of a Resolution Adopting Rules for Board Meeting Procedures.* Mr. Markman provided an overview of the proposed rules for meeting procedures. A discussion ensued. The following change was requested:

Clarify the last paragraph in the section entitled *The Basic Format for an Agenda Item Discussion* of Exhibit 1 to refer to the approved Watermaster Rules and Regulations.

Motion: Motioned by Director Smith, seconded by Director Jorgensen to approve Resolution 20-09 with requested changes. *Motion carried unanimously by roll call vote (5-0-0).*

- B. *Environmental Working Group.* Andy Malone presented the recommendations outlined in the Board Packet. First, a general discussion on the EWG ensued, followed by a discussion on the draft mission statement. The key points of the discussions included:
- The EWG meetings will be open to the public and noticed in the same manner as Board and TAC meetings. Public input will be accepted as part of the meeting agendas.
 - An EWG appointment is an unpaid, at-large position. Members will be appointed by the Board at the January meeting by reviewing and selecting from the applications submitted to the Watermaster.
 - The purview of the EWG is related to addressing potential impacts that are directly related to groundwater management actions.
 - The EWG's emphasis is on identifying potential win-win solutions to environmental issues where all parties benefit.
 - The issues listed in the mission statement are potentially in the purview of the EWG. The list is demonstrative: it is not limited to these issues, nor does it require action related to all listed issues.
 - The EWG will make recommendations to the Board, but the activities that are funded by the Watermaster are determined by the Board.

Based on the discussion, no changes were made to the draft mission statement.

Motion: Motioned by Director Bennett, seconded by Director Seley to approve the Environmental Working Group mission statement. *Motion carried unanimously by roll call vote (5-0-0).*

Motion: Motioned by Director Smith, seconded by Director Jorgensen to approve the *Application for Membership on the Environmental Working Group of the Borrego Springs Watermaster.* *Motion carried unanimously by roll call vote (5-0-0).*

- C. *November 2020 Monthly Financial Report.* Executive Director Adams presented the monthly financial report as presented in Agenda Item IV.C. She reported that about 70 percent of the first installment assessment payments had been received and that she was following up with parties who have not yet made payments.

Motion: Director Bennett motioned, Director Smith seconded motion to approve and file November 2020 Financial Report. *Motion carried unanimously by roll call vote (5-0-0).*

- D. *Administrative and Technical Services Statement of Work and Budget for Remainder of Water Year 2021.* Executive Director Adams presented the recommendations in the published agenda package. A discussion ensued and no changes were requested to the scope of work or budget, as presented.

Motion: Director Bennett motioned, Director Smith seconded motion to approve Exhibit A of Borrego Springs Watermaster Professional Services Agreement with WEI to include Statement of Work No.1 (less Task 3.d) and its associated budget of \$288,021. *Motion carried unanimously by roll call vote (5-0-0).*

- E. *Fallowing Standards Verification for Conversion of Water Credits to BPA.* Executive Director Adams provided an overview of the information presented in the agenda package. A discussion ensued, with the following key points:

- The costs to comply with the following standards should fall to the water credit holder, and not place additional costs on the Watermaster Parties.
- Any recommended actions for compliance should be limited to describing how the water credit holders can come into compliance with the standards, but Watermaster must ensure action is consistent with the proposed Stipulated Judgment.
- Borrego Water District staff have already performed reviews of the fallowed properties as part of the former water credit program; however, it may be prudent for the Board to consider some independent checks of this work to formalize the water credits conversion.

V. Reports

A. Executive Director Report

- *Monitoring program implementation status.* Watermaster staff will begin implementing the semi-annual monitoring events next week in Borrego Springs, and that all monitoring would be completed from December 13 to 19, 2020.
- *November 2020 meter read event.* The November 2020 meter-read event was successfully completed. The parties will be self-reporting in December 2020.
- *Watermaster Website.* The Watermaster website has been launched and can be found at: www.borregospringswatermaster.com. The website is still a work in progress, and that pages will be added over time. A page will be created to store all documents related to the proceedings of the EWG following today's meeting. In addition, there is a new Borrego Springs Watermaster email address: BorregoSpringsWM@westyost.com.

B. Legal Counsel Report – *none*.

C. Chairperson's Report—*none*.

- D. Status of Stipulated Judgement. Steve Anderson of BBK provided an overview of the latest activities and court proceedings. Upcoming conferences with the Judge will be held on February 11, 2021 and March 11, 2021. The information on how to listen into the proceedings is listed on

the website set up to support the process: borregowaterlawsuit.com. Participants can pay \$100 to have their comments heard in court during the conference.

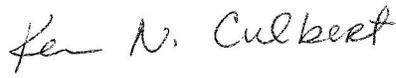
VI. Board Member Comments – none.

VII. Next Meetings of the Borrego Springs Watermaster

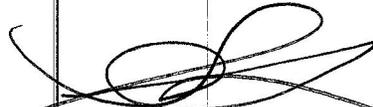
- A. Regular Board Meeting – Thursday, January 14, 2021 at 4:30 pm
- B. Regular Board Meeting – Thursday, February 11, 2021 at 4:30 pm

VIII. Adjournment

- A. Director Duncan adjourned the meeting at 6:17 pm.



Recorded by: Kristan Culbert
West Yost



Attest: Shannon Smith, Board Secretary