

MINUTES
BORREGO SPRINGS WATERMASTER BOARD MEETING
Conducted Virtually via GoToMeeting
Thursday, April 6, 2023, 4:30 p.m.

The following individuals were present at the meeting:

Directors Present	Vice Chair* Shannon Smith – Recreational Sector
	Kathy Dice, Board Alternate – Borrego Water District (BWD)
	Tyler Bilyk – Agricultural Sector
	Mark Jorgensen – Community Representative
	Jim Bennett – County of San Diego
Watermaster Staff Present	Samantha Adams, Executive Director, West Yost
	Andrew Malone, Lead Technical Consultant, West Yost
	Lauren Salberg, Staff Geologist, West Yost
Others Present	Cathy Milkey, representing Rams Hill
	Diane Johnson, BWD Board Member
	Gina Moran, BWD Board Member
	Jim Dax
	Leanne Crow, Board Alternate – County of San Diego
	Martha Deichler, Board Alternate – Community Representative
	Michele Staples, Jackson Tidus, representing AAWARE
	Rich Pinel, Board Alternate – Recreational Sector
	Steve Anderson, BB&K, representing BWD
	Tammy Baker, BWD Board Member
	Travis Huxman
	Trey Driscoll, Intera, representing BWD

*Vice Chair Smith also serves as the Secretary and Treasurer of the Board

Please visit to the [Watermaster’s Website](#)¹ to access the Agenda Packet, recording, and presentation for the April 6, 2023 Meeting.

I. Opening Procedures

- A. Vice Chair Smith called the meeting to order at 4:30 PM at which time the meeting recording was started.
- B. Vice Chair Smith led the meeting participants in the Pledge of Allegiance.
- C. Samantha Adams, Executive Director (ED) called roll and confirmed that all members of the Board were present.
- D. Approval of Agenda.

Motion: Motioned by Director Bilyk, seconded by Director Dice, to approve the Agenda. *Motion carried unanimously by voice vote (5-0-0).*

II. Public Correspondence

- A. Correspondence Received. None.

¹ <https://borregospringswatermaster.com/past-watermaster-meetings/>

B. Public Comments. Vice Chair Smith called for public comments.

- Rich Pinel made a comment regarding the schedule of the dates Pumpers are required to self-report meter reads.

III. Consent Calendar. Vice Chair Smith called for any discussion on the Consent Calendar items included in the April 6, 2023 agenda package. There were no public comments or Board discussion.

Motion: Motioned by Director Bennett, seconded by Director Jorgensen, to approve the Consent Calendar. *Motion carried unanimously by roll-call vote (5-0-0).*

IV. Items for Board Consideration and Possible Action

A. *Consideration of Approval of the Groundwater Monitoring Plan for the Borrego Springs Subbasin.* Andy Malone provided summary of the Groundwater Monitoring Plan included in the Agenda package and highlighted the revisions made after receiving comments during the March 9, 2023 Board meeting. At the conclusion of the presentation, Vice Chair Smith opened the floor to public comment, followed by Board discussion. Public comment was made by Gina Moran.

The key points of discussion included:

- The estimated cost of \$20,000 per year for monitoring an expanded groundwater-level and quality monitoring network is a best based on what we expect as a result of public outreach. The per well cost to monitoring could be more or less due to some economies of scale with monitoring.
- The Watermaster will have the opportunity to evaluate and decide which wells to continue monitoring after WY 2025 based on the results of expanding the monitoring program in WYs 2023 and 2024.
- The public outreach effort by Director Bilyk has resulted in the identification of several wells that could be added to the monitoring network in the North Management Area and near the Coyote Creek Fault.
- Before proceeding with a full feasibility study for adding a monitoring well in the Borrego-Anza State Park, the Board requested Staff to first have a conversation with the State Park administration to discuss the logistics of a monitoring well in the Park and if it is even reasonable to go to the effort to perform a feasibility study. Additional language should be added to the Groundwater Monitoring Plan to identify this first step before the Board approves proceeding with a feasibility study.
- Clarification as to when statistical analysis of the data collected as part of the groundwater monitoring program will be performed due to inconsistency between the report text and response to comments. The statistical analysis will be performed during the five-year update and the response to comment on page 107 of 155 of the Agenda package will be updated to reflect this. The other planned analysis of the data (semi-annually) will allow the Watermaster to track trends over time.
- Direction to add an additional bullet to the plan objectives stated on page 48 of 155 in the Agenda package stating that an objective is to improve the BVHM in a cost effect manner.

Motion: Motioned by Director Bilyk, seconded by Director Bennett, to approve the *Groundwater Monitoring Plan for the Borrego Springs Subbasin* with the three noted edits. *Motion carried unanimously by roll-call vote (5-0-0).*

B. *Consideration of Approval of Amendment to Water Year 2023 Budget.* ED Adams summarized the proposed amendment to the WY 2023 budget as described in the Agenda package. At the conclusion of the presentation, Vice Chair Smith opened the floor to public comment, followed by Board discussion. Public comment was made by Michele Staples, Rich Pinel, and Cathy Milkey.

The key points of discussion included:

- The Ad-Hoc Committee evaluated several options for amending the budget that did not include increasing the Pumping Assessment. However, forgoing an increased Pumping Assessment may trigger a much higher contingency assessment later in 2023.
- Request that staff send a notice to all Pumpers regarding the increase in the Pumping Assessment be sent to all Pumpers as soon as possible. A recommendation was made to state that the increase is due to delayed grant agreements by DWR, not poor planning by the Watermaster, and that future Pumping Assessments could be reduced.
- A suggestion to reduce the scope of work for Land IQ in an effort to reduce the budget.
- Confirmation that the first DWR reimbursement is shown to occur in the Budget projection in December 2023 (during WY 2024).
- Clarification and confirmation that the third bullet on page 119 of 155 in the Agenda package should reference WY 2023, not WY 2025.
- The timing of the Supplemental Pumping Assessment will be challenging for the Agricultural Pumpers as it falls during a time when revenues are not coming in.
- Options for alternative payment timelines for Pumpers to pay the supplemental Pumping Assessment. The recommended payment schedule is to offer two Pumping Assessment deadlines: the second installment of the initial Pumping Assessment will be due in June 2023 as required by the Judgement. The supplemental Pumping Assessment will be due by August 31, 2023.

Motion: Motioned by Director Jorgensen, seconded by Director Bilyk, to approve the amendment to the WY 2023 Budget a due date of August 31, 2023 for the supplemental Pumping Assessment. *Motion carried unanimously by roll-call vote (5-0-0).*

C. *Consideration of Approval to Renew Watermaster Insurance Policy.* ED Adams described the proposed liability insurance coverage for WY 2023 included in the Agenda package. At the conclusion of the presentation, Vice Chair Smith opened the floor to public comment, followed by Board discussion. There were no public comments.

The key points of discussion included:

- The total liability coverage of \$2 million is the sum of the \$1 million coverage for Commercial General Liability identified on page 146 of 155 of the Agenda package and the \$1 million Commercial Excess Liability shown on page 150 of 155 of the Agenda package.

Motion: Motioned by Director Bilyk, seconded by Alternate Director Dice, to renew the Watermaster insurance policy for WY 2023. *Motion carried unanimously by roll-call vote (5-0-0).*

V. Reports.

- A. Legal Counsel Report. Jim Markman was not present at the meeting, but the Board wished Mr. Markman a speedy recovery from surgery.
- B. Technical Consultant Report. Mr. Malone reported on the following items included in the Agenda package (see Board presentation slides). Discussion included:
- Water quality samples and water level measurements were taken at the new TSS monitoring wells in the North Management Area. The results will be reported during the Semi-Annual Monitoring Report for the Spring 2023 monitoring event, which is planned for the June 2023 meeting.
- C. Executive Director Reports. ED Adams reported on the following items:
- The first grant reimbursement request report to the DWR will be prepared in April. It is due to the DWR by BWD on May 31st. The goal is to have the Watermaster's quarterly report available for the Watermaster Board's review as part of the Consent Calendar for the May 11, 2023 Board meeting.
 - The three-month look ahead of activities (see Board presentation slides).
- D. Chairperson's Report. NONE.

VI. Board Member Comments. Vice Chair Smith called for comments.

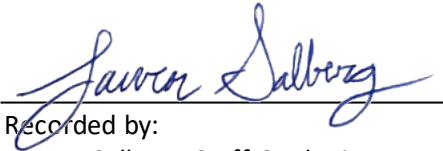
- Director Bennett provided an update on the County of San Diego's CEQA review ordinances to make them consistent with SGMA. The draft ordinances were made available for public comment last week via the County's mailing list and are available on the County's website. Director Bennett stated that members of the public who wish to be added to the County's mailing list can sign-up on the County's website or contact him directly.
- Director Bilyk requested that Staff provide red-line versions of draft report documents be provided to the Board for review to make review of final reports more efficient.
- Director Jorgensen reported that UC Irvine has circulated a final technical memorandum (TM) on the literature and data review for the Groundwater Dependent Ecosystem project and requested that the TM be discussed during the next EWG meeting. Director Smith noted that the EWG members can bring the report to the meeting for discussion, but that it should not be added to the agenda by the Watermaster Board. Steve Anderson, legal counsel to BWD stated that the EWG meeting would be an appropriate place for the TM to be discussed in order to meet the requirements of the Judgment and SGMA to use the best available science.

VII. Next Meetings of the Borrego Springs Watermaster. Vice Chair Smith reviewed the potential agenda items for the next Board meetings listed in the agenda package.

- Regular Board Meeting – Thursday, May 11, 2023 at 4:30 pm
- Regular Board Meeting – Thursday, June 8, 2023 at 4:30 pm

VIII. Adjournment

- A. Vice Chair Smith adjourned the meeting at 6:44 PM.



Recorded by:
Lauren Salberg, Staff Geologist, West Yost



Attest:
Shannon Smith, Vice Chairperson, Secretary,
and Treasurer of the Board