

MINUTES
BORREGO SPRINGS WATERMASTER BOARD MEETING
Conducted Virtually via GoToMeeting
Wednesday, May 21, 2025, 3:00 p.m.

The following individuals were present at the meeting:

Directors Present	Chair Dave Duncan – Borrego Water District (BWD)
	Vice Chair Tyler Bilyk – Agricultural Sector
	Secretary and Treasurer Shannon Smith – Recreational Sector
	Mark Jorgensen – Community Representative (arrived at 3:30pm)
	Jim Bennett – County of San Diego
Watermaster Staff Present	James M. Markman, Legal Counsel
	Samantha Adams, Executive Director, West Yost
	Andrew Malone, Lead Technical Consultant, West Yost
	Lauren Salberg, Staff Geologist, West Yost
Others Present	Carol Black
	David Garmon
	Diane Johnson, BWD Board Member
	George Peraza, DWR
	Jesica Clabaugh, BWD Finance Officer
	Kathy Dice, Board Alternate - BWD
	Rich Pinel, Board Alternate – Recreational Sector
	Steve Anderson, BB&K, representing BWD
	Tammy Baker, BWD Board Member
	Travis Huxman, UCI
	Trey Driscoll, Intera, TAC Member representing BWD

Please visit the [Watermaster's Website](#)¹ to access the Agenda Packet, recording, and presentation for the May 21, 2025 Meeting.

I. Opening Procedures

- A. Chair Duncan called the meeting to order at 3:00 PM at which time the meeting recording was started.
- B. Chair Duncan led the meeting participants in the Pledge of Allegiance.
- C. Samantha Adams, Executive Director (ED), called roll and confirmed that a quorum of 4 of 5 members of the Board were present. Director Jorgensen arrived at 3:30pm, increasing the Board member quorum to 5.
- D. Approval of Agenda.

Motion: Motioned by Vice Chair Bilyk, seconded by Director Smith to approve the Agenda. *Motion carried unanimously in a roll-call vote (4-0).* Director Jorgensen was absent.

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

II. Public Correspondence

- A. Correspondence Received. No correspondence was received.
- B. Public Comments. Chair Duncan called for public comments. There were no public comments.

III. Consent Calendar. Chair Duncan called for any discussion on the Consent Calendar items included in the May 21, 2025 agenda package.

- Director Smith highlighted that the pending reimbursements from DWR are nearly \$1,000,000.
- The increased cost in April 2025 is due to the expiration of the DWR Sustainable Groundwater Management (SGM) grant funding. In March, routine technical activities, such as supporting the meter read program, were reimbursable under the SGM grant. In April, these same activities could no longer be billed to the SGM grants and were billed to the Non-Grant Reimbursable Administrative task.
- Add a footnote to page 6 of the meeting minutes that describes the range of evapotranspiration (ET) consumed by the mesquite bosque reported in the final Groundwater Dependent Ecosystem (GDE) Identification and Monitoring Program Report.

Motion: Motioned by Director Smith, seconded by Vice Chair Bilyk to approve the Consent Calendar inclusive of the revisions to the April 16, 2025 meeting minutes. *Motion carried unanimously in a roll-call vote (4-0).* Director Jorgensen was absent.

IV. Items for Board Consideration and Possible Action

- A. *Consideration of Approval to Renew Watermaster Insurance Policy.* ED Adams provided a summary of the memo included in the agenda package. At the conclusion of the presentation, Chair Duncan opened the floor to public comment, followed by Board discussion. There was no public comment.

The key points of discussion by the Board included:

- Director Smith stated he had reviewed the insurance policy and found that there are no material changes compared to prior insurance policies and that the quote was consistent with increases in the insurance market.
- Director Smith also stated that the Watermaster should investigate reducing the insurance policy costs in future years by taking on more risk.

Motion: Motioned by Director Smith, seconded by Director Bennett, to approve renewal of the insurance policy. *Motion carried unanimously in a roll-call vote (4-0).* Director Jorgensen was absent.

- B. *Draft Water Year 2026 Budget.* ED Adams summarized the draft Water Year (WY) 2026 budget included in the agenda package. At the conclusion of the presentation, Chair Duncan opened the floor to public comment, followed by Board discussion. Public comment was made by Diane Johnson, David Garmon, and Trey Driscoll.

Public questions and comments, including Board and staff response if any, included:

- Does the \$7,500 budgeted to address DWR's Recommended Corrective Actions (RCA) #5 – Groundwater Quality Sustainable Management Criteria (SMC) assume that some of the work will also be performed as routine work (and therefore not included in this cost estimate)?
 - The cost estimated to address RCA #5 reflects the draft scope of work included in the agenda package.

- Why is the cost of the task to evaluate the GDE Study Report listed in Table B1 (of agenda package) lower than the estimated cost presented for this task at the April 16, 2025 Board meeting?
 - ED Adams described that the changes to the estimate for this task include: i) the TAC recommended changes to the scope and schedule of work, and ii) some of the costs are shared among the EWG and TAC budgets.
- What is the objective of the workshops at the Board meetings listed in the schedule? Will the TAC and EWG be involved in these?
 - These workshops are intended to provide the Board with information through the development of the 5-Year Assessment Report, and in responding to DWR comments. The TAC and EWG will provide input on relevant topics through TAC and EWG meetings, but members are always welcome to attend Board meetings to provide public comment.
- The draft WY 2026 budget and the increased costs to Pumpers signifies a shift in the Basin; water is getting more expensive.
- Is the Watermaster seeking external funding from grants or the state?
 - There are limited options right now, but we are listening for grant funding opportunities.

The key points of discussion by the Board included:

- The cost and high-level description of the approach to address DWR's RCA on the Groundwater Management Plan (GMP) are included in Exhibit B of the agenda package.
- The budget currently assumes that any legal services needed to address DWR corrective actions will be covered by the as-needed line item, without an increase to the WY 2025 budget. Any support provided by the Judgment attorneys would costs covered by the Parties they represent. Consider the need to increase the legal services budget.
- At the June 2025 Board meeting, staff intends to present the Board with the option to utilize un-spent budget in WY 2025 as a stand-alone action item and/or as part of a series of motions to approve the budget.
- The projected future costs are much higher than assumed and an effort should be made to reduce costs.
- To help reduce future costs, Director Smith recommended more junior staff at West Yost lead meetings instead of the ED and TC.
- There is not enough time between meetings and to meet the Judgment budget deadline to appoint a subcommittee to review and work with West Yost on selecting line items to reduce cost.
- Vice Chair Bilyk mentioned he has a list of items to remove to reduce costs that he plans to share with West Yost.
- The scope of routine work needs to be revisited to reduce costs, such as reducing the level of effort to prepare the Annual Report, reducing the number of Board meetings, limiting the number of in-person Board meetings to once per year, reducing stakeholder open house events, and/or reducing the number/frequency of sampling groundwater monitoring wells.
- Concern that the cost estimate for future modeling work is too low. Director Bennett and Mr. Malone agreed to meet offline to discuss these cost estimates to assess if it is sufficient for meeting the expectation for best available science.

- How the cost for water in Borrego Springs compared to the Judgment implementation for the Hemet-San Jacinto Watermaster.
 - Trey Driscoll (Intera) noted that the Hemet-San Jacinto Watermaster is partially subsidized by Eastern Municipal Water District, who does the numerical modeling, groundwater monitoring, and assists with the Annual Report on behalf of the entire Basin, and thus can't be directly compared to costs in Borrego.
- For planning purposes, it is assumed an update the GMP document will be performed as part of the 5-year GMP assessment.
- The budget line item for “GMP redline document” is for compiling the document, including updating the document based on public feedback.
- The work proposed to be performed using unspent budget in WY 2025 must be performed to complete the 5-Year Assessment. If not performed in WY 2025, it will need to be done in WY 2026. Shifting the schedule will make it very difficult to meet the June 2026 reporting deadline. The item should be presented as a change in scope and an increase in cost to the pumpers, even though it is within the line-item budget for WY 2025. This provides full transparency to the pumpers.
- Chair Duncan and Director Smith both stated they are comfortable with a minimum of 9 months operating reserves.
- Not to be overlooked, the Watermaster has progressed significantly towards achieving sustainability.

Following the discussion, the Board directed staff to finalize a draft of the WY 2026 budget in consideration of the Board discussion.

- C. *Review of Pumping-to-Date in WY 2025.* ED Adams reviewed the status of pumping-to-date in WY 2025 and summarized the memo included in the agenda package. At the conclusion of the presentation, Chair Duncan opened the floor to public comment, followed by Board discussion. Public comment was made by David Garmon.

Public questions and comments, including Board and staff response if any, included:

- What is annual De Minimis pumping? De Minimis pumping is not metered. Estimated De Minimis pumping is reported in the Annual Report to the DWR and is estimated using the assumption of 0.5 acre-feet per year per De Minimis pumper (as done in the GMP). Total use is estimated to be about 26 acre-feet per year.

The key points of discussion by the Board included:

- An observation that there's been less than 2 inches of rainfall in WY 2025, which may explain the increase in pumping relative to the wetter WY 2024.
- Request for clarification on the statement that “Pumping by the agriculture, recreational, and other non De-Minimis sectors increased by 22 af to 504 af in **WY 2025** compared to WY 2024.” The 22 to 504 acre-feet is the range in increase relative to WY 2025: agriculture increased by 504 af, recreational increased by 309 af, and other non-De minimis increased by 22 af.

No Board action was taken.

- D. *Consideration of Approval of EWG Meeting.* Andy Malone presented the proposed agenda for the upcoming EWG meeting. At the conclusion of the presentation, Chair

Duncan opened the floor to public comment, followed by Board discussion. Public comment was made by David Garmon.

Public questions and comments, including Board and staff response if any, included:

- Will the TAC review the final report on fallowing prepared by Land IQ? And, is the report considered best available science?
 - The Board has not directed the TAC to review the fallowing report. Because the report was prepared by the Watermaster, the report isn't required to go through the process to determine if its "best available science".² The EWG has been involved throughout the process of developing the report and will provide recommendations to the Board following the outcomes from a future EWG meeting.

The key points of discussion by the Board included:

- When will the EWG review the GDE report?
 - The EWG's review of the GDE report is dependent on the Board's direction and WY 2026 budget. The draft budget assumes the EWG will begin review of the GDE report in WY 2025 and perform the majority of the work in WY 2026 utilizing the \$20,000 annual budget that was agreed for the EWG.

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

V. Reports.

- A. Legal Counsel Report. Mr. Markman summarized the proposed Assembly Bill (AB) 1413 and its potential impact on the Watermaster's process of redetermining the Sustainable Yield.
- B. Technical Consultant Report. Mr. Malone reported on the items listed in the agenda package memo (see slides 34 through 40 of the [Board presentation slides](#)). There were no additional topics discussed. Public comment was made by Tammy Baker, Steve Anderson, and David Garmon.

Public questions and comments included:

- What is the purpose of developing alternative pumping projections? Why should the Watermaster spend money on additional projections instead of fixing the model? What authority exists for Watermaster to manage where pumping is occurring? A discussion ensued to address some of these questions.
- Recommendation for the Board to approve the appropriate budget for future WYs to complete the necessary work.
- Confirm that the two GDE tasks be performed over two years. Yes, the TAC recommended that the budget and schedule be adjusted to be performed iteratively so that Tasks 1 and 2 will be performed in WY 2026 and 2027, respectively.

Board questions and comments included:

2 Per the Watermaster's policy regarding the use of best available science, which is available on the Watermaster's website at: https://borregospringswatermaster.com/wp-content/uploads/2025/02/BSWM-Policy-on-Use-of-Best-Available-Science_final.pdf

- Discussion on the pumping sustainability comment made on pg. 198 of 214 of the agenda package. Some Board members (Smith and Bilyk) felt that statement was not a reflection of the TAC discussion and may be a premature statement to make, while other Board members (Bennett) felt that the statement accurately reflected the comments made at the TAC meeting.
- The additional future pumping projection to address a change to BWD pumping location was recommended by the TAC and would ideally be performed in WY 2025 with available unspent budget to support the 5-yr GMP Assessment.
- C. Executive Director Reports. ED Adams reported on the items listed in the agenda package memo (see slides 41 through 42 of [the Board presentation slides](#).) There were no additional topics discussed.

Board questions and comments included:

- To date, DWR has not retained any of the funds requested. Thus far all reimbursements have been paid in full. However, DWR can retain the final 10% of funding requested, which is assumed in the financial model out of caution.

D. Chairperson's Report. NONE

VI. Approval of Agenda Items for June 18, 2025 Board Meeting. ED Adams reviewed the potential agenda items for the next Board meetings listed in the agenda package. The Board discussed items to be included on the June 18, 2025 Board meeting agenda, in addition to items listed in the Agenda package. There was no additional discussion.

— The agenda will include:

- Consideration of approval of WY 2026 Budget
- TAC meeting for July/August
- Spring 2025 Semi-Annual Monitoring Report
- Workshop: Addressing DWR Comments on Judgment/GMP - Consideration's for Updating the GMP

Motion: Motioned by Director Jorgensen seconded by Director Smith, to approve the June 18, 2025 agenda presented. *Motion carried unanimously by roll-call vote (5-0-0).*

VII. Board Member Comments. Chair Duncan called for comments.

- Appreciation for the detailed draft WY 2026 budget.
- Concern that the GDE Report is not being reviewed and addressed with enough urgency.

VIII. Next Meetings of the Borrego Springs Watermaster. Chair Duncan reviewed the meetings listed in the agenda package.

IX. Adjournment

A. Chair Duncan adjourned the meeting at 6:05 PM.


Recorded by:

Lauren Salberg, Staff Geologist, West Yost


Attest:

Shannon Smith, Secretary and Treasurer of the Board