

MINUTES
BORREGO SPRINGS WATERMASTER BOARD MEETING
Conducted Virtually via GoToMeeting
Wednesday, August 20, 2025, 3:00 p.m.

The following individuals were present at the meeting:

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| Directors Present | Chair Tyler Bilyk – Agricultural Sector |
| | Vice Chair Jim Bennett – County of San Diego |
| | Secretary and Treasurer Shannon Smith – Recreational Sector |
| | Gina Moran – Borrego Water District (BWD) |
| | Mark Jorgensen – Community Representative |
| Watermaster Staff Present | James M. Markman, Legal Counsel |
| | Samantha Adams, Executive Director, West Yost |
| | Lauren Salberg, Staff Geologist, West Yost |
| Others Present | David Garmon |
| | Diane Johnson, BWD Board Member |
| | Geoff Poole, BWD General Manager |
| | George Peraza, DWR |
| | Gina Moran, BWD Board Member |
| | JC |
| | Jim Dax, Board Alternate - Community Representative |
| | Kathy Dice, Board Alternate - BWD |
| | Leonardo Urrego-Vallowe, WBE, representing AAWARE |
| | Rich Pinel, Board Alternate - Recreational Sector |
| | Steve Anderson, BB&K, representing BWD |
| | Travis Huxman, UCI |
| | Trey Driscoll, Intera, TAC Member representing BWD |

Please visit the [Watermaster's Website](https://borregospringswatermaster.com/past-watermaster-meetings/)¹ to access the Agenda Packet, recording, and presentation for the August 20, 2025 Meeting.

I. Opening Procedures

- A. Chair Bilyk called the meeting to order at 3:01 PM at which time the meeting recording was started.
- B. Chair Bilyk led the meeting participants in the Pledge of Allegiance.
- C. Samantha Adams, Executive Director (ED) called roll and confirmed that a quorum of all members of the Board were present.
- D. Approval of Agenda.

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

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

II. Public Correspondence

A. Correspondence Received. ED Adams referenced the correspondence included in the agenda package. Board comments included:

- Chair Bilyk observed that DWR's letter incorrectly refers to a Groundwater Sustainability Agency (GSA) instead of the Watermaster and recommended clarifying this with DWR.

B. Public Comments. There were no public comments.

III. **Consent Calendar.** Chair Bilyk called for any discussion on the Consent Calendar items included in the August 20, 2025 agenda package. There were no public comments. Board comments included:

- Director Smith commented on the receivable amounts shown in July 2025 financial report and commended BWD and West Yost for working with DWR to collect the SGM grant funding.
- Director Bilyk requested that page 4 of the July 16, 2025 meeting minutes be revised to clarify that UCI's GDE Study Report is *not currently* under peer review, but may undergo review in the future as part of the scientific journal submission process.

Motion: Motioned by Director Jorgensen, seconded by Director Moran to approve the Consent Calendar, inclusive of the revisions to the July 16, 2025 meeting minutes. *Motion carried unanimously by roll-call vote (5-0-0).*

IV. Items for Board Consideration and Possible Action

A. *Consideration of Approval of Amendment 13 to the Professional Services Agreement with West Yost to Enable Performance of Services for Water Year 2026.* ED Adams provided a summary of the memo and supporting materials included in the agenda package. At the conclusion of the presentation, Chair Bilyk 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 noted that the Budget Subcommittee met with ED Adams and will continue identify cost-saving measures.

Motion: Motioned by Director Smith, seconded by Director Jorgensen, to approve Contract Amendment No. 13. *Motion carried unanimously by roll-call vote (5-0-0).*

B. *GDE Study - Next Steps.* ED Adams summarized the memo included in the agenda package and asked specific questions of the Board to prompt discussion on the next steps for the GDE Study Report. At the conclusion of the presentation, Chair Bilyk opened the floor to public comment, followed by Board discussion. Public comment was made by David Garmon, Jim Dax, Diane Johnson, and Travis Huxman.

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

- Dr. David Garmon provided a critique of the proposed GDE study review approach and identified that the Nature Conservancy as an additional peer reviewer candidate, that expressed willingness to do the work for free.
- Mr. Dax and Ms. Johnson voiced support for Dr. Garmon's comments.
- Mr. Huxman offered that UCI is available to discuss the GDE Study with the Board and emphasized the peer review process could include meaningful dialogue, including how to use the results and potential update of the current findings in the GMP.

The key points of discussion by the Board included:

- Concerns that the staff-proposed schedule is too long and lacks urgency.
- Recommendation to include the Nature Conservancy as a potential peer reviewer, though some Board members noted concern that it may not be a neutral peer reviewer because it is an advocacy organization.
- The scope of questions to pose to peer reviewers, including whether the questions go beyond the Watermaster's policy on Best Available Science.
 - Peer reviewer responses to all questions proposed could help inform Watermaster policy decisions and reduce the burden on the TAC and EWG.
 - The questions are likely to come up (from TAC/EWG) and so not including them at the outset could actually complicate and extend the schedule for a peer reviewer to complete a comprehensive review and recommendation.
- Recommendation to structure the peer review into two-phases: i) determine if the GDE Study Report represents Best Available Science, then ii) address other technical or policy questions identified.
- Reminder that the Watermaster had proposed a SGM grant funded project to perform a GDE study, but it was not selected by the committee.
- The GMP includes scientific studies, which were the basis for the current decision-making processes. Those studies represented the Best Available Science at the time the GMP was developed.
- The current proposed schedule is an acceleration compared to the initial schedule discussed over the last year.
- The importance of selecting a peer reviewer or team that includes both hydrogeologic and ecological expertise, noting that not all candidates have expertise in both fields.
- If the Watermaster is unable to find a peer reviewer with a hydrogeologic and ecological background, they should consider forgoing the peer review process and rely on TAC and EWG recommendations.
- Cost and schedule considerations of a peer review vs. TAC and EWG review.
- Agreement that receiving formal proposals and cost estimates from peer review candidates is necessary before the Watermaster can make an informed decision on next steps.

Motion: Motioned by Director Smith, seconded by Vice Chair Bennett, to:

1. Add the Nature Conservancy to the list of potential peer reviewers
2. Proceed with the next steps recommended in the agenda package memo
3. Revise the scope to phase the work into two-phases: i) determine if the GDE Study is Best Available Science, and ii) address other technical or policy questions
4. Authorize staff to exceed the WY 2025 EWG budget by up to \$5,000
5. Postpone the August EWG meeting.

Motion carried by majority vote (4-1-0). Director Jorgensen voted no.

- C. *Overview of BVHM Pumping Projection Results.* Lauren Salberg provided a summary of the memo included in the Board agenda package. At the conclusion of the presentation, Chair Bilyk opened the floor to public comment, followed by Board discussion. Public comment was made by Rich Pinel and Diane Johnson.

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

- The projected model results of groundwater level extend through WY 2070.
- The Board should be conscious of the budget when considering authorizing additional model runs.
- The results presented in the agenda package are from model runs that use a repeat of historical climate and do not include climate change factors.

The key points of discussion by the Board included:

- The results of the Initial Scenario, which were submitted to DWR as part of SGM grant, will be updated and replaced with results from the additional model scenarios (Scenario 1A and 1B) because these results are materially different from the Initial Scenario.
- Overview of the conclusions that would be documented in the revised TM submitted to DWR.
- The intent of running a model scenario without future transfers of water rights (Scenario 1C) is not to indicate that there will be no future transfers of water rights but to develop a new “baseline” scenario of future Basin conditions without transfers.
- Under Judgment rules, the Board would not approve a transfer of water rights if it’s projected to cause or exacerbate Undesirable Results. Therefore, the Watermaster needs to understand Basin conditions in absence of transfers to better understand if a transfer would cause an Undesirable Results.
- When to perform Scenario 1C, including the considerations of performing the work immediately vs. in the future.
- The existing DWR documentation could be updated and replaced without running an additional model scenario (Scenario 1C). The documentation would acknowledge that the Watermaster is exploring management actions that could help manage future groundwater level outcomes through its PMA to explore a northward shift of pumping defined in the GMP.

- Results from Scenario 1C could help the Watermaster articulate policies on the transfers of water rights and identify potential future challenges.
- Recommendation to determine if the differences in pumping are significant between Scenario 1A/B and 1C are significant enough to warrant running 1C.
- Cost implications of additional modeling work can be deferred to the September 2025 meeting.
- The Technical Consultant will share the pumping projections with the Watermaster Board.
- ED Adams committed to publishing the water rights accounting analysis in the agenda package for the September 2025 Board meeting and will disclose the information to the Board if available sooner.

Following the discussion, the Board directed staff to perform the accounting analysis of a pumping projection under Scenario 1C in which there are no future transfers of water rights.

D. Workshop: SMCs – Groundwater Level and Storage. ED Adams led a discussion on the proposed Sustainable Management Criteria (SMCs) for groundwater levels and storage. At the conclusion of the presentation, Chair Bilyk opened the floor to public comment, followed by Board discussion. Public comment was made by Trey Driscoll.

Public questions and comments on the topic of SMCs for groundwater levels, including Board and staff response if any, included:

- Construction information of domestic wells does not appear to influence the Minimum Thresholds set at the Representative Monitoring Wells, except for the County Yard well.
- Other sustainability indicators, such as maintaining groundwater in storage were not considered in setting the SMCs for groundwater levels. The effort focused on protection of the most sensitive beneficial users throughout the Basin.

The key points of discussion by the Board on the topic of SMCs for groundwater levels included:

- Whether the approach for setting Minimum Thresholds is considered aggressive or conservative.
- The La Casa well has measured groundwater levels that are higher than model projections, indicating the model may under-predict levels in some locations.
- Because construction information is not available for all domestic wells in the Basin, Undesirable Results could still occur despite the best efforts to protect the most sensitive users.
- Whether setting Minimum Thresholds based on the most sensitive beneficial users is a common approach. ED Adams replied that approaches vary by Basin, but the proposed method for setting Minimum Thresholds is reasonable, protective, and consistent with DWR expectations.
- Watermaster would not disclose private well locations but would provide general descriptions of private wells used to establish Minimum Thresholds.

- Although there is inherent uncertainty in using model results, there is confidence in using results from the BVHM to support establishing SMCs and understanding how Basin water levels compare to the SMCs.
- If any well goes dry, Project and Management Action (PMA) #2 in the GMP requires the Watermaster to investigate and determine whether the Watermaster caused the impact. Therefore, the proposed SMCs are not tied to a percent of impacted wells (as done in other Basins).
- Generally, it is difficult to compare methods used to set SMCs in Borrego to those used in other Basins due to differences in size, data availability, and Judgment policies.
- Director Smith recommended that the Board should consider how much mitigation it can afford to address. He suggested considering a financial threshold linked to pumping assessments, such as between one and three times the current pumping assessment.
- ED Adams provided an example of another Basin in California where DWR required the agency to describe how they would fund and implement mitigation measures, despite not having any impacted wells. Legal Counsel Markman added that if the Basin meets its Sustainability Goal without impacting shallow wells, then mitigation costs may not come into play.
- The age of the domestic wells and their remaining useful life was not considered in the well impact analysis. These factors would be considered in the Watermaster's review of an impacted well.
- The GDE study results were not considered in the methods for setting SMCs, depending on the findings of the study, the SMCs could change. This is an example of adaptive groundwater management: when Watermaster completes its review of the study, it may need to revisit the SMC.
- Legal Counsel Markman provided an example of other another Basin that performs annual assessments related to GDE, specifically to protect phreatophytes.
- Overview of the TAC feedback on the SMCs received during and after the August 7, 2025, TAC meeting.

Public questions and comments on the topic of SMCs for groundwater storage, including Board and staff response if any, included:

- Mr. Driscoll recommended reviewing the relationship between groundwater levels and storage so that the SMCs for these sustainability indicators are consistent.

The key points of discussion by the Board on the topic of SMCs for groundwater storage included:

- Discussion on Figure 3 of the agenda package memo showing the proposed SMCs for the reduction of groundwater storage and the assumptions included in the projections.
- An understanding of the correlation between the SMCs for groundwater level and storage would be helpful.
- Projections and assumptions used to set SMCs will be revisited every five years as part of the periodic GMP assessments.

V. Reports.

- A. Legal Counsel Report. Mr. Markman provided a summary of the information that will be presented to the Judge during the August 2025 Status Conference.
- B. Technical Consultant Report. Ms. Salberg reported on the items listed in the agenda package memo (see slide 62 of the [Board presentation slides](#)). There were no additional topics discussed. There were no public or Board comments.
- C. Executive Director Reports. ED Adams reported on the items listed in the agenda package memo (see slides 63 through 64 of the [Board presentation slides](#)). There were no additional topics discussed.

Board questions and comments included:

- Director Smith commented that receipt of grant funding from reimbursement request #9 will improve the Watermaster's financial standing.

- D. Chairperson's Report. Chair Bilyk commended everyone for their time and attention during this critical period for the Watermaster.

VI. Approval of Agenda Items for September 17, 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 September 17, 2025 Board meeting agenda, in addition to items listed in the Agenda package. Discussion included:

- ED Adams updated the proposed Agenda for the September 17, 2025 meeting on the meeting screen based on discussion, noting it now includes the following items:
 - Overview of anticipated WY 2026 calendar of activities
 - Approval of WY 2026 meeting dates
 - Watermaster Meter Reading Program – Consideration of Updates
 - Scenario 1C Pumping Schedule
 - Consideration of Approval of Agenda for Next TAC Meeting
 - Workshop: Addressing DWR Comments on Judgment/GMP: Groundwater Quality and SGMA

Motion: Motioned by Director Jorgensen seconded by Director Moran, to approve the September 17, 2025 agenda presented. *Motion carried unanimously by roll-call vote (5-0-0).*

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

- Director Smith thanked the group for their efforts.
- Director Jorgensen noted that the Borrego Springs Public Library is reserved for the October 2025 In-Person Board Meeting.

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

IX. Adjournment

- A. Chair Bilyk adjourned the meeting at 6:42 PM.



Recorded by:
Lauren Salberg, Staff Geologist, West Yost



Attest:
Shannon Smith, Secretary and Treasurer of the
Board