Borrego Springs Watermaster
Regular Board Meeting
September 17, 2025 @ 3:00 p.m.
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Instructions for Public Comment

The public may address the Board on items within the Watermaster's Jurisdiction that are included or not included on the meeting agenda.

To address the Board on items that are not included on the meeting agenda, the public may request to speak during ***Agenda Item II – Public Correspondence***. Comments may be limited to three minutes per speaker.

To address the Board on items that are included on the meeting agenda, the Board Chairperson will call for public comments immediately following the agenda item's staff report presentation and prior to Board discussion.

AGENDA

Items with supporting documents in the Board Package are denoted with a page number.

I. OPENING PROCEDURES (Chair)

A. Call to Order and Begin Meeting Recording
B. Pledge of Allegiance
C. Roll Call
D. Approval of Agenda

II. PUBLIC CORRESPONDENCE/COMMENT (Chair)

The Board may direct staff to include topics brought forward during Public Correspondence and Comment on a future meeting agenda. No action or discussion is otherwise taken by the Board. Written correspondence includes items received between August 14, 2025 and September 10, 2025.

A. Correspondence Received

i. September 9, 2025 Letter from David Garmon .....**Page 4**

B. Public Comment

III. **CONSENT CALENDAR (Chair)**
Action Item: All items may be approved with a single motion

A. Regular Board Meeting – Wednesday, October 15, 2025 at 3:00 pm (IN-PERSON)

B. Regular Board Meeting – Wednesday, November 19, 2025 at 3:00 pm (Virtual)

IX. ADJOURNMENT

Public Comment Letter for September 17, 2025- Executive Summary

To: Borrego Springs Watermaster
From: David Garmon, MD, President, Tubb Canyon Desert Conservancy
Re: Putting the Cart before the Horse: The Currently Proposed Scope of Work for Determining Best Available Science

Introduction

At the August 20, 2025 meeting, Director Tyler Bilyk suggested that the Watermaster (WM) cannot yet rely on the UCI GDE Study and must instead continue to rely on Appendix D4 for its understanding of Groundwater Dependent Ecosystems (GDEs) in the Subbasin. This suggestion overlooks two critical facts:

> (1) Appendix D4 has never been peer reviewed and was never intended to be a definitive scientific work; and
>
> (2) The UCI GDE Study meets every criterion of the Watermaster's own Best Available Science (BAS) Policy.

To delay acceptance of the UCI GDE Study as BAS risks wasting pumpers' money, repeating costly work, and compounding the decline of a Beneficial User, the mesquite bosque.

Why Appendix D4 Fails as Science

Appendix D4 was not the product of rigorous research. Its authors were given 30 days, no budget, and a "starting point" assumption that the mesquite bosque was already destroyed. They conducted no experiments, generated no data, and relied on an incomplete vegetation map that ignored 95% of the mesquite bosque. By the authors' own admission, it was a "political decision"—not science.

Why the UCI Study Meets WM's BAS Policy Standards

By contrast, the UCI GDE Study was led by Dr. Travis Huxman, Chair of Ecology and Evolutionary Biology at UC Irvine, one of the foremost desert ecologists in the nation. Backed by a $1 million budget and a 3-year timeline, his team produced extensive field data using state-of-the-art methods. Their findings include:

(1) Radioisotopic signatures of groundwater in mesquite trees, proving that they access groundwater,
(2) Evapotranspiration rates that could not be sustained by surface water alone,
(3) Seasonal greening consistent with groundwater access,
(4) Conclusive data refuting the "perched water" claim.

This study squarely satisfies the Watermaster's BAS Policy criteria: it is relevant, timely, and consistent with professional scientific standards.

The Watermaster's Conflation Error

The WM's BAS Policy requires only one technical determination: whether the UCI GDE Study is consistent with scientific and engineering professional standards of practice. Period.

Yet the proposed Scope of Work transforms this simple determination into a year-long peer review process—something never required by the BAS Policy. Worse, it asks reviewers to opine as to how the WM should use the study's findings. That is not "determining BAS"; that is deciding how to respond to BAS, a separate and subsequent task. Conflating these steps is costly and unnecessary.

The Harms of Delay

The Scope of Work and bureaucratic process, as currently proposed, impose three serious harms, all borne by pumpers:

(1) Unnecessary Costs – A full peer review process greatly exceeds the requirements of WM policy, imposing needless expense on pumpers.

(2) Repetition of Work – Delaying recognition of the bosque as a Beneficial User until after Water Year 2026 will force the redo of planned work for WY 2026 at additional cost.
(3) Escalating Mitigation Costs – The mesquite bosque is in measurable decline. Delays only increase the eventual cost of mitigation and adaptive management.

What some portray as a "two-for-one" approach is, in reality, a "lose-lose": higher costs now and higher costs later.

Recommendation

The wisest and fiscally responsible course for the Watermaster is to separate the tasks:

- Task 1: Make the straightforward determination that the UCI GDE Study is BAS.
- Task 2: Rely on its own advisors—or retain new ones—to develop adaptive management actions in response to new information.

By keeping these tasks distinct, the WM will honor its fiduciary duty, conserve scarce dollars, and ensure timely protection of the mesquite bosque as a Beneficial User.

Closing

The Watermaster's commitment to using Best Available Science is commendable. And in this case, the path forward is clear: avoid the costly sequencing error of conflating BAS determination with adaptive response. Put the horse before the cart—determine BAS now, then act on it. That is the fiscally responsible and scientifically sound choice.

Full Public Comment Letter for September 17, 2025

To: Borrego Springs Watermaster

From: David Garmon, MD, President, Tubb Canyon Desert Conservancy

Re: Putting the Cart before the Horse: The Currently Proposed Scope of Work for Determining Best Available Science

At the August 20, 2025 meeting of the Borrego Springs Watermaster (WM), during the discussion of Best Available Science (BAS) and the UCI GDE study, Director Tyler Bilyk opined the WM needed to rely on peer reviewed science in its deliberations. In this context, Director Bilyk implied that the WM could not yet rely upon the UCI GDE Study and must continue to rely upon Appendix D4 for its understanding of the status of GDE's in the Subbasin. In this context it should be noted Appendix D4 was never intended to be scientifically rigorous and has never been peer reviewed.

Appendix D4

As the circumstances regarding the creation of Appendix D4 may not be general knowledge shared by all members of the WM Board, I would like to provide information from a

phone conversation I had with the lead author of Appendix D4 on December 12, 2022. In this conversation, the author informed me that he and his co-author were given 30 days and no budget to produce Appendix D4. He said their "starting point" was that the mesquite bosque was already destroyed and that there was no chance of bringing it back. He said their starting point was a "political decision" because there was no pressure from any agency pushing for the recognition of the existence of GDE's in the subbasin.

The authors of D4 conducted no scientific experiments and generated no data. One of the bases of their report was a vegetation map showing vegetation only in the state park, not in the privately held acres of the valley where 95% of the mesquite bosque exists. Rather than being a scientific document of any repute, worthy of the Watermaster's trust and regard, Appendix D4 is a hastily written opinion piece drafted by hydrogeologists whom this Board now regularly acknowledges have no expertise in biological systems.

UCI GDE Study

In contrast to Appendix D4, UCI's GDE study was led by one of the most preeminent and senior researchers in US desert ecosystems, Dr. Travis Huxman, who is the Chairman of the Department of Ecology and Evolutionary Biology at one of the most prestigious universities in the nation. Dr. Huxman's team had a research budget of more than $1,000,000 and a 3-year time frame during which to conduct extensive on-the-ground research. Their research protocols were state of the art and generated vast amounts of data. The data demonstrated the radioisotopic signature of groundwater in mesquite trees. The data demonstrated evapotranspiration in the mesquite bosque far in excess of that that could be sustained by surface water. The data showed greening of the mesquite trees during times of the year when plants without access to groundwater turn brown. To address this Board's questions regarding the unsupported hypothesis of "perched water," the research team discovered and reported extensive data conclusively refuting the concept.

Also, in contrast to Appendix D4, which was created in a vacuum without public comment or participation and presented as a *fait accompli*, the UCI GDE Study communicated with stakeholders continuously over three years concerning every datapoint collected. These communications were in the form of technical memoranda, progress updates, and public fora. The study and its results have been publicly discussed and critiqued continuously over its three-year duration, including forwarding all written communications to this board as well as providing this board with in-person updates. All research data generated by the study is publicly available.

WM's Conundrum

The WM's commitment to basing its decisions on Best Available Science is both necessary and commendable. However, when confronted with the stark contrasts between Appendix D4—a document that was hastily prepared by individuals who were not subject matter experts and who had no budget and therefore no capacity to conduct scientific research—and a study conducted by preeminent subject matter experts who possessed both the time and funding

to conduct extensive scientific research, the WM's hesitation to reject the former and expeditiously embrace the latter raises questions as to the WM's clarity of purpose and commitment to efficiently managing scarce resources.

The most generous explanation of the WM's apparent conundrum is that it is not clear as to how to apply its own BAS policy to the matter at hand. Moreover, as it fails to simply apply its own policy, the WM is simultaneously conflating "determining BAS" with "responding to BAS." Simply stated, the two tasks being conflated are:

1) Determining BAS. Determine if the UCI GDE Study Report represents the Best Available Science on the mesquite bosque as defined by the Watermaster's Best Available Science Policy; and

2) Responding to BAS. If the UCI GDE Study Report is the Best Available Science, devise Adaptive Management Actions that address the Undesirable Results the mesquite bosque, as a Beneficial User, is experiencing under the current water regime.

As shown below, Tasks 1 and 2 are vastly different and the failure to appreciate the differences will result in increased costs to all the pumpers in the Valley.

Task 1 – Best Available Science

If over the next 20 years the Borrego Valley avoids a water catastrophe, it will be because this Board will have availed itself of the best available science in all its decisions. To that end, the WM has adopted a Best Available Science Policy. Section 2 of this Policy establishes the WM's criteria for "best available science." The Policy lists only three criteria, which are:

1) Relevant to the decision being made by the Watermaster;
2) Available to the Watermaster within a reasonable time in advance of the Watermaster's decision; and
3) Consistent with scientific and engineering professional standards of practice.

The Policy does not provide additional criteria for determining Best Available Science. Criteria 1 and 2 are procedural, having to do with relevance and timeliness, leaving Criteria 3 as the crux of all determinations of Best Available Science.

Section 3 of the Policy states the Watermaster "may" direct the TAC, EWG, or Technical Consultant to conduct an independent review of the information or data, presumably to establish if the new information/data meets the WM's Criteria for BAS as defined in Section 2.

Section 4 of the Policy states the Watermaster "may not" rely on or use any technical information or data … without an independent review and recommendation from the TAC,

EWG, or Technical Consultant, again presumably to establish whether the new information/data meets the Criteria for BAS as defined in Section 2.

The WM's BAS Policy hinges on whether new information is "consistent with scientific and engineering professional standards of practice." Whether new information meets these standards of practice is the technical crux of the determination of BAS; not the costly and time-consuming Scope of Work that has been recently designed for potential independent reviewers.

While it remains my opinion the WM's Technical Advisor should be able to inform the WM as to whether or not the UCI GDE Study is consistent with scientific and engineering professional standards of practice, if the WM does not have sufficient confidence in its Technical Advisor to make this determination, the only question the BAS Policy requires a response to from an independent reviewer is simply: Is the UCI GDE study consistent with scientific and engineering professional standards of practice? Period. That is the determination of BAS as per WM Policy. Nothing more is required.

Unfortunately, the Scope of Work that the Technical Advisor is proposing goes well beyond the WM's BAS Policy. While the BAS Policy is completely silent on the subject of "peer review," the current scope of work being proposed is just that—a peer review of the entire UCI Study. In fact, the independent reviewers are referred to in the Scope of Work as peer reviewers. Peer review is not a determination of BAS, but a very different and far more encompassing endeavor. Peer review is not a requirement of the WM's BAS Policy.

Task 2 – What to do with Best Available Science

What to do with Best Available Science is a completely different task from determining BAS. Once new information is confirmed as BAS in accordance with the WM's Policy, it is then possible to begin consideration of what to do in response to the innumerable questions precipitated by the new information. However, in the currently proposed Scope of Work independent reviewers are being asked to weigh in on how to use information contained in the UCI report, e.g. "How can/should the Watermaster use the results of the UCI GDE Study Report? For example, can the report be used to update the BVHM? If so, how so?" "Do you agree or disagree with the recommendations in the UCI GDE Study Report?"

These and similar questions are not the purview of an independent reviewer tasked with ascertaining if new information is consistent with scientific and engineering professional standards of practice. These are questions the WM and its advisors must grapple with after they have confirmed new information as BAS and move to develop appropriate adaptive management actions.

The Harms of the currently proposed Scope of Work

The currently proposed Scope of Work for Independent Reviewers creates a year-long process, at great expense, that goes far beyond the requirements of the WM's BAS Policy. Such a process would create multiple harms. Chief among these harms are:

1) All Pumpers Bear Unnecessary Costs
   All Watermaster expenses are funded by pumpers. Unnecessarily extending the review process beyond the requirements of the BAS Policy imposes needless financial burdens on all pumpers in the subbasin. Such an action is inconsistent with the WM's goal of exercising faithful fiduciary responsibility for all pumpers.

2) Delayed Recognition Forces Repetition of Work in Water Year 2026
   Delaying recognition of the mesquite bosque as a Beneficial User until after WY 2026 ensures that work planned for Water Year 2026 will have to be redone at pumpers' expense. Such an action is inconsistent with the WM's goal of exercising faithful fiduciary responsibility for all pumpers

3) Delayed Recognition Increases Mitigation Costs
   During the scientific study of the mesquite bosque, researchers developed the capacity to use ground-truthed, remote sending capabilities to monitor the health and productivity of the mesquite bosque both retrospectively and in real time. The mesquite bosque, as a groundwater dependent ecosystem, has been in measurable decline for many years. The longer recognition of the mesquite bosque as a Beneficial User of Water entitled to the protections afforded by SWGMA is delayed, the more this groundwater dependent ecosystem declines, compounding mitigation costs. Again, these increased costs will be borne by all pumpers and conflict with the WM's goal of exercising faithful fiduciary responsibility for all pumpers.

"Two-for-one"

Some WM Directors have suggested that asking the independent reviewer(s) to both determine BAS and to provide recommendations to the WM about what to do with the new information is an efficient, cost-saving "two fer." The above paragraphs indicate that would not be the case because 1) the current scope of work will be more expensive than the simple determination of BAS 2) the year long time frame will necessarily cause much of the work planed for WY 2026 to be redone in subsequent water years at increased cost to pumpers, and 3) delayed recognition of the mesquite bosque as a GDE will compound the harm done to this Beneficial User, thereby increasing ultimate mitigation costs.

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Recommendation

The currently proposed process and Scope of Work for determining if the UCI Study represents the best available science puts the cart before the horse by conflating Tasks 1 and 2 as outlined above. My recommendation is that the WM not make this costly sequencing error, but rather put the horse before the cart by first making a simple determination of BAS and then using its own experts or hiring additional outside experts to assist with developing adaptive management actions. This recommendation serves the financial interests of all Beneficial Users in the Borrego Subbasin and would be a continuation of the WM's prudent and efficient use of scarce dollars.

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

The following individuals were present at the meeting:

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[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 Conservatory 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

2:36 PM

09/10/25

Accrual Basis

Borrego Springs Watermaster
Profit & Loss for Fiscal Year 2024-2025
October 2024 through August 2025

	Oct 24	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Apr 25	May 25	Jun 25	Jul 25	Aug 25	TOTAL
Ordinary Income/Expense												
Income												
DWR Grant Reimbursement t	0.00	408,323.49	0.00	0.00	239,810.24	0.00	0.00	0.00	295,756.68	0.00	302,065.05	1,245,955.46
Meter Read Reimbursement	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7,025.28	0.00	0.00	0.00	7,025.28
Pumping Assessment	(824.30)	164,335.46	0.00	0.00	0.00	0.00	0.00	175,021.24	0.00	0.00	0.00	338,532.40
Services Rendered	0.00	0.00	0.00	2,691.75	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,691.75
WY 2024 - Expected Grant Reimb v	0.00	(408,323.49)	0.00	0.00	(239,810.24)	0.00	0.00	0.00	(295,964.79)	0.00	0.00	(944,098.52)
WY 2025 - Expected Grant Reimb v	136,962.85	49,880.97	62,393.97	224,085.28	212,398.73	202,775.65	11,675.70	(144.50)	0.00	0.00	(249,237.79)	650,790.86
Total Income	136,138.55	214,216.43	62,393.97	226,777.03	212,398.73	202,775.65	11,675.70	181,902.02	(208.11)	0.00	52,827.26	1,300,897.23
Expense												
Audit	0.00	0.00	6,448.00	806.00	0.00	844.00	0.00	0.00	0.00	0.00	0.00	8,098.00
Bank Service Charges	0.00	0.00	27.00	25.00	0.00	27.00	0.00	0.00	0.00	27.00	0.00	106.00
Consult Serv Land IQ-Grant Reim **	40,541.61	22,282.97	13,094.22	78,843.89	30,072.97	23,245.55	(182.55)	0.00	0.00	0.00	0.00	207,898.66
Consult Serv WY-Grant Reim **	96,421.24	27,598.00	49,299.75	132,526.39	182,325.76	177,815.10	11,858.25	(144.50)	0.00	0.00	0.00	677,699.99
Consulting Services *	27,124.75	27,751.35	18,892.27	17,707.75	11,272.19	11,814.48	31,425.43	29,158.05	28,174.50	47,459.25	40,788.50	291,568.52
Consulting Services- Meter Read	517.50	(155.25)	51.75	161.25	303.00	107.50	107.50	1,193.50	974.75	0.00	107.50	3,369.00
Insurance	3,579.54	3,579.54	3,579.54	3,579.54	3,579.54	3,579.54	3,579.54	3,579.50	3,946.02	3,946.02	3,946.02	40,474.34
Interest Expense	5,897.50	5,691.39	5,249.59	3,092.56	3,526.73	4,700.21	6,882.68	6,474.39	6,269.58	4,647.70	3,044.12	55,476.45
Legal	4,500.00	4,865.00	3,000.00	13,210.00	8,312.50	3,901.25	540.00	5,034.25	5,805.00	3,427.50	9,311.84	61,907.34
Meter Accuracy Test--Grant Reim **	0.00	0.00	0.00	12,715.00	0.00	1,715.00	0.00	0.00	0.00	0.00	0.00	14,430.00
Meter Read Expenses	0.00	0.00	0.00	1,188.22	0.00	0.00	1,190.20	0.00	0.00	1,190.20	0.00	3,568.62
Reimbursed to BWD for GSP	0.60	0.00	4.66	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.26
Total Expense	178,582.74	91,613.00	99,646.78	263,855.60	239,392.69	227,749.63	55,401.05	45,295.19	45,169.85	60,697.67	57,197.98	1,364,602.18
Net Ordinary Income	(42,444.19)	122,603.43	(37,252.81)	(37,078.57)	(26,993.96)	(24,973.98)	(43,725.35)	136,606.83	(45,377.96)	(60,697.67)	(4,370.72)	(63,704.95)
Net Income	**(42,444.19)**	**122,603.43**	**(37,252.81)**	**(37,078.57)**	**(26,993.96)**	**(24,973.98)**	**(43,725.35)**	**136,606.83**	**(45,377.96)**	**(60,697.67)**	**(4,370.72)**	**(63,704.95)**

* Represents Consulting services by West Yost that are not grant reimbursable.

** Represents expenses that can be reimbursed with grant funding from DWR.

t Reflects actual reimbursement received from DWR.

v Reflects reversal of estimated reimbursement amounts.

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09/10/25

Accrual Basis

Borrego Springs Watermaster
Balance Sheet for Fiscal Year 2024-2025
As of August 31, 2025

	Aug 31, 25
ASSETS	
Current Assets	
Checking/Savings	
US Bank	666,752.11
Total Checking/Savings	666,752.11
Accounts Receivable	
Accounts Receivable	3,843.79
Total Accounts Receivable	3,843.79
Other Current Assets	
Accrued Grant Reimburse 2025	650,790.86
Prepaid Expenses	35,514.13
Total Other Current Assets	686,304.99
Total Current Assets	1,356,900.89
TOTAL ASSETS	**1,356,900.89**
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	260,392.64
Total Accounts Payable	260,392.64
Other Current Liabilities	
Accrued Payables	47,296.75
Total Other Current Liabilities	47,296.75
Total Current Liabilities	307,689.39
Total Liabilities	307,689.39
Equity	
Retained Earnings	1,112,916.45
Net Income	-63,704.95
Total Equity	1,049,211.50
TOTAL LIABILITIES & EQUITY	**1,356,900.89**

2:35 PM
09/10/25
Accrual Basis

Borrego Springs Watermaster
Expense Distribution Detail
August 2025

Type	Date	Num	Memo	Account	Amount
Land IQ, LLC					
Bill	08/31/2025	LandIQ Int Aug25 Est	August 2025 Estimated Interest	Interest Expense	1,122.69
Credit	08/31/2025	CR_LandIQ Int Aug25	Credit for August 2025 Final Interest, Including Payments	Interest Expense	(549.29)
Total Land IQ, LLC					573.40
RWG Law					
General Journal	08/01/2025	111R	RWG Estimate for July 1, 2025 to July 31, 2025	Legal	(3,500.00)
Bill	08/22/2025	254835	Services rendered through July 31, 2025	Legal	5,811.84
General Journal	08/31/2025	113	RWG Estimate for August 1, 2025 to August 31, 2025	Legal	7,000.00
Total RWG Law					9,311.84
West Yost & Associates					
General Journal	08/01/2025	111R	WY Estimate for July 1, 2025 to July 31, 2025	Consulting Services	(47,459.25)
Bill	08/27/2025	2063924	West Yost Consulting Services July 1, 2025 to July 31, 2025	Consulting Services	48,058.50
Bill	08/31/2025	Interest Aug25 Est	August 2025 Estimated Interest	Interest Expense	3,018.29
General Journal	08/31/2025	113	WY Estimate for August 1, 2025 to August 31, 2025	Consulting Services	40,189.25
Credit	08/31/2025	CR_Int Aug25 Final	Credit for August 2025 Final Interest, Including Payments	Interest Expense	(547.57)
General Journal	08/31/2025	113	WY Estimate for August 1, 2025 to August 31, 2025	Consulting Services- Meter Read	107.50
Total West Yost & Associates					43,366.72
TOTAL					**53,251.96**

Borrego Springs Watermaster

Register: US Bank
From 08/01/2025 through 08/31/2025
Sorted by: Date, Type, Number/Ref

Date	Number	Payee	Account	Memo	Payment	C	Deposit	Balance
8/1/2025			DWR Grant Reimbursement	Deposit		X	302,065.05	968,021.79
8/6/2025			-split-	Deposit		X	2,123.91	970,145.70
8/6/2025	2205	Borrego Water Dist	Accounts Payable	June 2025 Meter reads	1,190.20	X		968,955.50
8/6/2025	2206	Land IQ, LLC	Accounts Payable		112,042.86	X		856,912.64
8/6/2025	2207	West Yost & Associates	Accounts Payable		190,306.89	X		666,605.75
8/27/2025			Undeposited Funds	Deposit		X	146.36	666,752.11

West Yost Associates
2020 Research Park Drive, Suite 100
Davis, CA 95618

To: Borrego Springs Watermaster
c/o West Yost Associates
25 Edelman, Suite 120
Irvine, CA 92618

Interest Schedule: 8/31/2025

Invoice No.	Invoice Date / Payment Date	Invoice Amount	Prime Rate (Plus 2%)	Interest Charge	Starting Balance	Ending Balance
2062143	2/28/2025	$ 181,579.00				$ 181,579.00
	3/31/2025		9.50%	$ 1,465.07	$ 181,579.00	$ 183,044.07
	4/17/2025	$ (2,574.43)	9.50%	$ 809.91	$ 180,469.64	$ 181,279.55
	4/30/2025		9.50%	$ 613.37	$ 181,279.55	$ 181,892.92
	5/20/2025	$ (1,467.60)	9.50%	$ 946.84	$ 180,425.32	$ 181,372.16
	5/31/2025		9.50%	$ 519.27	$ 181,372.16	$ 181,891.43
	6/27/2025	$ (1,420.25)	9.50%	$ 1,278.22	$ 180,471.18	$ 181,749.40
	6/30/2025		9.50%	$ 141.91	$ 181,749.40	$ 181,891.31
	7/3/2025	$ (49,615.15)	9.50%	$ 142.02	$ 132,276.16	$ 132,418.19
	7/25/2025	$ (22,607.68)	9.50%	$ 758.23	$ 109,810.51	$ 110,568.74
	7/31/2025		9.50%	$ 172.67	$ 110,568.74	$ 110,741.41
	8/12/2025	$ (111,087.29)	9.50%	$ 345.88	$ (345.88)	$ (0.00)
2062349	3/31/2025	$ 176,727.47				$ 176,727.47
	4/30/2025		9.50%	$ 1,379.93	$ 176,727.47	$ 178,107.40
	5/20/2025	$ (16,050.48)	9.50%	$ 927.13	$ 162,056.92	$ 162,984.05
	5/31/2025		9.50%	$ 466.63	$ 162,984.05	$ 163,450.68
	6/27/2025	$ (1,276.26)	9.50%	$ 1,148.63	$ 162,174.42	$ 163,323.05
	6/30/2025		9.50%	$ 127.53	$ 163,323.05	$ 163,450.58
	7/25/2025	$ (1,318.80)	9.50%	$ 1,063.55	$ 162,131.78	$ 163,195.32
	7/31/2025		9.50%	$ 254.85	$ 163,195.32	$ 163,450.18
	8/12/2025	$ (78,413.63)	9.50%	$ 510.50	$ 85,036.55	$ 85,547.05
	8/31/2025		9.50%	$ 423.05	$ 85,547.05	$ 85,970.10
2062724	4/30/2025	$ 30,244.18				$ 30,244.18
	5/31/2025		9.50%	$ 244.02	$ 30,244.18	$ 30,488.20
	6/27/2025	$ (389.30)	9.50%	$ 214.25	$ 30,098.90	$ 30,313.16
	6/30/2025		9.50%	$ 23.67	$ 30,313.16	$ 30,336.83
	7/25/2025	$ (244.77)	9.50%	$ 197.40	$ 30,092.06	$ 30,289.45
	7/31/2025		9.50%	$ 47.30	$ 30,289.45	$ 30,336.76
	8/12/2025	$ (244.77)	9.50%	$ 94.75	$ 30,091.99	$ 30,186.74
	8/31/2025		9.50%	$ 149.28	$ 30,186.74	$ 30,336.02

West Yost Associates
2020 Research Park Drive, Suite 100
Davis, CA 95618

To: Borrego Springs Watermaster
c/o West Yost Associates
25 Edelman, Suite 120
Irvine, CA 92618

Interest Schedule: 8/31/2025

Invoice No.	Invoice Date / Payment Date	Invoice Amount	Prime Rate (Plus 2%)	Interest Charge	Starting Balance	Ending Balance
2062725	4/30/2025	$ 5,836.00				$ 5,836.00
	5/31/2025		9.50%	$ 47.09	$ 5,836.00	$ 5,883.09
	6/27/2025	$ (93.03)	9.50%	$ 41.34	$ 5,790.06	$ 5,831.40
	6/30/2025		9.50%	$ 4.55	$ 5,831.40	$ 5,835.95
	7/25/2025	$ (47.09)	9.50%	$ 37.97	$ 5,788.86	$ 5,826.84
	7/31/2025		9.50%	$ 9.10	$ 5,826.84	$ 5,835.94
	8/12/2025	$ (47.09)	9.50%	$ 18.23	$ 5,788.85	$ 5,807.07
	8/31/2025		9.50%	$ 28.72	$ 5,807.07	$ 5,835.79
2062726	4/30/2025	$ 2,171.75				$ 2,171.75
	5/31/2025		9.50%	$ 17.52	$ 2,171.75	$ 2,189.27
	6/27/2025	$ (34.61)	9.50%	$ 15.38	$ 2,154.66	$ 2,170.05
	6/30/2025		9.50%	$ 1.69	$ 2,170.05	$ 2,171.74
	7/25/2025	$ (17.52)	9.50%	$ 14.13	$ 2,154.22	$ 2,168.35
	7/31/2025		9.50%	$ 3.39	$ 2,168.35	$ 2,171.74
	8/12/2025	$ (17.52)	9.50%	$ 6.78	$ 2,154.22	$ 2,161.00
	8/31/2025		9.50%	$ 10.69	$ 2,161.00	$ 2,171.69
2063431	5/31/2025	$ 31,067.05				$ 31,067.05
	6/30/2025		9.50%	$ 242.58	$ 31,067.05	$ 31,309.63
	7/25/2025	$ (494.70)	9.50%	$ 203.73	$ 30,814.93	$ 31,018.66
	7/31/2025		9.50%	$ 48.44	$ 31,018.66	$ 31,067.10
	8/12/2025	$ (250.66)	9.50%	$ 97.03	$ 30,816.44	$ 30,913.47
	8/31/2025		9.50%	$ 152.87	$ 30,913.47	$ 31,066.34
2063576	6/30/2025	$ 30,236.50				$ 30,236.50
	7/31/2025		9.50%	$ 243.96	$ 30,236.50	$ 30,480.46
	8/12/2025	$ (245.93)	9.50%	$ 95.20	$ 30,234.53	$ 30,329.73
	8/31/2025		9.50%	$ 149.99	$ 30,329.73	$ 30,479.72

West Yost Associates
2020 Research Park Drive, Suite 100
Davis, CA 95618

To: Borrego Springs Watermaster
c/o West Yost Associates
25 Edelman, Suite 120
Irvine, CA 92618

Interest Schedule: 8/31/2025

Invoice No.	Invoice Date / Payment Date	Invoice Amount	Prime Rate (Plus 2%)	Interest Charge	Starting Balance	Ending Balance
2063924	7/31/2025	$ 48,058.50				$ 48,058.50
	8/31/2025		9.50%	$ 387.76	$ 48,058.50	$ 48,446.26

Total Invoices (Less Pymts)	**$ 217,961.89**		
Current Month Interest (*Estimated*)		**$ 3,018.29**	
Current Month Interest (*Final, including payments*)		**$ 2,470.72**	
Prior Month Interest Adjustment		**$ -**	
Adjusted Monthly Interest		**$ (547.57)**	
Total Interest Charges		**$ 16,344.02**	
Grand Total			**$ 234,305.88**

2020 L St, Suite 210
Sacramento, CA 95811

To: Borrego Springs Watermaster
c/o West Yost Associates
25 Edelman, Suite 120
Irvine, CA 92618

Interest Schedule: 8/31/2025

Invoice No.	Invoice Date / Payment Date	Invoice Amount	Prime Rate (Plus 2%)	Interest Charge	Starting Balance	Ending Balance
6487	12/31/2024	$ 46,546.27				$ 46,546.27
No Interest to Accrue	1/31/2025		0.00%	$ -	$ 46,546.27	$ 46,546.27
No Interest to Accrue	2/28/2025		0.00%	$ -	$ 46,546.27	$ 46,546.27
No Interest to Accrue	3/31/2025		0.00%	$ -	$ 46,546.27	$ 46,546.27
	4/25/2025	$ (363.44)	9.50%	$ 302.87	$ 46,182.83	$ 46,485.70
	4/30/2025		9.50%	$ 60.50	$ 46,485.70	$ 46,546.19
	5/29/2025	$ (375.56)	9.50%	$ 351.33	$ 46,170.63	$ 46,521.96
	5/31/2025		9.50%	$ 24.22	$ 46,521.96	$ 46,546.18
	6/26/2025	$ (363.44)	9.50%	$ 314.98	$ 46,182.74	$ 46,497.72
	6/30/2025		9.50%	$ 48.41	$ 46,497.72	$ 46,546.13
	7/8/2025	$ (6,458.80)	9.50%	$ 96.92	$ 40,087.33	$ 40,184.25
	7/31/2025		9.50%	$ 240.56	$ 40,184.25	$ 40,424.81
	8/4/2025	$ (11,200.56)	9.50%	$ 42.09	$ 29,224.25	$ 29,266.33
	8/15/2025	$ (29,350.12)	9.50%	$ 83.79	$ (83.79)	$ 0.00
6525	1/31/2025	$ 61,106.42				$ 61,106.42
No Interest to Accrue	2/28/2025		0.00%	$ -	$ 61,106.42	$ 61,106.42
No Interest to Accrue	3/31/2025		0.00%	$ -	$ 61,106.42	$ 61,106.42
	4/25/2025	$ (477.13)	9.50%	$ 397.61	$ 60,629.29	$ 61,026.90
	4/30/2025		9.50%	$ 79.42	$ 61,026.90	$ 61,106.32
	5/29/2025	$ (493.04)	9.50%	$ 461.23	$ 60,613.28	$ 61,074.51
	5/31/2025		9.50%	$ 31.79	$ 61,074.51	$ 61,106.30
	6/26/2025	$ (477.13)	9.50%	$ 413.51	$ 60,629.17	$ 61,042.68
	6/30/2025		9.50%	$ 63.55	$ 61,042.68	$ 61,106.23
	7/31/2025		9.50%	$ 493.04	$ 61,106.23	$ 61,599.27
	8/4/2025	$ (493.04)	9.50%	$ 64.13	$ 61,106.23	$ 61,170.36
	8/15/2025	$ (61,345.49)	9.50%	$ 175.13	$ (175.13)	$ 0.00

2020 L St, Suite 210
Sacramento, CA 95811

To: Borrego Springs Watermaster
c/o West Yost Associates
25 Edelman, Suite 120
Irvine, CA 92618

Interest Schedule: 8/31/2025

Invoice No.	Invoice Date / Payment Date	Invoice Amount	Prime Rate (Plus 2%)	Interest Charge	Starting Balance	Ending Balance
6649	2/28/2025	$ 20,464.25				$ 20,464.25
	3/31/2025		0.00%	$ -	$ 20,464.25	$ 20,464.25
	4/25/2025	$ (159.79)	9.50%	$ 133.16	$ 20,304.46	$ 20,437.62
	4/30/2025		9.50%	$ 26.60	$ 20,437.62	$ 20,464.21
	5/29/2025	$ (165.12)	9.50%	$ 154.46	$ 20,299.09	$ 20,453.56
	5/31/2025		9.50%	$ 10.65	$ 20,453.56	$ 20,464.20
	6/26/2025	$ (159.79)	9.50%	$ 138.48	$ 20,304.41	$ 20,442.90
	6/30/2025		9.50%	$ 21.28	$ 20,442.90	$ 20,464.18
	7/31/2025		9.50%	$ 165.12	$ 20,464.18	$ 20,629.30
	8/4/2025	$ (165.12)	9.50%	$ 21.48	$ 20,464.18	$ 20,485.65
	8/15/2025	$ (20,544.30)	9.50%	$ 58.65	$ (58.65)	$ 0.00
6718	3/31/2025	$ 16,096.71				$ 16,096.71
	4/30/2025		9.50%	$ 125.69	$ 16,096.71	$ 16,222.40
	5/29/2025	$ (130.88)	9.50%	$ 122.45	$ 16,091.52	$ 16,213.96
	5/31/2025		9.50%	$ 8.44	$ 16,213.96	$ 16,222.40
	6/26/2025	$ (126.67)	9.50%	$ 109.78	$ 16,095.73	$ 16,205.51
	6/30/2025		9.50%	$ 16.87	$ 16,205.51	$ 16,222.38
	7/31/2025		9.50%	$ 130.89	$ 16,222.38	$ 16,353.27
	8/4/2025	$ (130.89)	9.50%	$ 17.03	$ 16,222.38	$ 16,239.41
	8/15/2025	$ (802.95)	9.50%	$ 46.49	$ 15,436.46	$ 15,482.95
	8/31/2025		9.50%	$ 64.48	$ 15,482.95	$ 15,547.43

2020 L St, Suite 210
Sacramento, CA 95811

To: Borrego Springs Watermaster
c/o West Yost Associates
25 Edelman, Suite 120
Irvine, CA 92618

Interest Schedule: 8/31/2025

Invoice No.	Invoice Date / Payment Date	Invoice Amount	Prime Rate (Plus 2%)	Interest Charge	Starting Balance	Ending Balance
6757	4/30/2025	$ 137.50				$ 137.50
	5/29/2025	$ (1.11)	9.50%	$ 1.04	$ 136.39	$ 137.43
	5/31/2025		9.50%	$ 0.07	$ 137.43	$ 137.50
	6/26/2025	$ (1.07)	9.50%	$ 0.93	$ 136.43	$ 137.36
	6/30/2025		9.50%	$ 0.14	$ 137.36	$ 137.50
	7/31/2025		9.50%	$ 1.11	$ 137.50	$ 138.61
	8/4/2025	$ (138.76)	9.50%	$ 0.14	$ (0.15)	$ (0.00)

Total Invoices (Less Pymts)	**$ 10,426.95**	
Current Month Interest (*Estimated*)		**$ 1,122.69**
Current Month Interest (*Final, including payments*)		**$ 573.41**
Prior Month Interest Adjustment		**$ -**
Adjusted Monthly Interest		**$ (549.29)**
Total Interest Charges		**$ 5,120.48**
Grand Total		**$ 15,547.42**

RWG LAW

T 213.626.8484
F 213.626.0078
Fed. I.D. No. 95-3292015

350 South Grand Avenue
37th Floor
Los Angeles, CA 90071

Approved September 12, 2025
by Jim Bennett

BORREGO SPRINGS WATERMASTER
C/O SAMANTHA ADAMS, EXECUTIVE DIRECTOR
WEST YOST
25 EDELMAN, SUITE 120
IRVINE, CA 92618

Invoice Date: July 15, 2025
Invoice Number: 254118
Matter Number: 13056-0001

Re: 13056-0001 GENERAL LEGAL SERVICES

For professional services rendered through June 30, 2025

Time Detail

Date	Initials	Description	Hours
06/03/25	JLM	TELEPHONE CALLS AND E-MAILS ON RESIGNATION OF CHAIRMAN DUNCAN	1.40
06/05/25	JLM	REVIEW INQUIRY ON WATER AVAILABILITY TO A FALLOWED PARCEL; E-MAIL THEREON TO MS. ADAMS	1.10
06/10/25	JLM	E-MAILS ON POTENTIAL ADDITION TO BOARD AGENDA	0.20
06/12/25	JLM	TELEPHONE CALL FROM MS. ADAMS ON ADDITION TO BOARD AGENDA ON PRODUCTION DATA	0.70
06/15/25	SLF	REVIEW BOARD MEETING AGENDA PACKET	0.10
06/17/25	JLM	REVIEW MATERIALS FOR BOARD MEETING	1.80
06/17/25	SLF	REVIEW EWG PRESENTATION	0.20
06/18/25	JLM	ATTEND BOARD MEETING	3.50
06/18/25	JCM	REVIEW COURT FILINGS; REVIEW E-MAIL FROM MR. MARKMAN REGARDING SERVICE LIST	0.20
06/19/25	JLM	TELEPHONE CALL TO MS. ADAMS ON MEETING AND BOARD REORGANIZATION	0.70
06/20/25	JLM	REVIEW JUDGMENT AND RULES ON FILLING BOARD VACANT OFFICE POSITIONS; E-MAIL TO MS. ADAMS THEREON	1.50

Client: BORREGO SPRINGS WATERMASTER
Matter: GENERAL LEGAL SERVICES

Invoice Date: July 15, 2025
Invoice Number: 254118
Matter Number: 13056-0001

Date	Initials	Description	Hours
06/23/25	JLM	TELEPHONE CALL FROM MS. ADAMS ON BOARD OFFICE REPLACEMENT	0.50
Total			**11.90**

Timekeeper Summary

Name	Hours	Rate	Amount
JACOB C. METZ	0.20	275.00	55.00
JAMES L. MARKMAN	11.40	400.00	4,560.00
STEVEN L. FLOWER	0.30	350.00	105.00
Total	**11.90**		**$4,720.00**

Cost Detail

Date	Description	Amount
06/06/25	JACOB METZ - MISCELLANEOUS - COURT DOCUMENT DOWNLOAD 5/7/25	7.50
Total		**$7.50**

Client: BORREGO SPRINGS WATERMASTER
Matter: GENERAL LEGAL SERVICES

Invoice Date: July 15, 2025
Invoice Number: 254118
Matter Number: 13056-0001

CONFIDENTIAL

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Current Legal Fees.....$4,720.00
Current Client Costs Advanced.....$7.50

Total Current Fees and Costs.....$4,727.50

RWG LAW

T 213.626.8484
F 213.626.0078
Fed. I.D. No. 95-3292015

350 South Grand Avenue
37th Floor
Los Angeles, CA 90071

BORREGO SPRINGS WATERMASTER
C/O SAMANTHA ADAMS, EXECUTIVE DIRECTOR
WEST YOST
25 EDELMAN, SUITE 120
IRVINE, CA 92618

Invoice Date:	July 15, 2025
Invoice Number:	254118
Matter Number:	13056-0001

Re: 13056-0001 GENERAL LEGAL SERVICES

For professional services rendered through June 30, 2025

Fees	4,720.00
Costs	7.50
Total Amount Due	**$4,727.50**

TERMS: PAYMENT DUE UPON RECEIPT

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350 South Grand Avenue, 37th Floor
Los Angeles, CA 90071

WEST YOST
Water. Engineered.

Remit Payment To:
PO Box 2158
Davis, CA 95617

June 30, 2025

Invoice Number: 2063576

Accounts Payable	Client Project:	Work Order No. 7
Borrego Springs Watermaster	WY Project No:	940-80-24-09
c/o West Yost Associates	Contract Amount:	339,833.00
25 Edelman, Suite 120	Job Name:	WY 2025 Admin and Technical Services
Irvine, CA 92618		

Approved September 12, 2025 by Jim Bennett

Professional Services from June 1, 2030 to June 30, 2025

Previously Billed :	**176,345.77**
Total This Period :	**30,236.50**
Total Amount Billed to Date including This Invoice :	**206,582.27**
Amount Remaining in Contract :	**133,250.73**

Professional Personnel

	Hours	Rate	Amount	
Eng/Scientist/Geologist Manager I				
Adams, Samantha	19.75	352.00	6,952.00	
Principal Eng/Scientist/Geologist II				
Malone, Andy	18.00	338.00	6,084.00	
Associate Eng/Scientist/Geologist I				
Salberg, Lauren	48.00	237.00	11,376.00	
Engineer/Scientist/Geologist II				
Kelty, Clay	19.50	215.00	4,192.50	
Administrative IV				
Ehresman, Leah	2.25	168.00	378.00	
Administrative III				
Mendoza-Tellez, Maria	8.25	152.00	1,254.00	
Totals	115.75		30,236.50	
Total Labor				**30,236.50**
			Total this Invoice	**$30,236.50**

Description of Services:

Please see attached description of services

Outstanding Invoices

Number	Date	Balance
2062724	4/30/2025	30,244.18
2063431	5/31/2025	31,067.05
Total		**61,311.23**

Project	940-80-24-09	WY 2025 Admin and Technical Services	Invoice	2063576

Please direct questions to:

Project Manager	Samantha Adams
Principal	Greg Chung GKC

Description of Services Rendered
Project 940-80-24-09
Watermaster Administrative and Technical Services – Portion of Services not Reimbursable by DWR Prop 68 Grant
Invoice Period: June 1, 2025 to June 30, 2025

The services billed in this invoice are those Watermaster administrative and technical services that are not reimbursable through the DWR Prop 68 grant.

TASK 1 – MEETINGS AND COURT HEARINGS

The work performed for this task includes preparing for and attending Watermaster Board Meetings and Court Hearings. The work performed in this reporting period included:

BOARD MEETINGS

- Corresponded with Watermaster Board officers and legal counsel throughout the month to coordinate meeting agenda items and other Watermaster activities.
- June 2025 Regular Board Meeting:
    - Prepared meeting minutes from May 2025 Board meeting.
    - Prepared, reviewed, and formatted agenda package content. This work included:
        - Organized, compiled, and formatted the public correspondence and consent calendar items.
        - Performed work, including coordination, preparation, and/or review of staff memos or other materials to support the following agenda items:
            - Status update on Borrego Valley Hydrologic Model (BVHM) pumping projections
            - Amendment to West Yost Statement of Work to perform additional services to advance the 5-year Assessment and address DWR comments on the Groundwater Management Plan (GMP)
            - Draft Final WY 2026 Budget
            - Spring 2025 Semi-Annual Monitoring Report
            - Workshop on Addressing DWR Comments on the Judgment/GMP: Considerations for Updating the GMP
            - Technical Consultant report
            - Executive Director report
            - July 2025 meeting agenda
    - Compiled the final agenda package and distributed via the stakeholder distribution list and Watermaster website.

- Prepared PowerPoint Presentation to support the Board meeting discussion.
- Responded to questions from Board members via email and phone calls regarding the Board package items.
- Attended the virtual Board meeting on June 18, 2025. The meeting was attended by Samantha Adams, Andy Malone, and Lauren Salberg.

TAC MEETINGS (POST GRANT PERIOD – APRIL TO SEPTEMBER 2025)

- No work performed during the reporting period.

COURT HEARINGS

- No work performed during the reporting period.

TASK 2 – WATERMASTER ADMINISTRATION

The Executive Director, with support from staff, will organize, oversee, and/or perform the administrative and management aspects of running the Watermaster and administering the Judgment, Rules and Regulations, and GMP. The work performed in this reporting period included:

PREPARE THE WATERMASTER ANNUAL BUDGET

- Finalized the WY 2026 Budget based on input from Board meetings.
- Published the approved WY 2026 Budget to the Watermaster website.

INSURANCE, ACCOUNTING, AND FINANCIAL SERVICES

- Prepared the May 2025 Financial Report.
- Processed accounts receivable into QuickBooks.
- Processed accounts payable into QuickBooks.
- Drove to US Bank to deposit checks.
- Cut checks for accounts payable and mailed for signature.
- Prepared the May 2025 final interest statement and estimated June 2025 interest statement for West Yost and other vendors.
- Communicated with vendors on reporting estimates of billings for inclusion in monthly financials.
- Process DWR Reimbursement #7 for payment to vendors.

MAINTAIN WEBSITE AND GRANT COMMUNICATIONS (POST GRANT PERIOD – APRIL TO SEPTEMBER 2025)

- Posted the following materials to the Watermaster website:
  - PowerPoint Presentation and recording of the June 18, 2025 Board meeting
  - Meeting minutes from the May 21, 2025 Board meeting
  - Revised Spring 2025 Semi-Annual Monitoring Report
  - Agenda package, PowerPoint Presentation and recording of the June 12, 2025 EWG meeting
- Updated Groundwater Monitoring Program webpage.
- Updated Watermaster website with upcoming dates for Board, TAC, and EWG meetings.

RESPOND TO AND TRACK PUBLIC INFORMATION REQUESTS

- Provided general as-requested support to the public throughout the month by responding to emails on the following topics:
    - De Minimis pumping requirements and water rights for a property in Borrego Springs.

AS-NEEDED SUPPORT TO THE BPA PARTIES

- Provided general as-requested support to BPA parties throughout the month by performing outreach, responding to emails, and taking phone calls on the following topics:
    - Ability of a BPA Party to transfer water rights temporarily during well maintenance
    - Purchase of water rights and water credit market in Borrego Springs
    - Rampdown schedule for the next 5-year period
    - Responded to Pumpers with questions on second installment of Pumping Assessments.
- Fulfilled data request for BWD for i) historical groundwater level data, ii) historical groundwater quality data, and iii) input files for the Borrego Valley Hydrologic Model (BVHM).
- Fulfilled data request for the County of San Diego for groundwater-level measurements from spring 2025 Semi-Annual Monitoring Event.

AS-NEEDED ADMINISTRATION OF THE TERMS OF THE JUDGMENT, RULES & REGULATIONS, AND GROUNDWATER MANAGEMENT PLAN

- Reviewed request for permanent transfer of BPA, including requirements for abandoning well on a fallowed property in the historic BWD water credits program.
- Reviewed water rights restrictive covenant for water credit site and responded to inquiries related to water rights and use on the property.
- Updated Temporary Transfer of Water Rights form.
- Corrected typo in Exhibit 4 to the Judgment and republished Exhibit 4 and Appendix D of the WY 2024 Annual Report on Watermaster website.

GENERAL ADMINISTRATION AND PROJECT MANAGEMENTS TASKS

- Performed monthly project management tasks including budget, schedule, and scope of work progress evaluations.
- Correspond with BWD and Land IQ/UCI regarding DWR Sustainable Groundwater Management (SGM) grant reimbursement requests.

TASK 3 – TECHNICAL SERVICES

The objective of this task is for the Technical Consulting team to perform the technical services required by the Judgment, Rules and Regulations, and GMP for WY 2025 that are not reimbursable by the DWR Prop 68 Grant. The work performed in this reporting period included:

GROUNDWATER PUMPING MONITORING - MONTHLY COLLECTION AND PROCESSING OF METER READ DATA (POST GRANT PERIOD – APRIL TO SEPTEMBER 2025)

- Cataloged and processed May 2025 monthly meter reads.
- Calculated May 2025 pumping by well for remaining wells.
- Performed QA/QC of May 2025 pumping data.

NON-REIMBURSABLE COSTS FOR GROUNDWATER MONITORING PROGRAM

- Finalized Spring 2025 Semi-Annual Monitoring Report.
- Transmitted results from the spring 2025 semi-annual monitoring event to select owners of wells in the monitoring program (part of agreement requirements). Responded to well owner's questions on results.

NON-REIMBURSABLE COSTS FOR ADDRESSING ABANDONED WELLS

- This project is complete.

COOPERATOR DATA COLLECTION, DATA MANAGEMENT, AND REPORTING DATA TO DWR PORTALS (POST GRANT PERIOD – APRIL TO SEPTEMBER 2025)

- Submitted spring 2025 groundwater level data to the DWR Monitoring Network Module (MNM).
- Discussed request to verify summarized historical Annual Report data submissions with DWR.

AS-NEEDED TECHNICAL SUPPORT FOR IMPLEMENTATION OF THE JUDGMENT, RULES AND REGULATIONS, AND GROUNDWATER MANAGEMENT PLAN

- Scheduled and conducted meetings on June 4th, June 10th, and June 11th, 2025 with BWD, and Rams Hill to discuss (1) the assumed pumping used in the Borrego Valley Hydrologic Model (BVHM) modeling projection effort completed with grant funding and (2) requested efforts to develop alternate pumping projections that adjust BWD pumping to match most current estimates and shift pumping northward. Correspond via email over this same period of time to answer questions and provide additional information.
- Developed a draft scope, schedule, and cost estimate to prepare and simulate alternative pumping projections using the BVHM and update prior documentation of the pumping projections.

ADDRESS AD HOC REQUESTS OF TAC FROM THE BOARD

- No work performed during the reporting period.

DEVELOP TAC SCOPE OF WORK AND BUDGET FOR WY 2026-2029

- This task is complete.

AMENDED SCOPE (APPROVED JUNE 2025): ADDITIONAL WORK TO ADVANCE 5-YEAR GMP ASSESSMENT/UPDATE (INCLUDING BVHM RUNS)

- Corresponded with BWD and Rams Hill staff to confirm revised pumping projections per direction of Watermaster Board at June meeting.
- Prepared detailed excel file of annual BWD pumping projections by well and sent to BWD and Rams Hill to review.

TASK 4 – ENVIRONMENTAL WORKING GROUP

The objective of this task is to support the activities of the EWG in WY 2025 that are not part of the DWR Prop 68 Grant.

EWG MEETINGS

- Prepared and distributed agenda package for the June 12, 2025 EWG meeting.
- Attended the virtual EWG meeting on June 12, 2025. The meeting was attended by Andy Malone.
- Prepared meeting minutes of the June 12, 2025 EWG meeting.
- Per Board direction, began identifying experts in desert ecology to perform peer review of the UCI Groundwater Dependent Ecosystem (GDE) study.

TASK 5 - STAFF SERVICES BILLED TO WATERMASTER RELATED TO MANUAL-READ METERS

The objective of this task is to coordinate the monitoring and collection of meter data from the parties with manual-read meters. This work is reimbursed by only those Parties with manual-read meters. The work performed in this reporting period included:

- Coordinated with Parties experiencing manual meter read problems. Coordinated with these Parties and meter vendor to discuss outcome of appointments to fix meters and test meters for accuracy.
- Contacted a Party regarding potential well tampering observed during official meter read.
- Corresponded with BWD about future of BWD staff providing meter read services.

RWG LAW

T 213.626.8484
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Fed. I.D. No. 95-3292015

350 South Grand Avenue
37th Floor
Los Angeles, CA 90071

Approved September 12, 2025 by Jim Bennett

BORREGO SPRINGS WATERMASTER
C/O SAMANTHA ADAMS, EXECUTIVE DIRECTOR
WEST YOST
25 EDELMAN, SUITE 120
IRVINE, CA 92618

Invoice Date: September 10, 2025
Invoice Number: 254835
Matter Number: 13056-0001

Revised

Replaces Inv. 254559

Re: 13056-0001 GENERAL LEGAL SERVICES

For professional services rendered through July 31, 2025

Time Detail

Date	Initials	Description	Hours
07/01/25	JLM	E-MAIL ON ERROR IN ANNUAL REPORT FILED WITH THE COURT	0.30
07/01/25	JCM	REVIEW E-MAILS REGARDING ERRATA TO APPENDIX D OF THE 2024 ANNUAL REPORT	0.30
07/02/25	JLM	PHONE CALL TO MR. METZ TO DISCUSS ERROR IN REPORT FILED WITH THE COURT	0.20
07/02/25	JCM	TELEPHONE CALL WITH MR. MARKMAN REGARDING ERRATA TO APPENDIX D OF THE 2024 ANNUAL REPORT	0.20
07/08/25	JLM	PREPARE STAFF REPORT ON VACANCY IN BOARD OFFICER'S POSITION; MEETING WITH LEGAL COUNCIL FOR DEFENDANTS IN DOLJANIN USE.	1.50
07/09/25	JLM	E-MAILS ON BENETT STATEMENT OF POSITION ON BOND AGENDA ITEMS	0.40
07/10/25	JLM	REVIEW DOCUMENTS RELATED TO MOTION TO DISMISS DOLJANIN SUIT	0.70
07/11/25	JLM	REVIEW MEMO OF MODEL WORK	0.20
07/11/25	SLF	REVIEW BOARD MEETING AGENDA	0.20
07/14/25	JLM	REVIEW BOARD MEETING AGENDA MATERIALS	1.50
07/15/25	JLM	REVIEW E-MAIL ON GDE ISSUE AND DUNCAN LEGISLATION DATE	0.70

Client: BORREGO SPRINGS WATERMASTER
Matter: GENERAL LEGAL SERVICES

Invoice Date: September 10, 2025
Invoice Number: 254835
Matter Number: 13056-0001

Date	Initials	Description	Hours
07/15/25	SLF	REVIEW BOARD MEETING ADDENDUM	0.20
07/16/25	JLM	PREPARE FOR AND ATTEND BOARD MEETING	3.30
07/21/25	JLM	E-MAILS ON PROCURING NEW PUMPERS	0.50
07/23/25	JCM	DRAFT NOTICE OF ERRATA REGARDING BASELINE PUMPING ALLOCATION FOR TENAJA RANCH IN ANNUAL REPORT FOR WATER YEAR 2024; E-MAIL WITH MR. MARKMAN REGARDING SAME	0.70
07/24/25	JLM	RECEIVE ERRATA FILING WITH COURT	0.30
07/24/25	JCM	FINALIZE NOTICE OF ERRATA REGARDING BASELINE PUMPING ALLOCATION FOR TENAJA RANCH IN ANNUAL REPORT FOR WATER YEAR 2024	0.40
07/25/25	JLM	REVIEW DWR COMMENTS AND SCHEDULING FIRST MEETING	1.00
07/30/25	JLM	PHONE CALL TO MR. WAGNER ON DWR REVIEW	0.30
07/31/25	JLM	BEGIN REVIEW OF BASIN PLAN FOR DWR NEGOTIATION	2.10
07/31/25	JCM	E-MAIL WITH MS. SALBERG AND MS. ADAMS REGARDING NOTICE OF ERRATA	0.10
Total			**15.10**

Timekeeper Summary

Name	Hours	Rate	Amount
JACOB C. METZ	1.70	275.00	467.50
JAMES L. MARKMAN	13.00	400.00	5,200.00
STEVEN L. FLOWER	0.40	350.00	140.00
Total	**15.10**		**$5,807.50**

Cost Detail

Date	Description	Amount
07/25/25	POSTAGE 1 FLAT ENVELOPE TO DANIEL LEE FETZER	2.17
07/25/25	POSTAGE 1 FLAT ENVELOPE TO JENNIFER FAY FETZER	2.17
Total		**$4.34**

Client: BORREGO SPRINGS WATERMASTER
Matter: GENERAL LEGAL SERVICES

Invoice Date: September 10, 2025
Invoice Number: 254835
Matter Number: 13056-0001

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Current Legal Fees.....$5,807.50
Current Client Costs Advanced.....$4.34

Total Current Fees and Costs.....$5,811.84

RWG LAW

T 213.626.8484
F 213.626.0078
Fed. I.D. No. 95-3292015

350 South Grand Avenue
37th Floor
Los Angeles, CA 90071

BORREGO SPRINGS WATERMASTER
C/O SAMANTHA ADAMS, EXECUTIVE DIRECTOR
WEST YOST
25 EDELMAN, SUITE 120
IRVINE, CA 92618

Invoice Date: September 10, 2025
Invoice Number: 254835
Matter Number: 13056-0001

Revised

Replaces Inv. 254559

Re: 13056-0001 GENERAL LEGAL SERVICES

For professional services rendered through July 31, 2025

Fees	5,807.50
Costs	4.34
Total Amount Due	**$5,811.84**

TERMS: PAYMENT DUE UPON RECEIPT

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Los Angeles, CA 90071

WEST YOST
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Remit Payment To:
PO Box 2158
Davis, CA 95617

July 31, 2025

Invoice Number: 2063924

Accounts Payable	Client Project:	Work Order No. 7
Borrego Springs Watermaster	WY Project No:	940-80-24-09
c/o West Yost Associates	Contract Amount:	339,833.00
25 Edelman, Suite 120	Job Name:	WY 2025 Admin and Technical Services
Irvine, CA 92618		

Approved September 12, 2025 by Jim Bennett

Professional Services from July 1, 2025 to July 31, 2025

Previously Billed :	**206,582.27**
Total This Period :	**48,058.50**
Total Amount Billed to Date including This Invoice :	**254,640.77**
Amount Remaining in Contract :	**85,192.23**

Professional Personnel

	Hours	Rate	Amount	
Eng/Scientist/Geologist Manager I				
Adams, Samantha	21.75	352.00	7,656.00	
Principal Eng/Scientist/Geologist II				
Malone, Andy	42.00	338.00	14,196.00	
Associate Eng/Scientist/Geologist I				
Salberg, Lauren	66.50	237.00	15,760.50	
Engineer/Scientist/Geologist II				
Kelty, Clay	12.00	215.00	2,580.00	
Engineer/Scientist/Geologist I				
Serafin, Leslie	32.00	185.00	5,920.00	
Administrative IV				
Ehresman, Leah	.50	168.00	84.00	
Administrative III				
Mendoza-Tellez, Maria	12.25	152.00	1,862.00	
Totals	187.00		48,058.50	
Total Labor				**48,058.50**
		Total this Invoice		**$48,058.50**

Description of Services:

Please see attached description of services

Project	940-80-24-09	WY 2025 Admin and Technical Services	Invoice	2063924

Outstanding Invoices

Number	Date	Balance
2062724	4/30/2025	30,244.18
2063431	5/31/2025	31,067.05
2063576	6/30/2025	30,236.50
Total		**91,547.73**

Please direct questions to:

Project Manager Samantha Adams
Principal Greg Chung GKC

Description of Services Rendered
Project 940-80-24-09
Watermaster Administrative and Technical Services – Portion of Services not Reimbursable by DWR Prop 68 Grant
Invoice Period: July 1, 2025 to July 31, 2025

The services billed in this invoice are those Watermaster administrative and technical services that are not reimbursable through the DWR Prop 68 grant.

TASK 1 – MEETINGS AND COURT HEARINGS

The work performed for this task includes preparing for and attending Watermaster Board Meetings and Court Hearings. The work performed in this reporting period included:

BOARD MEETINGS

- Corresponded with Watermaster Board officers and legal counsel throughout the month to coordinate meeting agenda items and other Watermaster activities.
- July 2025 Regular Board Meeting:
    - Prepared meeting minutes from June 2025 Board meeting.
    - Prepared, reviewed, and formatted agenda package content. This work included:
        - Organized, compiled, and formatted the public correspondence and consent calendar items.
        - Performed work, including coordination, preparation, and/or review of staff memos or other materials to support the following agenda items:
            - Appointment of budget subcommittee
            - Groundwater Dependent Ecosystem (GDE) project scope and schedule
            - Consideration of approval of agendas for the next TAC and EWG meetings
            - WY 2025 – Q3 Watermaster Budget Status Report
            - Workshop on Addressing DWR Comments on the Judgment/GMP: Recommended Corrective Action (RCA) #7 – Judgment vs. GMP
            - Technical Consultant report
            - Executive Director report
            - August 2025 meeting agenda
    - Compiled the final agenda package and distributed via the stakeholder distribution list and Watermaster website.
    - Prepared PowerPoint Presentation to support the Board meeting discussion.

- Responded to questions from Board members via email and phone calls regarding the Board package items.
- Attended the virtual Board meeting on July 16, 2025. The meeting was attended by Samantha Adams, Andy Malone, and Lauren Salberg.

- Following the July 2025 Board meeting, scheduled a meeting with budget subcommittee members.
- August 2025 Board Meeting Preparation:
  - Prepared punch list of action items for the Board meeting. Created meeting link and coordinated assignments for preparing the package.
  - Began work on agenda packet materials.

TAC MEETINGS (POST GRANT PERIOD – APRIL TO SEPTEMBER 2025)

- Prepared the August 7, 2025 TAC meeting agenda package.
- Prepared PowerPoint Presentation to support the August 7, 2025 TAC working meeting.

COURT HEARINGS

- No work performed during the reporting period.

TASK 2 – WATERMASTER ADMINISTRATION

The Executive Director, with support from staff, will organize, oversee, and/or perform the administrative and management aspects of running the Watermaster and administering the Judgment, Rules and Regulations, and GMP. The work performed in this reporting period included:

PREPARE THE WATERMASTER ANNUAL BUDGET

- This task is complete.

INSURANCE, ACCOUNTING, AND FINANCIAL SERVICES

- Prepared the June 2025 Financial Report.
- Processed accounts receivable into QuickBooks.
- Processed accounts payable into QuickBooks.
- Drove to US Bank to deposit checks.
- Cut checks for accounts payable and mailed for signature.
- Prepared the June 2025 final interest statement and estimated July 2025 interest statement for West Yost and other vendors.
- Communicated with vendors on reporting estimates of billings for inclusion in monthly financials.
- Coordinated with BWD on wire transfer of DWR Reimbursement #8.
- Reviewed Insurance Certificate.

MAINTAIN WEBSITE AND GRANT COMMUNICATIONS (POST GRANT PERIOD – APRIL TO SEPTEMBER 2025)

- Posted the following materials to the Watermaster website:
  - Meeting materials for the July 16, 2025 EWG meeting

- Board meeting materials

- Updated Watermaster website with upcoming dates for Board, TAC, and EWG meetings.

RESPOND TO AND TRACK PUBLIC INFORMATION REQUESTS

- No work performed during the reporting period.

AS-NEEDED SUPPORT TO THE BPA PARTIES

- Prepared reports and notified Pumpers of their new Annual Allocations for WY 2026-2030 under the Rampdown to the 2025 Sustainable Yield.

AS-NEEDED ADMINISTRATION OF THE TERMS OF THE JUDGMENT, RULES & REGULATIONS, AND GROUNDWATER MANAGEMENT PLAN

- No work performed during the reporting period.

GENERAL ADMINISTRATION AND PROJECT MANAGEMENTS TASKS

- Performed monthly project management tasks including budget, schedule, and scope of work progress evaluations.
- At the request of BWD and DWR, prepared information for amendment request #3 for the DWR Sustainable Groundwater Management (SGM) grant.
- Processed contract paperwork associated with WY 2025 scope of work amendment and WY 2026 budget approved at the June 2025 Board meeting.

TASK 3 – TECHNICAL SERVICES

The objective of this task is for the Technical Consulting team to perform the technical services required by the Judgment, Rules and Regulations, and GMP for WY 2025 that are not reimbursable by the DWR Prop 68 Grant. The work performed in this reporting period included:

GROUNDWATER PUMPING MONITORING - MONTHLY COLLECTION AND PROCESSING OF METER READ DATA (POST GRANT PERIOD – APRIL TO SEPTEMBER 2025)

- Cataloged and processed June 2025 monthly meter reads.
- Calculated June 2025 pumping by well for remaining wells.
- Corresponded with a pumper regarding status of a well and issues with June 2025 meter reads.

NON-REIMBURSABLE COSTS FOR GROUNDWATER MONITORING PROGRAM

- No work performed during the reporting period.

NON-REIMBURSABLE COSTS FOR ADDRESSING ABANDONED WELLS

- This task is complete.

COOPERATOR DATA COLLECTION, DATA MANAGEMENT, AND REPORTING DATA TO DWR PORTALS (POST GRANT PERIOD – APRIL TO SEPTEMBER 2025)

- Reviewed and confirmed historical Annual Report data submissions at the request of DWR.
- Requested an amendment to Appendix D of the WY 2024 Annual Report on the SGMA portal.

AS-NEEDED TECHNICAL SUPPORT FOR IMPLEMENTATION OF THE JUDGMENT, RULES AND REGULATIONS, AND GROUNDWATER MANAGEMENT PLAN

- No work performed during the reporting period.

ADDRESS AD HOC REQUESTS OF TAC FROM THE BOARD

- No work performed during the reporting period.

DEVELOP TAC SCOPE OF WORK AND BUDGET FOR WY 2026-2029

- This task is complete.

AMENDED SCOPE (APPROVED JUNE 2025): ADDITIONAL WORK TO ADVANCE 5-YEAR GMP ASSESSMENT/UPDATE (INCLUDING BOARD-APPROVED BVHM RUNS)

- Continued work to run additional pumping projection scenarios using the Borrego Valley Hydrologic Model (BVHM). Under Board direction, a new model scenario was developed and run in which BWD pumping is shifted from wells in the Central Management Area to wells in the North Management Area. This model scenario is referred to as Scenario 1B.
    - Coordinated and met with BWD and Rams Hill staff to discuss pumping projections for Scenario 1B, in which BWD pumping is shifted northward.
    - Prepared figures and excel files of total projected pumping and pumping assigned at BWD and Rams Hill wells for Scenario 1B. These materials were sent to BWD and Rams Hill to review and were revised based on feedback.
    - Finalized pumping projections for Scenario 1B.
    - Prepared excel workbook of total annual pumping projections (for all Parties) under Scenario 1B.
    - Prepared model input files for the multi-node well package (MNW2) to simulate future pumping at all wells for Scenario 1B.
    - Ran BVHM through WY 2070 using pumping projections for Scenario 1B.
    - Post-processed and QC'd model results from Scenario 1B.
    - Developed Python script to develop figures comparing observed vs. simulated groundwater-levels across all three model scenarios (Initial Scenario and Scenarios 1A and 1B) and total pumping by Management Area at select wells. Used the script to prepare figures for select wells.
    - Calculated water budget using results from Scenario 1B.
    - Generated contours, rasters, and figures of the change in groundwater elevation from WY 2020 to 2040 using model results from Scenario 1B.
    - Prepared figures comparing the change in groundwater elevation from WY 2020 to 2040 under Scenario 1B to other model scenarios (Initial Scenario and Scenario 1A).
    - Met with BWD and T2 staff to review model results from Scenario 1B.
- Continued work to advance the 5-year GMP Assessment/Update, including:
    - Began implementing scope to address DWR Recommended Corrective Actions (RCAs) 3 and 4 on improvements to Sustainable Management Criteria (SMC) for groundwater levels and storage, including:

- Discuss and refine methods to update SMCs for groundwater levels and storage.
- Selected Representative Monitoring wells to protect most sensitive beneficial uses and calculated Minimum Threshold for each.
- Developed figures to support method for updating SMCs for groundwater levels, including maps of saturated thickness based on well types (municipal, recreational, etc.), and figures of Minimum Thresholds by well.
- Developed figures to illustrate method for updating SMCs for groundwater storage.
- Began documenting methods for updating groundwater level and storage SMCs.

- Began implementing scope to address DWR RCA 7 to improve understanding of the relationship of the Judgment and GMP, including:
  - Drafted detailed approach to address RCA 7.
  - Scheduled first meeting among subcommittee and attorneys to discuss advancing actions to address RCA 7.

TASK 4 – ENVIRONMENTAL WORKING GROUP

The objective of this task is to support the activities of the EWG in WY 2025 that are not part of the DWR Prop 68 Grant.

EWG MEETINGS

- Per Board direction, to advance review of the UCI Groundwater Dependent Ecosystem (GDE) Study report, performed the following:
  - Prepared for and conducted discussion with staff at the Desert Research Institute to assess their ability to perform a peer review of the UCI GDE study.
  - Developed a draft scope of work, schedule, and list of deliverables for the independent technical peer review of the UCI GDE Study Report. Sent the materials to the EWG, TAC, and Board for their review, comment, and recommendation for independent reviewers.
- In support of an August EWG meeting:
  - Prepared draft meeting agenda for August 2025 EWG meeting.
  - Coordinated with Land IQ and the EWG to identify dates for an EWG meeting date and time in August 2025.
  - Finalized the meeting date and time for the August 2025 EWG meeting. Informed the EWG members of the meeting date and location.

TASK 5 - STAFF SERVICES BILLED TO WATERMASTER RELATED TO MANUAL-READ METERS

The objective of this task is to coordinate the monitoring and collection of meter data from the parties with manual-read meters. This work is reimbursed by only those Parties with manual-read meters. The work performed in this reporting period included:

- No work performed during the reporting period.

PARTY-FUNDED REQUESTS FOR INFORMATION (RFI)

- The following work was performed under a signed RFI with T2 Borrego to perform one additional modeling run at a cost not to exceed $7,000. Through the RFI, a new "baseline" model scenario was developed and run in which BWD pumping was revised. This model scenario is referred to as Scenario 1A.
    - Notified the Board of a RFI for additional pumping projections, to be discussed as part of the Technical Consultant report
    - Coordinated and met with BWD and Rams Hill staff to discuss pumping projections for Scenario 1A in which BWD pumping projections are revised to match the most current estimate of future pumping.
    - Prepared figures and excel files of total projected pumping and pumping assigned at BWD and Rams Hill wells for Scenario 1A. These materials were sent to BWD and Rams Hill to review and were revised based on feedback.
    - Finalized pumping projections for Scenario 1A.
    - Prepared excel workbook of total annual pumping projections under Scenario 1A.
    - Prepared model input files for the multi-node well package (MNW2) to simulate future pumping at all wells for Scenario 1A.
    - Ran BVHM through WY 2070 using pumping projections for Scenario 1A.
    - Post-processed and QC'd model results from Scenario 1A.
    - Calculated water budget using results from Scenario 1A.
    - Generated contours, rasters, and figures of the change in groundwater elevation from WY 2020 to 2040 using model results from Scenario 1A.
    - Prepared figures comparing the change in groundwater elevation from WY 2020 to 2040 under Scenario 1A to other model scenarios (Initial Scenario and Scenario 1B).
    - Met with BWD and T2 staff to review model results from Scenario 1A.
    - Documented development of Scenario 1A and interpretations of results for inclusion in a TM that will be finalized when all pumping projections are completed.

West Yost Budget Status Report for Technical and Administrative Services that are not Grant Reimbursable - WY 2025

As of July 2025 Billing Period (Month 10 of 12)

Task	Approved Budget	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25	Jul-25	Total Spent	Remaining Budget[1]	Estimated Cost to Complete	Estimated Total Cost at Completion	Estimated Remaining Budget at Completion	Notes
Totals	$339,833	$29,146.60	$23,069.82	$23,351.45	$16,212.94	$12,428.62	$10,825.11	$30,244.18	$31,067.05	$30,236.50	$41,062.25	$247,644.52	$92,188.48	$94,784	$342,428	($2,595)	
Task 1 - Meetings and Court Hearings	$127,554	$8,261.75	$9,921.25	$13,118.45	$8,441.75	$7,650.75	$6,003.00	$16,338.50	$11,196.00	$8,595.75	$11,118.75	$100,645.95	$26,908.05	$25,554	$126,200	$1,354	
Board Meetings	$106,600	$8,261.75	$9,921.25	$13,118.45	$7,939.00	$7,474.75	$6,003.00	$12,711.50	$8,308.75	$8,595.75	$8,261.25	$90,595.45	$16,004.55	$16,704	$107,299	($699)	
TAC Meetings (Post Grant Period - April to Sep. 2025)	$17,444	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$3,627.00	$2,887.25	$0.00	$2,857.50	$9,371.75	$8,072.25	$8,500	$17,872	($428)	
Court Hearings	$3,510	$0.00	$0.00	$0.00	$502.75	$176.00	$0.00	$0.00	$0.00	$0.00	$0.00	$678.75	$2,831.25	$350	$1,029	$2,481	
Task 2 - Watermaster Administration and Management	$76,699	$8,013.00	$4,843.00	$4,910.25	$6,079.75	$3,779.50	$2,623.25	$6,275.00	$13,334.25	$8,786.25	$6,387.25	$65,031.50	$11,667.50	$11,703	$76,734	($35)	
Prepare Watermaster Budget for WY 2025	$11,580	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$1,717.25	$7,484.00	$2,250.50	$0.00	$11,451.75	$128.25	$0	$11,452	$128	This task is complete.
Insurance, Accounting, and Financials Services	$24,564	$2,844.00	$2,969.00	$3,486.75	$2,426.00	$2,537.00	$1,650.00	$1,978.00	$2,704.00	$1,984.00	$2,122.00	$24,700.75	($136.75)	$4,094	$28,795	($4,231)	Run rate expected to decrease after Audit is complete in March.
Maintain Website and Grant Communications (Post Grant Period - April to Sep. 2025)	$5,278	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$177.75	$355.50	$515.75	$1,049.00	$4,229.00	$948	$1,997	$3,281	
Track/Respond to Public Communications and Requests	$2,184	$0.00	$55.25	$0.00	$0.00	$59.25	$0.00	$355.50	$59.25	$118.50	$0.00	$647.75	$1,536.25	$364	$1,012	$1,172	
As-needed support to the BPA Parties	$11,016	$1,729.00	$221.00	$126.25	$1,049.00	$0.00	$206.50	$650.00	$1,609.25	$1,298.25	$882.00	$7,771.25	$3,244.75	$1,836	$9,607	$1,409	
As-requested admin. of the Judgment, Rules & Regs, and GMP	$10,779	$2,033.00	$797.25	$329.00	$1,389.75	$59.25	$0.00	$479.00	$265.75	$736.25	$0.00	$6,089.25	$4,689.75	$1,797	$7,886	$2,893	
General administration and project managements tasks	$11,298	$1,407.00	$800.50	$968.25	$1,215.00	$1,124.00	$766.75	$1,095.25	$1,034.25	$2,043.25	$2,867.50	$13,321.75	($2,023.75)	$2,664	$15,986	($4,688)	Additional work to address DWR comments and questions on grant reimbursement requests to close out grant.
Task 3 - Technical Services	$126,256	$12,664.85	$8,037.25	$5,219.25	$1,583.94	$641.62	$2,091.36	$7,523.18	$4,523.55	$10,625.25	$20,750.25	$73,660.50	$52,595.50	$50,786	$124,447	$1,809	**At its June 18th 2025 Board meeting, the Board approved the use of surplus budget to advance work on the 5-year Assessment and DWR Comments at a cost of $65,000. The total budget on other tasks was reduced so there was no net increase in total West Yost Budget.**
Address Ad Hoc Requests from the Board	$0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0	$0	$0	
Groundwater Pumping Monitoring - Monthly Collection and Processing of Meter Read Data (Post Grant Period - April to Sep. 2025)	$11,045	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$1,930.75	$1,516.00	$1,516.00	$1,886.75	$6,849.50	$4,195.50	$3,425	$10,274	$771	
Non Reimbursible for C7 Cat (d) Task 7/8: GW Level and QualMon	$14,361	$2,475.25	$0.00	$0.00	$0.00	$0.00	$2,091.36	$3,929.18	$1,255.05	$3,603.75	$0.00	$13,354.59	$1,006.41	$1,006	$14,361	$0	
Cooperator Data Collection, Data Management, and Reporting Data to DWR Portals (Post Grant Period - April to Sep. 2025)	$5,578	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$1,663.25	$1,287.00	$296.25	$592.50	$3,839.00	$1,739.00	$1,000	$4,839	$739	
Non Reimubursible for C7 Cat (c) Task 5: Address Abandoned Wells	$1,000	$53.10	$0.00	$0.00	$442.19	$641.62	$0.00	$0.00	$0.00	$0.00	$0.00	$1,136.91	($136.91)	$0	$1,137	($137)	This task is complete.
As-needed support for implementation of the Judgment, Rules & Regs, and GMP	$14,000	$1,593.00	$3,498.00	$2,858.00	$1,141.75	$0.00	$0.00	$0.00	$465.50	$3,835.25	$0.00	$13,391.50	$608.50	$0	$13,392	$609	
Develop TAC Scope & Budget for WY 2026-2029	$15,272	$8,543.50	$4,539.25	$2,361.25	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$15,444.00	($172.00)	$0	$15,444	($172)	This task is complete.
ADDITIONAL WORK TO ADVANCE 5-YEAR GMP ASSESSMENT/UPDATE (INCLUDING MODELING)	$65,000	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$1,374.00	$18,271.00	$19,645.00	$45,355.00	$45,355	$65,000	$0	The work to be completed includes Board-approved next steps on the 5-year Assessment Report, responding to DWR Recommended Corrective Actions, and Pumping Projections
Task 4 - Environmental Working Group	$6,381	$0.00	$164.82	$0.00	$0.00	$0.00	$0.00	$0.00	$397.25	$1,677.00	$2,806.00	$5,045.07	$1,335.93	$6,250	$11,295	($4,914)	
EWG Meetings	$6,381	$0.00	$164.82	$0.00	$0.00	$0.00	$0.00	$0.00	$397.25	$1,677.00	$2,806.00	$5,045.07	$1,335.93	$6,250	$11,295	($4,914)	At its August 20, 2025 meeting, the Board authorized up to $5,000 over-budget amount to complete solicitation of peer-review of GDE Study.
Task 5 - Staff Services Billed to Watermaster to be Reimbursed by Parties with Manual-Read Meters	$2,943	$207.00	$103.50	$103.50	$107.50	$356.75	$107.50	$107.50	$1,616.00	$552.25	$0.00	$3,261.50	($318.50)	$491	$3,752	($809)	
Coordinate Manual-Read Metering with BWD/Parties	$2,943	$207.00	$103.50	$103.50	$107.50	$356.75	$107.50	$107.50	$1,616.00	$552.25	$0.00	$3,261.50	($318.50)	$491	$3,752	($809)	
Requests For Information to Be Reimbursed by Parties	$7,000	$0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$6,996.25	$6,996.25	$3.75	$0	$4	$6,996	**Total Amount to be Reimbursed through RFI Process**
Pumping Projections - Scenario 1A (T2/Rams Hill Funded Effort)	$7,000	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$6,996.25	$6,996.25	$3.75	$0	$4	$6,996	RFI Approved for $7k. This task is complete.
Total Billed - Watermaster Cost + RFI		$29,147	$23,070	$23,351	$16,213	$12,429	$10,825	$30,244	$31,067	$30,237	$48,059						

Borrego Springs Watermaster
Board of Directors Meeting
September 17, 2025
AGENDA ITEM IV.A

To: Board of Directors

From: Samantha Adams, Executive Director

Date: September 12, 2025

Subject: Overview of Anticipated WY 2026 Calendar of Activities and Approval of WY 2026 Board Meeting Dates

✓ **Recommended Action**	☐ **Provide Direction to Staff**	☐ **Information and Discussion**
☐ **Fiscal Impact**	☐ **Cost Estimate: $**	

Recommended Action

Approve proposed dates for Board meetings.

Fiscal Impact: None.

Background

The Watermaster Board meets monthly, generally on the third Wednesday of the month at 3:00pm. Prior to each new water year (WY), the Board reviews the schedule of routine activities for the upcoming WY and approves the dates of the Board meetings.

Calendar of Activities for WY 2026

In WY 2026, the Watermaster budgeted to hold 11 Board meetings (two in-person), five TAC meetings, and two EWG meetings. The proposed Board meeting dates are:

- October 15, 2025 – In-person meeting (in conjunction with Stakeholder Open House)
- November 19, 2025 – virtual meeting
- December 17, 2025 – virtual meeting
- January 21, 2026 – virtual meeting
- February 18, 2026– virtual meeting
- March 18, 2026 – virtual meeting
- April 2026 (date TBD) – In-person meeting (in conjunction with Stakeholder Open House)
- May 20, 2026 – virtual meeting
- June 17, 2026 – virtual meeting
- July 15, 2026 – virtual meeting
- September 16, 2026 – virtual meeting

The anticipated calendar of activities for WY 2026 are as follows (organized by month of the WY):

October 2025 (In-Person Meeting – Wednesday, October 15, 2025)

- Board Meeting Topics
    - Election of Board Officers
    - Draft Water Year 2025 Water Rights Accounting
    - Process and schedule to complete WY 2025 Annual Report
    - Select Peer Reviewer for GDE Study
    - Workshop – Overview of Public Comments in Sustainable Management Criteria Workshop
- Staff Activities
    - Send WY 2025 Pumping Reports and Carryover Notices to Pumpers
    - Request/arrange annual meter accuracy testing
    - Fall 2025 semi-annual monitoring event
- Pumper Requirements
    - Make elections of Carryover from WY 2025 by October 31st
- Other Meetings
    - EWG Meeting #1
    - Stakeholder Open House – Updating SMCs

November 2025 (Virtual Meeting – Wednesday, November 19, 2025)

- Board Meeting Topics
    - WY 2025 final budget status report
    - Final WY 2025 Water Rights Accounting
    - Workshop – RCA #2: Domestic Well Mitigation
- Other Meetings
    - TAC meeting #1
- Staff Activities
    - Issue invoices for 1st installment of WY 2026 Pumping Assessment
    - Issue Overproduction Penalty Assessment invoices (if any)
    - Start financial audit of WY 2025

December 2025 (Virtual Meeting – Wednesday December 17, 2025)

- Board Meeting Topics
    - Review calculation of the change in groundwater storage from spring 2024 to spring 2025
    - Workshop – Final Recommendations for SMCs
- Pumper Requirements

- 1st Installment of WY 2026 Pumping Assessment due

January 2026 (Virtual Meeting – Wednesday January 21, 2026)

- Board Meeting Topics
  - Q1 WY 2026 budget status review
  - Fall 2025 monitoring report
  - Workshop – Current Basin conditions relative to updated SMC
- Staff Activities
  - Publish first draft WY 2025 Annual Report
- Pumper Requirements
  - Annual meter accuracy testing due

February 2026 (Virtual Meeting – Wednesday February 18, 2026)

- Board Meeting Topics
  - Review draft WY 2025 Annual Report
  - Workshop – Conclusions and Recommendations of the 5-Year GMP Assessment
- Other Meetings
  - Joint TAC/EWG Meeting (TAC meeting #2 & EWG meeting #2)
- Staff Activities
  - Publish second draft WY 2025 Annual Report

March 2026 (Virtual Meeting – Wednesday March 18, 2026)

- Board Meeting Topics
  - Approve WY 2025 Annual Report
  - Peer Reviewer presentation on findings and TAC/EWG comments on GDE Study
  - Workshop - Draft 5-Year GMP Assessment Report
- Other Meetings
  - Stakeholder Open House – Draft 5-Year GMP Assessment Report
- Staff Activities
  - File WY 2025 Annual Report with the Court and DWR
  - Publish draft 5-Year GMP Assessment Report
  - Official Watermaster read of manual-read meters

April 2026 (In-Person Meeting – Date TBD, 2026)

- Board Meeting Topics

  - Q2 WY 2026 Budget status review
  - WY 2027 Budget scoping
  - Peer Reviewer presents final report on GDE Study
  - Workshop – Addressing Public and TAC comments on 5-Year GMP Assessment Report and GMP Redline
- Other Meetings
  - TAC meeting #3
- Staff Activities
  - Spring 2026 monitoring event

May 2026 (Virtual Meeting – Wednesday May 20, 2026)

- Board Meeting Topics
  - Scope of work and cost estimate for GDE next steps
  - Review draft WY 2027 Budget
  - Review pumping-to-date in WY 2026
  - Workshop – Revised draft 5-Year GMP Assessment Report and GMP Redline
- Other Meetings
  - Joint TAC/EWG meeting (TAC meeting #4 and EWG meeting #2)
- Staff Activities
  - Publish mid-year pumping report to Parties
  - Issue invoice for 2nd Installment of WY 2026 Assessment
  - Issue annual invoice to parties with manual-read meters

June 2026 (Virtual Meeting – Wednesday June 17, 2026)

- Board Meeting Topics
  - Approve scope and budget for GDE next steps
  - Approve WY 2027 Budget
  - Approve 5-Year GMP Assessment Report and GMP Redline
  - Spring 2026 monitoring report
- Pumper Requirements
  - 2nd installment of WY 2024 Pumping Assessment due

July 2026 (Virtual Meeting – Wednesday July 15, 2026)

- Board Meeting Topics
  - Staff performance Reviews
  - Contracting for Staff and Legal services for WY 2027 and beyond

  - Q3 WY 2026 Budget status review
- Staff Activities
  - Issue Notice to Parties that may be facing an Overproduction Penalty Assessment in October 2026
- Pumper Requirements
  - Parties with manual-read meters self-report

August 2026 (No Board meeting)

- Other Meetings
  - TAC meeting #5 (tentative)

September 2026 (Virtual Meeting – Wednesday September 16, 2026)

- Board Meeting Topics
  - Contracting for Staff and Legal services for WY 2027
  - Review calendar of activities and approve meeting dates for WY 2027
- Staff Activities
  - Official Watermaster read of manual-read meters

Borrego Springs Watermaster
Board of Directors Meeting
September 17, 2025
AGENDA ITEM IV.B

To: Board of Directors

From: Samantha Adams, Executive Director

Date: September 12, 2025

Subject: Watermaster Meter Reading Program – Recommended Revisions for Potential Cost Savings

✓ **Recommended Action**	✓ **Provide Direction to Staff**	☐ **Information and Discussion**
☐ **Fiscal Impact**	☐ **Cost Estimate: $**	

Recommended Action

Consider approval of the recommended cost savings for the meter reading program, including consideration of approval of Resolution 25-01 that formalizes a reduced frequency of official Watermaster meter reads to twice per year. The resolution can be brought back to the Board in October if changes are recommended to the enclosed draft resolution.

Fiscal Impact: Approval of the recommended modifications will result in annual cost savings ranging from $9,612 to $14,044 (in 2025 $).

Background and Previously Related Actions of the Board

The current Watermaster Meter Reading Program involves the following elements:

- Collecting meter reads at a monthly frequency from the Pumpers, in accordance with TAC recommendations.
    - At wells with telemetry, logging into the telemetry systems monthly to record the end of month meter read.
    - At wells with manual read meters, performing official Watermaster meter reads 4 times per year, with Pumpers self-reporting their meter reads the remaining 8 months of the year. (Cost is allocated only to Pumpers with manual read meters)
    - Reviewing all monthly reads for QA/QC to ensure no meter/recording issues are occurring – allowing for more rapid action when malfunctions occur.
- Preparing a mid-year pumping report in May showing pumping through the first six months of the Water Year, including:
    - A summary report to the Board comparing pumping to date to prior years pumping for the same period.

  - Sending individual custom reports to each Pumper of their pumping to date for the water year, by well. The report includes the remaining amount of annual allocation available for the water year and shows comparisons of pumping to date to prior years for the same six-month period.

- Performing annual meter testing to verify that the meters meet accuracy standards and requiring meter maintenance/calibration if the standards are not met. The cost of meter accuracy testing is paid by Pumpers directly.

The Watermaster has taken the following actions to support the implementation of metering and reporting requirements in the Judgment:

- At its March 31, 2020 Board meeting, the Interim Watermaster adopted Resolution 2020-02 Establishing Approved Meters.
- At its August 27, 2020 Board meeting, the Interim Watermaster adopted Resolution 2020-03 Establishing Criteria for Verification of Meter Calibration, Installation, and Accuracy.
- At its September 10, 2020 Board meeting, the Interim Watermaster adopted Resolution 2020-05 Establishing Meter Read Protocols and Required Documentation
- At its November 12, 2020 Board meeting, the Interim Watermaster established a monthly frequency for meter read reporting to effectively implement the Judgment. The monthly reads are accomplished through a combination of official Watermaster reading events and self-reporting (6 official and 6 self-reporting).
- At its July 2, 2021 meeting, the Watermaster Board extended the TAC-recommended meter reading program through the end of calendar year 2021.
- At its March 9, 2023 Board meeting, the Watermaster adopted Resolution 2023-02 Establishing a Revised Comprehensive Metering Program.

The latest revisions in March 2023 included:

- Combining all prior meter reading related guidance into a single, comprehensive resolution that addresses: the list of approved meters and telemetric systems, requirements to demonstrate proper meter installation, requirements for annually verifying meter accuracy, the list of qualified regional vendors for assessing meter accuracy, and protocols for meter reading and documentation.
- Expanded the list of qualified meters and vendors.
- Added additional confidentiality statements to the exhibits.
- Reduced the official Watermaster read frequency to 4 times per year (down from 6 per year), and increased the frequency of self-reporting to 8 times per year (up from 6 per year).
- Documenting potential remedies if a Pumper fails to self-report.

No actions to change or modify the meter reading program have been taken since March 2023. The existing meter program resolutions are available on the Watermaster's website at: https://borregospringswatermaster.com/pumper-resources/.

Discussion

The Watermaster's Budget Committee identified that Pumper cost savings could be achieved through modifications to the current meter reading program as follows:

1. Reducing official Watermaster meter reads at wells with manual-read meters from 4 times per year to 2 times per year, and increasing self-reporting from 8 times per year to 10 times per year. Given there is a high level of pumper compliance with self-reporting, the reduced frequency of official meter reading presents a low risk of loss of valuable data to the Watermaster.

   BWD recently notified Watermaster it would no longer be able to support the meter reads, however at a frequency of twice per year, the Borrego Water District would be willing to reconsider its ability to perform the meter reading, which will further reduce the future costs.

   The current cost of performing the meter reads 4 times per year, assuming West Yost field personnel perform the work, is $19,632. At a reduced frequency of 2 times per year, costs to Pumpers with manual read meters would be reduced as follows:

   - If West Yost (or similar consultant) performs the work: $12,020 = **Savings of $7,612**
   - If BWD continues to perform the meter reads: $7,588 = **Savings of $12,044 year**

2. Reducing the scope of the mid-year pumping report. Currently the mid-year pumping report includes preparing custom reports for every pumper and sending the reports via email or regular mail. To reduce costs, one table showing the status of pumping for all pumpers could be sent as a communication to all parties at once. Those pumpers would be able to look up their pumping to date on the table. Those with questions could follow up with staff for additional information, if needed. This would result in an **annual cost savings of about $2,000**.

The total potential cost savings from the recommended changes ranges from $9,612 to $14,044, depending on who performs the monitoring.

Resolution 2025-01

To reduce the frequency of the official Watermaster Reads, a new Board Resolution is needed to supersede Resolution 2023-02. A draft Resolution 2025-01 is enclosed for your consideration. The Resolution has the following five attachments detailing the program:

- Exhibit 1 - List of Approved Meters and Telemetric Systems
  - No changes since February 2023 draft
- Exhibit 2 - Requisite Information to Demonstrate Proof of Meter Calibration and Proper Installation
  - No changes since February 2023 draft
- Exhibit 3 - Requisite Information to Verify Accuracy of Meters
  - No changes since February 2023 draft
- Exhibit 4 - Qualified Vendors for Annual Meter Accuracy Testing and Calibration, Verification of Proper Installation, and Telemetric System Installation and Maintenance

    - No changes since February 2023 draft
- Exhibit 5 - Meter Read Program and Documentation Requirements
    - Changed frequency of official Watermaster meter reads and self-reporting.

Next Steps

- Staff is seeking input and feedback from the Board on the two steps to reducing costs of the meter reading program.
- If reducing the frequency in official Watermaster meter reads is amenable to the Board:
    - The enclosed draft Resolution No. 25-01 can be approved as is, approved with minor revisions, or brought back to the Board with directed revisions in October.
    - Staff will report back to BWD and work to develop an updated agreement for meter reading services for Board approval.

Enclosures

DRAFT Resolution No. 25-01 of the Board of Directors of the Borrego Springs Watermaster Establishing a Revised Meter Reading Program (including Exhibits 1 through 5)

RESOLUTION NO. 25-01
OF THE BOARD OF DIRECTORS OF THE BORREGO SPRINGS WATERMASTER
ESTABLISHING A REVISED METERING PROGRAM

WHEREAS, a Stipulated Judgment (Judgment) was entered in the Superior Court of California on April 8, 2021 that determined and adjudicated all groundwater rights in the Borrego Springs Subbasin (Subbasin) and established the Borrego Springs Watermaster (Watermaster) to administer and enforce the provisions of the Judgment including its Physical Solution.

WHEREAS, the Judgment requires all pumpers with Baseline Pumping Allocations to install Watermaster approved meters for the purpose of tracking groundwater pumping volumes.

WHEREAS, the Judgment and Rules & Regulations require that upon installation, and annually thereafter, each pumper shall arrange for the manufacturer or qualified installer of such approved meters to provide written verification to the Watermaster of the ongoing accuracy of the meter readings and meter calibration; and the Watermaster or its designee shall provide forms to submit proof of meter installations.

WHEREAS, the Judgment requires that any Party holding BPA may elect to install and maintain, at its own expense, manual read meters approved by Watermaster on condition that: (i) the Watermaster physically read the meters on the schedule determined by the Watermaster and the Party pay all costs associated with the Watermaster's reading, accounting, and reporting related to such meters; and (ii) the Party has executed an Entry Agreement as specified in Exhibit "8" for the purpose of allowing Watermaster access to the Party's well.

WHEREAS, per section 4.2.4 of the Rules & Regulations, the Watermaster Technical Consultant shall propose, and the Watermaster Board shall adopt and maintain, rules and regulations regarding metering and data collection consistent with the provisions of the Judgment.

WHEREAS, the Watermaster operates pursuant Resolution 23-02 Establishing a Revised Comprehensive Metering Program, adopted in March 2023.

WHEREAS, the Resolution 23-02 established a monthly frequency for meter read reporting to effectively implement the Judgment per the recommendation of the Technical Advisory Committee; and developed protocols for collecting and reporting meter reads through a combination of official Watermaster meter reads four times per year and Pumper self-reporting eight times per year.

Whereas, the Watermaster seeks to establish an updated, frequency for official reads and self-reporting metering program that supersedes the prior guidelines included as Exhibit 5 to Resolution 23-02.

NOW, THEREFORE, be it resolved by the Board of Directors of the Borrego Springs Watermaster, as follows:

1. Resolution 23-02 is hereby superseded by this Resolution 25-01 establishing a revised, comprehensive metering program, which is made up of the five attached exhibits:

Exhibit 1 - List of Approved Meters and Telemetric Systems.
Exhibit 2 - Requisite Information to Demonstrate Proof of Meter Calibration and Proper Installation.
Exhibit 3 - Requisite Information to Verify Accuracy of Meters.
Exhibit 4 - Qualified Vendors for Annual Meter Accuracy Testing and Calibration, Verification of Proper Installation, and Telemetric System Installation and Maintenance.
Exhibit 5 - Meter Read Program and Documentation Requirements.

2. Exhibits 1 through 4 may need to be amended from time to time and amendments to any or all of the exhibits may be made by the Technical Consultant to ensure Parties have access to the most relevant information at all times.

3. Further amendments to the meter read program described in Exhibit 5 require Board approval through a revised Resolution.

4. The Board of Directors hereby directs the Technical Consultant to maintain and publish to the Watermaster website this Resolution 25-01 together with the most up-to-date version of Exhibits 1 through 5, each of which will note the date of last revision and approval by the Board.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Borrego Springs Watermaster held on the ____ day of _____ 2025 by the following vote:

AYES:

NOES:

ABSENT:

_____	_____
Tyler Bilyk, Chairperson Board of Directors	Shannon Smith, Secretary of the Board ATTEST

Exhibit 1

List of Approved Meters and Telemetric Systems

Updated: March 9, 2023

The following is the list of Watermaster approved meters and telemetric systems that have been previously reviewed by the Watermaster and found acceptable to meet the metering requirements of the Judgment. This list will be updated from time to time to include additional meters or telemetric systems that have been reviewed and deemed acceptable to the Watermaster Technical Consultant. The most updated list will be provided on Watermaster's Website: Pumper Resources – Borrego Springs Watermaster

To approve new meters to the list (whether manually or telemetrically read), Watermaster Technical staff will review the meter specifications and meter manuals to ensure that meters meet the American Water Works Association (AWWA) C708 standards. Other meters added to the list

MasterMeter
Octave Ultrasonic Meters and BLMJ Meter
Large Ultrasonic Water Meter for C&I Meter Applications - The Octave (mastermeter.com)
Bottom Load Multi-Jet (BLMJ) Meter - Master Meter

McCrometer
Manual-read flow meters for drinking water and irrigation wells
Flow Connect telemetric systems
Flow Meters for Agriculture and Irrigation | McCrometer
FlowConnect - Collect and Transmit Flow Data | McCrometer USA - Overview
Flow Meters for Drinking Water and Waste Water | McCrometer

Badger
5M2-030-P1 Badger Meter M2000 electromagnetic flow meters
ModMAG | M2000 Electromagnetic Flow Meter | Badger Meter

DLJ Meters
DLJ Multi-Jet Water Meter
dljwatermeters.com

JAIN USA
Jain Logic (SWIIM Product) for telemetric and Ag water management
Ag Water Management Services | Jain Irrigation USA (jainsusa.com)

Exhibit 2
Requisite Information to Demonstrate Proof of Meter Calibration and Proper Installation to the Borrego Springs Watermaster
Updated March 9, 2023

For all new meter installations, the following information must be submitted to the Watermaster as proof of meter calibration and proper installation for each well owned by pumpers with a Baseline Pumping Allocation. All information is required to be considered complete. In the event that a required item cannot be provided, please provide a detailed explanation. All personal information, including well locations, will be kept confidential. These guidelines may be updated by Watermaster technical staff from time to time. The most updated guidance will be provided on Watermaster's Website: Pumper Resources – Borrego Springs Watermaster

Pumper and Well Information:

- Pumper Name
- State Well ID
- Well Name
- GPS Coordinates of well location

Meter Information:

- Manufacturer
- Meter Type
- Meter Model
- Meter Size
- Serial Number
- Installation Date
- Certificate of factory calibration
  Attachment A1 contains examples of factory calibration forms.

Verification of Proper Installation

- Photographs of the well and meter that clearly show:
  - The meter make, model, and serial number
  - The meter read face
  - That there are no valves or other devices upstream of the meter that could significantly divert water before being read by meter (blow-off, air release valves are OK)

- A signed letter from the manufacturer or qualified vendor verifying that:
  - There are no valves or other devices upstream of the meter that could significantly divert water before being read by meter
  - The meter is accessible for meter reading
  - The meter has been installed according to good design practices for accurate meter reading

- An alternative option to providing the signed manufacturer letter is to perform a meter accuracy test, as described in Exhibit 3 of Resolution 23-02 (*Requisite Information to Verify Accuracy of Meters to the Borrego Springs Watermaster*)

Attachment B is an example of an appropriate photographic log of well and meter
Attachment C is an example of a 3rd Party Verification of Proper Meter Installation

Badger Meter

Order {[Order Number]}-{[Order Line Number]}

BMI Serial #:	51626244	BME Serial #:	1905-035
BMI Item #:	100-0072	BME Part #:	9010306
BMI Catalog String:	M2-030-P1-A-MWW-S-XXGF-STD		

Detector Type 2

Nominal Size:	3 Inches or 80 DN	Pressure Rating:	150 ASA
Connection:	Type 2	Material:	C-Steel
Liner:	PTFE	Max Temperature:	212 °F or 100 °C
Electrode:	Hastelloy C22	Protection Class:	IP 67
Detector Housing:	C-Steel painted	Detector Offset:	-0.0046 m/s
Detector Constant:	1858.7		

Amplifier: M2000

Mounting:	Detector mounted	Protection Class:	IP 67
Amplifier Housing:	Cast aluminium	Cable Length:	N/A
Flow Range:	2.4 to 956 GPM	Flow Direction:	Bi-directional
Full Scale Flow (Qn):	200 GPM	Power Supply:	85-265 VAC
Min/Max Alarm:	Min = 0% Max = 100%	Low Flow Cut Off:	0.2%
Empty Pipe Detection Active:	Yes	Pulse Rate:	1 pulse / Gallon
Analog Output:	4...20 mA	Pulse Width:	1:1
Pulse Output:	Active (Open Collector)	Full Scale Flow:	200 GPM
Software	1.19 ES		

	Flow Rate (% of Qn)	% Deviation
Measure Point 1:	25	0.08
Measure Point 2:	50	-0.02
Measure Point 3:	75	-0.08

The calibration of the Badger Meter ModMag M1000, M2000, M3000, M4000, M5000 and 7600P meters, sizes ¼ inch through 20 inches, are traceable to the International Systems of units using the services of the Czech Metrology Institute (CMI). The National Institute of Standards and Technology (NIST) recognizes the validity of CMI's calibration and measurement certificates.

Propeller Meter

CERTIFIED TEST REPORT

CUSTOMER: FAIN DRILLING

MODEL NO: MW503

METER SERIAL NO: 20-00488

CONFIGURATION

METER INSIDE DIAMETER: 2.988

METER OUTSIDE DIAMETER:

TEST DATE: 1/17/2020

TEST FACILITY: Volumetric

IDEAL TEST CONSTANT: 6000

CALIBRATION DATA

	Tested TC	GPM	Accuracy
1	6008	261	100.1

CERTIFIED BY: Robert Galusha **ID#:** 176785 **DATE:** 1/17/2020

This calibration was performed on a gravimetric or volumetric test facility, traceable to the National Institute of Standards and Technology, USA. The estimated flow measurement uncertainty of the calibration facilities are:
Gravimetric +/- 0.15% Volumetric +/- 0.5%

McCROMETER
3255 WEST STETSON AVENUE
HEMET, CA 92545 USA
PHONE (951) 652-6811 / FAX (951) 652-3078
WEB SITE: http://www.mccrometer.com E-MAIL: customerservice@mccrometer.com

Photographs 1 to 4: Flow meter installation

Photograph 1

Photograph 2

Photograph 3

Photograph 4

Return to: Borrego Springs Watermaster

c/o West Yost • 23692 Birtcher Drive • Lake Forest, CA 92630

3rd Party Verification of Proper Meter Installation

Meter information:

- Meter Serial Number: _____
- Last Factory Calibration: _____
- Meter Make and Model: _____
- Needed pipe straight run based on model: Up: Down: _____

Site information:

- What is upstream of the meter location? _____
- What is the distance from the meter site to the upstream disturber? _____
- What is downstream of the meter location? _____
- What is the distance from the meter to the downstream disturber? _____
- Is the proposed meter site on a horizontal or vertical segment of pipe? _____
- If vertical, is the meter calibrated for vertical? _____

Notes: _____

_____

By signing this document, I certify that:

- I am a representative from the meter manufacturer or a qualified vendor.
- The above information is correct.
- The meter has been installed according to good design practices.

_____ _____
Signature Date

_____ _____
Print Name, Title Company/Affiliation

Exhibit 3
Requisite Information to Verify Accuracy of Meters to the Borrego Springs Watermaster
Updated March 9, 2023

The accuracy of the pumping meters installed at each well owned by pumpers with a Baseline Pumping Allocation, whether existing or new, must be verified annually by the Watermaster. These guidelines may be updated by Watermaster technical staff from time to time. The most updated guidance will be provided on Watermaster's Website: Pumper Resources – Borrego Springs Watermaster

The following information must be submitted to the Watermaster to verify the meter accuracy. All information is required to be considered complete. In the event that a required item cannot be provided, please provide a detailed explanation. All personal information, including well locations, will be kept confidential.

Pumper and Well Information:

- Pumper Name
- Well ID
- Well Name

Verification of Meter Accuracy

- A form prepared by a qualified vendor documenting the results of the meter accuracy test. The form must include and demonstrate:
    - The meter test date
    - The meter information (make, model, size, serial number, units of reporting)
    - The test information, for a least two tests on the same day:
        - test method
        - meter reads before and after test
        - metered flow and actual flow
        - accuracy of meter read, expressed as percent accuracy.
    - Clear documentation if meter calibration or repair is needed. Meter calibration or maintenance is needed if the accuracy is less than 95% or greater than 105%
- If a calibration is performed, submit forms documenting the calibration results and additional information from the vendor certifying the post-calibration accuracy (Such as additional accuracy tests). Calibration must be completed within 30 days of a finding that the meter does not meet the accuracy standards.

Attachment A contains two examples of meter accuracy tests performed by qualified vendors.

PUMP CHECK
Pumping Systems Analysts
Hydraulic Test Report
Since 1958
(951) 684-9801 • Lic. 799498 • Fax (951) 684-2988

CERTIFICATE OF ACCURACY

Customer: [redacted]
Location: [redacted]
Identification: [redacted]
System: [redacted]

Test Date: 09/17/2018

Meter Size: 6" Make: Water Specialties
Meter No: 973969-06 Register: CuFt x 100

General Data

Meter read before test: 401457 Meter read after test: 401473

Pipe ID: 8.0625 (Inch) Pipe area: 51.054 (sq.in.) Pressure: 5.0 (Lbs/sq.in.)

Test Data **Test Before Inspection**

Test Equipment			Totalizer		Volume				
Test No.	Mano Read	Actual GPM	Second Read	First Read	Diff.	Convert to Gallons	Time in Seconds	Metered GPM	Percent of Flow
1	11.20	572	401461	401457	4	2,992	316.70	567	99.1%
2	11.15	569	401466	401461	5	3,740	397.50	565	99.2%
3	11.10	567	401472	401466	6	4,488	478.85	562	99.2%
Avg.		569.3					Avg.	564.6	**99.2%**

Remarks
34.07.466n117.43.232w
PC 3122/SCE 41078

Approved Rhonda Steward
Rhonda Steward
cn=Rhonda Steward, o=Pump Check, ou, email=rhonda@pumpcheck.com, c=US
2018.09.25 09:08:20 -07'00'

McCall's Meters Inc.

1498 Mesa View Street
Hemet, CA 92543
Tel: 951-654-3799 Fax: 951-654-3991

Field Test Report

Utility: XXXXX
XXXXX
XXXXX

Account Number: XXXX
Meter Location:

Date: 11-26-18
Tech: TD & ND

Size: 8"
Manuf: Water Specialties
Type: Prop w/ transmitter
Ser No: 20070812-06

Test Point: Remove 1" sampler before meter and outside shed

Pipe I.D. 6.000 inches
Pipe Area: 28.27 sq. inches
Pressure: NA psi

Meter Readings:
Meterhead: 718122 Units: Gals x 1000
Remote: Units:

	Meter	Trans
Drive Gear	NA	
Driven Gear	NA	

TEST BEFORE REPAIR

Test No.	Pitot Data: Mano. Diff.	Pitot Data: Pitometer Flow GPM	Subject Meter Data: Totalizer Units Gals x 1000 Stop Read	Subject Meter Data: Totalizer Units Gals x 1000 Start Read	Subject Meter Data: Test Run Volume Gallons	Subject Meter Data: Test Run Time Min.	Subject Meter Data: Test Run Time Sec.	Subject Meter Data: Meter Flow GPM	Subject Meter Data: Indicated Meter Accuracy
1	5.9	166.8	614316	614315	1000.0	5	47.6	172.6	103.5 %
2									
3									
4									
5									

	Meter	Trans
Drive Gear		
Driven Gear		

TEST AFTER REPAIR

Test No.	Pitot Data: Mano. Diff.	Pitot Data: Pitometer Flow GPM	Subject Meter Data: Totalizer Units Gals x 1000 Stop Read	Subject Meter Data: Totalizer Units Gals x 1000 Start Read	Subject Meter Data: Test Run Volume Gallons	Subject Meter Data: Test Run Time Min.	Subject Meter Data: Test Run Time Sec.	Subject Meter Data: Meter Flow GPM	Subject Meter Data: Indicated Meter Accuracy
1									
2									
3									
4									
5									

Remarks: The test results indicate proper meter accuracy.

Exhibit 4

Qualified Vendors for Annual Meter Accuracy Testing and Calibration, Verification of Proper Installation, and Telemetric System Installation and Maintenance

Updated March 9, 2023

The following is the list of qualified vendors that Watermaster has identified and found reputable to provide metering services that will comply with the Judgment. This list will be updated from time to time to include additional vendors that have been identified by the Watermaster Executive Director or Technical Consultant. The most updated list will be provided on Watermaster's Website: Pumper Resources – Borrego Springs Watermaster.

1. McCall's Meter Sales and Service, Inc.
   1498 Mesa View Street, Hemet, CA 92543
   Office: (951) 654-3799
   Fax: (951) 654-3991
   http://mccallsmeters.com/

2. McKeever Water Well & Pump Service, Inc.
   82-550 Avenue 60, Thermal CA 92274
   Office: (760) 399-4237
   Fax: (760) 399-4239

3. Pump Check
   P.O. Box 5646, Riverside, CA 92517
   Office: (951) 684-9801
   Fax: (951) 653-1950
   info@pumpcheck.com
   http://pumpcheck.com/

4. McCrometer, Inc.
   Pamela Fuller, Regional Sales Manager
   (951) 757-6416
   PamF@mccrometer.com
   https://www.mccrometer.com/

5. Jain USA (SWIIM platform for telemetry and water management)
   Kirk Lyster, Sales and Customer Service Manager
   (760) 427-5382
   klyster@jainusa.com
   www.JAINUSA.com

Exhibit 5
Meter Read Program and Documentation Requirements
Updated DATE

The purpose of reading meters is to collect and document the information needed to calculate total groundwater pumping for the water year (or any other time period of interest) at each active pumping well of the BPA Parties. It is critical that the meters are read accurately and that the meter read is properly documented.

How meter read data is reported to the Watermaster is dependent on the type of meter installed. Data from meters with telemetry systems (smart meters) can be transmitted electronically to the Watermaster. Manual-read meters must be visited in-person and the meter read documented manually via photograph and field notes. The cost of all activities to read and collect manual-meter read data is paid for only by the Pumpers with manual-read meters. The following describes (1) the meter read program, which establishes the meter reading frequency and QA/QC protocols for all wells and (2) the documentation required for official Watermaster meter reads of manual-read meters.

The Watermaster meter program will be periodically evaluated and Exhibit 5 updated to reflect changes. by the Watermaster. The most updated program will be available on Watermaster's Website: Pumper Resources – Borrego Springs Watermaster.

Watermaster will keep all personal information, including well locations confidential.

Meter Read Program

Watermaster has established a monthly frequency for meter read reporting to support the effective implementation of the Judgment based on the Water Year[1] (WY).

The following describes how monthly meter read data will be collected from wells with smart meters and manual-read meters.

- For wells with Smart Meters
    - Watermaster will download meter read data from the telemetry portal provided by the pumper on a monthly schedule.
    - Parties must perform an annual field verification (manual reads) of each smart meter to compare to the telemetry reported reads. The manual read should include taking a clear, readable photograph of the well meter face as evidence of its readout value. Watermaster staff will send an email to the Parties, or their designated representative, to request the annual meter QA/QC check.
    - Should a Pumper's telemetry system fail to read out data, Watermaster staff will immediately notify the Pumper, or their designated representative, to resolve the problem and request self-reporting of meter reads until the system is fixed.
        - The manual read should include taking a clear, readable photograph of the well meter face as evidence of its readout value. And, a clear photograph showing the meter serial number. One photograph with both items of information is acceptable.

[1] Water Year – October 1st to September 30th.

Exhibit 5
Meter Read Program and Documentation Requirements
Updated DATE

- If a telemetric system is not fixed within three months of going offline, the Pumper must execute an Entry Permit to enable Watermaster to perform official Watermaster reads.
- Failure to enable entry by Watermaster after three notifications of the telemetry system failure will result in the Pumper being subject to an issuance of an inspection warrant under the powers afforded by SGMA and being designated as not in good standing with Watermaster. In this case, the Pumper may be reported to the Board, and potentially the Court, for non-compliance. Watermaster staff will make best efforts to work with the Pumper to achieve compliance prior to reporting to the Court.

- The costs associated with collecting telemetric data are included as part of the annual Pumping assessment.
- The costs associated with collecting manual-reads, if triggered, will be borne by the Pumper.

- For wells with manual-read meters:
  - Watermaster will perform official meter read events on a semi-annual schedule at or near the end of the following months: September and March. Official meter reads will be performed by Watermaster staff or its contractor. The documentation of official reads is discussed later in this Exhibit.
  - Parties will perform self-reporting in the months between official Watermaster meter read events (10 times per year at or near the end of October, November, December, January, February, April, May, June, July, and August).
    - Parties with manual-read meters are to provide Watermaster staff with an email (borregospringswm@westyost.com) or text message (contact Watermaster for the number) of the reporting period meter read, including the date and time of the read and a photograph of the meter face as evidence of its readout value. And, a clear photograph showing the meter serial number. One photograph with both items of information is acceptable.
    - Failure to self-report meter reads for three consecutive self-reporting events will result in the Pumper being subject to an issuance of an inspection warrant under the powers afforded by SGMA and being designated as not in good standing with Watermaster. In this case, the Pumper may be reported to the Board, being designated as not in good standing with Watermaster and the Pumper may be reported to the Board, and potentially the Court, for non-compliance. Watermaster staff will make best efforts to work with the Pumper to achieve compliance prior to reporting to the Court.
  - The Pumper's with manual-read meters will pay all costs associated with reading and collecting manual-meter read data. Invoices for these services will be pre-paid and invoiced annually by the Watermaster. Failure to pay meter-read invoices will result in the Pumper being designated as not in good standing with Watermaster and the Pumper may be reported to the Board, and potentially the Court, for non-compliance.

Exhibit 5
Meter Read Program and Documentation Requirements
Updated DATE

Watermaster staff will make best efforts to work with the Pumper to achieve compliance prior to reporting to the Court.

Meter Read Documentation for Official Watermaster Reads
To ensure accuracy of each meter read, the following protocol must be followed by the Watermaster Official Meter Reader at each well.

- Make a handwritten note, or key punch into excel file using a tablet or device, of:
  - BPA Party name
  - Well name or address
  - The last four digits of the meter serial number (SN)
  - Date and time of meter read
  - The meter read
  - The meter read units
  - Any challenges with reading the meter (e.g. face broken/cracked, no access, etc.)
- Take photograph(s) of:
  - The meter make, model, and serial number
  - The well meter face that clearly shows the meter read and units of measure
  - One photograph with both items of information is acceptable.

At the completion of the meter reading event:

- Name each photograph with the following file name:
  - Last 4 digits of SN_Date_MeterInfo (e.g. *9999_20200930_MeterInfo)*
  - Last 4 digits of SN_Date_MeterRead (e.g. *9999_20200930_MeterRead)*
- Scan and save any handwritten notes with the following file name:
  - Date_MeterReadNotes (e.g., *20200930_MeterReadNotes)*
- Send photographs and scan of handwritten notes (or excel file of notes) to Watermaster Staff at borregospringswm@westyost.com.

Attachment A is the form that should be used for the handwritten or electronic field notes. It will be provided to the meter reader by Watermaster as an Excel file and a PDF file. After the first meter reading event, the form can be updated to pre-populate the well owner and serial number information.

Borrego Springs Water Master
Meter Read Field Data Form

Photo Taken	Party Name	Well Name	GPS Location	Serial Number	Units	Date of Reading	Time of Reading	Meter Read	Notes
☐									
☐									
☐									
☐									
☐									
☐									
☐									
☐									
☐									
☐									
☐									
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☐									
☐									

Borrego Springs Watermaster
Board of Directors Meeting
September 17, 2025
AGENDA ITEM IV.C

To: Board of Directors

From: Samantha Adams, Executive Director

Date: September 12, 2025

Subject: Considerations for Running an Additional BVHM Pumping Projection

☐ **Recommended Action**	✓ **Provide Direction to Staff**	☐ **Information and Discussion**
☐ **Fiscal Impact**	☐ **Cost Estimate: $**	

Recommended Action

Provide direction to Staff on performing an additional pumping projection scenario (Scenario 1C).

Fiscal Impact: $10,500. How the work is funded is TBD. Options are presented herein.

Background and Previously Related Actions of the Board

Over the last few months, the Borrego Valley Hydrologic Model (BVHM) was used to predict future groundwater conditions in the Basin under the pumping Rampdown to the 2025 Sustainable Yield by 2040 and beyond. Specifically, the BVHM projections were to be used to determine if the following Sustainability Goals defined in the Groundwater Management Plan (GMP) are expected to be met:

- Trends in groundwater levels are stable or increasing by 2040 and thereafter
- Groundwater levels are always at sufficient elevations to not cause Undesirable Results

An "Initial Scenario" was run in February/March 2025 that showed continuously declining water levels in the southern Central Management Area (CMA) and the South Management Area (SMA). Based on these findings, the majority of the TAC and the Technical Consultant recommended to the Board that an additional BVHM projection scenario be prepared and run to explore the effects of shifting future pumping by the Borrego Water District (BWD) to the North Management Area (NMA), consistent with one of the Projects and Management Actions (PMAs) in the GMP. The northward shift of pumping is an adaptive management action that is anticipated to help move the Basin closer to its Sustainability Goal by better balancing recharge and discharge across the Basin and stabilizing groundwater levels in the CMA and SMA.

At its June 18, 2025 Board meeting, the Board directed staff to execute a workflow for using the BVHM to explore a northward shift of future pumping:

1. Complete one additional model scenario run with revised pumping locations and volumes per information provided by the BWD. Pumping assumptions for all other Pumpers will remain the same.
2. If the model results indicate there is still a potential for Undesirable Results in the form of continuously declining groundwater levels, a second scenario should be run that is based on the water rights currently owned by Pumpers (*i.e.,* no transfers of BPA occur in the future).
3. Disclose all pumping projections to the Board and notify Pumpers that their data will be published and shared publicly. If requested, Pumpers may modify their pumping projections prior to them going public.
4. If the BVHM results from Steps 1 or 2 are materially different than the results from the Initial Scenario, then DWR should be notified, and the prior results should be replaced.

To manage costs and decision making, the Board directed staff to start with Step 1. Ultimately, two new projection scenarios were developed - Scenario 1A and Scenario 1B:

- **Scenario 1A – Reduced BWD Demands.** Through conversations with the BWD, it was determined that the pumping projections for BWD used in the Initial Scenario were unrealistically high. In Scenario 1A, projected BWD pumping was reduced compared to the Initial Scenario to better align with BWD's expected future demands. The decrease in pumping by BWD ranged from 130 to 740 acre-feet per year (afy) from WY 2025 to 2070. Projected pumping was assigned to the same network of wells used in the Initial Scenario (*i.e.* no northward shift in pumping). Therefore, Scenario 1A represents a new "baseline" scenario to replace the Initial Scenario. This work was funded by T2 under a Watermaster request for information because it was not part of the Board action.
- **Scenario 1B – Northward Shift of BWD Pumping.** Scenario 1B assumes the same volume of BWD pumping as in Scenario 1A, but a portion of BWD pumping is shifted from wells in the CMA to two wells in the NMA. In Scenario 1B, an average of 920 afy was shifted from BWD wells in the CMA to BWD wells in the NMA.

The results of Scenario 1A/1B were published and presented at the August 20, 2025 Board meeting. The results indicated that the northward shift of pumping in Scenario 1B resulted in higher groundwater levels in the southern CMA (compared to Scenario 1A), but overall water levels were still projected to continuously decline through 2070 in both the southern CMA and SMA, suggesting that an additional northward shift in pumping in would be necessary to achieve sustainability by 2040.

The Board discussed the results of Scenario 1A/1B and the next step in the workflow to consider an additional projection scenario which limits Parties' pumping to the amount afforded by Baseline Pumping Allocation (BPA) rights currently owned (e.g. no future transfers of BPA). Staff informed the Board that the cost of the additional scenario would be $10,500 in WY 2026, an amount not accounted for in the WY 2026 budget.

As a first step, the Board requested staff to report the volume of future pumping that would occur if pumping was limited to current water rights and compare it to projected pumping that would occur if future water rights transfers occurred (e.g. under Scenario 1A/1B).

Discussion

The pumping projections in Scenarios 1A/1B assumed water rights transfers between T2 and BWD to enable BWD to pump future demands for T2 developments. Because the amount of BPA needed to meet future BWD demands is already owned by T2, these water rights transfers are not restricted in this analysis.

In Scenario 1A/1B, the following assumptions were made about future water rights transfers because the water rights are **not currently owned** by a Party and are needed to meet the Parties' stated future pumping demands. Based on current pumping and Pumper communications,

- 13 Parties with a combined 800 acre-feet (af) of BPA rights are inactive pumpers and will remain inactive indefinitely. This 800 af of BPA provides for an available 262 af of Annual Allocation in WY 2040 and beyond.
- Two Parties purchase a total of 594 af of BPA rights from these inactive pumpers. This is the equivalent of 191 af of annual allocation in 2040 and beyond.
    - One party is located in the North Management Area (purchase of 574 af of BPA)
    - One party is located in the SMA (purchase of 20 af of BPA)
- Between now and 2040, six pumpers utilize inter-Party transfers of Carryover to cover their overproduction relative to the annual allocation allowed by their BPA rights during the Rampdown. The total annual amount of Carryover transfers assumed across these six Parties ranges from 97 to 184 afy.[1] These pumpers are located throughout the Basin in the NMA, CMA, and SMA.
- After 2040, only three pumpers utilize inter-party transfers of Carryover to cover over production relative to the Annual Allocation allowed by their BPA rights. The total amount of Carryover transfers assumed across these three Parties after 2040 is 31 afy. There is one pumper in each the NMA, CMA, and SMA.

If an additional Pumping scenario is developed to limit future pumping by parties in an amount allowed by currently owned BPA water rights, the reduction in future pumping would be minimal compared to Scenarios 1A/1B—about 191 afy from 2040 and beyond. If inter-party transfers of Carryover were also restricted, an additional 31 to 184 af of pumping would be restricted each year.

Given these small reductions in pumping volume created by the restriction of water rights transfers, and that the restricted pumping is primarily concentrated in the NMA, Staff does not recommend proceeding with a scenario that limits transfers of BPA at this time as it is not likely to yield results that are materially different than Scenario 1B.

That said, given that Scenario 1B indicates that (i) groundwater levels in the southern CMA will not stabilize during the projection period and (ii) groundwater levels will increase in the NMA during the

[1] For reference in WY 2024, a total of 112 af of Carryover was transferred between Parties as a means to offset overproduction.

projection period, we believe it would be reasonable for the Board to consider simulating an additional projection scenario that increases the volume of pumping shifted northward by an additional 450 to 900 afy compared to Scenario 1B. This additional scenario would be instructive in understanding how much pumping would need to be shifted northward to achieve sustainability in the CMA (e.g. stable water levels).

Cost Considerations

The cost of an additional scenario run is $10,500 (as reported at the August 2025 Board meeting). This work was not assumed in the cost estimate approved by the Board in June 2025 and could be funded through one of the following options:

- Option 1: Utilize the as-needed technical services budget in WY 2026 to cover the cost of this additional scenario. This line item is funded at $10,820 in WY 2026. Thus, completing the modeling work would utilize most of the available budget.
- Option 2: Amend the WY 2026 Budget to add this additional scope and budget.
- Option 3: Defer this task to WY 2027 (or later). This is a reasonable approach that could be framed in our 5-Year GMP update as a first step in assessing the feasibility of the PMA to shift pumping northward.

Next Steps

Staff is seeking direction from the Board on whether or not to proceed with developing and simulating a Scenario 1C at this time and what assumptions should be made in Scenario 1C, such as:

- Limit future water rights transfers (not recommended)
- Shift an additional 450 afy of pumping northward
- Shift an additional 900 afy of pumping northward

Should the Board want to receive TAC feedback to support a decision on a Scenario 1C, this topic could be covered at the September 22, 2025 TAC meeting. The agenda for the TAC meeting is included as item IV.D of this agenda package.

If a Scenario 1 C is not requested, Staff will proceed to update the Technical Memorandum (TM) documenting the modeling results and associated management recommendations. The TM would be subject to TAC and Board review. Upon finalization it will be submitted to DWR to replace the March 2025 reported results, and the findings and recommendations incorporated in the 5-Year Assessment Report.

If a Scenario 1C is requested, documentation will be deferred until completion of the additional work.

Borrego Springs Watermaster
Board of Directors Meeting
September 17, 2025
AGENDA ITEM IV.D

To: Board of Directors

From: Andy Malone, Technical Consultant

Date: September 12, 2025

Subject: Consideration of Approval of Agenda for Next Technical Advisory Committee Meeting

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✓ Recommended Action **☐ Provide Direction to Staff** **☐ Information and Discussion**

☐ Fiscal Impact **☐ Cost Estimate: $0**

Recommended Action

Approve the agenda for the next Technical Advisory Committee (TAC) meeting, with any recommended changes.

Fiscal Impact: None. TAC meetings were included in the approved Water Year (WY) 2026 budget.

Background and Previously Related Actions by the Board

The TAC meets at the direction of the Watermaster Board. The Board approved a specific scope of work and budget for the TAC to perform in water year (WY) 2025, which includes periodic meetings to coordinate work and discuss results.

Recommended TAC Agenda

The next regular TAC meeting will be a two-hour meeting scheduled for Monday, September 22, 2025 at 10:00 am. The recommended agenda items (and estimated time for each item) are listed below.

1. **Discuss DWR corrective actions regarding SMC for Groundwater Quality and Land Subsidence.** On February 25, 2025, the DWR notified the Watermaster that it had approved the Alternative GSP for the Borrego Springs Subbasin. However, the DWR also recommended seven (7) corrective actions that "are geared towards broadening the focus of management under the Borrego Alternative to encompass quantified definitions of sustainability that will allow for better management and monitoring of progress towards achieving sustainability as defined by SGMA."

   At the TAC meeting, the TAC and Technical Consultant will discuss the DWR corrective actions regarding the management of groundwater quality and land subsidence and proposed methods to address the DWR corrective actions. TAC feedback will be used to develop final recommendations for addressing the DWR corrective actions, which will be presented to the Board and the Public in October 2025.

   Estimated time: 75 - 90 minutes

2. **TAC Assignment to Evaluate/Rank Proposals for Peer Review of GDE Study Report.**
   The Board is considering hiring an environmental consultant with subject matter expertise in Mesquite Tree biology and groundwater dependent ecosystems (GDE) to perform an independent technical peer review of the UCI GDE Study Report. The Technical Consultant identified five (5) candidates to perform the technical peer review and requested proposals from the candidates by September 17, 2025. The proposals will be shared with the TAC upon receiving the proposals and the TAC members will be asked to evaluate and rank the proposals to assist the Board in its selection of a peer reviewer. The goal of this item is to ensure the TAC is clear on their assignment and schedule to evaluate/rank the proposals. This is also an opportunity for the TAC to discuss and ask questions about their own assignment to review and comment on the UCI GDE Study Report.

   Estimated time: 10 - 15 minutes

3. **Review of Pumping Projections (*Tentative*)**
   This item is a placeholder and is dependent on Board direction at its September 17, 2025. At the September 2025 Watermaster Board meeting, the Board will discuss the pumping projections for a potential Scenario 1C. Based on Board discussion, they may direct the TAC to provide input on this topic.

   Estimated time: 10 - 20 minutes

Borrego Springs Watermaster
Board of Directors Meeting
September 17, 2025
AGENDA ITEM IV.E

To: Board of Directors

From: Andy Malone, Technical Consultant
Samantha Adams, Executive Director

Date: September 13, 2025

Subject: Workshop: Sustainable Management Criteria Updates for Degraded Water Quality

☐ **Recommended Action**	✓ **Provide Direction to Staff**	✓**Information and Discussion**
☐ **Fiscal Impact**	☐ **Cost Estimate: $**	

Recommended Action

Provide input and feedback to staff on its recommended approach to addressing CA Department of Water Resources (DWR) feedback on how the Judgment and GMP address Degraded Groundwater Quality.

Overview

Degraded Groundwater Quality is one of six Sustainability Indicators identified in the Sustainable Groundwater Management Act (SGMA). SGMA requires that groundwater management plans address each element of sustainability that is applicable to a groundwater basin. The Groundwater Management Plan (GMP) for the Borrego Springs Subbasin (Basin) identifies Degraded Groundwater Quality as one of three relevant Sustainability Indicators for the Basin. SGMA further requires the establishment of Sustainable Management Criteria (SMC) for each relevant Sustainability Indicator to assist basin managers to understand: what conditions constitute sustainable vs significant and unreasonable management outcomes (e.g. Undesirable Results), how current conditions and trends will be monitored and assessed, the management actions necessary (now or in the future) to avoid or mitigate Undesirable Results caused/exacerbated by basin management. The August Board Workshop memo provided a detailed overview of SMC and related definitions – see agenda item IV.D here[1].

The purpose of this memo is to summarize the information that will be presented in the workshop and describe Staff's draft approach to responding to DWR feedback and Recommended Corrective Actions (RCA) related to groundwater quality management. This memo and the workshop will cover the following topics:

- What does SGMA require as it relates to managing groundwater quality?
- What are the historical and current groundwater quality conditions in the Basin?

[1] https://borregospringswatermaster.com/wp-content/uploads/2025/08/20250820_Board-Agenda-Package.pdf

- How could groundwater management in accordance with the Judgment impact groundwater quality?
- What does the GMP establish as SMC for groundwater quality?
- What are the groundwater quality management actions defined in the Judgment and GMP?
- What was DWR's feedback on the Judgment and GMP as it relates to groundwater quality?
- How should DWR's comment be addressed, and what changes to the GMP does Staff recommend now and potentially in the future?

What Does SGMA Require?

SGMA's role is forward-looking: it requires basin managers to monitor conditions, set sustainability criteria, and avoid management actions that cause *new* or *worsening* water-quality problems. SGMA does not require the Watermaster to fix or remediate water quality issues that pre-date 2014 or that are caused by other mechanisms outside the Watermaster's control. In short, the Watermaster's role under SGMA is **to monitor, track, and respond to water-quality degradation related to its management actions**, not to solve all water quality issues in the basin. The table below summarizes this distinction.

SGMA Requires Watermaster to:	**SGMA Does *Not* Require Watermaster to:**
Manage groundwater to avoid future "significant and unreasonable" degradation of water quality caused by basin management actions	Fix or remediate water quality problems that existed before 2014 (prior to SGMA's passage)
Establish Sustainable Management Criteria (SMC) for degraded water quality, including: • Definition of Undesirable Results • Minimum Thresholds • Measurable Objectives and Interim Milestones	Be a catch-all solution for every groundwater quality concern in the basin
Monitor water quality through a representative well network and assess/track trends over time	Serve as a substitute for other regulatory programs (e.g., Regional Water Boards, Safe Drinking Water Act, Superfund) that address drinking water-quality compliance, permitting, and cleanup
Consider the impacts on beneficial uses and users (municipal systems, domestic wells, agriculture) when setting SMC and defining management actions	Replace or repair wells that are affected by poor water quality, unless impacts are caused/exacerbated by Watermaster management actions
Adapt management actions if new or worsening water-quality problems are occurring as a result of Judgment/GMP Implementation	Take responsibility for contamination caused by other, such as septic systems, fertilizers, industrial discharges, or natural geochemical condition

Groundwater Quality in the Borrego Springs Subbasin

Historical Groundwater Quality

"Historical groundwater quality" is defined herein as groundwater-quality conditions within the Basin *prior to* enactment of the SGMA in 2014.

Most historical monitoring of groundwater quality was conducted by the Borrego Water District (BWD), the DWR, and the United States Geological Survey (USGS). The GMP stated that these historical data and related USGS publications (Burnham, 1954; Moyle, 1983; USGS, 2015) were of sufficient detail to identify nitrate, TDS, arsenic, sulfate, and fluoride as the main constituents of concern (COCs) within the Basin. These data and publications indicated that only nitrate and TDS concentrations frequently exceeded California primary and secondary maximum contaminate levels (MCLs), respectively, and that the highest nitrate and TDS concentrations occurred at wells screened across the shallow aquifer system in the northern part of the Basin. Some limited monitoring data also indicated relatively high TDS concentrations in deeper groundwater in the vicinity of the Borrego Sink. More recent analyses of water quality at wells that supply irrigation water for the Ram's Hill golf course indicate exceedance of the primary MCL for arsenic (>10 micrograms per liter [µg/L]) in the deeper portions of the aquifer system in the South Management Area.

The USGS (2015) stated the following about historical nitrate and TDS concentrations in the Basin:

Nitrate. *Water-quality samples from wells distributed throughout the valley show that NO3-N concentrations ranged from less than 1 mg/L to almost 67 mg/L. NO3-N concentrations were highest in the shallow aquifer and exceeded the CA-MCL of 10 mg/L in some samples from the shallow and middle aquifers in the northwestern part of the basin* (see fig. 26 attached)*. NO3-N concentrations in samples from the lower aquifer did not exceed 6.7 mg/L*.

TDS. *Water-quality data show that TDS concentrations ranged from less than 500 mg/L to as high as 2,330 mg/L. Similar to the nitrate concentrations, the maximum TDS concentrations were in samples from the shallow aquifer and generally were highest in the northwestern part of the basin* (see fig. 27 attached)*. TDS concentrations in samples from the middle aquifer were as high as 1,350 mg/L. With the exception of one sample, TDS concentrations in the lower aquifer did not exceed 1,000 mg/L, and most samples had TDS concentrations lower than those in samples from the upper and middle aquifers*.

Current Groundwater-Quality Conditions

"Current groundwater quality" is defined herein as groundwater-quality conditions within the Basin as reported by the Watermaster in its *Water Year 2024 Annual Report for the Borrego Springs Subbasin*. Current groundwater quality is better characterized compared to historical groundwater quality because of increased sampling and analysis of groundwater due to implementation of the Watermaster's groundwater-quality monitoring program.

The 2024 Annual Report stated the following about current COC concentrations in the Basin:

Nitrate. *The highest concentrations of nitrate (as nitrogen) were measured in the North and Central Management Areas* (see Figure 20 attached). *The primary MCL of 10 mg/L was exceeded at 6 wells; however, none of these wells are used for potable water supply. Five of the wells with concentrations exceeding the MCL represent new data points due to recent efforts to expand the monitoring network.*

TDS. *TDS concentrations are highest in the North and South Management Areas and in groundwater near the Borrego Sink* (see Figure 19 attached). *The "recommended" level for the California secondary MCL of 500 milligrams per liter (mg/L) was exceeded at 16 wells across the Basin, only three of which are used for potable water supply. The "upper" level for the California secondary MCL of 1,000 mg/L was exceeded at 6 wells across the Basin none of which are used for potable water supply*.

Arsenic. *The highest concentrations of arsenic were generally measured in the South Management Area* (see Figure 21 attached). *The primary MCL of 10 µg/L was exceeded at 3 wells, all of which are non-potable irrigation wells. BWD reported that a municipal supply well in the South Management Area, ID1-8, was not sampled because the well was decommissioned due to elevated arsenic concentrations.*

Sulfate. *The highest concentrations of sulfate occurred in the North Management Area and in groundwater near the Borrego Sink* (see Figure 22 attached). *The secondary MCL of 250 mg/L for sulfate was exceeded in 14 wells across the basin, only one of which is used for potable water supply*.

Fluoride. *Fluoride concentrations are generally the same across all Management Areas* (see Figure 23 attached). *One observation well in the North Management Area exceeded the primary MCL of 2 mg/L for fluoride.*

Historical versus Current Groundwater-Quality Conditions

Comparison of current and historical groundwater quality conditions show similar spatial distributions and magnitudes for all COCs across the Basin, although current conditions are better characterized due to implementation of the Watermaster's groundwater-quality monitoring program. The time-series charts on Figures 19 thru 23 do not show significant increasing concentration trends for the wells with long-term time histories.

These observations indicate that the areas/depths within the Basin that currently exhibit relatively high COC concentrations (i.e., concentrations higher than MCLs) are groundwater-quality conditions that existed prior to enactment of SGMA in 2014.

Sources of COCs in Groundwater

The GMP describes the various sources for COCs in the Basin:

> **Nitrate**. *Sources of nitrate in groundwater are commonly associated with fertilizers and septic tanks; however, nitrate can also be naturally occurring. Fertilizers and septic tanks are common anthropogenic sources of nitrate detected in groundwater. Potential natural sources of nitrate in groundwater may result from leaching of soil nitrate, which occurs by atmospheric deposition, and dissolution of evaporative minerals, igneous rocks, and deep geothermal fluids.*

In desert groundwater basins, the largest source of naturally occurring nitrates in groundwater occurs from incomplete utilization of nitrate by sparse vegetation. This nitrate accumulates in the unsaturated zone and may become mobile when surficial recharge percolates through the unsaturated zone (Walvoord et al. 2003). In arid environments, nitrate stored in the unsaturated zone may become mobilized by artificial recharge from irrigation return flow, septic effluent, and infiltration basins. Because the Borrego Springs Subbasin lacks appreciable evaporitic deposits (other than near the area of the Borrego Sink), anthropogenic sources (irrigation and wastewater return flows) are likely the main contributors of nitrates to groundwater.

TDS. *Sources of TDS in groundwater include interaction of groundwater with the minerals that comprise the aquifer matrix material. Over time, TDS will increase as more minerals in contact with groundwater dissolve. In desert basins, evaporative enrichment near dry lake beds (playas) is known to naturally increase TDS in groundwater. This process also occurs in plants, both in agriculture and natural systems. Anthropogenic sources include synthetic fertilizers, manure, wastewater treatment facilities, and septic effluent. Repeated irrigation is also a known cause of elevated TDS, as minerals concentrate in the soil column with repeated evaporation. These increased concentrations can then be mobilized into the underlying groundwater table.*

Arsenic. *Arsenic is naturally occurring. In semi-arid and arid groundwater basins, groundwater recharge is limited due to low precipitation and the residence time of the groundwater in the basin is high. The long residence time of the groundwater in the basin allows for more interaction between the groundwater and the minerals that comprise the aquifer matrix material. With time, arsenic desorbs from sediments and enters the groundwater. This process is more efficient in groundwater with higher pH. The groundwater in the Subbasin has a pH of 7.5 to 9.0, a range that is conducive for this transfer of arsenic from the sediment to the water.*

Sulfate. *Natural sulfate sources include atmospheric deposition, sulfate mineral dissolution, and sulfide mineral oxidation of sulfur. Gypsum is an important source of natural sulfate near localized economically important deposits such as in the Ocotillo Wells Subbasin near Fish Creek Mountains in Imperial County. Fertilizers can also be a source of sulfate in groundwater.*

Fluoride. *Fluoride is a naturally occurring element in groundwater resulting from the dissolution of fluoride-bearing minerals from the aquifer sediments and surrounding bedrock*.

In addition, the historical overdraft of the Basin has caused significant lowering of groundwater levels and a reduction is subsurface outflow of groundwater (and its dissolved COCs) from the Basin. This "hydrologic closing" of the Basin (along with repeated cycles of groundwater pumping, outdoor water use, and return flows) can cause COCs to accumulate in the Basin, which can result in increasing COC concentrations over time. This is a common occurrence in groundwater basins.

Potential Effects of Judgment/GMP Implementation on Groundwater-Quality Conditions

The main groundwater-management activities associated with implementation of the Judgment/GMP that could impact groundwater quality include the following:

- The Rampdown of total pumping from the Basin to the Sustainable Yield by 2040
- The fallowing of irrigated farmlands (primarily in the northern half of the Basin) to facilitate the implementation of the Rampdown
- The allowance of transfers of water rights to facilitate the Rampdown
- A PMA that envisions a potential shift of BWD pumping from the Central Management Area (CMA) to the North Management Area (NMA) to maintain a balance of recharge and discharge
- Watermaster's authority to approve or deny new well construction

These activities could have the following effects on groundwater-quality conditions in the Basin in the future:

- The fallowing of irrigated farmlands will reduce the magnitude of loading of COCs to the Basin via decreased return flows of irrigation water past the root zone that percolate to deeper groundwater. These return flows can have relatively high COC concentrations because of the application of fertilizers and the consumptive use of the irrigated water by the crops. *The fallowing of irrigated farmlands represents a **positive effect** of Judgment/GMP implementation on groundwater quality conditions*.
- The Rampdown of pumping is predicted to primarily occur in agricultural areas in the NMA. The decreased pumping in the NMA may cause increases in groundwater levels, which could increase the rate of groundwater flow (and its dissolved COCs) from the NMA to municipal and other well uses in the CMA. *This would represent a potential **negative effect** of Judgment/GMP implementation on groundwater quality conditions in the CMA*.
- A shift of BWD pumping from the CMA to the NMA could slow, stop, or reverse the predicted increases in groundwater levels in the NMA, which would mitigate the predicted increase in the rate of groundwater flow (and its dissolved COCs) from the NMA to the CMA. *This would represent a **positive effect** of Judgment/GMP implementation on groundwater quality conditions in the CMA.*
- Watermaster has authority to approve or deny changes in pumping location, new wells, or de minimis pumping applications if they would cause significant or unreasonable degradation in groundwater quality. *This authority provides the Watermaster with a tool to mitigate the potential for new wells and/or pumping to cause significant or unreasonable degradation in groundwater quality*.

Groundwater Quality SMC

DWR has published guidance documents on setting SMC, including for Degraded Groundwater Quality.[2] Key components of the guidance are as follows:

- **Definition of Undesirable Result**: Significant and unreasonable degraded water quality occurs when groundwater conditions impair water supplies. This can include the migration of contaminant plumes or increasing concentrations of naturally occurring or anthropogenic contaminants that reduce the beneficial use of groundwater.
- **Requirement to Quantify**: GSAs must establish quantitative Minimum Thresholds for groundwater quality, typically based on water-quality measurements at representative monitoring sites. These thresholds may be defined as:
    - Exceedance of a Maximum Contaminant Level (MCL)
    - Movement of contaminant plumes
    - Location of a water-quality isocontour
    - Degradation of a specified volume of groundwater
- **Considerations for Setting Thresholds**:
    - Historical and spatial trends of water quality in the basin
    - Number of supply wells impacted
    - The aquifers primarily used for water supply
    - Estimated volume and extent of contamination
    - Applicable state, federal, or local standards (e.g., MCLs) and justification if thresholds differ
    - Major sources of contamination (point and nonpoint)
    - Effects on beneficial uses and users of groundwater, such as domestic wells or agriculture
- **Protecting Beneficial Uses:** Thresholds should be set to avoid significant and unreasonable impacts on beneficial uses and users, such as communities relying on shallow domestic wells or irrigators dependent on groundwater for crops.
- **Monitoring and Adaptive Management**: Progress toward sustainability is to be tracked with empirical data, and plans must include monitoring networks capable of detecting degradation and evaluating whether minimum thresholds and measurable objectives are being met.

The GMP defines the following SMC for Degraded Groundwater Quality:

Sustainability Goal: *The sustainability goal is for California Title 22 drinking water standards to continue to be met for potable water sources, and that water quality in irrigation wells be suitable for*

[2] https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Sustainable-Groundwater-Management/Best-Management-Practices-and-Guidance-Documents/Files/BMP-6-Sustainable-Management-Criteria-DRAFT_ay_19.pdf

agricultural and recreational irrigation use. Water quality monitoring will occur throughout Physical Solution implementation. (pp. ES-9 to ES-10)

Undesirable Result: *Undesirable results occur if there are significant and unreasonable degraded water quality conditions. The primary undesirable result associated with degraded water quality is the loss of adequate water resources to support current and/or potential future beneficial uses and users, where alternative means of treating or otherwise obtaining sufficient alternative groundwater resources are not technically or financially feasible. Groundwater quality degradation will be considered significant and unreasonable if it results in exceedances of state drinking water standards for potable supplies or renders groundwater unsuitable for agricultural or recreational irrigation uses*. (GMP Section 3.2.4)

The table on the following page lists the Minimum Thresholds, Measurable Objectives, and Interim Milestones for each of the five COCs in the GMP. In all cases:

- Quantitative Minimum Thresholds are set at the primary or secondary Maximum Contaminant Limit (MCL) for the protection of drinking water as defined by CA Title 22 drinking water standards.
- The Measurable Objectives are:
    - To maintain concentrations below the CA Title 22 drinking water MCLs for potable supply wells
    - To maintain concentrations suitable for intended uses at irrigation, recreation, or other non-potable wells (these use thresholds are not quantified in the GMP)
- The Interim Milestones are framed simply as check in points at five-year increments. The Interim Milestones are not quantified, but the intent is to assess the trend at these points to assess if the trend is on track to meet the Measurable Objective.

As discussed earlier in the memo, the GMP documents that some wells had historical COC concentrations that exceeded MCLs (e.g., nitrate in the north, TDS and sulfate near Borrego Sink, arsenic in the south). These are presented as existing conditions rather than as automatic triggers of an Undesirable Result. That said, the GMP is not explicit as to which wells in the monitoring network the SMC should apply given historical water-quality conditions.

Sustainable Management Criteria (SMC) for Constituents of Concern – Borrego Springs GMP

Constituent of Concern (COC)	Minimum Thresholds (MTs)	Measurable Objectives (MOs)	Interim Milestones
Total Dissolved Solids (TDS)	For municipal and domestic wells: **500–1,000 mg/L** (Secondary MCL) For irrigation wells: **Not defined**, but water quality should be suitable for the beneficial use	Maintain levels below MCLs for drinking water Quality remains usable for irrigation water and other purposes	At 5-year increments (2025, 2030, 2035, etc.), track progress toward meeting the Measurable Objective. No quantitative milestones included.
Nitrate (NO_3-N)	For municipal and domestic wells: **10 mg/L** (Primary MCL) For irrigation wells: **Not defined**, but water quality should be suitable for the beneficial use	Maintain nitrate concentrations below MCL for drinking water	
Arsenic (As)	For municipal and domestic wells: **10 µg/L** (Primary MCL) For irrigation wells: **Not defined**, but water quality should be suitable for the beneficial use	Maintain arsenic concentrations below the MCL for drinking water	
Sulfate (SO_4^{2-})	For municipal and domestic wells: **250 mg/L** (Secondary MCL) For irrigation wells: **Not defined**, but water quality should be suitable for the beneficial use	Maintain sulfate concentrations below MCL for drinking water Quality remains usable for irrigation water and other purposes	
Fluoride (F^-)	For municipal and domestic wells: **2 mg/L** (Primary MCL) and **1 mg/L** (Secondary MCL for taste/odor) For irrigation wells: **Not defined**, but water quality should be suitable for the beneficial use	Maintain fluoride concentrations below MCL for drinking water	

Groundwater Quality Management Actions Defined in the Judgment and GMP

The Judgment defines two actions related to groundwater quality in Section VI.B:

> **Water Quality Monitoring**. The Judgment requires Watermaster to establish a Water Quality Monitoring Plan within 24 months of entry of the Judgment. A groundwater monitoring plan was developed with both TAC and local stakeholder input and was completed in March 2023 (within the stated deadline). This groundwater monitoring plan supersedes the monitoring program defined in the GMP.
>
> The monitoring plan implementation has moved forward with great success due to funding from the DWR SGM grant. Several resources on the Watermaster website[3] document the monitoring results and expansion of the monitoring network through conversion of inactive and abandoned wells and stakeholder participation.
>
> **Water Quality Management**. The Judgment states that "*The Watermaster will determine if changes in water quality are significant and unreasonable following consideration of the cause of impact, the affected beneficial use, potential remedies, input from the Technical Advisory Committee, and subject to approval by this Court exercising independent judgment*."

The GMP's **PMA No. 5 on Water Quality Optimization** proposes a program to investigate and, if necessary, implement measures to protect and enhance water quality so it remains suitable for municipal and irrigation uses. The stated purpose of the PMA is to identify as-needed direct and indirect treatment options for BWD and other pumpers to optimize groundwater quality and its use and minimize the need for expensive water treatment to meet drinking water standards.

The implementation approach is generally as follows:

- Begin with investigation: identify the sources and extent of existing or potential water quality impairments, review existing data, fill data gaps, and engage stakeholders. A robust water quality monitoring program is identified as essential to the success of the PMA.
- If needed, develop work plans: evaluate mitigation alternatives, identify costs and funding opportunities, and prepare a formal Groundwater Quality Optimization Plan.
- If warranted, implement projects: this may include direct or indirect treatment (blending, wellhead treatment, or other measures), or changes in pumping and well management.

The GMP does not provide a detailed step-by-step timeline beyond showing the PMA on the basin-wide implementation schedule through 2040. It acknowledges uncertainty about the degree and timing of water quality changes, which depend on aquifer conditions and pumping patterns, noting that water quality issues may evolve over time and may require adaptive management.

[3] https://borregospringswatermaster.com/groundwater-monitoring-program/

DWR feedback on the Judgment and GMP as it Relates to Groundwater Quality

In February 2025, the DWR issued a Staff Report approving the Borrego Springs Subbasin Alternative (i.e., Judgment and GMP) with seven Recommended Corrective Actions (RCAs) to improve the use of the Judgment and GMP as an alternative to a SGMA-compliant Groundwater Sustainability Plan. The DWR Staff letter can be accessed on the Borrego Springs Watermaster Website.[4]

The Department was largely satisfied with the description and characterization of groundwater quality conditions in Borrego Springs, but characterized perceived deficiencies in how the GMP translates that information into enforceable management tools. To highlight a few comments:

- **Sufficient Analysis of Conditions**: The GMP provides a solid technical basis, identifying constituents of concern (TDS, nitrate, arsenic, sulfate, fluoride), describing sources, documenting historical exceedances, and acknowledging increasing trends. DWR staff found this adequate and consistent with best available information.
- **Deficiencies in SMCs (RCA No. 5)**: The GMP's SMCs for water quality are too general (e.g., "meet Title 22 standards," "suitable for agriculture") and not consistently expressed in quantitative Minimum Thresholds or Measurable Objectives. No clear definition of Undesirable Results or basin-wide applicability is provided. DWR directed Watermaster to develop quantified thresholds, measurable objectives, and undesirable result definitions. The exact language of RCA No. 5 is:

  "*Quantify the 'generally accepted threshold limits for [crop] irrigation used by State Water Resources Control Board,' and discuss how those limits will be used to track progress in the Subbasin to avoid undesirable results associated with degradation of groundwater quality. Describe the groundwater conditions and the associated impacts to beneficial uses and users of the Subbasin at those limits.*"

  Watermaster Staff interprets DWR concern in RCA No. 5 to be that Minimum Thresholds at higher concentrations that are protective of agricultural uses are not protective of more sensitive beneficial uses, such as potable water supply.
- **Integration of Judgment and GMP (RCA No. 7)**: DWR noted that the Judgment gives the Court authority to determine whether changes in water quality are "significant and unreasonable," considering cause, remedies, and TAC input. But the GMP does not clearly link its SMC and Projects & Management Actions to this Court process, leaving uncertainty about how the Watermaster and Court will apply GMP criteria in practice. DWR flagged this gap and requested clearer integration to ensure water-quality management under the Judgment is aligned with SGMA's SMC framework.

[4] Available at: https://borregospringswatermaster.com/wp-content/uploads/2025/03/DWR_BorregoSprings_GSP2025_Determination.pdf

Recommendations to Address DWR Comments and Update the GMP

Staff recommends the following actions:

1. Redefine and clarify what constitutes an Undesirable Result for degraded water quality. The recommended revised definition for the Undesirable Result is:

   Significant and unreasonable degradation of groundwater quality occurs when the magnitude of degradation in any Management Area or subarea of the Basin precludes the use of groundwater for current and/or potential future beneficial uses, if:

   - *The degradation that impairs the beneficial use(s) occurs after the enactment of SGMA (2014).*
   - *The cause of the degradation is demonstrated to be related to implementation of the Judgment/GMP.*
   - *There are no technically or financially feasible alternative means of treating or otherwise obtaining sufficient groundwater resources*.

2. Update the GMP to:
   a. Reframe the purpose of the Minimum Thresholds as protecting the most sensitive beneficial use, which is potable water supply.
   b. Specify that the Minimum Thresholds apply to representative monitoring wells with water quality that was less than the CA drinking water standards prior to 2014.
   c. Emphasize that the basin-wide monitoring network will enable monitoring of groundwater-quality conditions and trends throughout the basin so that impacts to all beneficial uses can be considered and addressed in accordance with the Judgment.
3. Document in the 5-Year GMP Assessment Report that the Watermaster will revisit the water quality SMC as part of the 2030 GMP Assessment Report. Currently, there is insufficient data and analytical tools available to improve the characterization of Minimum Thresholds and Measurable Objectives. As data are collected and analyzed over the next few years, a more comprehensive understanding of basin-wide conditions will be available and can be relied on to improve the SMC for groundwater quality.
4. Update the GMP to modify PMA No. 5 as follows:
   a. Rename the PMA to: Water Quality Monitoring and Management
   b. Integrate the water-quality management process defined in Section VI.B.2 of the Judgment into the PMA No. 5. The Judgment provisions can be restated as a management process as follows:
      - Establish and implement a water quality monitoring plan to collect water quality data throughout the Basin
      - Analyze groundwater quality results annually to assess conditions and trends
      - When trends in a well or area of the Basin indicate increases in COC concentrations that may be considered significant and unreasonable, direct Staff to assess the following:

- What are the historical conditions, current conditions, and trends in concentration over time?
- What is the observed or potential impact to beneficial uses caused by the increase in contaminant concentrations?
- What are the sources of the COC?
- What are the causes of the increase in COC concentrations?
- Considering all causes, what is the relative contribution of Watermaster actions to the increase in COC concentrations?
- What are the potential solutions to avoid or mitigate impacts to beneficial uses and users?
- Are the solutions technically or financially feasible?

▪ Based on the analysis, and in consultation with the TAC, determine if (i) Watermaster management action(s) resulted in a significant and unreasonable impairment to a beneficial use and (ii) there are technically or financially feasible alternative means of treating or otherwise obtaining sufficient groundwater resources.

▪ If Watermaster management action(s) resulted in a significant and unreasonable impairment to a beneficial use, and there are no technically or financially feasible alternative means of treating or otherwise obtaining sufficient groundwater resources, then implement adaptive management actions.

c. Define a specific water quality condition/trend that would trigger Watermaster to assess whether a change in water quality is significant or unreasonable per the considerations defined in Judgment Section VI.B.2. This should be defined in collaboration with the TAC, and will be a topic at the September 22, 2025 meeting.

d. Clarify the role of monitoring and periodic analysis of water quality in guiding Watermaster actions in accordance with the Judgment.

Next Steps

- Staff is seeking input from the Board on the recommendations to address the DWR comments and update the GMP.
- The TAC will be discussing the recommendations at its September 22nd meeting.
- Based on Board and TAC feedback, staff will update the discussion points and recommendations for presentation to Stakeholders at the October Open House.
- TAC and stakeholder feedback will be presented to the Board at the October Board meeting.
- A final recommendation will be presented to the Board in December for documentation in the 5-Year Assessment Report and GMP Update.

Enclosures: Figures excerpted from USGS (2015) and Watermaster 2024 Annual Report

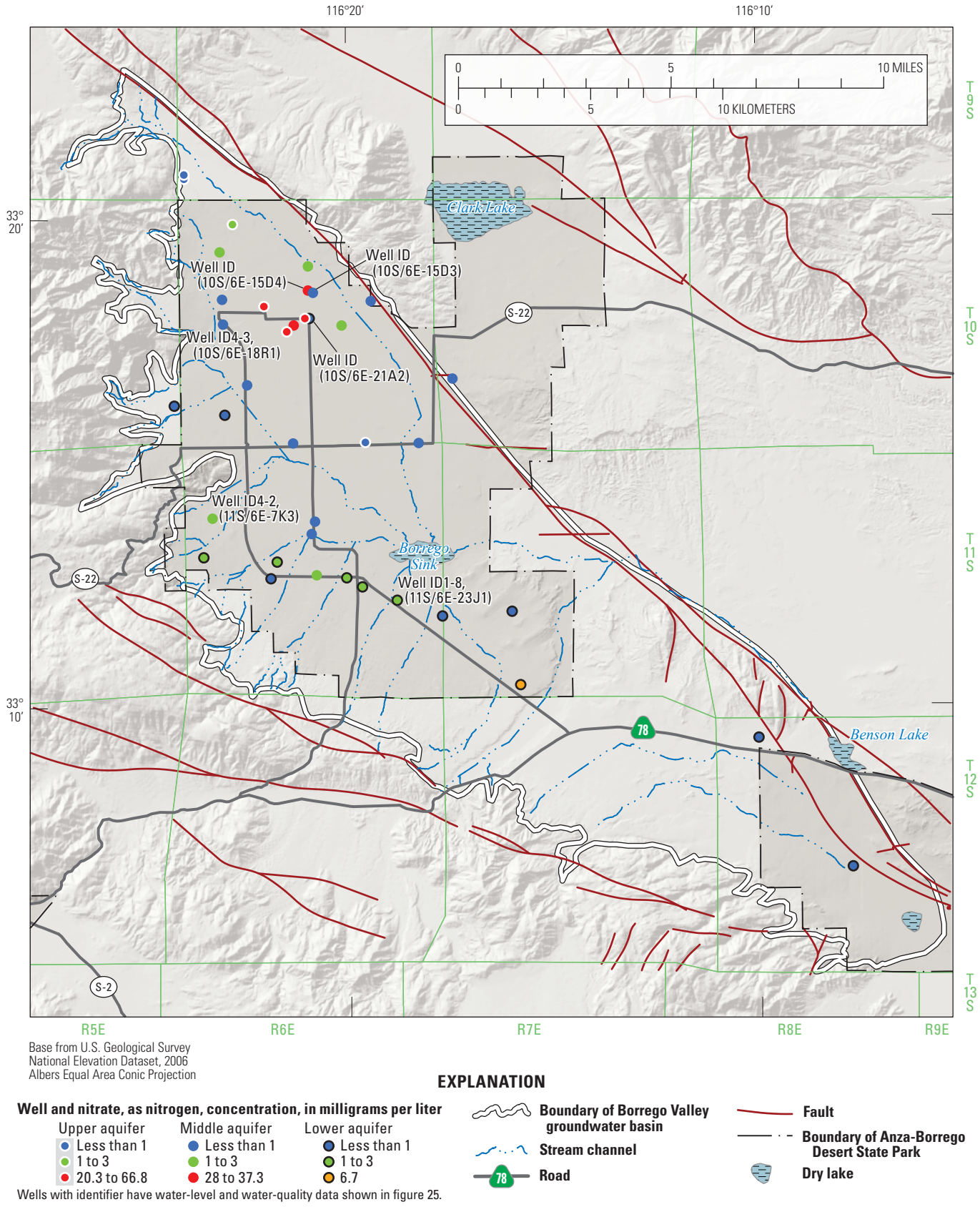


Figure 26. Distribution of nitrate as nitrogen concentrations in the upper, middle, and lower aquifers, Borrego Valley, California, for the most recent sample.

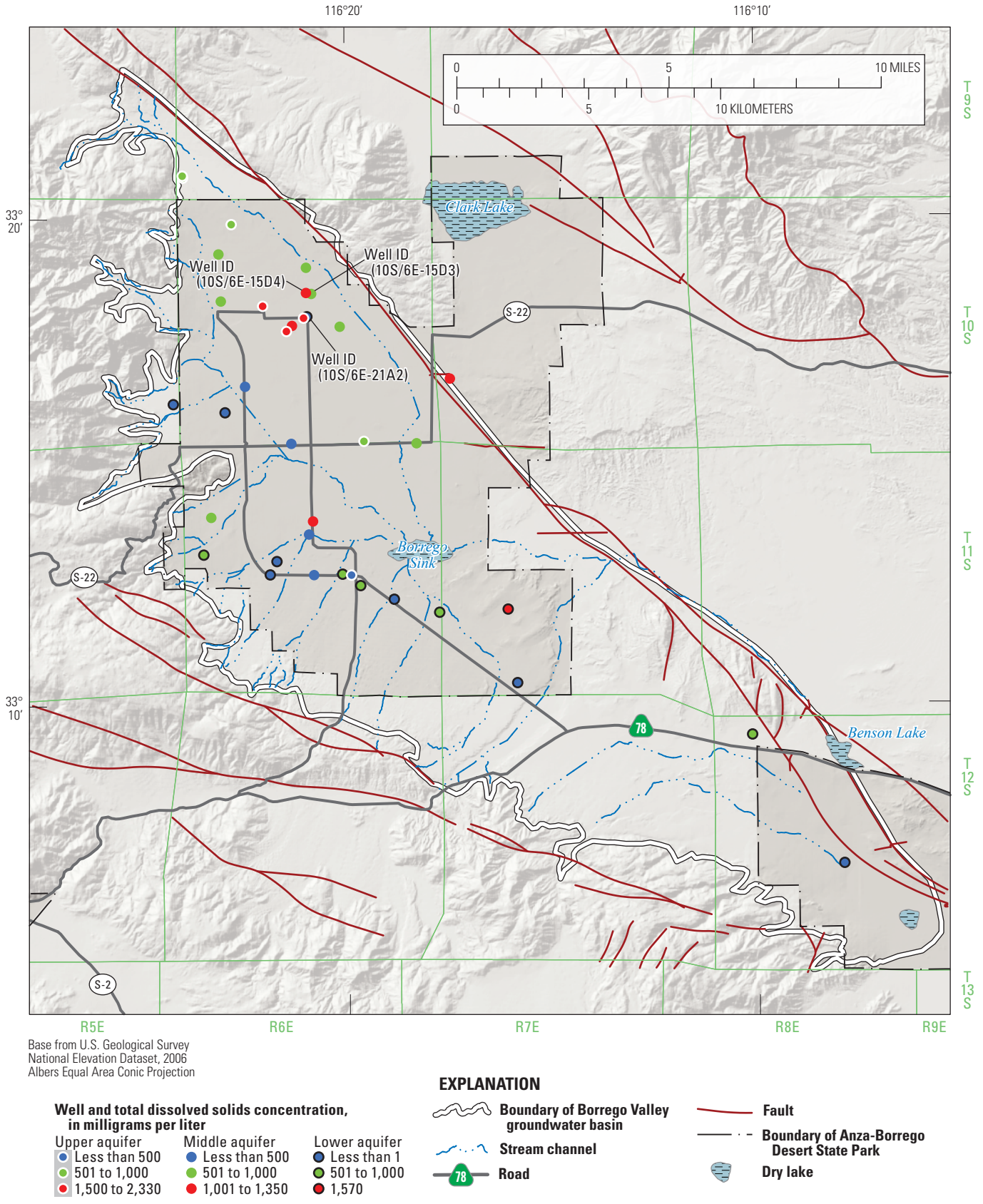
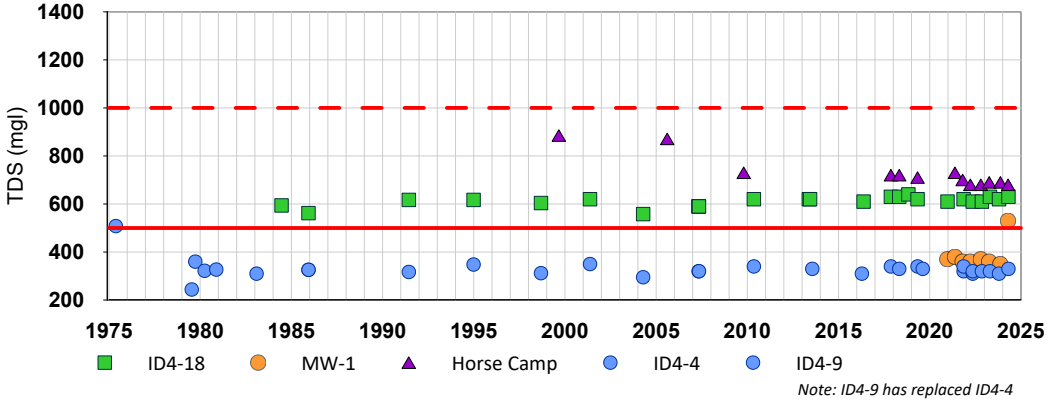


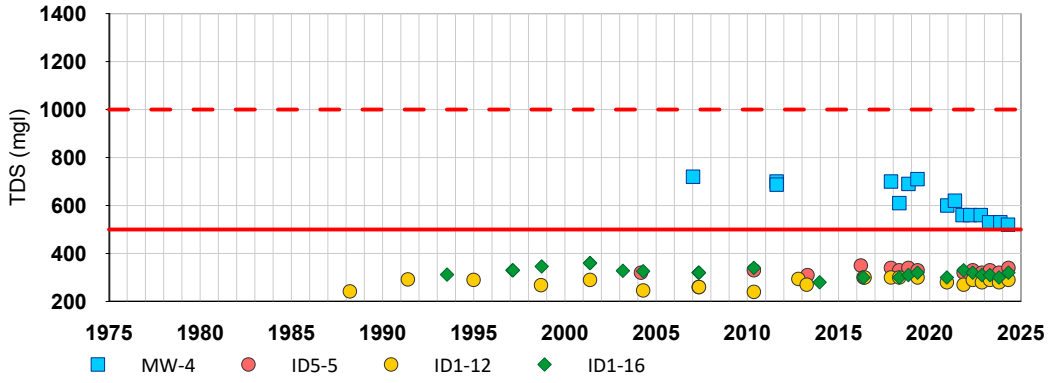
Figure 27. Distribution of total dissolved solids concentrations in the upper, middle, and lower aquifers, Borrego Valley, California.

North Management Area

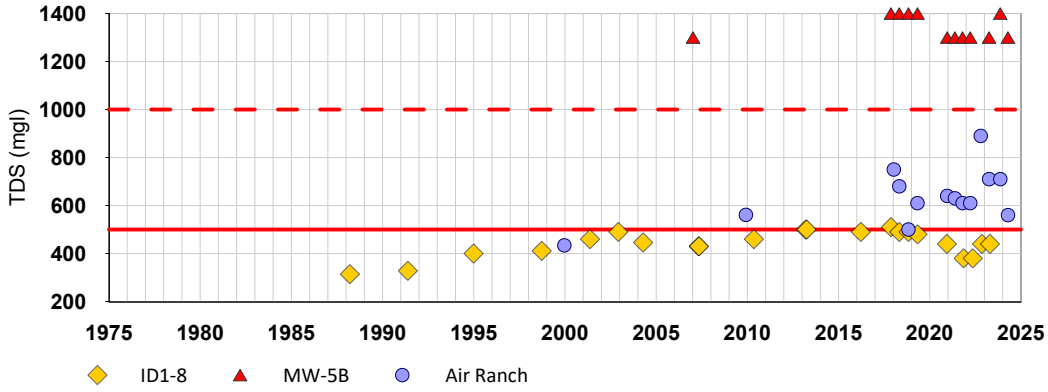


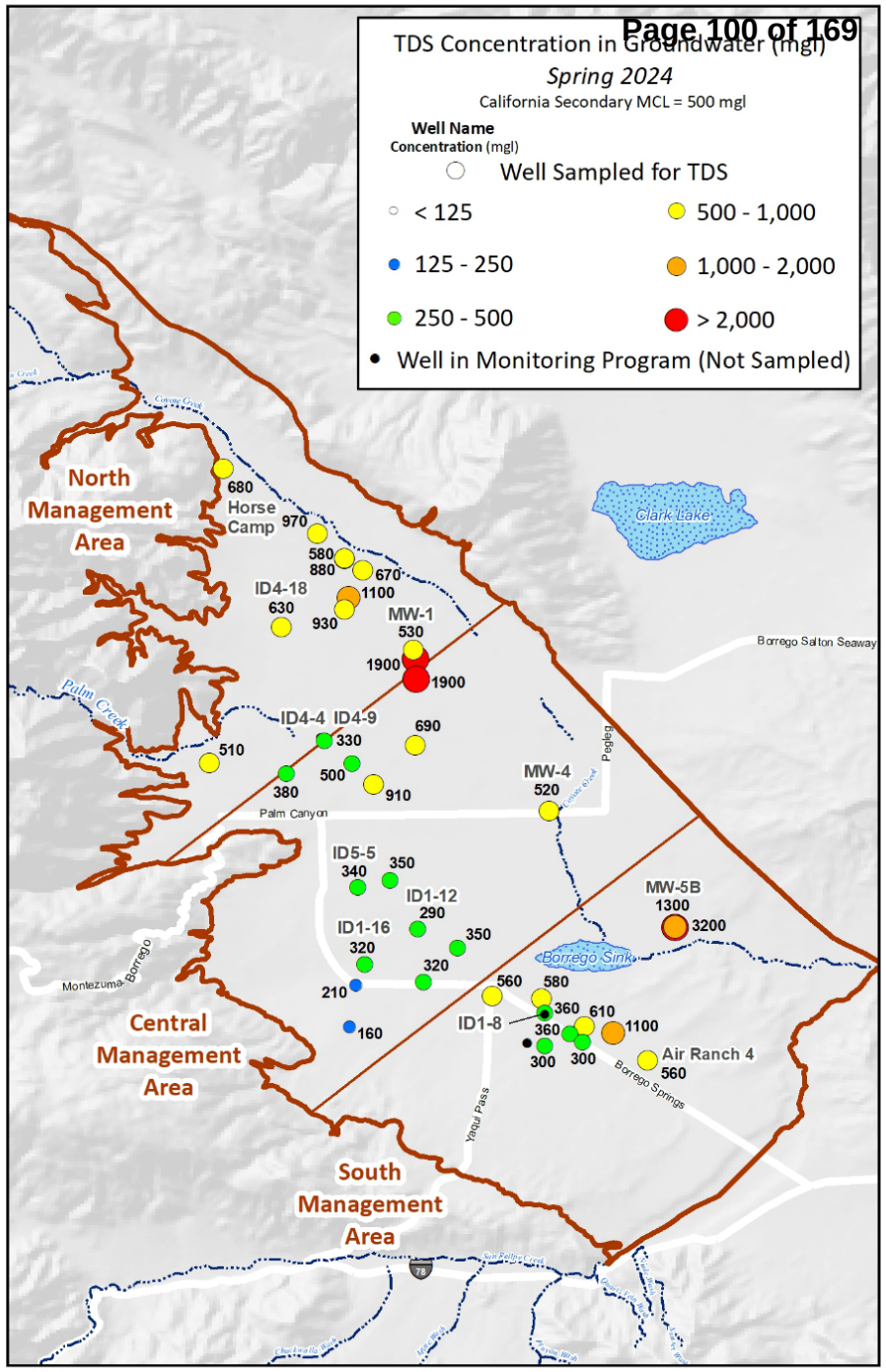
Note: ID4-9 has replaced ID4-4

Central Management Area



South Management Area





Wells by Principal Aquifer

- △ Upper
- ◊ Lower
- □ Upper and Middle
- ◇ Upper, Middle, and Lower
- ○ Middle and Lower

Maximum Contaminant Level

- Upper Secondary MCL
- Recommended Secondary MCL

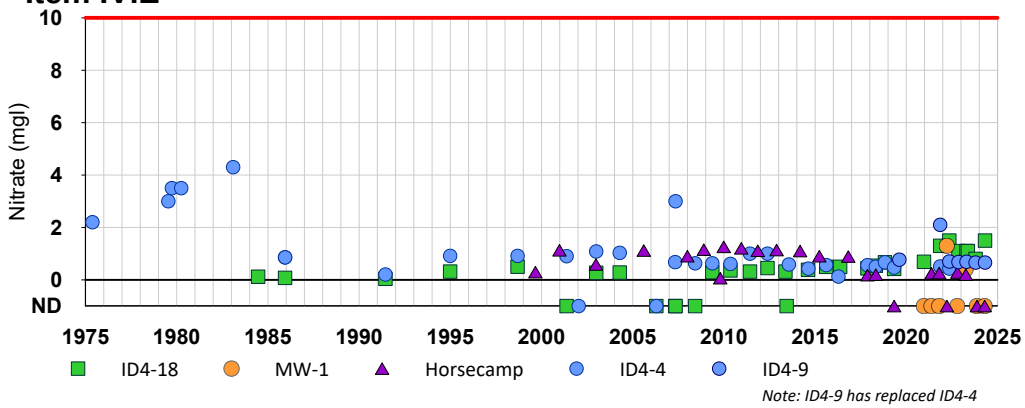
WEST YOST
Water. Engineered.

Author: CK
Date: 20241111
File: TDS

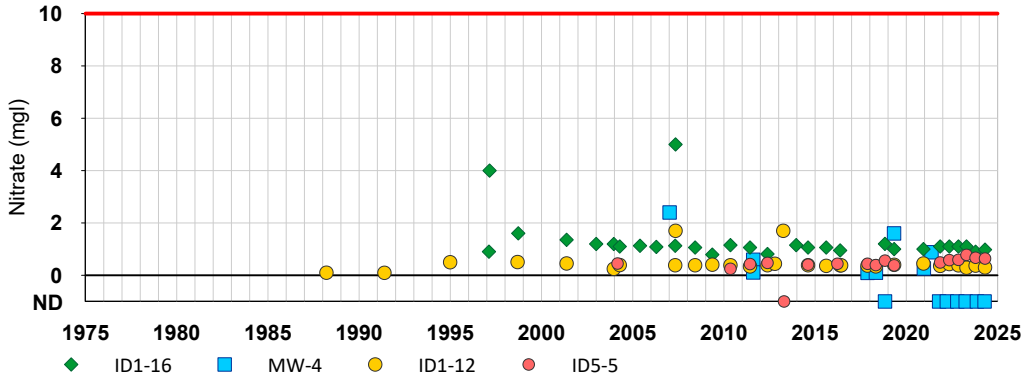
Figure 19

Total Dissolved Solids (TDS) in Groundwater

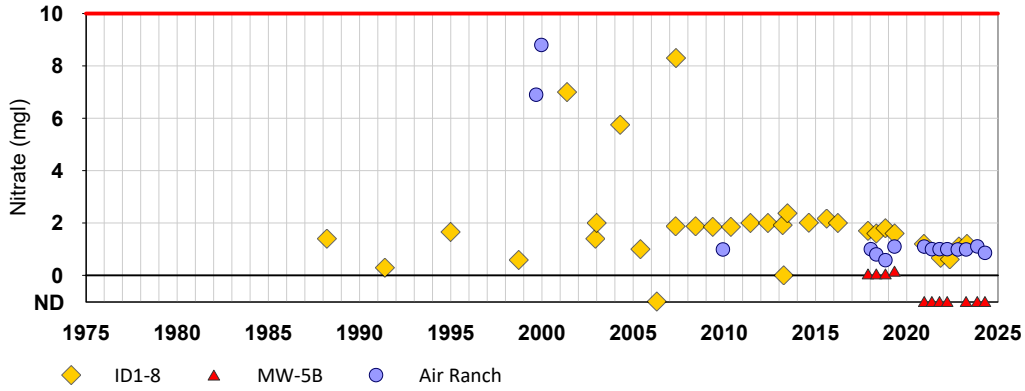
North Management Area

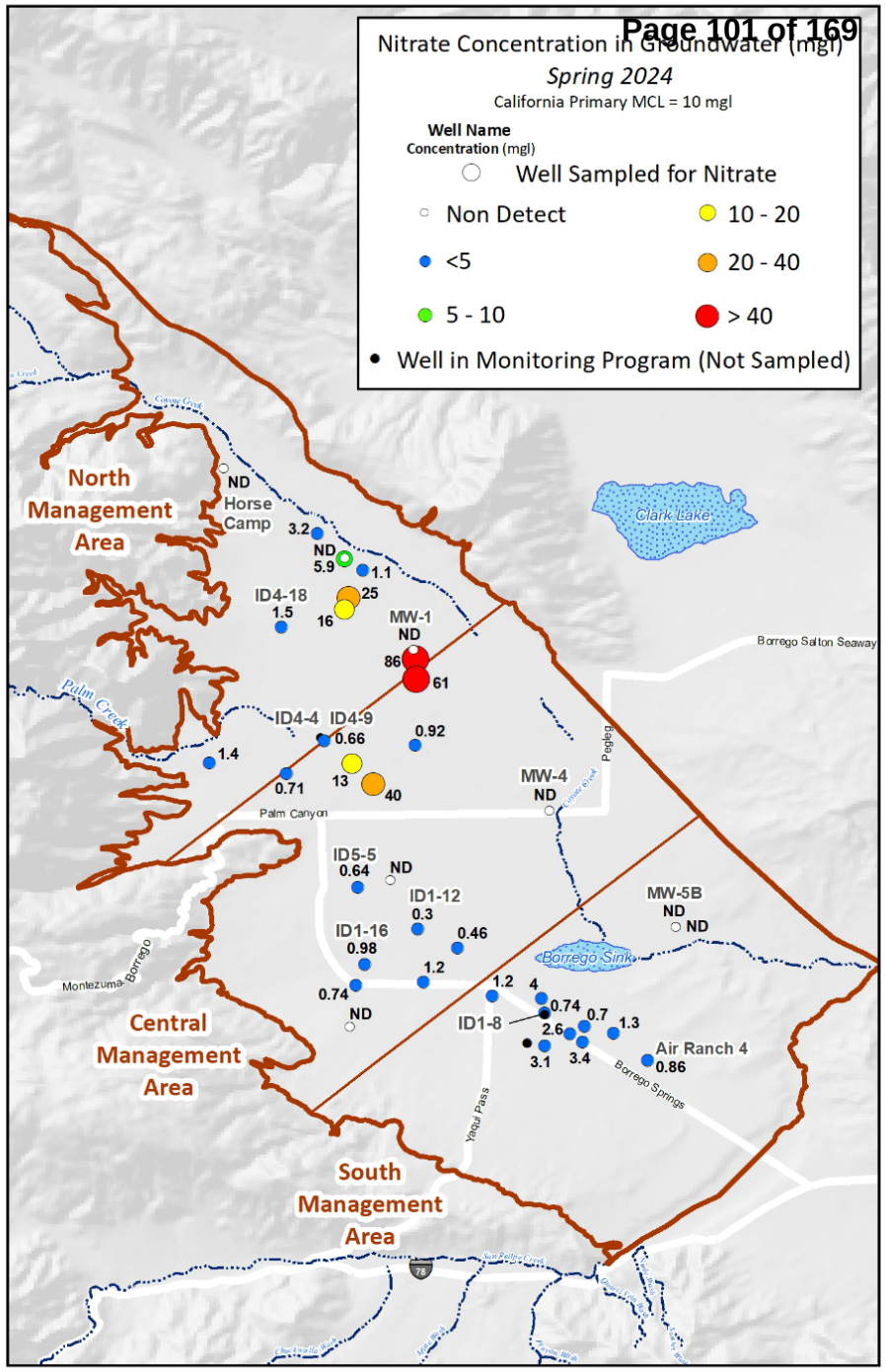


Central Management Area



South Management Area





Wells by Principal Aquifer

- △ Upper
- ◊ Lower
- □ Upper and Middle
- ◇ Upper, Middle, and Lower
- ○ Middle and Lower

Maximum Contaminant Level

- Primary MCL

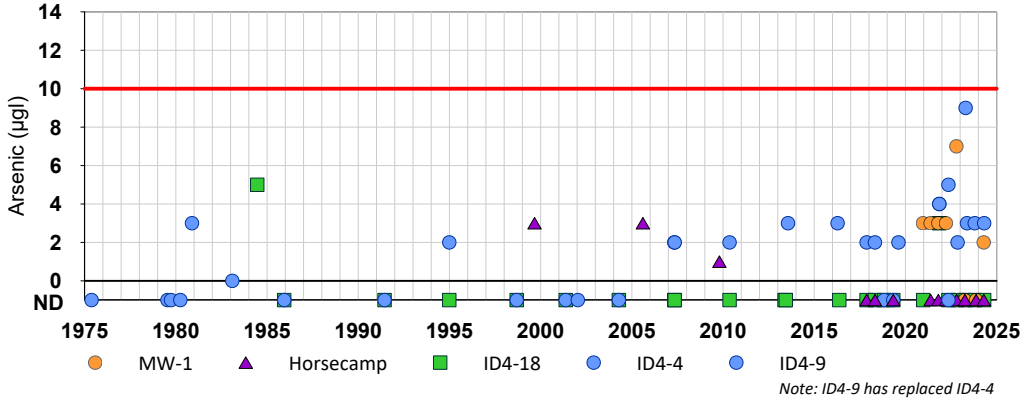
WEST YOST
Water. Engineered.

Author: CK
Date: 20241111
File: Nitrate

Figure 20

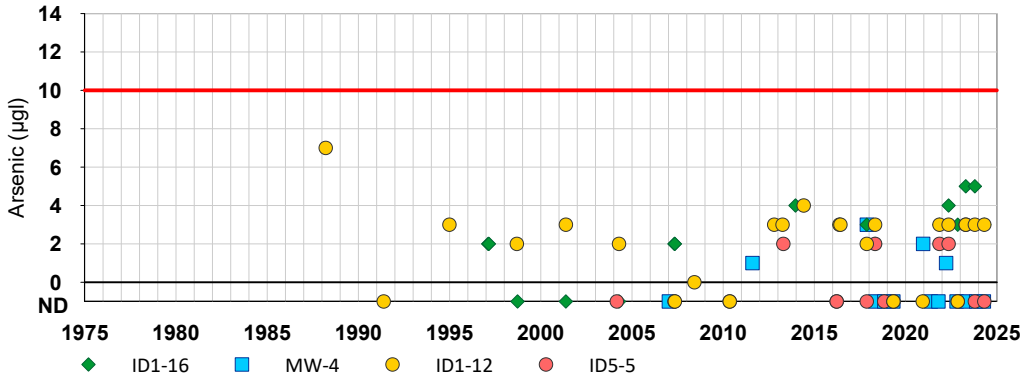
Nitrate (as Nitrogen) in Groundwater

North Management Area

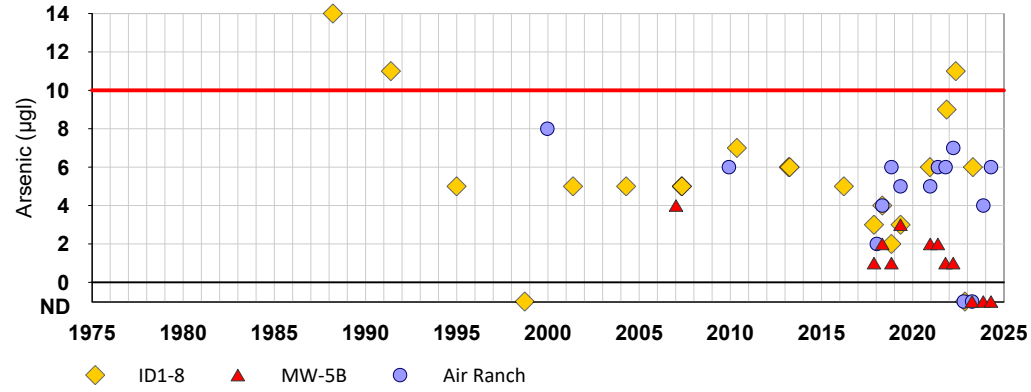


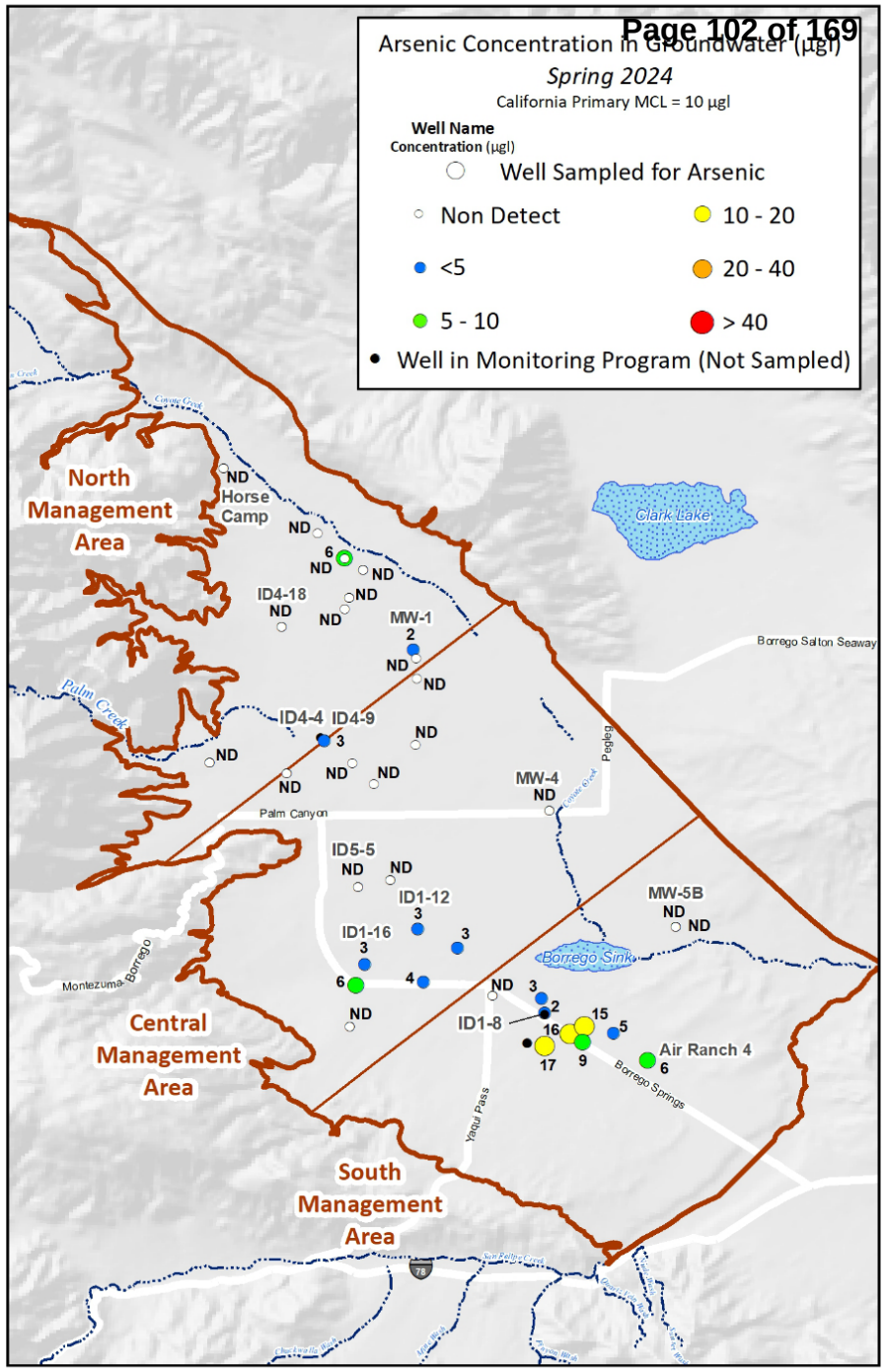
Note: ID4-9 has replaced ID4-4

Central Management Area



South Management Area





Wells by Principal Aquifer

- △ Upper
- ◊ Lower
- □ Upper and Middle
- ◇ Upper, Middle, and Lower
- ○ Middle and Lower

Maximum Contaminant Level

- Primary MCL

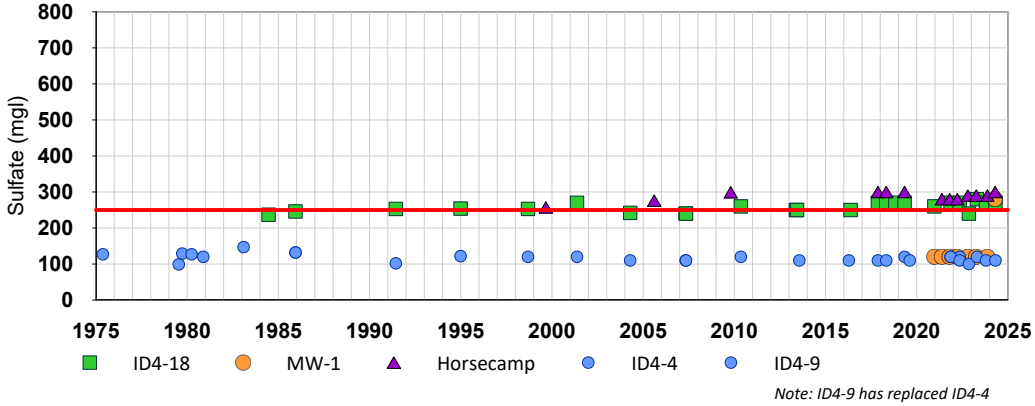
WEST YOST
Water. Engineered.

Author: CK
Date: 20241111
File: Arsenic

Figure 21

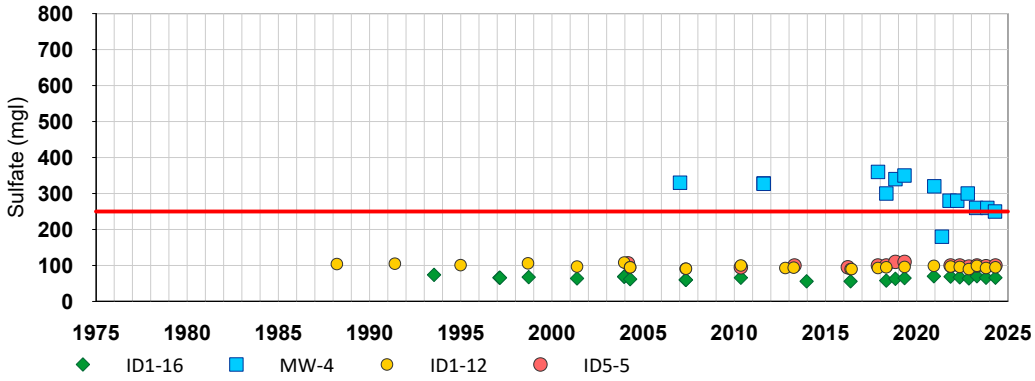
Arsenic in Groundwater

North Management Area

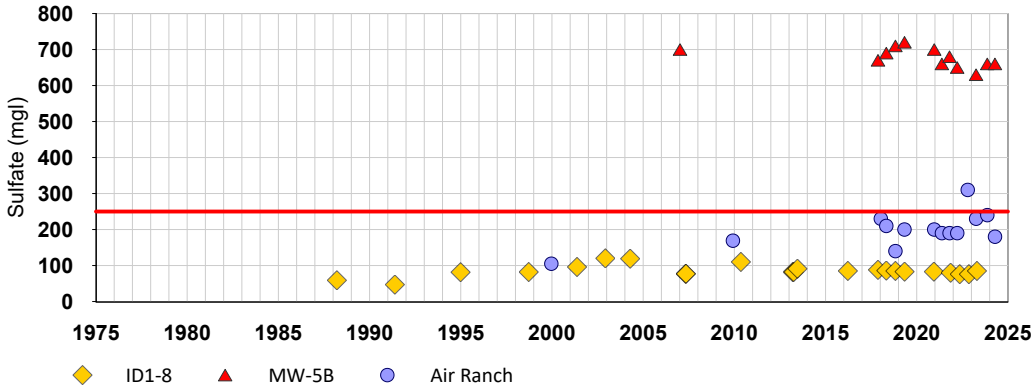


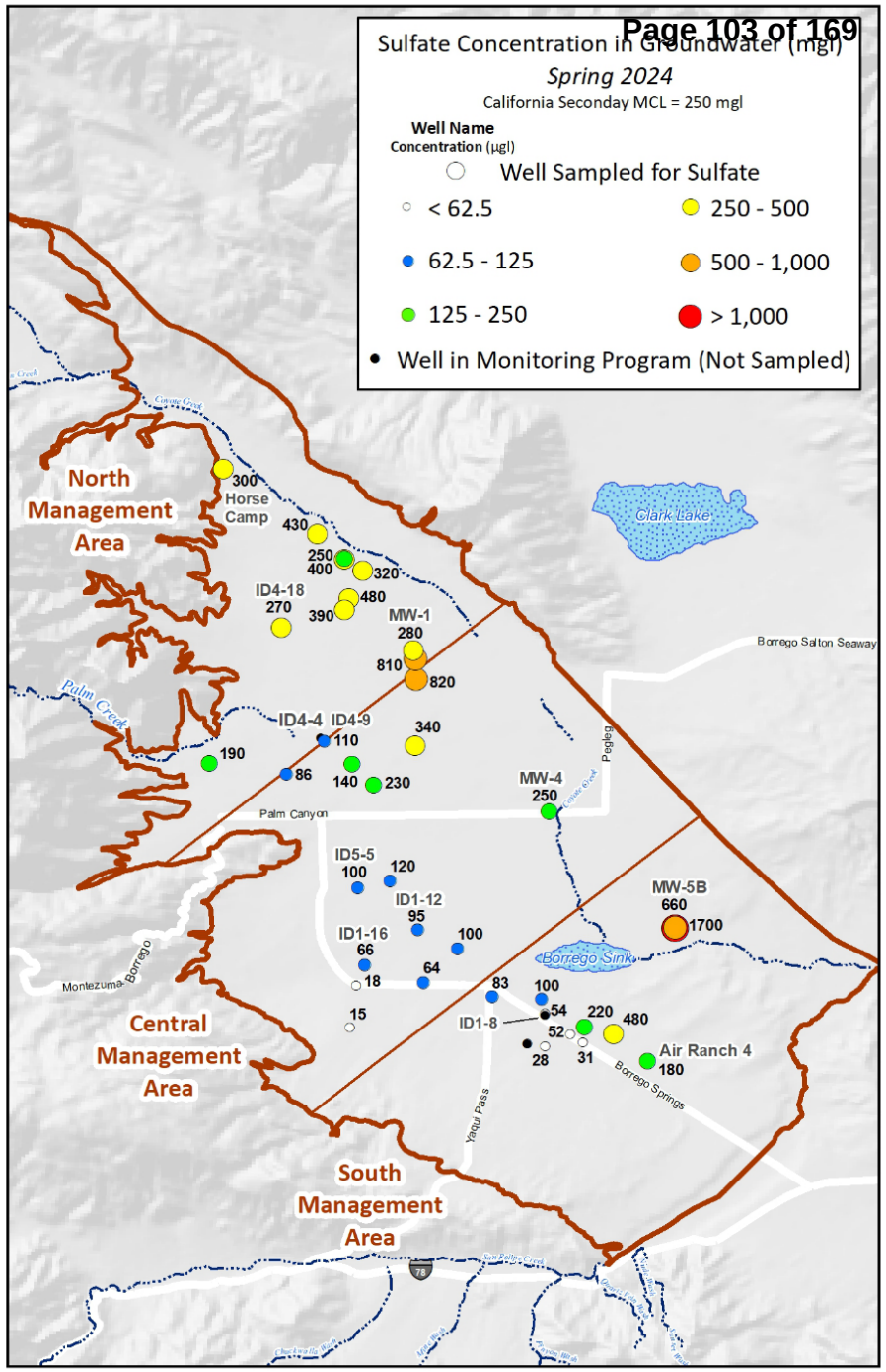
Note: ID4-9 has replaced ID4-4

Central Management Area



South Management Area





Wells by Principal Aquifer

- △ Upper
- ◊ Lower
- □ Upper and Middle
- ◇ Upper, Middle, and Lower
- ○ Middle and Lower

Maximum Contaminant Level

- Secondary MCL

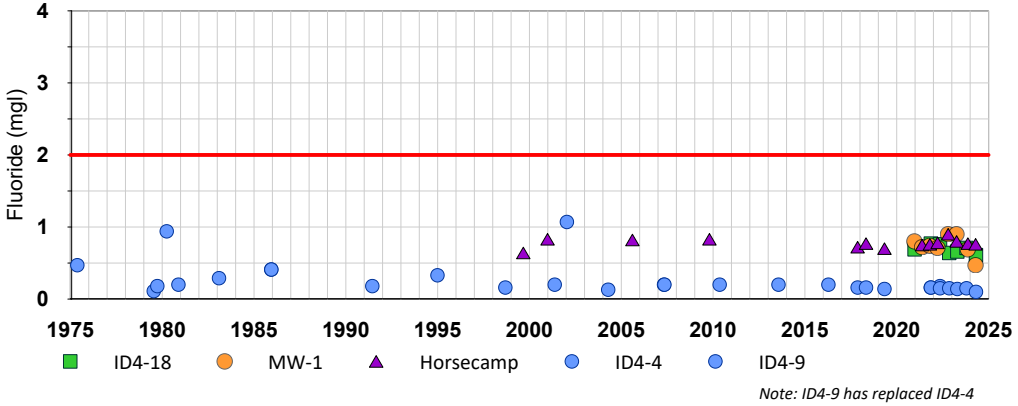
WEST YOST
Water. Engineered.

Author: CK
Date: 20241111
File: Sulfate

Figure 22

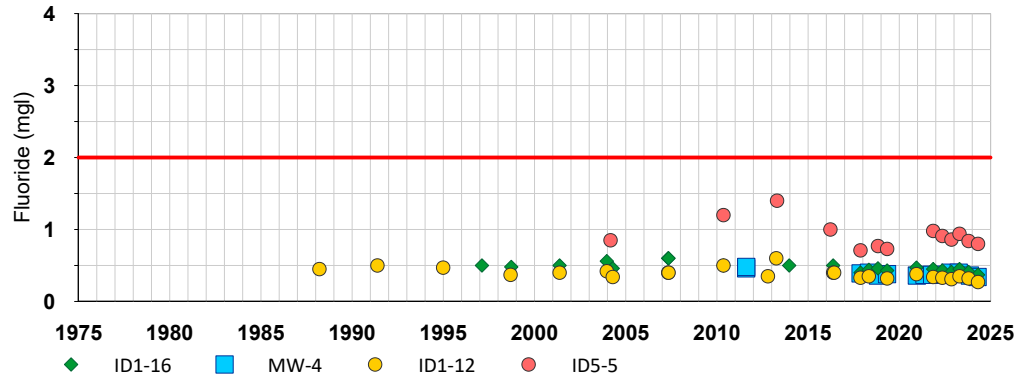
Sulfate in Groundwater

North Management Area

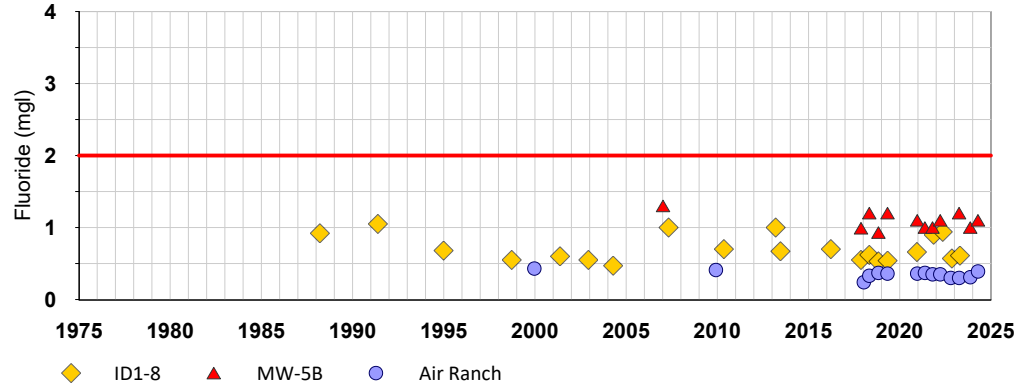


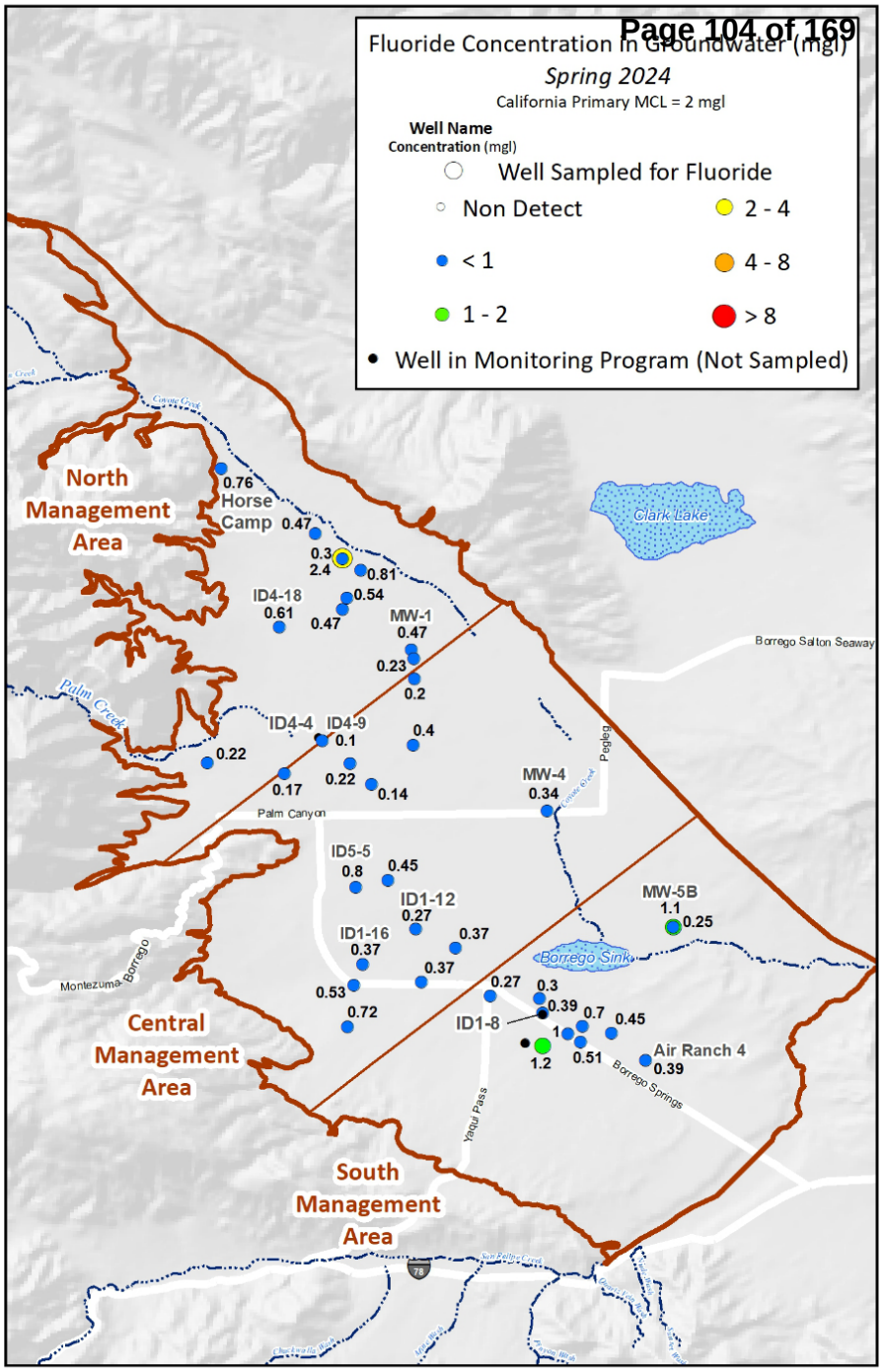
Note: ID4-9 has replaced ID4-4

Central Management Area



South Management Area





Wells by Principal Aquifer

- △ Upper
- ◊ Lower
- □ Upper and Middle
- ◇ Upper, Middle, and Lower
- ○ Middle and Lower

Maximum Contaminant Level

- Primary MCL

WEST YOST
Water. Engineered.

Author: CK
Date: 20241111
File: Fluoride

Figure 23

Fluoride in Groundwater

RICHARDS, WATSON & GERSHON
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Facsimile: 213.626.0078

Attorneys for
BORREGO SPRINGS WATERMASTER

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ORANGE

BORREGO WATER DISTRICT,

Plaintiff,

v.

ALL PERSONS AND LEGAL ENTITIES WHO CLAIM A RIGHT TO EXTRACT GROUNDWATER FROM THE BORREGO VALLEY GROUNDWATER SUBBASIN NO. 7.024-01 WHETHER BASED ON APPROPRIATION, OVERLYING RIGHT, AND/OR WHO CLAIM A RIGHT TO THE USE OF STORAGE SPACE IN THE SUBBASIN; AGRI-EMPIRE,

Defendants.

Case No. 37-2020-00005776

JOINT STATUS CONFERENCE STATEMENT OF BORREGO SPRINGS WATERMASTER

Judge: Hon. Melissa R. McCormick
Dept: CX104

Date: August 21, 2025
Time: 9:00 a.m.

Action Filed: January 30, 2020

[Exempt from filing fees pursuant to Govt. Code § 6103]

The Borrego Springs Watermaster ("Watermaster") submits this Joint Status Conference Statement in advance of the upcoming August 21, 2025 Status Conference.

I. THE JUDGMENT AS AN APPROVED SGMA ALTERNATIVE

In 2014, the California Legislature enacted the Sustainable Groundwater Management Act ("SGMA"), Water Code sections 10720 *et. seq*., which requires basins designated as medium- or high-priority by the California Department of Water Resources ("DWR") to be managed under a Groundwater Sustainability Plan ("GSP") designed to reach sustainability no later than 2040. SGMA provides that a judgment, with a management plan, can serve as an alternative ("Alternative") to a GSP. (Wat. Code §§ 10733.6; 10737.4.) The Judgment in this action was submitted as an Alternative to DWR on June 25, 2021. On February 25, 2025, DWR approved the Judgment as an Alternative. Attached as Attachment A is a true and correct copy of DWR's February 25, 2025 approval letter ("Approval Letter"), the Statement of Findings, and the Alternative Assessment - Staff Report ("Staff Report").

The Staff Report notes that the "Alternative, which is based on management pursuant to an adjudication action submitted under Water Code Section 10737.4, is the first SGMA alternative of its kind reviewed by Department staff." (Staff Report, p. 7.) The Staff Report further states that "management under the alternative ***is progressing very well and at a rate at least comparable to, if not faster than, other basins where only GSPs are in place***, which may be a result of the compromises and terms in the Stipulated Judgment and regularly scheduled local implementation (Watermaster, Technical Advisory Committee, and Environmental Working Group) and Court meetings." (*Id.* at 30.) Lastly, the Staff Report states that "the enforceable and locally funded management framework it establishes has already accomplished significant milestones, changes, and improvements in Subbasin management and conditions. Management under the Borrego Alternative ***has initiated and implemented management actions with documented beneficial outcomes in this Subbasin faster than some other basins where a GSP has been adopted***." (*Id.* at 3.)

The Staff Report also provides seven Recommended Corrective Actions ("RCAs")

to improve the use of the Judgment and the Groundwater Management Plan ("GMP"), attached as Exhibit 1 to the Judgment, as an Alternative. (Staff Report, pp. 39-41.) DWR recommended that the corrective actions be implemented by June 25, 2026, or it "may lead to the Alternative being determined incomplete or inadequate." (Approval Letter, p. 4.)

During its July 2025 meeting, Watermaster adopted a plan to address each RCA as part of the five-year assessment of the Judgment, which is due to DWR in June 2026. In particular, DWR's RCA No. 7 concerns the role and use of the GMP within the adjudicated management framework. RCA No. 7 states the following:

> "Eliminate inconsistencies or ambiguities between the Stipulated Judgment and GMP, and resolve or clarify the intended role of the GMP in Subbasin management and make appropriate amendments to the GMP and/or Stipulated Judgement (as needed) to clearly and expressing reflect (and enforce) that intent, especially, but not limited to the following issues detailed in Section 6 of this assessment:
>
> a. Application and use of the GMP's sustainable management criteria to calculate the sustainable yield and making management decisions to avoid undesirable results within the Subbasin.
>
> [b,] Reconcile or explain the inconsistencies between the process and factors considered for making the periodic five-year calculations of sustainable yield and those for adjustments to sustainable yield in between the five-year periods.
>
> [c.] Reconsider and clarify the role of the GMP in guiding Watermaster and Court decisions in implementing the Borrego Alternative and managing groundwater in the Subbasin.
>
> [d.] Include in all annual reports and periodic evaluations submitted to the Department a description of Watermaster or court decisions (e.g., sustainable yield calculations, amended or new judgements other orders of consequence, etc.) that impact basin management."

(Staff Report, p. 41.)

Watermaster appointed an Ad Hoc Committee of the Board to develop recommended responses to the RCAs for Board consideration in or about December 2025. To address RCA No. 7, Watermaster directed its staff to seek the input of the attorneys representing Borrego Water District, Rams Hill and AAWARE, who were instrumental in developing the Judgment and the GMP, in determining an appropriate response to RCA No. 7. The Watermaster Board will consider the recommended approaches to address the RCAs, including RCA No. 7, in its five-year assessment.

II. CONTINUING BASIN MANAGEMENT ACTIVITIES

On March 19, 2025, Watermaster held a stakeholder open house; and on April 16, 2025 Watermaster reported on the completion of projects funded by DWR grants, as a subgrantee to the Borrego Water District, under the Proposition 68 Sustainable Groundwater Management Implementation Grant Program totaling $2,738,590. The work performed pursuant to this grant included: (1) planning for biological restoration of fallowed lands; and (2) a comprehensive monitoring, analysis, data management and reporting program to ensure the effective implementation of the pumping rampdown, including filling data gaps identified in the Judgment and the GMP, and performing the required redetermination of the Sustainable Yield pursuant to the Judgment. Additional information concerning this work is available on the Watermaster's website at https://borregospringswatermaster.com/dwr-prop-68-sgm-grant/.

III. PARTY COMMENTS

Watermaster continues to work cooperatively with all parties to administer and enforce the Judgment and manage the Basin and use of groundwater in a manner that can be maintained without causing "Undesirable Results" consistent with SGMA. On August 8, 2025, Watermaster circulated a draft status conference statement to the parties for input of proposed material, and requested comments to be included in the Joint Statement by no later than 10:00 a.m., August 14, 2025.

IV. NEXT STATUS CONFERENCE

The parties request that the next Status Conference be held in six months.

Dated: August 14, 2025

RICHARDS, WATSON & GERSHON
A Professional Corporation
JAMES L. MARKMAN
B. TILDEN KIM
JACOB C. METZ

By: _____
JACOB C. METZ
Attorneys for
BORREGO SPRINGS WATERMASTER

ATTACHMENT A

CALIFORNIA DEPARTMENT OF WATER RESOURCES
SUSTAINABLE GROUNDWATER MANAGEMENT OFFICE
715 P Street, 8th Floor | Sacramento, CA 95814 | P.O. Box 942836 | Sacramento, CA 94236-0001

February 25, 2025

Borrego Springs Watermaster
c/o Samantha Adams
23692 Birtcher Drive
Lake Forest, CA 92630
BorregospringsWM@westyost.com

RE: Borrego Valley–Borrego Springs Subbasin [No. 7.024-01] - Assessment of Alternative Groundwater Sustainability Plan

Dear Samantha Adams,

The Department of Water Resources (Department) has evaluated the alternative to a groundwater sustainability plan (Alternative or Plan) submitted for the Borrego Valley – Borrego Springs Subbasin [No. 7.024-01] and has determined the Alternative is approved. The approval is based on recommendations from the Staff Assessment, included here as an exhibit to the attached Statement of Findings, which describes that the Subbasin Alternative satisfies the objectives of the Sustainable Groundwater Management Act (SGMA) and substantially complies with the Groundwater Sustainability Plan (GSP) Regulations. The Staff Assessment also proposes recommended corrective actions that will enhance the Plan and facilitate future evaluation by the Department. The Department strongly encourages the recommended corrective actions be given due consideration and suggests incorporating all resulting changes to the Plan in future updates.

The Alternative is the first approved under Water Code section 10733.6(b)(2), which authorizes SGMA compliance via “management pursuant to an adjudication action.” Accordingly, as required by Water Code section 10737.6, the Department intends to promptly submit its assessment to the court with jurisdiction over the adjudication action for further consideration. The Department recognizes that addressing its recommended corrective actions may entail additional procedures before the court or Watermaster. If you believe it would be helpful, please reach out to discuss ways the Department may be able to further assist in any such efforts.

Recognizing SGMA sets a long-term horizon for groundwater sustainability agencies (GSAs) or the managers of SGMA alternatives to achieve their basin sustainability goals, monitoring progress is fundamental for successful implementation. SGMA requires alternatives be resubmitted to the Department every five years. (Wat. Code 10733.6(c).) Accordingly, like GSPs, approved Alternatives must be evaluated at least every five years and whenever they are amended, and a written local assessment must be submitted to the Department. The Department will evaluate approved Alternatives

and issue an assessment at least every five years. The Department will initiate the first periodic review of the Borrego Valley – Borrego Springs Subbasin Alternative no later than June 25, 2026.

Please contact Department Sustainable Groundwater Management staff by emailing sgmps@water.ca.gov if you have any questions related to the Department's assessment or implementation of your Plan.

Thank You,

Paul Gosselin

Paul Gosselin
Deputy Director
Sustainable Groundwater Management

Attachment:

1. Statement of Findings Regarding the Approval Ofthe Borrego Spring Alternative

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES

STATEMENT OF FINDINGS REGARDING THE APPROVAL OFTHE BORREGO SPRING ALTERNATIVE

The Department of Water Resources (Department) is required to evaluate and assess whether submitted alternatives to groundwater sustainability plans satisfy the objectives of the Sustainable Groundwater Management Act (SGMA) (Water Code Section 10733.6). This Statement of Findings explains the Department's decision regarding the alternative (Alternative) submitted by the Borrego Water District and Borrego Springs Watermaster (Watermaster) for the Borrego Valley – Borrego Springs Subbasin (Basin No. 7-024.01) under Water Code Section 10737.4(a)(1) as "management pursuant to an adjudication action," a category of SGMA alternative authorized by Water Code Section 10733.6(b)(2).

The Department has reviewed the Department staff report, entitled Sustainable Groundwater Management Program Alternative Assessment Staff Report – Borrego Springs (Staff Report), attached as Exhibit A, recommending approval of the Alternative. Based on its review of the Staff Report, the Department is satisfied that staff have conducted a thorough evaluation and assessment of the Alternative and concurs with staff's recommendation and all the recommended corrective actions, and thus hereby approves the Alternative on the following grounds:

1. The Alternative was submitted on June 25, 2021. Water Code Section 10737.4 states that a judgment, like the alternative here, may be submitted for evaluation after January 1, 2017. Therefore, the Alternative was submitted in a timely manner. (23 CCR Section 358.2(b)).

2. The Alternative is within a subbasin that is in compliance with Part 2.11 (commencing with Water Code Section 10920) as required by Water Code Section 10733.6(d). (23 CCR Section 358.4(a)(2)).

3. The Alternative was submitted by the Borrego Water District and Borrego Springs Watermaster (Watermaster) pursuant to Water Code Sections 10737.4 and 10733.6(b)(2). The Alternative submittal is comprised of information demonstrating that the adjudication submitted as an Alternative is a comprehensive adjudication as defined by Chapter 7 of Title 10 of the code of Civil Procedure (commencing with Section 830) and a Stipulated Judgement, which includes a groundwater management plan (GMP). Thus, the Alternative was submitted in compliance with 23 CCR Section 358.2(c)(2).

4. The Borrego Basin is not being managed pursuant to an adopted GSP and therefore no conflict exists that would prevent the Department's evaluation or approval of the Alternative.

5. The Watermaster submitted an "Alternative Elements Guide" which explains how the elements of the stipulated judgment and management thereunder are functionally equivalent to a groundwater sustainability plan, as required by Articles 5 and 7 of the GSP Regulations, 23 CCR Section 350 et seq.

6. Based on Paragraphs 3 through 5 above, the Alternative is considered complete and includes the information required by SGMA and the GSP Regulations, sufficient to warrant a full evaluation by the Department. (23 CCR Section 358.4(a)(3)).

7. The Alternative applies to and covers the entire subbasin as required by 23 CCR Sections 358.2(a) and 358.4(a)(4), respectively, and as discussed in Section 3.4 of the Staff Report.

8. The Stipulated Judgment provides the Borrego Springs Watermaster with all the powers of a Groundwater Sustainability Agency (Agency) and is binding on all parties and property within the Subbasin. Additionally, the Court has retained continuing jurisdiction to ensure implementation and enforce all requirements. Thus, the Watermaster has the legal authority and financial resources necessary to implement the Alternative. (23 CCR 355.4(b)(9)).

9. The Department has received public comments on the Alternative and has considered them in the evaluation of the Alternative as required by 23 CCR Section 358.2(f).

The Department makes the following additional findings based on the evaluation and assessment of the Alternative prepared by Department staff:

1. The Alternative has demonstrated an understanding of groundwater conditions in the basin and has acknowledged the basin's historic and ongoing overdraft. By establishing a reasonable plan to reduce and gradually eliminate overdraft, which includes an incremental 20-year process to reduce groundwater extractions, the groundwater management proposed by the Alternative is consistent with SGMA's timeline, which provides up to 20 years of plan implementation for a basin to reach its sustainability goal.

2. The Alternative satisfies the objectives of SGMA even though it is a final judgment in a comprehensive adjudication and does not follow or include the precise organization or elements of a groundwater sustainability plan prescribed in SGMA and the GSP Regulations. The Alternative includes a groundwater management plan (GMP), which is described as being intended to guide groundwater management in the Basin. Under the Stipulated Judgment, the Court retains

discretion to direct the Watermaster to manage the basin in ways not described in the Plan. If the Court orders changes to that Plan's description of basin management efforts and processes, those changes should be identified and discussed in annual reports or periodic updates, as appropriate.

3. In light of Paragraphs 1-11 above, the Alternative satisfies the objectives of SGMA.

In addition to the grounds listed above, the Department also finds that:

1. The Department developed its GSP Regulations consistent with and intending to further the State's human right to water policy through implementation of SGMA and the GSP Regulations, primarily by achieving sustainable groundwater management in a basin. By ensuring substantial compliance with the GSP Regulations, the Department has considered the state policy regarding the human right to water in its evaluation of the Alternative (Water Code Section 106.3; 23 CCR Section 350.4(g)).

2. The California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000 et seq.) does not apply to the Department's evaluation, assessment, and approval of the Alternative. It is clear that there is no potential for the Department's approval to cause environmental effects and therefore no possibility of causing any significant effects on the environment. The Department's evaluation, assessment, and approval of the Alternative is also statutorily and categorically exempt from CEQA.

Accordingly, the Alternative submitted by the Agency for the Borrego Valley – Borrego Springs Subbasin is hereby **APPROVED**. The recommended corrective actions identified in the attached Staff Assessment will assist the Department's future review of the Alternative's implementation for consistency with SGMA, and the Department, therefore, recommends the Agency address them in the next Periodic Evaluation, which is set to be submitted on June 25, 2026, as required by Water Code Section 10733.6(c). Department staff will continue to monitor and evaluate the progress toward achieving the basin's sustainability goal through continued Annual Reporting and future revisions to the Alternative. Failure to address the Department's recommended corrective actions before future, subsequent Alternative evaluations, may lead to the Alternative being determined incomplete or inadequate.

Signed:

Karla Nemeth

Karla Nemeth, Director
Date: February 25, 2025

Exhibit A: Staff Assessment, Sustainable Groundwater Management Program Alternative Assessment Staff Report – Borrego Valley – Borrego Springs Subbasin

State of California
Department of Water Resources
Sustainable Groundwater Management Program
Alternative Assessment – Staff Report

Groundwater Basin Name:	Borrego Valley – Borrego Springs Subbasin (Basin No. 7-024.01
Submitting Agency:	Borrego Springs Watermaster
Recommendation:	Approve
Date:	February 25, 2025

This Alternative Assessment – Staff Report includes seven sections:

1 SUMMARY

The Borrego Springs Watermaster (Watermaster)[1] on June 25, 2021, submitted to the Department of Water Resources (Department or DWR) a court-entered judgment (Stipulated Judgment) in the comprehensive adjudication (pursuant to Code of Civil Procedure Section 850) of the Borrego Springs Subbasin of the Borrego Valley Groundwater Basin for evaluation and assessment as a Sustainable Groundwater Management Act (SGMA) alternative under Water Code Section 10737.4.[2] The Department posted this submission on the Alternatives webpage of its SGMA Portal,[3] opened a public comment period, and began evaluating the alternative submittal.

[1] In this document, the Department of Water Resources (Department or DWR) will use the acronyms or short identifiers that are used in the Stipulated Judgment.
[2] Water Code § 10720 *et seq*.
[3] https://sgma.water.ca.gov/portal/alternative/print/39

Based on its review, Department staff have determined that the alternative submittal (hereafter referred to as the Borrego Alternative) for the Borrego Springs Subbasin (hereafter referred to as Subbasin or Basin) demonstrates, at this time, a reasonable overall understanding of groundwater conditions in the Subbasin, reasonably quantifies and mitigates overdraft, and proposes a commensurate level of management actions, primarily through permanently reducing and limiting groundwater extractions, to satisfy the objectives of SGMA as identified in applicable statutes and the Department's Groundwater Sustainability Plan Regulations (GSP Regulations).[4]

Department staff note that the Borrego Alternative, largely owing to the fact that it is a final judgment in a comprehensive adjudication, does not follow the precise organization or include the identical elements as a groundwater sustainability plan (GSP). However, differences between the elements of the Borrego Alternative and the generally required elements of a GSP, as prescribed in the GSP Regulations, do not preclude the Department from determining that the existing water management regime established by the Stipulated Judgment satisfies the objectives of SGMA. In fact, the Borrego Alternative includes a groundwater management plan (GMP) as an attached exhibit (Exhibit 1) to the Stipulated Judgment, which is intended to play a role in Subbasin management.[5] However, unlike a GSP, which defines the scope of groundwater management for a basin, in the Stipulated Judgement the Court retains discretion to direct the Watermaster to manage the basin in ways not described in the Plan. Although the Department does not expect this to result in management actions that significantly depart from those described in the Plan, the views expressed in this report are limited to technical information and the projects and management actions included and as described in the Plan. As discussed below, if the Court orders changes to that Plan's description of basin management efforts and processes, those changes should be identified and discussed in annual reports or periodic updates, as appropriate.

Department staff have reviewed the GMP and have recommendations specific to the GMP to more closely align basin management with the requirements of SGMA and the GSP Regulations. A critical component of managing this Subbasin under the Borrego Alternative is reducing pumping to eliminate overdraft, but sustainable groundwater management under SGMA requires consideration of more than the elimination of overdraft over a set period of time. Accordingly, staff's recommended corrective actions are geared towards broadening the focus of management under the Borrego Alternative to encompass quantified definitions of sustainability that will allow for better management and monitoring of progress towards achieving sustainability as defined by SGMA.

Department staff do not believe that the deficiencies described in this Report should preclude approval of the Borrego Alternative at this time. As documented throughout this

[4] 23 CCR § 350 *et seq*.
[5] *Draft Final Groundwater Management Plan for the Borrego Springs Groundwater Subbasin* (January 2020). The GMP is attached as Exhibit 1 in the Stipulated Judgment, pp. 54-1652.

assessment, the Borrego Alternative represents a substantial, locally driven, technical, legal, and policy effort. The enforceable and locally funded management framework it establishes has already accomplished significant milestones, changes, and improvements in Subbasin management and conditions. Management under the Borrego Alternative has initiated and implemented management actions with documented beneficial outcomes in this Subbasin faster than some other basins where a GSP has been adopted. Accordingly, Department staff believe approval, while requiring and allowing time for further refinements and improvements in basin management (as recommended in this staff report), is warranted at this time to support continued implementation of the Borrego Alternative. Department staff will have further opportunities to evaluate management under this alternative, including when it is resubmitted to comply with SGMA's five-year resubmission requirement for alternatives.[6]

In sum, staff recommend that the Department **APPROVE** the Borrego Alternative and require implementation of the recommended corrective actions by June 25, 2026.

2 ALTERNATIVE MATERIALS SUBMITTED

The Borrego Alternative was submitted to the Department by the Watermaster, the local management entity established in the comprehensive adjudication of the Borrego Springs Subbasin of the Borrego Valley Groundwater Basin.[7] The Watermaster uploaded multiple documents to the Department's SGMA Portal as part of its submission, including a "Judgment Findings and Order" signed and filed by the Orange County Superior Court (Hon. Peter J. Wilson) on April 8, 2021,[8] and a Stipulated Judgment (also file stamped April 8, 2021) with the following nine exhibits, which can be accessed on the SGMA Portal and are collectively referred to in this staff report as the "Alternative" or "Judgment" or "Borrego Alternative":

- Exhibit 1: Groundwater Management Plan (referred to herein as the "GMP")
- Exhibit 2: Stipulation for Judgment (dated April 8, 2021)
- Exhibit 3: Minimum Fallowing Standards
- Exhibit 4: Baseline Pumping Allocations
- Exhibit 5: Rules and Regulations
- Exhibit 6: Declaration of Covenants, Conditions & Restrictions
- Exhibit 7: Process for Selecting Watermaster Representatives

[6] Water Code §§ 10733.6(c), 10733.8; 23 CCR § 358.2(b).
[7] County of Orange Superior Court Case No. 37-2020-00005776-CU-TT-CTL.
[8] County of Orange Superior Court Case No. 37-2020-00005776-CU-TT-CTL.

- Exhibit 8: Entry Permit
- Exhibit 9: Facility Standards for Mutual Water Companies Formed After Entry of Judgment

In addition to the materials identified above, the Watermaster also submitted an "Alternative Elements Guide," a document intended to be used as a reference by the Department to facilitate its evaluation by providing descriptions and references explaining how or which parts of the Borrego Alternative satisfy the specific requirements for elements of a GSP established by the Department's GSP Regulations.[9] For this evaluation and assessment, Department staff reviewed and utilized all these submitted materials, other readily available information including annual reports for the Subbasin, and relevant public comments submitted to the Department.

3 REQUIRED CONDITIONS FOR EVALUATION

Before conducting an in-depth evaluation of an alternative, Department staff initially need to determine whether the submittal meets certain minimum conditions. As explained here, the Judgment satisfies these minimum conditions, warranting a thorough evaluation.

3.1 SUBMISSION DEADLINE

Water Code Section 10733.6(c) mandates that an alternative shall be submitted no later than January 1, 2017, and every five years thereafter.[10] The Judgment was submitted after this deadline, but it was submitted pursuant to Water Code Section 10737.4, which states that a judgment, like the alternative here, may be submitted for evaluation after January 1, 2017. Thus, the alternative was timely submitted.

3.2 COMPLIANCE WITH CALIFORNIA STATEWIDE GROUNDWATER ELEVATION MONITORING (CASGEM) PROGRAM

Water Code Section 10733.6(d) requires the Department's alternative assessments to "include an assessment of whether the alternative is within a basin that is in compliance with [CASGEM]." CASGEM is found in Part 2.11 of Division 6 of the Water Code and requires that groundwater elevations in all groundwater basins be regularly and systematically monitored and that groundwater elevation reports be submitted to the Department.[11] If the basin is not in compliance with CASGEM requirements, "the department shall find the alternative does not satisfy the objectives of this part [i.e., SGMA]."[12] Department staff have confirmed that the Subbasin was in compliance with

[9] 23 CCR § 358.2(d).
[10] Pursuant to Water Code § 10722.4(d), a different deadline applies to a basin that has been elevated from low- or very low-priority to high- or medium-priority after January 31, 2015.
[11] Water Code § 10920 et seq.
[12] Water Code § 10733.6(d).

the CASGEM requirements prior to submitting the alternative and have confirmed the Subbasin remains in compliance with CASGEM (through the last reporting deadline).

3.3 COMPLETENESS

The Department fully evaluates an alternative if it generally appears complete (i.e., appears to include the information required by SGMA and the GSP Regulations).[13] The Subbasin's Watermaster submitted an "Alternative Elements Guide" that explains how the elements of the Judgment and management thereunder are functionally equivalent to a GSP. Initial review by Department staff indicated the alternative generally contained the required information, as applicable, sufficient to warrant a full evaluation.

3.4 BASIN COVERAGE

An alternative must cover the entire basin.[14] An alternative that is intended to cover the entire basin may be presumed to do so if the basin is fully contained within the jurisdictional boundaries of the submitting agency.

Here, the Superior Court's April 8, 2021, Judgment Finding and Order (at paragraph 1) expressly includes a finding of fact and law that the comprehensive adjudication covers all claims to groundwater rights in the Borrego Valley Groundwater Subbasin (No. 7.024-01):

> "The proposed stipulated judgment ("Judgment") … shall be the judgment of the Court in this Comprehensive Adjudication and shall be binding on the parties to the comprehensive adjudication and all of their successors in interest, including, but not limited to, their heirs, executors, administrators, assigns, lessees, licensees, agents and employees, all other successors in interest, and all landowners or other persons claiming rights to extract groundwater from the Basin."

Department staff, therefore, conclude that the alternative covers the entire Subbasin.

4 EVALUATION OVERVIEW AND PRINCIPLES

Department staff's evaluation of the Borrego Alternative for adequacy as a SGMA alternative involves application of Water Code Section 10737.4(a), which provides, in part, that:

> "Chapter 11 (commencing with Section 10735) shall not apply to a judgment approved by the court pursuant to Section 850 of the Code of Civil Procedure if both of the following apply:

[13] 23 CCR § 358.4(a)(3)
[14] 23 CCR § 358.4(a)(4)

1. A local agency or a party directed by the court to file the submission submits the judgment to the department for evaluation and assessment pursuant to paragraph (2) of subdivision (b) of Section 10733.6. [and]

2. The department determines that the judgment satisfies the objectives of this part for the basin."

SGMA provides that a local agency "may submit the alternative to the department for evaluation and assessment of whether the alternative satisfies the objectives of this part for the basin."[15] The Legislature identified its objectives in enacting SGMA, the first of which is "[t]o provide for the sustainable management of groundwater basins."[16] The Legislature defined sustainable groundwater management as "the management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results." [17]

The Department's GSP Regulations, specifically Article 9, include additional provisions regarding evaluation of alternatives under SGMA.[18] The GSP Regulations require the Department to evaluate an alternative "in accordance with Sections 355.2, 355.4(b), and Section 355.6, *as applicable*, to determine whether the alternative complies with the objectives of the Act."[19] In evaluating the Borrego Alternative and preparing this assessment, Department staff considered and applied, where applicable, the standards identified in these statutes and regulations with the ultimate purpose being to determine whether the Borrego Alternative satisfies the objectives of SGMA.[20]

An agency or other entity submitting an alternative must explain how the elements of the alternative are "functionally equivalent" to the elements of a GSP required by Articles 5 and 7 of the GSP Regulations and are sufficient to demonstrate the ability of the alternative to achieve the objectives of SGMA. The explanation of how elements of an alternative are functionally equivalent to elements of a GSP furthers the purpose of demonstrating that an alternative satisfies the objectives of SGMA. Alternatives, although required to satisfy the objectives of SGMA, are not necessarily expected to conform to the precise format and content of a GSP. This assessment is thus focused on the ability of the Borrego Alternative to satisfy the objectives of SGMA as demonstrated by information provided by Borrego Springs Watermaster; it is not a determination of the degree to which the Borrego Alternative matches the specific requirements of the GSP Regulations.

When evaluating whether an alternative satisfies the objectives of SGMA and thus is likely to achieve the sustainability goal for the basin, Department staff review the information

[15] Water Code § 10733.6(a).
[16] Water Code § 10720.1.
[17] Water Code Section 10721(v).
[18] 23 CCR § 358 *et seq*.
[19] 23 CCR § 358.4(b) (emphasis added).
[20] 23 CCR § 358.2(d); Water Code § 10733.6(a).

provided by and relied upon by the submitting entity or agency for sufficiency, credibility, and consistency with scientific and engineering professional standards of practice.[21] The Department's review considers whether there is a reasonable relationship between the information provided and the assumptions and conclusions made by the submitting entity or agency, whether sustainable management criteria and projects and management actions described in an alternative are commensurate with the level of understanding of the basin setting, and whether those projects and management actions are feasible and likely to prevent undesirable results.[22] Department staff will recommend that an alternative be approved if staff determine, in light of these factors, that the alternative has achieved or is likely to achieve the sustainability goal for the basin.[23]

Staff assessment of an alternative involves the review of information presented by the submitting agency or entity in its submittal, including models and assumptions, and an evaluation of that information based on scientific reasonableness. The assessment does not require Department staff to recalculate or reevaluate technical information provided in an alternative or to perform their own geologic or engineering analysis of that information. The staff recommendation to approve an alternative does not signify that Department staff, were they to exercise the professional judgment required to develop a plan for the basin, would make the same assumptions and interpretations as those contained in an alternative, but simply that Department staff have determined that the assumptions and interpretations relied upon by the submitting agency are supported by adequate, credible evidence, and are scientifically reasonable.

Finally, the Borrego Alternative, which is based on management pursuant to an adjudication action submitted under Water Code Section 10737.4, is the first SGMA alternative of its kind reviewed by Department staff. Alternatives previously submitted to the Department were either groundwater management plans developed pursuant to Part 2.75 of Division 6 of the Water Code (commencing with Section 10750) or other law authorizing groundwater management, or analyses of basin conditions attempting to demonstrate that a basin was operated within its sustainable yield over a period of at least 10 years.[24] In almost every previous case, the local agency that submitted an alternative also formed a groundwater sustainability agency (GSA), but in no case was an alternative submitted by one entity while a different entity had become an exclusive GSA authorized to implement the provisions of SGMA, which had adopted and submitted a GSP for the same basin, thus no conflict existed that would have prevented Department evaluation of those alternatives.[25] For similar reasons here, because the Borrego Alternative does not substantially impair or otherwise interfere with an existing GSP (none was ever locally

[21] 23 CCR § 351(h).
[22] 23 CCR § 355.4(b)(1), (3), and (5).
[23] 23 CCR § 355.4(b).
[24] Water Code §§ 10733.6(b)(1) and (b)(3).
[25] The Borrego Water District initially submitted a notice of intent to become a GSA for the basin and prepare a GSP, but Borrego Water District later withdrew its notice of intent.

adopted or subsequently submitted to and approved by the Department), evaluation of the Borrego Alternative by the Department is appropriate.[26]

In sum, this staff report evaluates the adequacy of the Judgment to satisfy the objectives of SGMA by serving as an alternative to a GSP for the Subbasin (Water Code 10733.6.). Department staff have also included information, and recommended corrective actions, in this staff report to further assist the Watermaster, Court, and interested parties with the timely achievement of sustainable groundwater management in the Subbasin as required under SGMA.

5 TECHNICAL EVALUATION OF THE GMP

Under the assumption that the *Groundwater Management Plan for the Borrego Springs Subbasin, January 2020* (GMP), included as Exhibit 1 in the Stipulated Judgment, is intended to and will significantly guide the Watermaster's (and Court's) groundwater management decisions during implementation of the Borrego Alternative, this section of the staff report focuses on whether the following elements of the Stipulated Judgment, relying upon the GMP, substantially comply with, and are functionally equivalent to, the requirements for GSPs set forth in the GSP Regulations:[27]

- **Basin Setting**. The description of the Subbasin, including a hydrogeologic conceptual model and water budget in context with the understanding of the current groundwater conditions in the Subbasin.
- **Sustainable Management Criteria**. The criteria proposed to measure and define sustainability in the Subbasin.

[26] Department staff note that for a basin with an approved GSP that becomes subject to a comprehensive adjudication, SGMA states that the court shall not approve entry of judgment in the adjudication action unless the court finds that the judgment will not substantially impair the ability of a GSA, the State Water Resources Control Board, or the Department to comply with SGMA and to achieve sustainable groundwater management. (Water Code § 10737.8) SGMA mandates that "all" basins designated as medium- or high-priority "shall be managed under a groundwater sustainability plan" by certain deadlines now past (Water Code § 10720.7.) Accordingly, a judgment that affects a GSA's ability to implement and manage under its GSP runs the risk of violating section 10737.8, because it may substantially impair the GSA's ability to comply with the mandate of section 10720.7. While any such conflict would require a case-specific analysis, an adjudication judgment that precludes or interferes with achieving the sustainable management criteria established in a GSP by, for instance, attempting to establish higher groundwater extraction amounts, less protective management criteria or thresholds for undesirable results, or empowering an entity other than the GSA to act as watermaster to regulate or authorize groundwater pumping in a basin runs a significant risk of substantially impairing the ability of the GSA to comply with SGMA and therefore violating section 10737.8.. Amendments to the streamlined adjudication statutes that became effective in 2024 contain the same prohibition on adjudication judgments and, importantly, allow a court and parties in an adjudication to seek assistance from, and preparation of a joint report by, the State Water Resources Control Board and the Department assessing this particular issue. (Code of Civil Procedure § 850(b)-(c).)

[27] 23 CCR §§ 355.4(b), 358.2(d).

- **Monitoring Networks**. The proposed means of collecting short-term, seasonal, and long-term data of sufficient quality, frequency, and distribution to characterize and evaluate conditions in the basin to evaluate implementation of the management program.
- **Projects and Management Actions**. The proposed efforts that may be necessary to bring the Subbasin under sustainable groundwater management.

5.1 Basin Setting

The basin setting should contain detailed information about the physical setting and characteristics of a basin to serve, among other things, as the basis for local agencies to develop and assess the need for, and reasonableness of, sustainable management criteria and projects and management actions.[28] This information also provides a foundation to facilitate the Department's review of the management regime presented in a GSP or an alternative.

The Subbasin's GMP, included as Exhibit 1 in the Stipulated Judgment, contains much of the information about the Subbasin required by the GSP Regulations. This includes information about groundwater conditions and hydrogeology, types of land uses, a hydrogeologic conceptual model, past and current water demands, and descriptions of beneficial uses and users of groundwater within the Subbasin. The following four major elements comprising the basin setting are discussed below: the hydrogeologic conceptual model, groundwater and basin conditions, water budget, and management areas.

5.1.1 Hydrogeologic Conceptual Model

The hydrogeologic conceptual model is a non-numerical model of the physical setting, characteristics, and processes that govern groundwater occurrence within a basin. The hydrogeologic conceptual model represents a local agency's understanding of the geology and hydrology of the basin that forms the basis of geologic assumptions used in developing numerical groundwater flow models, such as those that allow for quantification of the water budget.[29]

The GMP includes a hydrogeologic conceptual model that is largely based on technical studies conducted by the U.S. Geological Survey dating from the 1980s to 2015.[30] The Subbasin is described in the GMP as being comprised of continental and lacustrine sediments and divides the water-bearing strata into three units simply termed the upper, middle, and lower aquifers, although they are not confined by regionally extensive aquitards. The hydraulic properties, such as hydraulic conductivity and specific yield of

[28] 23 CCR § 354.12.
[29] 2016 Best Management Practices for the Sustainable Management of Groundwater—Hydrogeologic Conceptual Model (DRAFT); https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Sustainable-Groundwater-Management/Best-Management-Practices-and-Guidance-Documents/Files/BMP-3-Hydrogeologic-Conceptual-Model_ay_19.pdf.
[30] GMP, Section 2.2.1, pp. 131-144.

the sediments, decrease from the upper to the lower aquifer. The upper aquifer is mainly coarser alluvium with a moderate ability to store and produce groundwater. The middle aquifer consists of finer grained sediments that are moderately consolidated and cemented with the ability to produce moderate quantities of water in wells. The lower aquifer consists of partly consolidated continental and lacustrine sediments with a higher portion of fine-grained sediments and yields smaller quantities of water than the upper and middle aquifers.[31]

Department staff consider the hydrogeologic conceptual model presented in the GMP to be reasonable and to have relied on the best available data in depicting the current understanding of the characteristics, distribution, and groundwater conditions of the system of aquifers within the Subbasin. The hydrogeologic conceptual model relies on numerous independent studies and reports, including investigations carried out by the U.S. Geological Survey, and utilizes reasonable methods and assumptions, including reviewing and comparing historical groundwater budget studies in the Subbasin and quantifying historical groundwater overdraft for several time periods.

5.1.2 Groundwater and Basin Conditions

The GMP describes the current and historical groundwater conditions based on groundwater data collected from the established monitoring network and data collected from the 1940s and 1950s. The GMP provides groundwater elevation contour maps for historical conditions and for spring and autumn of 2018, which are used to represent "current" conditions.[32] The historical groundwater elevation contour maps show declining groundwater levels from 1945 to 2010, with pumping depressions evident in data from the western portion of the Subbasin. The GMP acknowledges that human influence on groundwater levels is most pronounced in the northern part of the Subbasin, where the 2018 contour map shows a pumping depression in the general vicinity of the pumping depression in the 2010 map, although the groundwater elevation of the depression in the 2018 contour map is lower.[33]

The GMP estimates that groundwater elevations in the Northern Management Area declined by as much as 133 feet, with an average rate of 2.05 feet per year, between 1953 and 2018. Over the same period, the estimated decline in the Central Management Area was 88 feet, averaging 1.35 feet per year. The Southern Management Area has been pumped to a lesser extent; thus, groundwater elevations have remained relatively stable.[34]

The groundwater in storage in the Subbasin prior to initiation of widespread groundwater extraction was estimated to have been 5.5 million acre-feet. A subsequent investigation estimated the amount of readily available groundwater to be approximately 2.1 million

[31] GMP, Section 2.2.1.3, pp. 140-142.
[32] GMP, Figures 2.2-13A to 2.2-13D, pp. 231-237.
[33] GMP, Section 2.2.2.1, pp. 148-150; Figures 2.2-13A to 2.2-13D, pp. 231-237.
[34] GMP, Section 2.2.2.1, p. 150; Figure 2.2-13E, p. 239.

acre-feet in 1945 and 1.9 million acre-feet in 1980. The Borrego Valley Hydrologic Model (BVHM) estimates the reduction in groundwater in storage from 1980 to 2016 to be 334,293 acre-feet, leaving approximately 1.6 million acre-feet remaining in the aquifers.[35]

The groundwater quality constituents of concern in the Subbasin include total dissolved solids, nitrate, arsenic, sulfate, and fluoride.[36] The GMP describes anthropogenic and natural sources of the constituents of concern. Anthropogenic activities affecting total dissolved solids include agricultural use of irrigation, fertilizers, pesticides, and return flow from septic systems and wastewater treatment. Natural sources of total dissolved solids include interactions of groundwater with minerals that comprise the aquifer material, including evaporative enrichment near dry lake beds such as the Borrego Sink. The historical concentrations of total dissolved solids ranged from 500 to 2,330 mg/L, with 2018 concentrations below the secondary maximum contaminant level upper limit for drinking water in all but two wells. The wells with highest concentrations of total dissolved solids tend to be in the shallow aquifer in the Northern Management Area and near the Borrego Sink.[37]

Sources of nitrate are primarily associated with fertilizer application and septic tank return flows. Historical exceedances of nitrate, ranging from 10-155 mg/L, have occurred in five wells adjacent to areas of agricultural use in the northern part of the valley. Available nitrate data in the current monitoring network show neutral or declining trends of nitrate concentrations or are insufficient to establish a trend. The GMP describes historical wells that were taken out of potable service due to elevated nitrate. Mitigation of the impacted wells included drilling and screening the well in a deeper zone or connecting to municipal well supplies.[38]

Arsenic is naturally occurring and associated with mineral chemistry and pH. Arsenic has been detected in wells in all management areas of the Subbasin, but only some wells in the Southern Management Area are above the maximum contaminant level of 10 µg/L, with a maximum detected concentration of 22 µg/L.[39] Although Figure 2.2-14D appears to show that exceedances of the maximum contaminant level are in wells associated with the Rams Hill Golf Course, the GMP does not explain whether these wells produce potable or non-potable water or the extent of the impacts to beneficial uses and users, if any.

Sulfate sources include natural deposits of gypsum and fertilizers. Sulfate analyses in a 2015 USGS study indicated no wells exceeded the secondary maximum contaminant level for sulfate; historical data show exceedances in some wells near the Borrego Sink,

[35] GMP, Section 2.2.2.2, p. 152.
[36] GMP, Section 2.2.2.4, p. 153; Groundwater Monitoring Plan for the Borrego Springs Subbasin, Section 3.1, p. 18.
[37] GMP, Section 2.2.2.4, pp. 154-156; Figure 2.2-14B, p. 245.
[38] GMP, Section 2.2.2.4, pp. 154-155; Figure 2.2-14A, p. 243.
[39] GMP, Section 2.2.2.4, pp. 157-158; Figure 2.2-14D, p. 249.

ranging from 650-2,300 mg/L. The GMP correlates elevated sulfate concentrations with elevated total dissolved solids concentrations near the Borrego Sink. Two wells, RH-1 and ID1-8, appear to show increasing trends.[40]

Fluoride is a naturally occurring element in groundwater and has historically been detected in three wells above the maximum contaminant level of 2 mg/L. The fluoride concentration exceedances ranged from 2.2-4.87 mg/L. However, typical fluoride concentrations in the Subbasin are below one-half of the maximum contaminant level. No figure was provided showing the wells analyzed for fluoride.[41]

The GMP discusses land subsidence evaluation using data between 1978 and 2009. The investigation included analyzing data measured by interferometric synthetic aperture radar (InSAR) and global positioning system stations that concluded changes of land surface elevation of fewer than 0.54 feet. The investigation identified a consistent and seasonal pattern southeast of agricultural fields between 2003 and 2007, where land subsidence in the summer was followed by a smaller increase in land elevation by the end of the year; the increase was about half the amount of subsidence in the summer, resulting in an average decline of 0.15 inch per year during this period. InSAR data from 2015 to 2018 showed a decrease in elevation by 0.023 feet, or fewer than 0.1 inch per year in the Borrego Springs Resort area, while a larger area of the Subbasin experienced an increase in elevation during the same period. The GMP concludes that, based on the groundwater level declining by more than 100 feet, the land subsidence that has occurred in the Subbasin is minimal and has not substantially interfered with surface land uses in the past and is not anticipated to substantially interfere with land uses in the foreseeable future.[42]

The GMP explains that streams in the Subbasin are predominantly disconnected from the groundwater table, which is typical of an arid desert environment, because stream flows of moderate magnitude and short duration do not percolate deep enough to reach the underlying aquifer.[43] The Water Year 2023 Annual Report for the Borrego Springs Subbasin describes an investigation of surface water flow in the perennial and ephemeral segments of Coyote Creek, the primary drainage feature recharging the Subbasin. The perennial extent of streamflow measured at five sites indicate streamflow decreasing from upstream to downstream and is completely infiltrated by the First Crossing (approximately two miles into the Subbasin from the northwestern boundary),[44] suggesting that the Coyote Creek drainage system loses water to the underlying aquifer system. By fall 2020, Watermaster staff observed all five sites on Coyote Creek to be dry; to be not accessible

[40] GMP, Section 2.2.2.4, pp. 156-157; Figure 2.2-14C, p. 247.
[41] GMP, Section 2.2.2.4, p. 158.
[42] GMP, Section 2.2.2.5, pp. 162-164; Figure 2.2-17, p. 257.
[43] GMP, Section 2.2.2.6, pp. 164-165; Figure 2.2-18, p. 259.
[44] Borrego Springs Subbasin 1st Annual Report: Covering Water Years 2016 through 2019, Figure 2, p. 35; Table 1-2, p. 13; Water Year 2023 Annual Report for the Borrego Springs Subbasin, Section 3.1.3, p. 47; Figure 3, p. 74.

due to excessive vegetation growth; or to shallow flows, resulting in the determination that continued streamflow measurements were impractical but would continue to conduct semiannual visual and qualitative observations of flow conditions. The GMP attributes perennial sections of creeks that are upgradient and outside of the Subbasin to be supported by groundwater flowing from bedrock aquifers into the channels, which then become ephemeral streams when entering the Subbasin.[45]

The GMP describes the historical conditions of surface water entering the Subbasin and states that since the beginning of large-scale pumping in the Subbasin decades ago, groundwater has not been observed discharging onto the valley floor in the form of seeps, springs, or gaining streams. Old Borrego Springs dried up before 1963 and Pup Fish Pond Spring, which extends a short distance into the Subbasin, is an artificial spring sustained by Anza-Borrego Desert State Park.[46]

Regarding groundwater dependent ecosystems (GDEs), groundwater monitoring closest to creek segments entering the northern and western margins of the Subbasin indicates a separation of hundreds of feet between the creek beds and the groundwater table. The GMP describes the evaluation of the Natural Communities Commonly Associated with Groundwater dataset, which divided the Subbasin into three geographic units.[47] The northernmost Coyote Creek Unit includes plant types along the riparian corridor of Coyote Creek. The investigation included analysis of stream gage data, aerial photographs, and remotely-sensed vegetation data and concluded that the reach of Coyote Creek with potential GDEs is a losing stream and not supported by groundwater from the Subbasin.[48]

The Palm Canyon Unit at the western margin of the Subbasin shows no significant change in the extent of the GDE since 1954 and no significant change in health of the GDE since 1985. The GMP explains that the depth to groundwater in the nearest well, measured in 2018, of 348 feet below ground surface and the fluctuations in vegetation metrics that moderately correlate to precipitation indicate that GDEs in the Palm Canyon Unit are supported by surface water flows originating outside the Subbasin and entering the Subbasin via Borrego Palm Creek instead of being supported by groundwater in the Subbasin.[49]

The Mesquite Bosque Unit near the Borrego Sink historically contained 450 acres of honey mesquite, which the GMP describes can be tolerant of droughts. The 44 feet of groundwater decline in the past 65 years have resulted in a mostly desiccated area of mesquite by or around January 2015, with groundwater levels ranging from about 55-134 feet below ground surface, deeper than the stated approximate 20 feet rooting depth of

[45] GMP, Section 2.2.2.7, p. 168; Water Year 2023 Annual Report for the Borrego Springs Subbasin, Section 3.1.3, p. 47.
[46] GMP, Section 2.2.2.6, pp. 164-166.
[47] GMP, Figure 2.2-20, p. 263.
[48] GMP, Section 2.2.2.7, pp. 166-169.
[49] GMP, Section 2.2.2.7, pp. 169-171; Figure 2.2-20, p. 263.

the mesquite in the area. The GMP correlates precipitation and intermittent surface water flows with vegetation metrics instead of groundwater.[50]

5.1.3 Water Budget

The GMP uses a numerical groundwater flow model to produce a groundwater budget suggesting that the average rate of groundwater removed from storage between 1945 and 2016 was 7,300 acre-feet per year, with an increased rate of removal during the last 10 years of approximately 13,140 acre-feet per year.[51] The GMP provides an initial estimate for "sustainable yield" of the Subbasin as 5,700 acre-feet per year,[52] compared with the Subbasin's "current" baseline pumping of 24,215 acre-feet per year.[53] Department staff note that the GMP's estimate of current baseline pumping does not reflect actual, current extractions in the Subbasin, but rather was determined based on maximum annual water use by individual (non-de minimis) pumpers over the period January 1, 2010 to January 1, 2015. Baseline pumping also includes municipal water use previously reduced through end-use efficiency and conservation efforts, and recreational use curtailed prior to GMP adoption. The GMP reports that baseline pumping allocations are distributed to water use sectors as follows: 70 percent agriculture, 18 percent recreation, 12 percent municipal; 1 percent other.

Department staff consider the water budget information presented in the GMP to be consistent with current understanding of the hydrology and hydrogeology of the Subbasin and to have utilized appropriate and reasonable methods and assumptions, including reviewing and comparing historical groundwater budget studies in the Subbasin, and quantifying historical groundwater overdraft for several time periods (1945-2010, 1945-2016, 1997-2016, and 2007-2016).[54] However, the sustainable yield is derived using estimated inflows and outflows from model simulations that utilized data from different time periods; the inflow component is based on model simulations of data from 1945 to 2016, whereas the outflow component is based on data from 2007 to 2016.[55] The GMP justifies using inflow and outflow components based on different date ranges as a reasonable approach to an "initial estimate" that will be updated at each five-year evaluation during Physical Solution implementation.[56] Department staff regard the use of historical calculations to be sufficient based upon the best available information to inform the model and estimate. Provided that estimates are within the range of error, the overall reliance on such estimates appears acceptable.

[50] GMP, Section 2.2.2.7, pp. 169-171; Figure 2.2-20, p. 263.
[51] GMP, Section 2.2.3.3, p. 179; Table 2.2-8, p. 173. The reported volume of groundwater removed from storage differs between text in Section 2.2.3.3 and Table 2.2-8.
[52] GMP, Section 2.2.3.6, p. 182.
[53] GMP, Section 3.3.1.4, p. 301.
[54] GMP, Table 2.2-8, p.173.
[55] GMP, Table 2.2-8, p. 173.
[56] GMP, Section 2.2.3.6, pp. 180-182.

Department staff consider this adaptive management approach of incorporating periodic evaluation of new data and management strategies to be appropriate for this Subbasin and consistent with SGMA's implementation horizon for achieving sustainable groundwater management; however, as explained further below, the current emphasis on updating inflow and outflow data suggests the primary management focus is on balancing extractions with natural recharge rather than on the sustainable yield of the Subbasin, which is the achievement of "sustainability" by avoiding "undesirable results" as defined by the GMP's sustainable management criteria (see discussion below, under Section 6.2, Sustainable Management Criteria).

5.1.4 Management Areas

The GSP Regulations allow management areas within a basin, for which an agency may identify different minimum thresholds, measurable objectives, monitoring, or projects and management actions based on differences in water use sector, water source type, geology, aquifer characteristics, or other factors, provided that undesirable results are defined consistently throughout the basin.[57]

The GMP divides the Subbasin into three management areas (North, Central, and South) based on differences in hydrogeology, water quality, and overlying land uses. The North Management Area overlies the more productive upper aquifer that supports widespread agricultural activities, resulting in the most groundwater extraction and the greatest historical decline in groundwater levels of the three management areas. The Central Management Area predominantly contains extractions of groundwater from the middle aquifer to supply municipal and recreational users. The groundwater level decline in the Central Management Area has been recorded for decades and is widespread, although the rate of decline is less than the rate of groundwater level decline observed in the North Management Area. The South Management Area is predominantly open space but includes a golf course and a small rural residential area supported by groundwater extractions from the lower aquifer. In the South Management Area, groundwater levels near the Ram's Hill golf course appear connected to activity of the facility; however, groundwater levels near the isolated residential area of Borrego Air Ranch do not appear to be affected by the golf course extractions and have been relatively stable through time.[58]

The GMP contains a general description of the three management areas and provides maps that show their boundaries. However, the GMP does not clearly explain the reason for establishing different sustainable management criteria based on these management areas or how those criteria are appropriate and will not interfere with efforts to achieve the sustainability goal for the Subbasin. Department staff are unable to fully evaluate the approach to sustainability for these three areas without a more complete and detailed

[57] 23 CCR § 354.20.
[58] GMP, Section 2.2.2.1, p. 97; Figure 2.2-13E, p. 186.

discussion of the conditions in each of the areas, and how and why the areas are proposed to be separately managed to address those conditions.

Accordingly, if the management areas identified in the GMP were developed for the purposes outlined in the GSP Regulations,[59] additional information describing and justifying the establishment and use of management areas is necessary.[60] However, if, the GMP and Stipulated Judgment developed management areas to address other issues such as practical aspects of implementation (e.g., jurisdictional or financial responsibilities), the GMP and/or Stipulated Judgment should clearly explain this distinction. Even so, the GMP must demonstrate that management areas created for administrative convenience will not impair the ability of any portion of the Subbasin to achieve sustainability (see Recommended Corrective Action 1).

5.2 Sustainable Management Criteria

SGMA defines sustainable groundwater management as the "management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results."[61] The avoidance of undesirable results is thus explicitly the central concept of sustainable groundwater management and critical to the adequacy of a GSP or alternative. Under SGMA, undesirable results are "one or more" of six specific "effects caused by groundwater conditions occurring throughout the basin."[62]

As used in SGMA, undesirable results refer to specific unwanted effects, as determined by the local agency, that could be caused by groundwater conditions occurring throughout the basin. Although lowering groundwater levels and depleting supply are among the effects that could lead to undesirable results, the other categories of undesirable results defined in SGMA must also be considered and defined for purposes of basin management when applicable.

GSP Regulations require the development of several elements under the heading of "Sustainable Management Criteria," including sustainability goal, undesirable results, minimum thresholds, and measurable objectives. Except for the sustainability goal, the components of sustainable management criteria must be quantified so that progress towards sustainability can be monitored and evaluated consistently, quantitatively, and objectively to ensure that significant and unreasonable conditions and adverse impacts

[59] 23 CCR § 354.20.
[60] Where management areas are created, as appears to be the intent in the GMP, the GSP Regulations require the plan to establish minimum thresholds and measurable objectives for each management area and to provide the rationale for selecting those values. If, however, the Subbasin is to be managed at large, it would be helpful for the GMP to clearly state which minimum thresholds and measurable objectives apply to specific management areas and which apply to the entire Subbasin (see Recommended Corrective Action 1).
[61] Water Code § 10721(v).
[62] Water Code § 10721(x).

to beneficial uses and users (the SGMA definition of undesirable results[63]) are not occurring. A local agency should rely on and explain, among other factors, local experience, public outreach, involvement, and input, and information about the basin setting (e.g., hydrogeologic conceptual model, current and historical groundwater conditions, and water budget, etc.) that it used to develop criteria for defining undesirable results and setting minimum thresholds and measurable objectives.[64]

As mentioned in Section 5.1.3 above, the GMP employs the term "sustainable yield" in a sense more consistent with eliminating overdraft (i.e., balancing extractions with natural recharge) or achieving the traditional concept of "safe yield" rather than as defined in SGMA as achieving sustainability by avoiding "undesirable results" for all applicable sustainability indicators.[65] Department staff note that managing a basin to eliminate overdraft within 20 years does not necessarily mean that the basin has achieved sustainable groundwater management as required under SGMA. For example, gradually or incrementally reducing rates of subsidence to achieve no further subsidence after 20 years of management could allow and result in unreasonable and significant cumulative amounts of subsidence during the implementation period, resulting in ongoing, permanent, or long-term undesirable results such as damaged infrastructure, increased flood risk, or altered flood flow patterns that a more aggressive implementation regime would avoid. To achieve sustainable groundwater management under SGMA, the basin must achieve the sustainability goal (i.e., experience no undesirable results associated with six sustainability indicators) by the end of the 20-year plan implementation period and be able to demonstrate an ability to maintain those defined sustainable conditions over the 50-year planning and implementation horizon.

SGMA provides general definitions of the undesirable results that are to be avoided. However, it is up to each local agency or GSA implementing SGMA to develop and

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[63] Water Code § 10721(x).

[64] 2017 Best Management Practices for the Sustainable Management of Groundwater—Sustainable Management Criteria (DRAFT); https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Sustainable-Groundwater-Management/Best-Management-Practices-and-Guidance-Documents/Files/BMP-6-Sustainable-Management-Criteria-DRAFT_ay_19.pdf, accessed August 17, 2022.

[65] Pre-SGMA cases applied the term "safe yield" in the context of overdraft. The California Supreme Court explained: "'Safe yield' is defined as 'the maximum quantity of water which can be withdrawn annually from a ground water supply under a given set of conditions without causing an undesirable result.' The phrase 'undesirable result' is understood to refer to a gradual lowering of the ground water levels resulting eventually in depletion of the supply." (*City of Los Angeles v. City of San Fernando*, 537 P.2d 1250, 1308, 123 Cal.Rptr. 1, 59, 14 Cal.3d 199, 278 (Cal. 1975), quoting *City of Pasadena v. City of Alhambra*, 207 P.2d 17, 30, 33 Cal.2d 908, 929 (Cal., 1949)) As noted above, SGMA uses the related but different term "sustainable yield" and defines it as "the maximum quantity of water, calculated over a base period representative of long-term conditions in the basin and including any temporary surplus, that can be withdrawn annually from a groundwater supply without causing an undesirable result." (Wat. Code § 10721(w)). SGMA further defines undesirable results as significant and unreasonable effects caused by groundwater conditions occurring throughout the basin (Wat. Code § 10721(x)). Although chronic lowering of groundwater levels is one of those effects, SGMA includes five other effects that are not part of the traditional definition of "safe yield."

describe in a GSP or, as here, in an alternative, the specific effects that would constitute undesirable results in its basin and to define the groundwater conditions that would produce those results in the basin.[66] Management under an alternative should establish and be guided and judged using the same metrics. The local definition and description of undesirable results needs to be quantitative and must describe the effects of undesirable results on the beneficial uses and users of groundwater in the basin. Using these definitions, quantitative minimum thresholds can be defined that, when exceeded individually or in combination with minimum thresholds at other monitoring sites, may indicate the basin is experiencing undesirable results.[67] If undesirable results and the associated minimum thresholds are not quantitatively defined by basin managers, they, the Department, interested parties, and the general public will not be fully informed regarding the intended groundwater management program in the basin and will have no objective way to determine whether the basin is being managed sustainably as required by SGMA.

Generally, SGMA leaves the task of establishing definitions and setting minimum thresholds for undesirable results largely at the discretion of the local agency, subject to review by the Department. Absent a clear explanation of the conditions and adverse impacts the local agency is trying to avoid, and the agency's stated rationale for setting objective and quantitative sustainable groundwater management criteria that the local agency believes will successfully prevent those conditions from occurring, the Department cannot assess whether a proposed groundwater management program will achieve sustainability because there is no unambiguous way to know what basin conditions the GSP seeks to avoid and the monitoring needed to assess whether the agency is succeeding in that effort when implementing its groundwater management program.

Although the GMP appears to reasonably quantify the water budget and identify the extent and rate of overdraft in the Subbasin, and while the GMP proposes reductions in groundwater extractions that appear likely to eliminate overdraft in the Subbasin within approximately 20 years, the GMP does not provide quantified sustainable management criteria for all applicable sustainability indicators and does not explain how these criteria would avoid significant and unreasonable impacts to beneficial uses and users in the Subbasin as required by SGMA. The GMP's treatment of each of SGMA's defined undesirable results is discussed individually below.

[66] 23 CCR § 354.26.
[67] 23 CCR § 354.28. See also DWR Best Management Practices for the Sustainable Management of Groundwater: Sustainable Management Criteria (DRAFT), November 2017.

5.2.1 Chronic Lowering of Groundwater Levels

The GMP discusses historical and current groundwater level conditions[68] and presents its most extensive discussion of sustainable management criteria for the category of "chronic lowering of groundwater levels." The GMP states:

- "Failure to address and reverse the current rate of groundwater level decline could put the agricultural, recreational, and water supply availability for other beneficial uses at risk."[69]
- "Depletions leading to a complete dewatering of the Basin's upper aquifer in the [Central Management Area] would be considered significant and unreasonable…"[70]
- "Groundwater level declines would be significant and unreasonable if they are sufficient in magnitude to lower the rate of production of pre-existing extraction wells below that needed to meet the minimum required to support the overlying beneficial use(s) and that alternative means of obtaining sufficient groundwater resources are not technically or financially feasible."[71]

5.2.1.1 Mitigation of Impacts to De Minimis Users from Declining Groundwater Levels

The GMP recognizes that domestic and de minimis users have the greatest sensitivity to adverse effects of continued, declining groundwater levels.[72] Consequently, the GMP establishes a goal of protecting de minimis wells (extractions of less than two acre-feet per year) as much as possible.[73] Because the pumping rampdown described in the Physical Solution is expected to incrementally progress until the annual pumped volume matches natural recharge, projected to be around 2040, groundwater levels are expected to continue to decline because of annual overdrafting of the basin until that time.[74]

The GMP states that impacts to these beneficial users from groundwater level declines during program implementation could be mitigated because, in most cases, connecting impacted domestic and de minimis users to the Borrego Water District's municipal water system is technically and financially feasible.[75] However, the GMP does not provide specific information describing the mitigation measures that would be offered, events that would trigger access to mitigation assistance, or provide a detailed estimate of the cost and source of funding for such mitigation. Furthermore, the GMP states there are domestic and de minimis well users that are not in close proximity to existing Borrego

[68] GMP, Section 2.2.2.1, pp. 148-150.
[69] GMP, Section 3.2.1, p. 284.
[70] GMP, Section 3.2.1, p. 284.
[71] GMP, Section 3.2.1, p. 284.
[72] GMP, Section, 3.2.1, pp. 284-285.
[73] GMP, Section 3.2.1, pp. 284-286.
[74] The basin may eliminate overdraft before 2040, but for purposes of this evaluation, staff must evaluate the projected pumping that would be allowed to occur under the implementation and rampdown schedule presented in the Judgment.
[75] GMP, Section 3.3.2.1, p. 303.

Water District service lines, but the GMP does not discuss whether or how well location would affect the ability of the District to offer mitigation services to those wells.[76]

In sum, the GMP does not provide a firm commitment or critical details of how this suggested mitigation would be implemented to avoid circumstances that the GMP defines as undesirable results. Department staff recommend the GMP clearly describe the suggested mitigation program and who and how it will be implemented to prevent impacts to de minimis users and/or other beneficial users as a result of groundwater use under control of the Watermaster and subject to the terms of the Stipulated Judgment. Among other improvements, the GMP, or the stipulated judgement, as appropriate, should clarify the monitoring or other processes to objectively determine when these locally-defined undesirable results have occurred (or are likely to occur) and specifically describe and explain what is considered technically or financially feasible and who will bear the responsibility (e.g., cost and implementation) to mitigate or avoid these undesirable results by, for instance, connecting users to the municipal water system as suggested in the GMP (see Recommended Corrective Action 2).

5.2.1.2 Groundwater Level Minimum Thresholds

The GMP establishes the minimum thresholds for groundwater levels based on a management policy of allowing groundwater levels to drop below 2015 levels, until groundwater levels are stabilized by 2040. However, the minimum thresholds would maintain groundwater levels above the saturated screen intervals for pre-existing municipal wells during a multi-year drought scenario, which would be protective of municipal (non de minimis) beneficial users and uses in the Subbasin and, in most cases, would be protective of non-potable irrigation beneficial uses. The GMP also states that the groundwater level minimum thresholds would protect against significant and unreasonable impacts to groundwater storage volumes and water quality.[77]

The minimum thresholds for key municipal wells are based on the groundwater elevation at the top of the respective well screen.[78] The GMP conducted a uncertainty analysis based on climate change scenarios using a Monte Carlo Simulation mode over the 20-year implementation period varying hydrologic conditions to evaluate impact on groundwater storage and correlative water levels for key indicator wells and resolved that values below the 20th percentile hydrology/recharge occurred 20% of the time where possible exceedances of the minimum thresholds may occur based on 53 model simulations. The GMP continues to describe that the Water master would evaluate the minimum thresholds, interim milestones, and measurable objectives at least every 5 years, which would include the preceding climatic conditions and realized pumping reductions, and consider adjusting the rate of pumping reduction, revisit minimum

[76] GMP, Section 3.2.1, p. 285.
[77] GMP, Section 3.3.1.1, pp 293-294.
[78] GMP, Section 3.3.1.1, p. 294; Table 3-4, p. 295.

thresholds, and/or evaluate additional PMAs if minimum thresholds are exceeded.[79] The GMP explains that the minimum thresholds "are based principally on the documented screen intervals of key municipal water wells and domestic/de minimis wells" in the Subbasin.[80] However, the GMP does not provide a clear rationale and justification for how the tops of well screens of key indicator wells correlate with the range of domestic well screens and the GMP's definition of an undesirable result for this sustainability indicator, which (as described above) is dewatering of aquifers or lowering the rate of groundwater production below the minimum rate required for the use(s) of the well, particularly for de minimis users. In general, domestic wells are shallower than municipal wells, so without knowing the screened interval depths of domestic/de minimis wells to compare to the minimum thresholds for the key well shown in Table 3-4 of the GMP, Department staff cannot assess and the GMP does not disclose the extent of potential adverse impacts to beneficial uses and users, primarily domestic well users, based on the basin being managed using the established minimum thresholds. For example, the GMP does not address to what extent domestic well users or other beneficial users may be impacted based upon the projected groundwater level declines described in model results from the planned ramp down schedule in the respective management areas,[81] which would reach the minimum thresholds at the key municipal wells and likely affect de minimis or other wells in the management area, adjacent management areas, and the beneficial uses and users that rely on those wells. Thus, the extent of the impacts to beneficial uses and users that would occur at the minimum thresholds, in respective management areas and the entire Subbasin, have not been clearly described and incorporated into an explanation of how it was determined that the established minimum thresholds are appropriate or sufficient to avoid significant and unreasonable impacts, which is required in SGMA.[82] (see Recommended Corrective Action 3).

The GMP states that the Subbasin has been experiencing chronic groundwater level decline and remains in overdraft, and the GMP acknowledges the Subbasin is experiencing undesirable results caused by the lowering of groundwater levels and reduction of groundwater in storage.[83] Department staff note that inherent in the management regime presented in the GMP is the fact that, until groundwater pumping matches the natural recharge of the Subbasin, the Subbasin will continue to be in overdraft, groundwater levels will continue to decline, and existing and additional undesirable results will likely be experienced in the Subbasin. The GMP expects implementation of the pumping reduction program, described in the Stipulated Judgment and in the GMP,[84] to gradually reduce groundwater production to a level that matches

[79] GMP, Section 3.3.1.1, p. 298; Table 3-5, p. 299.
[80] GMP, Section 3.3.1.1, p. 294.
[81] GMP, Table 3-4, p. 295.
[82] 23 CCR §§ 354.26(b)(3), 354.26(b)(4).
[83] GMP, Table 3-1, p. 282; Section 3.1.4, p. 281.
[84] GMP, Executive Summary, Section ES 4.0, p. 76; Section 4.4, pp. 364-370.

natural recharge by the end of the implementation period (year 2040).[85] But the GMP does not appear to fully consider and describe potential undesirable results that will occur before 2040 during implementation of the gradual rampdown that could nevertheless have lasting effects in the Subbasin, even once overdraft is eliminated in 2040. For instance, if groundwater level declines result in the inability of beneficial users to obtain groundwater using their existing wells (if not mitigated as discussed above), those beneficial users and their properties will have been permanently affected or changed even if overdraft is eliminated years later. Similarly, if lower groundwater levels in the next two decades cause degradation of water quality or subsidence that constitutes undesirable results, those undesirable results will remain in the Subbasin even after the current overdraft is eliminated.

The GMP also does not clearly articulate the process to evaluate progress towards achieving interim milestones. The GMP states that "the Watermaster will use the BVHM, including the model improvements as new data become available, to evaluate progress toward meeting interim milestones based on average conditions by management area."[86] Department staff interpret this statement to imply that the numerical model's estimates of groundwater elevations will be used, instead of actual measured water levels, to compare to the interim milestone elevations to determine progress towards achieving the sustainability goal. Department staff believe that using actual measured groundwater levels will be more accurate and reliable than using model simulations to estimate measured progress towards sustainability. Department staff recommend the GMP clearly articulate the rationale and method used to establish measurable objectives and interim milestones and clarify how measured groundwater levels will be used to support model refinements and analysis of progress toward sustainability. (see Recommended Corrective Action 3).

5.2.2 Reduction of Groundwater Storage

The GMP defines undesirable results for reduction of groundwater storage as the same as those established for chronic lowering of groundwater levels. The GMP states that "reduction in groundwater storage is significant and unreasonable if it is sufficient in magnitude to lower the rate of production of pre-existing groundwater wells below that needed to meet the minimum required to support the overlying beneficial use(s), and where means of obtaining sufficient groundwater or imported resources are not technically or financially feasible for the well owner to absorb, either independently or with assistance from the Watermaster, or other available assistance/grant program(s)."[87]

The GMP used the BVHM to identify the minimum threshold for reduction in groundwater storage as the 20th percentile of 53 model runs calculating change in storage in the

[85] GMP, Section 3.1.4, p. 281.
[86] GMP, Section 3.4.1, p. 310.
[87] GMP, Section 3.3.2.1, p. 303.

Subbasin.[88] The GMP presents a graph that shows the cumulative loss of groundwater in storage from 1945 to 2010 for seven of the model runs, including the 20th percentile model run, though the specific value for the cumulative change in storage associated with that model run is not provided.[89] The GMP reports that the cumulative overdraft from 1945 to 2016 totaled an estimated 520,000 acre-feet[90] and that the net deficit in storage of 72,000 AF over the implementation period at the prescribed pumping reduction plan, equivalent to the 55th percentile of the Monte Carlo Simulation analysis, the GMP does not provide a quantitative value representing the minimum threshold, 20th percentile modeled value for reduction of groundwater in storage that, if exceeded, would constitute an undesirable result. The GSP Regulations require a quantitative minimum threshold[91] and an annual report that quantifies the annual change in storage and cumulative change in storage[92] to eliminate ambiguity or confusion regarding whether the Subbasin is being sustainably managed. A threshold solely depicted as a line on a graph without quantification[93] introduces ambiguity when tracking progress towards this sustainability indicator (see Recommended Corrective Action 4).

5.2.3 Seawater Intrusion

The GMP explains that the Subbasin is at least 15 miles from a saline surface water body and is separated from a seawater source by mountain ranges and faults that act as a barrier to groundwater flow.[94] Consequently, the GMP asserts that seawater intrusion has not and is not likely to occur in the basin and therefore is not an applicable sustainability indicator.[95] Department staff agree that the GMP's determination is reasonable and adequately supported.

5.2.4 Degraded Water Quality

The GMP defines the undesirable result for degraded water quality (i.e., significant and unreasonable impacts) in the Subbasin to be when groundwater quality degradation "is sufficient in magnitude to affect use of pre-existing groundwater wells such that the water quality precludes the use of groundwater to support the overlying beneficial use(s), and that alternative means of obtaining sufficient groundwater resources are not technically or financially feasible."[96]

The GSP Regulations explain that, for degraded water quality, "The minimum threshold shall be based on the number of supply wells, a volume of water, or a location of an

[88] GMP, Section 3.3.2.1, pp. 303-304.
[89] GMP, Figure 3.3-3, p. 342.
[90] GMP, Section 3.3.2.1, p. 303.
[91] 23 CCR § 354.28(c)(2).
[92] 23 CCR § 356.2(b)(5).
[93] GMP, Figure 3.3-3, p. 342.
[94] GMP, Section 2.2.2.3, pp. 152-153.
[95] GMP, Section 3.3.3, p. 306.
[96] GMP, Section 3.3.4, p. 306.

isocontour that exceeds concentrations of constituents determined by the agency to be of concern for the basin."[97]

The GMP states that the minimum threshold for municipal and domestic wells will be Title 22 drinking water standards. However, for irrigation wells, the GMP is not clear, stating that the Colorado River Region Basin Plan does not set specific water quality objectives for groundwater and that groundwater quality should generally be suitable for agricultural use, which is industry and crop-specific, and can be "gaged through conformance with generally accepted threshold limits for irrigation used by State Water Resources Control Board and/or through continued engagement with growers within the Subbasin."[98]

Regarding measurable objectives, the GMP states that, "Since the aforementioned standards are minimum thresholds, the GMP's measurable objective is for groundwater quality for the identified [constituents of concern] within municipal and domestic wells to exhibit a stable or improving trend, as measured at each 5-year evaluation. For irrigation wells, the measurable objective is the same as the minimum threshold (i.e., that water quality be of suitable quality for agricultural use)."[99]

Department staff conclude that the GMP does not clearly set quantitative minimum thresholds and a measurable objective for all components of the degraded water quality sustainability indicator.[100] Although the GMP discusses Title 22 drinking water standards for potable supply wells and the management areas where these exist, the GMP does not set quantitative minimum thresholds for water quality in irrigation wells or specify what standards would apply to those wells or management areas.[101] As a result, the GMP does not clearly describe what specific, quantified water quality conditions or concentrations would result in agriculture (or production of certain crops) being at risk of no longer being viable in the Subbasin (see Recommended Corrective Actions 3 and 5). Also, the GMP does not provide a clear explanation regarding whether water quality minimum thresholds for domestic and municipal supply wells apply to specific management areas or to the entire Subbasin (see Recommended Corrective Action 1).

Finally, if different parts of the Subbasin will have different water quality measurable objectives based on whether the area is currently being used, predominantly or exclusively, for agriculture, the GMP does not indicate a consideration of, or discuss the implications of, potential impairments to the underlying aquifer(s) by setting water quality objectives or thresholds based on the current beneficial use(s) of groundwater in the respective management areas. For example, if the GMP intends that water quality objectives for current agricultural wells be set such that the groundwater quality in those areas may become degraded to the extent that the groundwater would not be suitable for

[97] 23 CCR § 354.28(c)(4).
[98] GMP, Section 3.4.4, p. 313.
[99] GMP, Section 3.4.4, p. 313.
[100] 23 CCR §§ 354.28(a), 354.28(c)(4), 354.30.
[101] GMP, Section 3.4.4, p. 313.

domestic uses or cultivating certain crops, then the GMP should fully consider that issue, including how that may impact or conflict with local land use planning or zoning, and explain the rationale for finding that this would not be an undesirable result of water quality degradation.[102] In doing so, the GMP should evaluate and discuss whether there are other types of beneficial users (e.g., domestic or municipal) in those areas whose property values, land use options, or water use would be affected, which includes disclosing and discussing the potential of degrading groundwater quality such that future use of the groundwater for potable or domestic use would be precluded in parts of the Subbasin (see Recommended Corrective Action 5).

5.2.5 Land Subsidence

The GMP concludes that "…the degree of land subsidence occurring in the Plan Area is minimal, has not substantially interfered with surface land uses in the past, and is not anticipated to substantially interfere with surface land uses in the foreseeable future…"[103] Based on this, the GMP does not propose minimum thresholds or measurable objectives for land subsidence.[104] The GMP also does not intend to monitor for land subsidence.[105]

Department staff conclude the decision to not develop sustainable management criteria or monitor land subsidence is not supported by adequate evidence. Unlike seawater intrusion, which the GMP adequately explains is not present and not likely to occur in the basin, the GMP does not provide similarly sufficient evidence with regard to land subsidence, and acknowledges that some subsidence has occurred in the past,[106] referencing studies that document as much as 0.59 inches per year between 2003 and 2007 and less than 0.1 inch per year from 2015 to 2018.[107] If subsidence over the next 20 years occurred at the rate observed between 2003 and 2007, the basin could experience an additional foot of subsidence.

Although an additional foot of subsidence may not give rise to basin conditions that are considered significant and unreasonable or substantially interfere with surface land uses, the issue has not been fully evaluated or supported in the GMP. Furthermore, the GMP explains that past subsidence was minimal, at least in part because of historical dewatering of predominantly coarse-grained aquifer materials that are less prone to

[102] GSP Regulation 354.28(b)(4) requires a discussion of how minimum thresholds may affect the interests of beneficial uses and users of groundwater *or land uses and property interests*. SGMA requires that plans consider applicable county and city general plans and take into account the most recent planning assumptions stated in local general plans of jurisdictions overlying the basin. (Wat. Code 10726.9, 10727.2(g).)
[103] GMP, Section 2.2.2.5, pp. 162-164; Section 3.2.5, p. 291.
[104] GMP, Section 3.2.5, p. 291.
[105] The GMP proposes to use groundwater levels as a proxy for actual measurements of subsidence. (GMP Section 3.5.1.5, p. 319) As an initial matter, the GMP does not provide any data or analysis that would support the use of groundwater elevation as a proxy for subsidence, but regardless of the measurement method, the GMP does not explain the purpose of this monitoring in the absence of quantitative minimum thresholds or measurable objectives regarding subsidence.
[106] GMP, Section 2.2.2.5, pp. 162-164.
[107] GMP, Section 2.2.2.5, p. 163.

inelastic compaction. However, the lithology of the aquifers in the Subbasin generally becomes finer with depth,[108] meaning that further groundwater level declines to new historic lows, which will occur during implementation of the GMP, will probably dewater increasingly finer-grained aquifer materials. This increases the probability of, and potential for, subsidence in the Subbasin at rates different from (and possibly greater than) what has been previously experienced during the period when coarser-grained materials were dewatered.

Given the past occurrence of land subsidence in the Subbasin and the expectation that dewatering of increasingly finer-grained aquifer materials is likely to occur in varying degrees for at least the next 20 years or until the pumping reduction program has been fully implemented to eliminate overdraft,[109] Department staff recommend that additional information be developed and included in the GMP to at least annually monitor for subsidence using InSAR data or other reliable methods and reconsider whether and where any subsidence could adversely impact surface land uses in the Subbasin so that managers are prepared to quickly act if further overdraft during plan implementation causes unexpected increases in subsidence rate or extent. The Department also recommends that the Watermaster set an objective, quantitative standard for subsidence monitoring (for each management area) that, if triggered, would require further assessment of whether any undesirable results related to subsidence might be occurring and whether projects or management actions are necessary to mitigate or avoid such impacts (see Recommended Corrective Action 6).

5.2.6 Depletions of Interconnected Surface Water

The GMP discusses the historical context of interconnected surface water systems[110] and groundwater dependent ecosystems in the Subbasin.[111] The GMP reports that the historical Old Borrego Spring ceased to flow prior to the early 1960s and that surface water systems in the Subbasin are disconnected from groundwater, except for short perennial stretches of streams at the edges of the Subbasin. The GMP reports that the springs and seeps that partially supply perennial flow in the streams are outside of the Subbasin and are not connected to groundwater in the Subbasin. Furthermore, the GMP states that groundwater pumping in the Subbasin does not affect the springs located outside of the Subbasin. Consequently, the GMP states that there are no undesirable results associated with depletion of interconnected surface waters and they are not expected to occur within the Subbasin and therefore does not establish sustainable management criteria for depletion of interconnected surface waters.[112] Department staff consider the discussion in the GMP to be supported and consistent with other information

[108] GMP, Section 2.2.1.3; pp. 141-142.
[109] GMP, Table 3.6, p. 302; Table 3-8, p. 312.
[110] GMP, Section 2.2.2.6, pp. 164-166.
[111] GMP, Section 2.2.2.7, pp. 166-172.
[112] GMP, Section 3.2.6, p. 291.

presented regarding the Subbasin setting and have no recommendations related to this portion of the GSP Regulations at this time.

5.3 MONITORING NETWORKS

GSP Regulations require that each basin establish a monitoring network that includes monitoring objectives, monitoring protocols, and data reporting requirements that promote the collection of data of sufficient quality, frequency, and distribution to characterize groundwater and related surface water conditions in the basin and evaluate changing conditions.[113]

Section VI.B of the Stipulated Judgment requires the Watermaster to develop a Water Quality Monitoring Plan within 24 months of entry of the Judgment.[114] In April 2023, the Watermaster adopted a Groundwater Monitoring Plan for the Borrego Springs Subbasin, which includes groundwater quality and satisfies the Judgment's requirement. Although Department staff reviewed the GMP's monitoring network information, this assessment relies primarily on the 2023 Groundwater Monitoring Plan adopted by the Watermaster and the Water Year 2023 Annual Report, which contain more recent information.

The primary objectives of the Subbasin's groundwater monitoring programs are to demonstrate progress toward meeting the sustainability goal without causing undesirable results, to inform adaptive management of the Subbasin to achieve the sustainability goal, and to improve the BVHM.[115] The Groundwater Monitoring Plan discusses monitoring protocols, quality assurance and control, and database management for groundwater level and groundwater quality monitoring.[116] The groundwater level monitoring network consists of 52 wells, with 19 of them equipped with pressure transducers. Of the 52 wells, 16 are representative wells with minimum thresholds for groundwater levels. Measurement frequency ranges from semiannual to every 15 minutes. The groundwater quality monitoring network includes 34 of these wells.[117] In addition to the constituents of concern discussed above in Section 5.1.2, the analytes include major cations and anions and total alkalinity.[118] Groundwater quality analysis occurs semiannually in the spring and fall.

[113] 23 CCR §354.32.
[114] Stipulated Judgment, Section VI.B, p. 45.
[115] Groundwater Monitoring Plan for the Borrego Springs Subbasin, Section 1.0, p. 6.
[116] Groundwater Monitoring Plan for the Borrego Springs Subbasin, Section 2.2.2, pp. 10-12; Section 3.2.2, pp. 20-23.
[117] Water Year 2023 Annual Report for the Borrego Springs Subbasin, Section 3.1.2.2, pp. 42-45; Figure 2, p. 43; Table 8, p. 44.
[118] Groundwater Monitoring Plan for the Borrego Springs Subbasin, Section 3.2.2, p. 20.

The Water Year 2023 Annual Report discussed the monitoring network data gaps associated with areas that would benefit from more monitoring and the efforts made to improve those data gaps. The efforts to improve the monitoring network include:[119]

- Adding four additional wells in the Northern Management Area, two of which were newly constructed via the Department's Technical Support Services program.
- Installing seven new transducers and a new Barologger for calculating groundwater levels with consideration for local barometric pressure.
- Engaging with the public to solicit interest in participating in the monitoring program and identifying 35 potential wells to add to the monitoring program. Of the 35 wells, 14 would improve the groundwater level monitoring network and 24 wells would improve the groundwater quality monitoring network.

Regarding groundwater in storage, the Stipulated Judgment and the Water Year 2023 Annual Report discuss the mandatory well metering program for all non-de minimis pumpers to measure, record, and report monthly groundwater pumping volumes to the Watermaster. Of the 42 Parties with pumping rights, 27 Parties (64 percent) are active pumpers that operate a cumulative total of 68 pumping wells—all of which are metered. Twelve Parties (29 percent) are not active pumpers, while three parties have an unknown status but are assumed to be active pumpers. The Watermaster estimates the pumped volumes for these wells and will continue attempting to contact these Parties.[120]

The Watermaster has conducted semiannual surface water monitoring in Coyote Creek from spring 2018 to fall 2023. The measurements were quantitative from 2018 to 2019, then determined to be impractical due to low flow or dry conditions and transitioned to visual and qualitative observations in 2020.[121]

Department staff believe the monitoring network appears to be sufficient to evaluate groundwater conditions in the basin consistent with the objectives of the GMP and the Stipulated Judgement.

5.4 Projects and Management Actions

A GSP is required to include a description of the projects and management actions the local agency has determined are necessary to achieve the sustainability goal for the basin, including projects and management actions to respond to changing conditions in the basin.[122] The GMP proposes six projects and management actions (PMAs) that are

[119] Water Year 2023 Annual Report for the Borrego Springs Subbasin, Section 3.1.2.2, pp. 42-45; 3.1.2.3, p. 46.
[120] Water Year 2023 Annual Report for the Borrego Springs Subbasin, Section 3.1, pp. 38-39.
[121] GMP, Section 3.1.3, p. 47.
[122] 23 CCR §354.44.

intended to achieve the sustainability goal and to sustainably manage the Subbasin during the planning and implementation horizon.[123] These PMAs include programs for:

- Water Trading
- Water Conservation
- Pumping Reduction
- Voluntary Fallowing of Agricultural Land
- Water Quality Optimization
- Intra-Subbasin Water Transfers

The GMP identifies groundwater as the sole source of water and explains that importing water to this remote area is infeasible.

The Stipulated Judgment acknowledges the substantial historic and ongoing overdraft present in the basin, and has developed an incremental, 20-year process to reduce groundwater extractions to the currently estimated sustainable yield of 5,700 acre-feet per year. This is consistent with the timeline established by SGMA, which provides up to 20 years of plan implementation for a basin to reach its sustainability goal. The GMP states that "the Pumping Reduction Program is the central tool to implement the Physical Solution and achieve the sustainability goal for the Subbasin."[124] The GMP proposes to implement this pumping reduction program by taking the initial Baseline Pumping Allocation (BPA – the allocation for each non-de minimis pumper) and reducing the BPA of each pumper incrementally each year to reach the estimated "sustainable yield" of 5,700 acre-feet per year. No future groundwater extractions from new wells, including from new de minimis domestic wells, are authorized without application to the Watermaster. The GMP reports that this pumping reduction program will be reviewed at least every five years and adjusted so that the sustainability goals are reached by the end of the implementation period.[125] Department staff examined annual reports submitted in 2022, 2023, and 2024, which cover water years (WY) 2021, 2022, and 2023. The annual reports indicate that the pumping reduction program is off to a very good start, decreasing by 37 percent since the start of GMP implementation (WY 2020) and by 20 percent relative to WY 2022. Almost all extractions are metered and reported to the Watermaster and actual reported groundwater extraction rates in the Subbasin are well below the anticipated scheduled BPA rampdown, with total pumping in WY 2023 being 10,430 acre-feet, which was approximately 50% less that the annual allocation of 20,694 acre-feet. Furthermore, it appears that other projects or actions to provide operating flexibility, such

[123] GMP, Section 4, pp. 294-332.
[124] GMP, Section 4.4, p. 364.
[125] GMP, Section 4.4.1, pp. 366-368.

as fallowing and allocation trading, have also occurred in addition to administrative and technical advances.

Finally, when evaluating GSPs or alternatives, Department staff assess whether the local agency or GSA has the legal authority and financial resources necessary to implement the respective plan. Here, the primary implementing entity of the Borrego Alternative will be the Watermaster, as identified in the Judgment. The Stipulated Judgment provides the Watermaster with all the powers of a GSA.[126] Also, the Judgment is binding on all parties and property in the Subbasin, and the Court has retained continuing jurisdiction to ensure implementation and enforce all requirements.[127] The annual reports describe many actions and milestones that have occurred so far, further confirming the authority and ability of the Watermaster to implement the alternative. Therefore, the legal authority and financial resources of the Watermaster to implement the management proposed under the alternative are considered adequate. At this time, Department staff conclude that management under the alternative is progressing very well and at a rate at least comparable to, if not faster than, other basins where only GSPs are in place, which may be a result of the compromises and terms in the Stipulated Judgment and regularly scheduled local implementation (Watermaster, Technical Advisory Committee, and Environmental Working Group) and Court meetings.

5.5 Impacts to Adjacent Basins

When evaluating GSPs or alternatives under SGMA, Department staff assess whether the respective plan will adversely affect the ability of an adjacent basin to implement its plan or impede achievement of its sustainability goal. The Subbasin is currently not adjacent to any basins subject to SGMA and Department staff has, therefore, not further evaluated this issue.

6 Evaluation of the Relationship Between the GMP and The Stipulated Judgment

6.1 Overview

Water Code Section 10733.6(b)(2) provides that management pursuant to an adjudication action that satisfies the objectives of SGMA may be submitted to the Department as an alternative to a GSP, and that is what Department staff have been tasked to evaluate here. Among the materials submitted in support of this alternative are the Stipulated Judgment and a GMP.[128] The Stipulated Judgment is a formal, legal document approved by the Court; it often uses legal words and phrases and reads very much like a contract.

[126] Stipulated Judgment Section IV.E.1, p. 37:7-12.
[127] Stipulated Judgment Sections VII.A, VII.B, and IX.
[128] *Draft Final Groundwater Management Plan for the Borrego Springs Groundwater Subbasin* (January 2020). The GMP is attached as Exhibit 1 in the Stipulated Judgment, pp. 54-1652.

In contrast, the GMP is a technical document that derives its authority for basin management by virtue of being incorporated into the terms of the Stipulated Judgment.

The dual submission of the Stipulated Judgment and GMP, with affiliated and overlapping provisions and commitments, required a detailed staff evaluation.[129] Department staff reviewed both documents to understand not only the technical aspects of the GMP, but whether its terms or those of the Stipulated Judgment defined the plan for basin management. As explained below, where the GMP and Stipulated Judgment apply different criterion to the same aspects of basin management, the ability of Department staff to determine whether the Borrego Alternative is consistent with SGMA is complicated or impaired. Although Department staff do not regard the issues discussed below to preclude approval of the Borrego Alternative at this time, staff believe this is an important issue that should be addressed.

6.2 Uncertainty Regarding Role of GMP in Subbasin Management

The Borrego Alternative includes an intent for the GMP to provide the technical foundation for sustainable groundwater management in the Subbasin, as stated, for example, in the following provisions:

- "Technical Approach to Basin Management. The Physical Solution, including this Judgment and the GMP attached as Exhibit "1," will serve as the technical approach for Basin management, subject to modification as appropriate for Adaptive Management by order of this Court pursuant to this Court's continuing jurisdiction under Section VII, including periodic updates of Sustainable Yield through the processes described herein." (Stipulated Judgment, p. 19:4-8.)

- "The purpose of this GMP is to refine and expedite implementation of the Physical Solution.... Specifically, this GMP is adopted as part of the Physical Solution by means of a Judgment Pursuant to Stipulation.... The intent of the Physical Solution is to meet the requirements of SGMA. To this end, this Plan includes the scientific and other background information about the Subbasin required by SGMA and its implementing regulations. The Plan is also intended to provide a roadmap for how sustainability is to be reached in the Subbasin...." (Stipulated Judgment, GMP Executive Summary pp. 72-73.)

[129] The Stipulated Judgment states that it is intended "to provide a physical solution for the perpetual management of the Basin, which long-term management will achieve Sustainable Groundwater Management for the Basin consistent with the substantive objectives of [SGMA]" and that "this [Stipulated] Judgment considered together with the [GMP] constitutes the Physical Solution... ." (Stipulated Judgment p.5:2-12.) "Physical Solution" is accordingly defined as "[t]he terms of this [Stipulated] Judgment, including the GMP attached hereto as Exhibit '1', which are intended to achieve Sustainable Groundwater Management for the Basin consistent with the substantive objectives of SGMA and Article X, Section 2 of the California Constitution, and which may be modified over time in compliance with the procedures described herein." (Stipulated Judgment pp. 11-12.)

However, although these provisions state the GMP will "serve as the technical approach for Basin management" and "is also intended to provide a roadmap for how sustainability is to be reached," the Stipulated Judgment and GMP also include other provisions, such as the following, that create uncertainty as to the actual role of the GMP in making future management decisions in the Subbasin:

- "This judgment considered together with the Groundwater Management Plan ('GMP') attached hereto as Exhibit '1' constitutes the Physical Solution; provided, however, that *the provisions of this Judgment control over and supersede any contrary provisions contained in the GMP*." (Stipulated Judgment p. 5:9-12 [italics added].)
- "The 'Physical Solution' proposed for the Basin consists of the GMP and the Stipulated Judgment, as overseen by the Court; provided, however, *that the provisions of the Stipulated Judgment control over and supersede any contrary provisions contained in the GMP*." (GMP Cover Page p. 54 [italics added].)
- "This GMP includes and is to be interpreted and implemented consistent with and subject to the provisions of the Judgment. *The provisions of the Judgment control over and supersede any contrary provisions contained in this GMP*." (GMP Executive Summary p. 72 [italics added].)

Although the court retains jurisdiction over an adjudicated basin and may be called upon to resolve disputes regarding groundwater management, language in the Stipulated Judgment creates some uncertainty about the ability of Department staff to rely on the GMP as defining the technical parameters of that management. Because SGMA defines this kind of alternative as "management under an adjudication action,"[130] Department staff believe that the explanation of that management would benefit from a clarification of the role of the GMP in the Physical Solution.

6.2.1 The Role of the GMP in the Watermaster's Process for Calculating Sustainable Yield Every Five Years is Uncertain

The core of SGMA is its mandate to achieve "sustainability." While alternative submittals need not exactly match the contents of a GSP, the requirements for locally establishing and quantitatively describing basin-specific sustainable management criteria are essential to any evaluation of proposed sustainable groundwater management under SGMA. Basin-specific criteria are needed to define and describe sustainability for a basin, which will guide local groundwater managers in their decision making and enable the Department to monitor and evaluate the basin's progress towards achieving sustainability under SGMA.

[130] Water Code Section 10733.6(b)(2).

The Stipulated Judgment incorporates SGMA's general statutory definitions for sustainable yield and undesirable results,[131] but it does not include locally established quantitative descriptions of conditions for this Subbasin that would constitute or indicate the potential for undesirable results to occur, or conditions or indicators to maintain in the Subbasin to avoid undesirable results (i.e., sustainable management criteria). In contrast, as discussed earlier in this assessment, the GMP generally follows the GSP Regulations by establishing and describing local conditions and metrics for use as sustainable management criteria for the Subbasin (except for the inapplicable seawater intrusion and depletions of interconnected surface water sustainability indicators).[132] For instance, the GMP describes adverse impacts to well performance as one of the conditions in the Subbasin that would constitute an undesirable result for chronic lowering of groundwater levels:

- "Undesirable results associated with chronic (i.e., persistent and long-term) lowering of groundwater levels are most directly indicated by loss of access to adequate water resources for support of current and/or potential future beneficial uses and users." (Stipulated Judgment, GMP p. 284 [Sec.3.2.1].)
- "Groundwater level declines would be significant and unreasonable if they are sufficient in magnitude to lower the rate of production of pre-existing groundwater extraction wells below that needed to meet the minimum required to support the overlying beneficial use(s)...." (Stipulated Judgment, GMP p. 284 [Sec. 3.2.1].)
- "Because many of the domestic groundwater users not connected to [Borrego Water District] rely on continued access to the upper aquifer or upper portions of the middle aquifer, an important objective in this GSP is that access to the upper aquifer or upper middle aquifer be maintained, as much as is practicable, in areas with *de minimis* and other domestic wells not currently served by municipal supply." (Stipulated Judgment, GMP p. 286 [Sec. 3.2.1].)

To avoid such undesirable results, the GMP establishes minimum thresholds "intended to protect against significant and unreasonable impacts to groundwater storage volumes and water quality" and the groundwater level thresholds "are based principally on the documented screen intervals of key municipal water wells and domestic/*de minimis* wells" located in the Subbasin.[133] The GMP includes a list of nine municipal wells and their corresponding minimum thresholds, as well as 12 key indicator wells for each of the Subbasin's management areas, which are intended to be protective of the beneficial uses

[131] Stipulated Judgment Section I.A Definitions, paragraphs 56 ["Sustainable Groundwater Management], 57 ["Sustainable Yield"], and 60 ["Undesirable Results"].
[132] GMP, Section 3.2, p. 283. (Application of Standards in the Borrego Subbasin – Each of the sustainability indicators for the Subbasin is discussed as follows, in the context of undesirable results.)
[133] GMP, Section 3.3.1.1, p. 294.

and users of groundwater in the Subbasin."[134] The GMP describes the management process to avoid the aforementioned undesirable results (e.g., well dewatering) as one involving the Watermaster making adjustments to the rate of pumping in the Subbasin to avoid exceedances of the minimum thresholds and to achieve interim milestones:

> "The Watermaster will evaluate the minimum thresholds, interim milestones, and measurable objectives at least every 5 years ... to determine the likelihood that the Plan will attain sustainability goals. The Watermaster will adjust the rate of pumping reduction, revisit minimum thresholds, and/or evaluate additional [Projects and Management Actions] if the minimum thresholds in Table 3-4 or Table 3-5, as updated are exceeded or if the interim milestones in Table 3-7, as updated are not being achieved."[135]

In contrast, the Stipulated Judgment does not require the Watermaster to implement the management process described in the GMP. Instead, the Stipulated Judgment requires the Watermaster to consider several factors other than the GMP and does not specifically mention the GMP. This leaves the role of the GMP's sustainable management criteria in determining the Subbasin's sustainable yield and making any related pumping adjustments uncertain. Specifically, Stipulated Judgment Section III.F, titled "Process for Determining Sustainable Yield and Implementation of Subsequent Rampdown," states that beginning January 2025 and every five years until 2040:

> "[T]he Watermaster will, following receipt of input and recommendations from the Technical Advisory Committee, revise the determination of Sustainable Yield.... The revised determination of Sustainable Yield will consider all sources of replenishment, including return flows and underflows, and all outflows from the Basin, and will consider among other data, information derived from updated runs of the [Borrego Valley Hydrologic Model]. Any disagreement with [the] Watermaster's determination may be appealed to this Court for review, subject to the provisions of Section VII. The revised estimate of Sustainable Yield will determine the Rampdown Rate...." (Stipulated Judgment pp. 20-22 [Sec. III.F par. 3, 7, 10].)

[134] Table 3-4 (pp. 295-296) in the GMP shows Borrego Water District wells that are key indicator wells with established minimum thresholds based on the top of the well screen. Table 3-5 (p. 299) shows minimum thresholds for key indicator wells in each management area. Department staff note that none of the key wells are screened in the upper aquifer.

[135] GMP, Section 3.3.1.1, p. 299. Department staff note that other sections of this assessment focus solely on the contents of the GMP and discuss technical uncertainties or deficiencies regarding the GMP's establishment and discussion of the sustainable management criteria themselves under the assumption that the GMP is intended to and will be used in Subbasin management decisions and by the Department in future evaluations to determine whether the Subbasin is on track to reach sustainability as required by SGMA.

Thus, the approaches to calculating and managing for sustainable yield in the Stipulated Judgment and the GMP, respectively, are not described similarly and appear inconsistent. For example, the Stipulated Judgment expressly requires the Watermaster to consider only 1) "all sources of replenishment," 2) "all outflows from the Basin," and 3) "information derived from updated model runs of the BVHM." In contrast, the GMP's process expressly requires evaluation of the Subbasin's conditions against the minimum thresholds, interim milestones, and measurable objectives described and established in the GMP. The Stipulated Judgment's process for calculating sustainable yield does not appear to reference or incorporate the GMP's minimum thresholds for groundwater elevations, or the previously discussed commitment in the GMP to adjust the Subbasin's management regime based on an evaluation of actual groundwater level conditions in the Subbasin. While the Stipulated Judgment suggests the Watermaster "will consider … other data," perhaps leaving open the possibility that the GMP would be among the other data considered by the Watermaster, such consideration, by no means, seems to be required. Furthermore, the term "consider" does not indicate that the Watermaster would, or must, follow the GMP's sustainable management criteria, even if they were among the other data considered.

6.2.2 The Role of the GMP in the Watermaster's Process for Adjusting Pumping in Between the Five-Year Periods is Uncertain

The Stipulated Judgment includes the following provision providing for management adjustments at any time:

> "Notwithstanding the Rampdown schedule described herein, this Court, pursuant to motion of any Party or sua sponte, may adjust the rate of Rampdown up or down for any 5-year period or subdivision thereof, upon a finding that an adjustment to the Rampdown Rate is appropriate, and taking into account the limitations on Pumping necessary to avoid an Undesirable Result." (Stipulated Judgment, Section F.12, p. 22:23-27.)

Department staff appreciate the need for flexibility to effectively address issues that may arise during implementation of any groundwater management plan, but caution that some aspects of the Stipulated Judgment could be at odds with SGMA's expectations of an alternative. First, the process described above appears potentially inconsistent with the process established in the Stipulated Judgment for the Borrego Alternative's periodic evaluation, which is required by SGMA and the GSP Regulations to occur at least every five years.[136] The rationale for having two different processes associated with establishing pumping allocations is unclear, and no technical explanation seems to be provided; both processes relate to determinations of the rampdown schedule necessary to achieve sustainability and they, therefore, should ideally be the same.

[136] Water Code § 10733.8; 23 CCR § 358.2(b).

Second, like the five-year increment process, the interim adjustment process to define pumping allocations also does not appear to depend on the sustainable management criteria established in the GMP when calculating sustainable yield or the necessary pumping rampdown to achieve sustainability and thus lacks quantitative standards required by the GSP Regulations.[137]

Third, it does not appear that the Watermaster is authorized to invoke provision F.12, as referenced above, to adjust the "Rampdown" rate at times between the five-year increments, but that this process must be initiated either by the Court or by a motion of any Party, a term that is defined in the Stipulated Judgment but does not include the Watermaster.[138] Department staff believe this situation could create the potential that interim management adjustments that may be necessary to avoid undesirable results or achieve interim milestones may not be implemented, even if the Watermaster believes such actions are necessary.

6.2.3 The Role of the GMP in Judicial Review of Watermaster Decisions Is Uncertain

Department staff note that the Stipulated Judgment does not appear to afford the GMP any weight or control if the Watermaster's management decisions are contested by a groundwater pumper or other party. Specifically, the Stipulated Judgment provides:

> "Contested Watermaster decisions or other matters of disagreement will be reviewed by this Court upon noticed motion of any Party, any Watermaster Board member or the Watermaster. The Court review shall be de novo, without evidentiary weight to the Watermaster action or decision." (Stipulated Judgment p. 46:11-14.)

Thus, even if the Stipulated Judgment required the Watermaster to follow the GMP when making decisions involving sustainable management criteria, if a party challenged a Watermaster decision where the Watermaster had expressly followed provisions of the GMP (to avoid exceedance of minimum thresholds for groundwater levels or water quality for instance), the Stipulated Judgment expressly states that the Watermaster's reliance on the GMP would receive no deference from the Court. If the GMP is intended to provide the "technical approach" or "roadmap" for Subbasin management, as is indicated in one provision of the Stipulated Judgment and as stated in the GMP, it seems that management decisions consistent with or required by the GMP should generally be upheld by the Court or at least afforded some evidentiary weight.[139]

[137] 23 CCR § 354 et seq.
[138] Stipulated Judgment, Section I.40, p. 11:13-15.
[139] Stipulated Judgment, Section III.C., p. 19; GMP, Executive Summary, p. 73.

6.2.4 The Role of the GMP in Managing to Avoid Degraded Water Quality is Similarly Uncertain

The previous sections of this staff report, as they pertain to chronic lowering of groundwater levels, have provided several examples identifying the lack of technical clarity in the Stipulated Judgment and inconsistencies when compared to the GMP's implementation structure. Without delving into as much detail, it is important to note that similar issues and concerns arise with respect to degradation of water quality, another one of SGMA's six undesirable results and sustainability indicators. Specifically, as demonstrated by the following provision, the Stipulated Judgment appears to establish an open-ended, subjective process for the Watermaster to determine whether a certain amount of water quality degradation constitutes an undesirable result:

> "The Watermaster will determine if changes in water quality are significant and unreasonable following consideration of the cause of the impact, the affected beneficial use, potential remedies, input from the Technical Advisory Committee, and subject to approval by this Court exercising independent judgment." (Stipulated Judgment p. 45:13-16.)

This provision in the Stipulated Judgment does not reference or incorporate the parts of the GMP that discuss and establish sustainable management criteria for degraded water quality, or the projects and management actions intended to prevent undesirable results in the Subbasin from occurring.[140] As such, this provision is not clear as to how the prescribed thresholds and actions of the GMP relate to the Watermaster's decisions and management under the adjudication action when addressing water quality degradation.

6.3 Conclusion

Department staff conclude that although there appears to be an intent to use the GMP as the technical "roadmap" for management of the Subbasin, there are uncertainties and inconsistencies in the express provisions of the Stipulated Judgment and the GMP that cast confusion or doubt as to whether this is actually how the Borrego Alternative (i.e., "management under an adjudication action") will be implemented in the Subbasin. While flexibility under the rubric of adaptive management is desirable in a groundwater management program, at this time Department staff cannot assume or predict with sufficient certainty how the GMP will influence management decisions under the Borrego Alternative. This issue should be addressed to ensure that Department staff will be able to quantitatively track whether implementation of the Borrego Alternative is meeting the Subbasin's sustainability goal and the objectives of SGMA (see Recommended Corrective Action 7).

[140] GMP, Section 3.2.4 (Degraded Water Quality-Undesirable Results), pp. 289-290; Section 3.3.4 (Degraded Water Quality-Minimum Thresholds), pp. 306-308; Section 3.4.4 (Degraded Water Quality-Measurable Objectives), pp. 312-313; and Section 4.6 (Projects and Management Actions for Water Quality Optimization), pp. 373-378.

7 DETERMINATION STATUS AND RECOMMENDATIONS

Department staff recommend **APPROVAL** of the Stipulated Judgment as a SGMA alternative with several recommended corrective actions that should be implemented before the deadline for the next periodic submission and evaluation of the Borrego Alternative, which is June 25, 2026.

As explained in detail above, Department staff conclude that the GMP reflects a reasonable understanding of the geology and hydrology of the Subbasin based on decades of technical studies performed by objective third parties. That understanding is combined with a forthright discussion of the historical and current difficulties and challenges in eliminating overdraft and achieving sustainable groundwater management in the Subbasin. The Stipulated Judgment and GMP, while requiring refinement for clarity and consistency, establish a quantitative value for the initial sustainable yield as a goal to manage the groundwater extractions of the Subbasin and establish an enforceable program and general process for reducing extractions to reach the currently estimated sustainable yield in approximately 20 years. The program includes, among other attributes, the following:

- Robust local involvement through a regularly updated website and regular and public meetings of the Watermaster, Technical Advisory Committee, and Environmental Working Group;
- Quantitative measurement of groundwater extractions by metering virtually all non de minimis wells;
- Tracking and enforcing (with fees or Court orders) required reductions in tiered and allotted extractions;
- Allowing the voluntary transfer of pumping allocations within the Subbasin; and
- Monitoring groundwater levels throughout the implementation period.

Department staff believe these activities are reasonably designed to help the Watermaster manage the Subbasin towards the stated sustainability goals. Furthermore, efforts in the first several years of implementation of the Stipulated Judgment are proceeding rapidly and very well, putting this Subbasin ahead of efforts in many other overdrafted basins in the state that have only GSAs and GSPs.[141] For example, groundwater extractions have decreased 37 percent since water year 2020 when the GMP was first implemented, including metered reductions in pumping from 2022 to 2023 of 20 percent. Many of these reductions have come from the agricultural sector, which,

[141] Department staff note, for instance, that few, if any, other critically-overdrafted basins subject to SGMA have achieved equivalent levels of implementing the following measures: (1) metering and reporting of over 95 percent of groundwater extractions; (2) well-defined and enforceable pumping allocations and extraction fees; and (3) actual, substantial reductions in extractions.

historically, consumptively used over 70 percent of the Subbasin's groundwater. For critically overdrafted basins like the Borrego Springs Subbasin here, Department staff consider the option to utilize demand reduction to be appropriate, reasonable, and the most straightforward way to eliminate overdraft in the Subbasin. However, as explained above, SGMA is not focused on elimination of overdraft alone. SGMA requires that quantified sustainable management criteria be determined for each of the applicable sustainability indicators so that objective metrics can be used to define and determine whether a basin is being sustainably managed. The eventual elimination of overdraft over two decades does not automatically equate to the absence or avoidance of undesirable results under SGMA.

7.1 Recommended Corrective Actions

Based on evaluation of the Borrego Alternative, and as discussed above, Department staff recommend the following corrective actions for some sections of the Stipulated Judgment and/or GMP, and related components, in order to improve implementation of the Borrego Alternative and basin management thereunder, and ensure that the requirements of SGMA, especially sustainable groundwater management, are likely to be achieved within 20 years in the Subbasin.[142]

Recommended Corrective Action 1

- Provide more figures, maps, and supporting information to clarify the rationale for creating management areas and establishing different minimum thresholds and measurable objectives based on the management areas.[143]
- Discuss how the established sustainable management criteria are appropriate for each management area, why the minimum thresholds are appropriate to avoid significant and unreasonable impacts to beneficial uses and users, including any mitigation actions, and will facilitate implementation of the Stipulated Judgment.[144]
- Clarify which sustainability indicators have minimum thresholds that apply to a specific management area and which minimum thresholds apply to the entire Subbasin.

Recommended Corrective Action 2

Describe how the mitigation measures,[145] projects and management actions, and sustainable management criteria would avoid significant and unreasonable impacts to

[142] Department staff express no opinion and leave it to the Watermaster, local agencies and parties, and other local interests to determine what changes to make to which documents (e.g., Stipulated Judgment, GMP, etc.) to best carry out all of the recommended corrective actions.
[143] 23 CCR §354.12.
[144] 23 CCR §354.20.
[145] GMP, Table 3-1, p. 282.

beneficial uses and users, specifically domestic well owners. Describe in detail how the GMP's mitigation process to address undesirable results of impacts to domestic and de minimis users as groundwater levels continue to decline will be funded and implemented, including what is considered technically or financially feasible; the process in which feasibility will be determined; specific mitigation measures that will be considered or applied; and who will bear the responsibility and costs to mitigate the undesirable result.[146]

RECOMMENDED CORRECTIVE ACTION 3

Discuss the impacts to beneficial uses and users, including de minimis users, at the established minimum thresholds, interim milestones, and measurable objectives for each sustainability indicator in each management area, as applicable. Clarify the expected impacts to beneficial uses and users if all representative monitoring points in the Subbasin are at their respective minimum thresholds and interim milestones. Clarify the monitoring that will be performed in each management area that can be used objectively to track progress towards sustainability.[147]

RECOMMENDED CORRECTIVE ACTION 4

Provide more information regarding the minimum threshold and measurable objective for groundwater in storage, including quantified values for this sustainability indicator as they relate to the BVHM projected conditions.[148]

RECOMMENDED CORRECTIVE ACTION 5

Quantify the "generally accepted threshold limits for [crop] irrigation used by State Water Resources Control Board," and discuss how those limits will be used to track progress in the Subbasin to avoid undesirable results associated with degradation of groundwater quality. Describe the groundwater conditions and the associated impacts to beneficial uses and users of the Subbasin at those limits.[149]

RECOMMENDED CORRECTIVE ACTION 6

Until pumping reductions have been fully implemented to the point where overdraft is eliminated and groundwater pumping equals the sustainable yield, monitor for land subsidence and evaluate, at least every five years, whether land subsidence is interfering with property interests and surface uses or otherwise impacting beneficial uses and users (e.g., flood depths, flows, or risks, well casings or other infrastructure, etc.). Describe the

[146] GMP, Section 3.3.2.1, p. 303.
[147] 23 CCR § 354.34(d).
[148] 23 CCR § 354.28(c)(2).
[149] GMP, Section 3.4.4, p. 313.

amount of land subsidence or impacts that would be significant and unreasonable and therefore cause or constitute undesirable results in the basin.

RECOMMENDED CORRECTIVE ACTION 7

Eliminate inconsistencies or ambiguities between the Stipulated Judgment and GMP, and resolve or clarify the intended role of the GMP in Subbasin management and make appropriate amendments to the GMP and/or Stipulated Judgment (as needed) to clearly and expressly reflect (and enforce) that intent, especially, but not limited to the following issues detailed in Section 6 of this assessment:

a. Application and use of the GMP's sustainable management criteria to calculate the sustainable yield and making management decisions to avoid undesirable results within the Subbasin.

- Reconcile or explain the inconsistencies between the process and factors considered for making the periodic five-year calculations of sustainable yield and those for adjustments to sustainable yield in between the five-year periods.
- Reconsider and clarify the role of the GMP in guiding Watermaster and Court decisions in implementing the Borrego Alternative and managing groundwater in the Subbasin.
- Include in all annual reports and periodic evaluations submitted to the Department a description of Watermaster or court decisions (e.g., sustainable yield calculations, amended or new judgments[150], other orders of consequence, etc.) that impact basin management.

7.2 CONCLUSION

Although Department staff have included several recommended corrective actions, staff do not believe this precludes approval of the Borrego Alternative, at this time, because the Subbasin is currently being managed under the adjudication action and recent information demonstrates that significant progress towards sustainability has been, and continues to be, made. In particular, the following factors militate strongly in favor of an approval, at this time, while allowing additional time to complete the corrective actions during continued implementation of the alternative:

- This is a high-priority basin designated by the Department as in a condition of critical overdraft; therefore, addressing overdraft is of paramount importance. The

[150] In issuing new or amended judgments, the Court, Watermaster, and other parties may consider availing themselves of the provisions of section 850, subdivision (c), of the Code of Civil Procedure, which authorizes the Court to refer and request a joint report from the State Water Resources Control Board and the Department on how any such judgment could affect the ability of the State Water Resources Control Board or the Department to comply with the Sustainable Groundwater Management Act and to achieve sustainable groundwater management in the Subbasin.

Borrego Alternative does that through the Stipulated Judgment, which establishes a robust and enforceable procedure to reduce overdraft (by restricting extractions) every year for the next 20 years, if needed, to achieve sustainability. That procedure has been in place for the past two years and actual pumping in the Subbasin during that time has decreased faster than required by the pumping rampdown schedule in the Stipulated Judgment. Therefore, one of the major challenges facing this critically overdrafted basin has been addressed and is off to a very good start in relation to the 20-year timeline SGMA envisions for a GSP or alternative to achieve sustainability.

- Almost all extractions (about 95 percent) in the Subbasin are currently metered and reported to the Watermaster.
- The Watermaster has a functioning and enforceable fee structure in place to raise funds necessary to implement the Subbasin's management program.
- There have been no major controversies regarding implementation of the management program since the Judgment was entered and the fact that it is a court-ordered and enforceable judgment minimizes the risk of future controversies or lawsuits that could delay implementation (e.g., disputes over fees or water rights allocations).
- The deadline for resubmission of the Borrego Alternative is June 25, 2026, at which time the Department will be able to reassess management in the Subbasin with sufficient time to trigger state intervention, if necessary, to allow for full SGMA compliance within statutory timeframes.

PROOF OF SERVICE

Borrego Water District v. All Persons Who Claim A Right To Extract Groundwater, et al.
Orange County Superior Court, Central, Case No. 37-2020-00005776

I, Turkoise Kennedy, declare:

I am a resident of the State of California and over the age of eighteen years and not a party to the within action. My business address is 350 S. Grand Avenue, 37th Floor, Los Angeles, California 90071. On August 14, 2025, I served the within document(s) described as:

JOINT STATUS CONFERENCE STATEMENT OF BORREGO SPRINGS WATERMASTER

on the interested parties in this action as stated on the attached service list.

[X] (BY E-MAIL) By transmitting a true copy of the foregoing document(s) to the e-mail addresses set forth on the attached service list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 14, 2025, at Los Angeles, California.

Turkoise Kennedy
Email: tkennedy@rwglaw.com

SERVICE LIST

Borrego Water District v. All Persons Who Claim A Right To Extract Groundwater, et al.
Orange County Superior Court, Central, Case No. 37-2020-00005776

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To: Board of Directors

From: Andy Malone, Technical Consultant

Date: September 12, 2025

Subject: Technical Consultant Report – September 2025

OVERVIEW

The purpose of the monthly Technical Consultant Report is to share information with the Board on the status of technical efforts being performed with guidance and input from the Technical Advisory Committee (TAC) and Environmental Working Group (EWG). Additional details and topics that may arise after publishing this report will be presented during the Board meeting.

At the September 17, 2025 Board meeting, I intend to report out on the following topics:

- Status update on the review of the UCI GDE Study Report as "best available science" as required by the Watermaster policy.[1]

REVIEW OF THE UCI GDE STUDY REPORT AS "BEST AVAILABLE SCIENCE"

At its August meeting, the Board has directed staff to initiate TAC and EWG review of the UCI GDE Study Report as "best available science." On Friday, September 12, 2025, we sent an email to all TAC and EWG members to request their review and comment on the UCI GDE Study Report. We have requested that all comments be submitted by October 9, 2025 so they can be included in the agenda packet for the Board meeting on October 15, 2025.

The Board is also considering hiring a technical consultant with subject matter expertise in Mesquite Tree biology and groundwater dependent ecosystems (GDE) to perform an independent peer review of the GDE Study Report that has recently been published by scientists at UC Irvine (UCI GDE Study Report). The intent of the peer review is to determine if the UCI GDE Study Report represents "best available science" as required by the Watermaster policy. We identified five (5) candidates that could perform such a technical peer review:

1. **Desert Research Institute.** Las Vegas, NV
    - Jenny B. Chapman, Research Hydrogeologist Emeritus, Division of Hydrologic Sciences
    - Julianne J. Miller, Research Hydrologist, Division of Hydrologic Sciences
    - Tiffany J. Pereira, Associate Research Ecologist, Division of Earth and Ecosystem Sciences
2. **United States Geological Survey**. Tucson, AZ
    - Pamela Nagler, Ph.D., Research Physical Scientist, Southwest Biological
3. **Northern Arizona University** (DSCESU)
    - Brad Butterfield, Ph.D., Associate Research Professor, Department of Biological Sciences
4. **University of California, Riverside** (DSCESU)

[1] 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

- Darrel Jenerette, Ph.D., Director of the Center for Conservation Biology; Professor, Department of Botany and Plant Sciences

5. **The Nature Conservancy**

- Scott A. Morrison, Ph.D., California Executive Director (Interim)

We requested proposals from each candidate by email on September 3, 2025. Proposals are due by September 17, 2025. At the Board meeting, I should be able to report on how many proposals we received.

The next steps are to share the proposals with the TAC and EWG and ask them to evaluate and rank the proposals to assist the Board in its selection of a peer reviewer. I will compile the TAC/EWG evaluations and rankings and provide to the Board in the agenda packet for its October 15, 2025 meeting. The Board will be asked to select the independent peer reviewer at the October Board meeting. Thereafter, we will execute a Professional Services Agreement with the selected peer reviewer, send them the TAC/EWG comments on the UCI GDE Study Report, and ask them to initiate their peer review.

To: Board of Directors
From: Samantha Adams, Executive Director
Date: September 12, 2025
Subject: Executive Director Report – September 2025

Overview

The purpose of the monthly Executive Director (ED) Report is to share information with the Board on the status of key administrative items, including identifying recommended items for future discussion and action. At our September 17, 2025, Board meeting, I intend to report out on the following items. Some information for each item is provided herein, where available. Additional details and topics that arise after publishing this report may be presented during the meeting.

The September 2025 ED Report topics include:

- SGM Grant Reimbursement Status
- WY 2025 Pumping Assessments and Meter Read Invoices
- WY 2025 Water Rights Accounting
- Budget Subcommittee
- BPA and Party Updates

Status Updates

SGM Grant Status

Status of outstanding Reimbursement Requests:

- Reimbursement Request #9 was approved for payment in August, with payment expected in September/October, two months ahead of the schedule assumed in our financial planning model. Due to the retention policy within the grant, 10% of the total grant amount (by component) is being retained until final review of all grant materials is complete. Thus only a portion of Reimbursement #9 is expected to be paid at this time. Our financial model assumes the payment of retained funds will be delivered in March 2026.
    - **Reimbursement #9 Requested Amount:** $563,696
    - **Reimbursement #9 Initial Payment (less Retention):** $333,099
- Reimbursement Request #10 has been reviewed by DWR. BWD is coordinating with the subgrantees on addressing DWR comments and questions.

WY 2025 Pumping Assessments and Meter Read Invoices

- Invoices for the second installment of the WY 2025 pumping assessment were sent out to the Parties the week of May 19th – totaling $175,021.24 in invoices. Payment was due to Watermaster by June 30, 2025. As of the writing of this memo, 100 percent of payments have been made.
- Meter Read invoices totaling $7,025.28 were also distributed the week of May 19th, with a due date of June 30, 2025. As of the writing of this memo, only $146.36 is outstanding.

WY 2025 Water Rights Accounting

- We are in the final month of WY 2025 and the water rights accounting process will begin in October, with the following key milestones and dates of note:
  - Official Watermaster Meter Reads: 9/30 and 10/1
  - Report of available water for Carryover Election due to Parties: 10/15
  - Water Rights transfers with effective date of WY 2025 due to Watermaster: 10/27
  - Party elections of Carryover due to Watermaster: 10/31
  - Report final WY 2025 Water Rights Accounting to Board: 11/19
- We have notified all parties with a potential to incur an Overproduction Penalty Assessment so they can attempt to arrange for transfers to avoid this penalty. We intend to follow up again soon.

Budget Subcommittee

- The Budget subcommittee has had one meeting and identified the cost of meter reading as a first budgetary item to address. Outcomes include:
  - Recommending the Board consider updating the meter reading policy to reduce official Watermaster meter reads to twice per year (March and September), and increase self-reporting. This item is included in this meeting agenda for consideration, with finalization by October 2025.
  - Director Moran will revisit BWD's ability to perform the meter reads to avoid high-cost of West Yost performing the work. BWD has proposed revised approach and rates that will be presented for consideration following the decision on meter reading frequency by the Board.

BPA and Party Updates

- As reported and discussed in March, there is one Party that remains out of compliance with the Judgment and is not in contact with the Watermaster. Information about outstanding balances and metering requirements to Alternate Director Jim Dax to see how we might be able to get engaged. There is nothing new to report this month on the subject.
  - The current outstanding balance owed to Watermaster is $372.24.
  - The assumed annual pumping by this party is 1.20 acre-feet per year.

Borrego Springs Watermaster
Board of Directors Meeting
September 17, 2025
AGENDA ITEM VI

To: Board of Directors

From: Samantha Adams, Executive Director

Date: September 12, 2025

Subject: Establishing Agenda for October 15, 2025 Regular Board Meeting

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Process

To set the October agenda, the Board will:

1. Review the initial October agenda topics planned by Staff, as listed below
2. Review the November and December tentative topics planned by Staff and previously requested items by Board members, as listed below
3. List out additional items that have arisen during the September 2025 Board meeting (such as during public comment)
4. Call on Directors to request additional items for consideration of inclusion on the October or other future agenda
5. Consider motion(s) to approve the agenda (the agenda can be approved in a single motion or multiple motions to cover each item). The Agenda/items are approved by majority vote (3 of 5 directors)

Staff's Initial Agenda for October Regular Meeting

The October 15, 2025 Regular meeting (held In-Person at the Borrego Springs Public Library) will include all standard items of: public correspondence, consent calendar (meeting minutes, financial reports, staff invoices, etc.), verbal Staff and Chair reports, establishing the agenda for the subsequent meeting, Board member comments, listing of future meeting dates, and adjournment. In addition to the standard items, the initial agenda planned by Staff for October 2025 includes the following business items for consideration and possible action:

1. Election of Board Officers for WY 2025
2. Review and Selection of Peer Reviewer for GDE Study
3. Watermaster Meter Reading Program – Consideration of Updates (if needed)
4. Draft Water Year 2025 Water Rights Accounting
5. Process and Schedule to complete Water Year 2025 Annual Report (ED Report)
6. Workshop – Overview of Public Comments in Sustainable Management Criteria Workshop
7. Consideration of Approval of November 2025 TAC Meeting Agenda

Staff's Tentative Topics for November and December

November Agenda Topics

1. Final Water Year 2025 Water Rights Accounting
2. Final Water Year 2025 Budget Status Report
3. Consideration of Approval of TAC and EWG Meeting Agendas
4. Workshop – RCA #2: Domestic Well Mitigation

December Agenda Topics

1. Review change in Groundwater Storage Calculation – Spring 2024 to Spring 2025
2. Workshop – Recommendation on Final SMCs