

MINUTES
BORREGO SPRINGS WATERMASTER BOARD MEETING
Conducted Virtually via GoToMeeting
Wednesday, July 16, 2025, 3:00 p.m.

The following individuals were present at the meeting:

Directors Present	Vice Chair Tyler Bilyk – Agricultural Sector Secretary and Treasurer Shannon Smith – Recreational Sector Mark Jorgensen – Community Representative Director Gina Moran – Borrego Water District (BWD)
Watermaster Staff Present	James M. Markman, Legal Counsel Samantha Adams, Executive Director, West Yost Andrew Malone, Lead Technical Consultant, West Yost Lauren Salberg, Staff Geologist, West Yost
Others Present	Cathy Milkey, representing Rams Hill David Garmon Diane Johnson, BWD Board Member Geoff Poole, BWD General Manager George Peraza, DWR Jim Dax, Board Alternate - Community Representative Kathy Dice, Board Alternate - BWD Rich Pinel, Board Alternate - Recreational Sector Steve Anderson, BB&K, representing BWD Tammy Baker, BWD Board Member Travis Huxman, UCI Trevor Jones, Intera

Please visit the [Watermaster's Website](#)¹ to access the Agenda Packet, recording, and presentation for the July 16, 2025 Meeting.

I. Opening Procedures

- A. Vice Chair Bilyk called the meeting to order at 3:00 PM at which time the meeting recording was started.
- B. Vice 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 four of five members of the Board were present. Director Bennett was absent.
- D. Approval of Agenda.

Motion: Motioned by Director Jorgensen, seconded by Director Moran to approve the Agenda.

Motion carried unanimously by voice vote (4-0-0).

II. Public Correspondence

- A. Correspondence Received. ED Adams referred to the correspondence from David Garmon included in the agenda package.

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

B. **Public Comments.** Vice Chair Bilyk called for public comments. Public comment was made by Jim Dax and David Garmon.

- Mr. Dax voiced support for David Garmon's letter.
- Mr. Garmon elaborated on his letter included in the Public Correspondence, also noting that the topic of the Groundwater Dependent Ecosystem (GDE) study report is relevant to the discussion on the DWR's Recommended Corrective Actions (RCAs), specifically RCA #3.

III. Consent Calendar. Vice Chair Bilyk called for any discussion on the Consent Calendar items included in the July 16, 2025 agenda package. There were no public comments. Board discussion included:

- Director Smith noted that the June 2025 financials included in the Consent Calendar (Item II.B) show an improvement to the balance sheet (page 14 of the Agenda Package).
- Director Moran requested to split the approval into two motions – one for the meeting minutes and one for the balance of the consent calendar.

Motion: Motioned by Director Moran, seconded by Director Smith to approve the Consent Calendar Items B, C, and D meeting. *Motion carried unanimously by roll-call vote (4-0-0).* Director Bennett was absent.

Motion: Motioned by Director Moran, seconded by Director Smith to approve the Consent Calendar Item A. June 18, 2025 meeting. *Motion carried unanimously by roll-call vote (3-0-1).* Director Moran abstained because she was not present at the June 18, 2025 Board meeting. Director Bennett was absent.

IV. Election of New Board Chairperson, and Possibly Other Watermaster Officers, during the July Board Meeting. Mr. Markman summarized the process for electing a new Board Chairperson. At the conclusion of the presentation, Vice 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 expressed support to nominate Vice Chair Bilyk to serve as Chairperson of the Board and Director Bennett to serve as Vice Chair of the Board.
- Vice Chair Bilyk noted his willingness to accept the position.
- It was noted that Director Bennett indicated his willingness to accept a n officer position via email.

Motion: Motioned by Director Smith, seconded by Director Jorgensen, to elect Vice Chair Bilyk as Chairperson and Director Bennett as Vice Chairperson of the Watermaster Board. *Motion carried unanimously by roll-call vote (4-0-0).* Director Bennett was absent.

V. Items for Board Consideration and Possible Action

A. *Appointment of Budget Subcommittee.* ED Adams summarized the memo included the agenda package. At the conclusion of the presentation, Vice 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:

- Chair Bilyk and Directors Moran and Smith expressed willingness to participate in the Budget Subcommittee.
- Director Jorgensen expressed support for Director Moran to participate in the subcommittee given her experience with the State Park.
- Director Moran expressed support for Director Smith to participate in the subcommittee, given that Chair Bilyk has already taken on additional responsibilities.

Motion: Motioned by Director Jorgensen, seconded by Director Smith, to elect Director Moran to the Budget Subcommittee. *Motion carried unanimously by roll-call vote (4-0-0).* Director Bennett was absent.

Motion: Motioned by Director Moran, seconded by Director Jorgensen, to elect Director Smith to the Budget Subcommittee. *Motion carried unanimously by roll-call vote (4-0-0).* Director Bennett was absent.

B. *GDE Scope and Schedule.* Mr. Malone summarized the memo included in the agenda package and asked specific questions of the Board to prompt discussion. At the conclusion of the presentation, Vice Chair Bilyk opened the floor to public comment, followed by Board discussion. Public comment was made by David Garmon.

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

- Task 2 of the GDE scope, as presented, does not address the findings from the GDE study that the GDEs are experiencing undesirable results.

The key points of discussion by the Board included:

- Board members expressed an interest in finding a third party to perform an independent review of the GDE study and to expedite the schedule of the GDE scope.
- The TAC and EWG should be involved in finding an external consultant to perform an independent review of the GDE study report to determine if it is Best Available Science.
- Director Jorgensen voiced confidence in the work performed by the University of California Irvine (UCI), along with voicing support for an independent review of the GDE study report.
- Directors expressed different opinions on whether Mr. Malone should be involved in the review of the GDE study report.
- Whether the TAC and EWG should also review the report and provide the Board with recommendations for next steps if an independent reviewer determines the GDE study report to be best available science.
- Mr. Malone provided his opinion on the recommended next steps and further explanation of the two tasks included in the GDE scope.
- The Board expressed interest in seeing and discussing a list of potential consultants who could perform the study review by the August 2025 meeting.

- A scope of work of the GDE study review should be prepared so that it can be sent to the candidates and used to inform their cost estimate to perform the work.

Following the discussion, the Board directed Staff to prepare a draft scope of work to review the GDE study and create a list of candidates who could perform an independent review of the GDE study. Both the scope of work and list of candidates should be reviewed and contribute to by the TAC and EWG, and presented to the Board at its August 2025 meeting.

C. *Consideration of Approval of Agendas for the Next TAC and EWG Meetings.* Mr. Malone described the proposed Agendas for the upcoming Technical Advisory Committee (TAC) and Environmental Working Group (EWG) meetings. 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, Travis Huxman, and Tammy Baker.

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

- Recommendation to add an item to the TAC agenda on the GDE study report next steps.
- Mr. Huxman requested to be informed if and when he may be needed by the Board, TAC, or EWG to provide a briefing on the GDE study report.
- Mr. Huxman informed the Board that several pieces of the GDE study report will undergo a peer review process as part of submission of articles for publication in various scientific journals.
- The approach for developing the scope of work, which includes:
 - Mr. Malone will generate a draft scope of work and email the draft to the TAC, EWG, and Board ahead of the August 7, 2025 TAC meeting. The TAC, EWG, and Board will be given one-week to review the draft scope and provide feedback. The group will also be asked to share any candidates to perform the GDE study report review.
 - The TAC will discuss the GDE study review scope and list of candidates at its August 7, 2025 meeting.
 - The EWG will provide feedback via email because the EWG meeting is not calendared yet.
 - The Board will discuss the draft GDE study review scope of work and the list of candidates at its August 20, 2025 meeting.

The key points of discussion by the Board included:

- Discussion on the proposed agenda item for the EWG to kick-off review of the GDE study. The Board discussed when the EWG should review the study (*i.e.* before, during, or in parallel to the independent review).
- Director Jorgensen recommended that the report be sent to 2-3 independent reviewers to gather their feedback, then ask Mr. Malone to consolidate their findings and share them with the TAC and EWG.
- The TAC and EWG should have the opportunity to provide input on the proposed scope of work ahead of the August 20, 2025 Board meeting.

Motion: Motioned by Director Smith, seconded by Director Moran, to approve i) the EWG meeting agenda as presented, and ii) the TAC meeting agenda as presented plus a new agenda item for the TAC to review and provide feedback on the draft scope of work and list of third parties to review the GDE study report. *Motion carried unanimously by roll-call vote (4-0-0)*. Director Bennett was absent.

D. *WY 2025 – Q3 Watermaster Budget Status Report (as of June 30, 2025)*. ED Adams provided a summary of the memo 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 praised the group for managing the budget in WY 2025, especially considering the amount of work performed.

No Board action was taken.

E. *Addressing DWR Comments on the Judgment/GMP: RCA #7 – Judgment vs. GMP*. ED Adams provided a summary of the memo included in the agenda package focused on the DWR's Recommended Corrective Action (RCA) #7. At the conclusion of the presentation, Chair Bilyk opened the floor to public comment, followed by Board discussion. Public comment was made by Mr. Markman, Steve Anderson, Diane Johnson, and Cathy Milkey.

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

- Mr. Anderson, legal counsel for the Borrego Water District, recommended that a separate meeting(s) be held amongst the attorneys that authored the Judgment to discuss the RCA elements that are primarily legal issues.
- Cathy Milkey, legal counsel for T2 LLC, agreed with Mr. Anderson's recommendation.
- Several of DWR's RCAs relate to "quantifiable" criteria in the GMP.

The key points of discussion by the Board included:

- The DWR communications committee was formed to facilitate and participate at any meetings with DWR, especially as staff work on addressing the RCAs. Former Chair Duncan served on this subcommittee.
- Mr. Markman's interpretation of DWR's RCA #7 is that DWR wants a clear connection between the criteria in the Groundwater Management Plan (GMP) and the actions in the Judgment.
- The Board agreed with the recommendation to convene the Judgment authors to meet and discuss RCA #7 prior to any further work being done by staff to address this RCA.
- Director Moran and Director Jorgensen both agreed to be considered to participate on the DWR communications subcommittee.
- Responses RCAs will be presented regularly to the Board at its meetings, likely through January 2026. The draft 5-year GMP report will be presented to the Board at its March 2026 meeting.

Motion: Motioned by Director Smith seconded by Chair Bilyk, to elect Director Jorgensen to the DWR communications committee. *Motion carried unanimously by roll-call vote (4-0-0).* Director Bennett was absent.

Following the discussion, ED Adams stated she will work with the DWR communications committee and legal counsels to set up a meeting to discuss RCA #7 and transmit the memo written on this topic (included in the Agenda Package Addendum) to the group ahead of its meeting.

VI. Reports.

- A. Legal Counsel Report. Mr. Markman provided an update on Assembly Bill (AB)-1413, which is a draft bill going through the California State legislature that deals with the relationship between Basin adjudications and SGMA.
- B. Technical Consultant Report. Mr. Malone reported on the items listed in the agenda package memo (see slides 34 through 40 of the [Board presentation slides](#)). There were no additional topics discussed. Public comment was made by Travis Huxman, Jim Dax, and Diane Johnson.

Public questions and comments included:

- All future pumping is assigned at wells. The Farm Process is still used to simulate return flows.
- The end uses/locations of the pumping shifted from the Central to North Management Area are the same.
- Individual pumping plans have not yet been published unless the party has given permission. However, all Parties are adhering to the Rampdown schedule to the 2025 Sustainable Yield.
- The workshop in September 2025 (tentative) will discuss what's regulated under SGMA in regards to water quality.

Board questions and comments included:

- The results of the pumping projections will be presented to the Board at its August 2025 meeting.
- The Watermaster cannot approve transfers of water rights that result in Undesirable Results.
- Mr. Markman shared that construction of new infrastructure to facilitate a shift in pumping from one management area to another would need to be approved in Court.
- Director Smith described why T2 agreed to fund the additional model simulation.

- C. Executive Director Reports. ED Adams reported on the items listed in the agenda package memo (see slides 41 through 42 of the [Board presentation slides](#)). There were no additional topics discussed.
- D. Chairperson's Report. Chair Bilyk thanked everyone for donating their time and energy for participating on a committee. He also welcomed Director Moran. He also thanked everyone for the vote of confidence in electing him as Chairperson of the Board.

VII. Approval of Agenda Items for August 20, 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 August 20, 2023 Board meeting agenda, in addition to items listed in the Agenda package. Discussion included:

- Recommendation to include a new agenda item with the broad topic on next steps for the GDE study.
- ED Adams updated the proposed Agenda for the August 20, 2025 meeting on the meeting screen based on discussion, noting it now includes the following items:
 - Consideration of Approval of Contract Amendment No. 13 and Statement of Work No. 8 for West Yost Administrative and Technical Services for WY 2026
 - Overview of BVHM pumping projection results
 - Workshop: Sustainable Management Criteria – Water Levels and Storage
 - GDE Study – Next Steps

Motion: Motioned by Chair Bilyk seconded by Director Jorgensen, to approve the August 20, 2025 agenda presented. *Motion carried unanimously by roll-call vote (4-0-0).* Director Bennett was absent.

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

- Director Jorgensen congratulated Chair Bilyk on his new role as Chairperson.
- Director Smith thanked everyone who's stepped up to work here and thanked Director Moran for joining the Board.
- Director Moran thanked the Board.

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

X. Adjournment

A. Chair Bilyk adjourned the meeting at 5:29 PM.


Recorded by:
Lauren Salberg, Staff Geologist, West Yost


Attest:
Shannon Smith, Secretary and Treasurer of the Board