

MINUTES
BORREGO SPRINGS INTERIM WATERMASTER BOARD MEETING
Conducted Virtually via GoToMeeting
Thursday, March 11, 2021, 4:30 p.m.

I. Opening Procedures

- A. Chairman Duncan called the meeting to order at 4:34 p.m.
- B. Chairman Duncan led the meeting participants in the Pledge of Allegiance.
- C. Samantha Adams (Executive Director) called roll and confirmed that all members of the Board were present. The following individuals were present at the meeting:

Directors Present	Chairman Dave Duncan – Borrego Water District (BWD)
	Vice Chairman Shannon Smith – Recreational Sector
	Jim Bennett – County of San Diego
	Mike Seley – Agricultural Sector
	Mark Jorgensen – Community Representative
Watermaster Staff Present	James M. Markman, Legal Counsel
	Samantha Adams, Executive Director, West Yost
	Andrew Malone, Lead Technical Consultant, West Yost
	Kristan Culbert, Staff Scientist, West Yost
	Austin Poncelet, Staff Scientist, West Yost
Others Present	Steve Anderson, BB&K
	Lyle Brecht, BWD Board Member
	Tammy Baker, BWD Board Member
	Leanne Crow, County of San Diego (Board Alternate)
	Martha Diechler, Board Alternate – Community Rep.
	Diane Johnson, BWD Board Member
	Michele Staples, Jackson Tidus
	Cathy Milkey, Rams Hill
	Anita Regmi, DWR
	Elena Thompson
	Dr. Michael Wells, Borrego Springs Watermaster Environmental Working Group Member
	Trey Driscoll, Dudek

- D. Approval of Agenda.

Motion: Motioned by Director Smith, seconded by Director Jorgensen to approve the Agenda as included in the Board meeting package. *Motion carried unanimously (5-0-0).*

II. Public Correspondence

- A. Correspondence Received.
 - Executive Director (ED) Adams identified that the agenda package includes correspondence received from Tammy Baker and Lyle Brecht regarding management of water rights accounting and transactions data (including integrity and security thereof). The Board directed staff to include the subject matter of the letter as an agenda item in a future meeting.

- B. Public Comments. Chairman Duncan called for public comments.
 - Elena Thompson addressed the Board on the subject of cannabis cultivation and its potential impact on pumping in the Borrego Springs groundwater subbasin.

III. Consent Calendar

The Consent Calendar for the March 11, 2021 meeting included:

- A. *Approval of Minutes for Regular Board Meeting on February 11, 2021.*
- B. *February 2021 Financial Report.*

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

IV. Items for Board Consideration and Possible Action

- A. *Summary of Inaugural Environmental Working Group Meeting (Malone).*

Mr. Malone presented a summary of the inaugural meeting of the Environmental Working Group (EWG) that was held on February 26, 2021. Mr. Malone informed the Board that meeting minutes had been prepared and circulated for review by the EWG members. The group is also preparing a table of potential topics to be explored by the EWG and presented to the WM board. Director Jorgensen commented that the EWG members' diverse expertise would enable them to make significant contributions to the group. Director Bennett described several items discussed by the EWG, including the potential for biological mitigation programs. At the conclusion of the presentation, Chairman Duncan opened the floor to public comment, followed by Board discussion. No Board actions were taken.

- B. *Monitoring Results Reporting for Semi-Annual Monitoring Program (Adams).*

ED Adams presented the memo included in the agenda packet. At the conclusion of the presentation, Chairman Duncan opened the floor to public comment. Public comment was made by Michele Staples, Diane Johnson, and Dr. Michael Wells. The key points of discussion included:

- ED Adams clarified that the semi-annual reporting would only include wells pre-approved for monitoring, and that are included in the Watermaster monitoring program.
- The Board directed staff to prepare the summary reports for the April Board meeting.

V. Reports

- A. Executive Director Reports. ED Adams reported on the following items:

- Chairman Duncan will call for a Special Board Meeting on Thursday, March 23, 2021 at 3:00 p.m. for consideration of approval of the WY 2020 SGMA Annual Report to DWR. The report will be released for Board member review approximately one week ahead of the Special Board meeting.
- 92 percent of the Settling Parties have paid all or a portion of their pumping assessments. Two parties have not yet made payment on the second installment, and four parties have not paid either the first or second installment of the assessments. Chairman Duncan reminded the Board that one Settling Party, Mr. William Bauer, is considered to be "unmanaged" by the State Board due to their property's location outside of the Borrego Water District boundary. Thus, Mr. Bauer is currently subject to being billed for pumping

assessments by the Watermaster and the State. A discussion ensued and the Board directed staff to offer a forbearance of Mr. Bauer's pumping assessments so as to ensure that he is not paying assessments to both the Watermaster and the State Water Resources Control Board. The forbearance will be in place until the Judgment is finalized and the duplicate payment issue can be resolved.

- The water credit conversion letters have been drafted and are in the process of being finalized.
- The Water Year 2021/22 budget will be a subject of discussion in the coming months in order to meet the schedule defined in the proposed Stipulated Judgement.

B. Legal Counsel Report—*none*.

C. Chairperson's Report— *none*.

D. Status of Stipulated Judgement. Steve Anderson (BBK) provided an update. The hearing for the Judgment has been set for April 8, 2021. A first amendment to the Judgement has been released and posted to borregowaterlawsuit.com.

VI. Board Member Comments

Director Jorgensen stated that there are concerns among the community about reduced funding for air quality monitoring within the Borrego Springs area and inquired about BWD's plan. Director Duncan explained that this is a subject of discussion for the BWD Board and clarified that BWD agreed to fund the monitoring program for the first half of the year and assess funding beyond that mid-year.

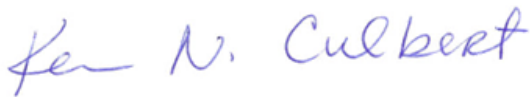
There were no other comments from the Board.

VII. Next Meetings of the Borrego Springs Watermaster

- A. Special Board Meeting – Thursday, March 23, 2021 at 3:00 p.m.
 - i. Consideration of Approval of the WY 2020 SGMA Annual Report to DWR
- B. Regular Board Meeting – Thursday, April 8, 2021 at 4:30 p.m.

VIII. Adjournment

- A. Director Duncan adjourned the meeting at 5:21 p.m.



Recorded by: Kristan Culbert
West Yost



Attest: Shannon Smith, Board Secretary