

**Borrego Water District**  
**MINUTES**  
**Regular Meeting of the**  
**Board of Directors of May 14, 2008**  
**9:15 AM**  
**806 Palm Canyon Drive**  
**Borrego Springs, CA 92004**

**I. OPENING PROCEDURES**

- A. Call to Order: President Mendenhall called the meeting to order at 9:15 a.m.
- B. Pledge of Allegiance: Those present stood for the Pledge of Allegiance.
- C. Roll Call:     Directors: Present: President Mendenhall, Secretary/Treasurer Andersen, Shimeall, Smiley  
Absent: Vice-President King  
Staff: Richard Williamson, General Manager  
Allison Burns, Stradling, Yocca, Carlson & Rauth  
Jerry Rolwing, Operations Manager  
Wendy Quinn, Recording Secretary  
Public: Jim Engelke                     Scot Fortiner  
Judy Meier, *Borrego Sun*         Ray Shindler  
Lane Sharman, BWX                 Rebecca Falk  
Bob McKee                             Charlie Horton

D. Approval of Agenda: President Mendenhall requested that Item II.A (Consideration of the Board to authorize the General Manager to sign the Consulting Services Agreement with David Taussig & Associates, which provides for annual administrative services) be addressed following Item II.F to enable staff to acquire additional information **MSC: Shimeall/Smiley approving the Agenda as amended.**

E. Comments from the Public and Requests for Future Agenda Items: None

F. Comments from Directors and Requests for Future Agenda Items: None

G. Correspondence: Rich Williamson invited the Board's attention to an April 18 article from *The San Diego Union-Tribune*, submitted by Bob McKee. The article reports that the City of Oceanside is proposing to ban three weeds, one of which is tamarisk, which are considered public nuisances due to fire hazard and heavy water use. President Mendenhall questioned whether these are the same type of tamarisk found in Borrego Springs, and Mr. Williamson agreed that riparian habitats differ from the desert. He further pointed out that tamarisks are dying in agricultural areas that have been fallowed, indicating they get water from irrigation and their roots don't reach the groundwater. Director Shimeall reported that the State Park is removing tamarisk from Coyote Canyon, which is a riparian habitat. Mr. Williamson explained that removal of an entire species can upset the balance of nature, so the issue requires further study and cooperation with agriculture. Director Smiley noted that his farm removed all tamarisk but needed a wind break, so they were replaced with trees that required irrigation. Mr. Williamson suggested inviting representatives of AAWARE to a future meeting.

**II. CURRENT BUSINESS MATTERS**

B. Water Resource Management Plan - Update: Mr. Williamson explained that the Water Resource Management Plan, which is being prepared by Bill Mills, is a component of the Groundwater Management Plan. Mr. Williamson and Jerry Rolwing reviewed the second draft last week and are

preparing comments. The Plan outlines options for providing additional water and conserving existing groundwater. Along with the Integrated Regional Water Management Plan, the Water Resource Management Plan will support future grant applications. Once the Plan has been finalized, it will be brought to the Board and then placed in the library for public comment. Financial components of the Plan will be considered during the budget development process. President Mendenhall asked Director Smiley to review the draft Plan, and Mr. Rolwing suggested inviting Mr. Mills to a future meeting to discuss it.

C. Historical Water Usage Review – Borrego Valley/Montesoro/IDs 1, 3 & 4: Mr. Rolwing invited the Board's attention to Agenda packet pages 37 and 38, showing production statistics by well in each improvement district. Page 36 summarized production history throughout BWD. Discussion followed regarding water usage at Montesoro golf course, which varied from year to year depending on the size of the course and its design. Director Smiley felt that increased water use should trigger mitigation requirements, and Allison Burns agreed to investigate and report back. Ray Shindler reported that he and Dan Wright were discussing potential turf removal at The Springs golf course, which could serve as an example for other courses. Mr. Williamson added that De Anza golf course was considering an upgrade to their irrigation system and conversion to drought tolerant planting around the perimeter.

Mr. Rolwing continued his report with a summary of Agenda page 34, showing 2007 usage by customer type. Discussion followed regarding agricultural fallowing, and whether all the recent fallowed parcels were considered in the statistics. Mr. Rolwing agreed to look into it and make any necessary corrections. Further discussion followed regarding the Henderson Netto Model. Mr. Williamson questioned whether it took into account return flow from golf courses and agriculture. Mr. Rolwing believed that it did, but the amount was difficult to quantify. Mr. Williamson emphasized the importance of making accurate assumptions when using a model, and noted that the new DWR study would be helpful in this regard, using a framework from the USGS model and updating the assumptions. Director Smiley added that data from monitoring wells and aquifer tests should also be used.

**President Mendenhall declared a recess at 10:30 a.m., and the Board reconvened at 10:45 a.m.**

D. Status report on the CSD Reorganization/Annexation: Mr. Williamson reported he met with representatives of the Community Services District yesterday, and a revised Memorandum of Understanding and Resolutions would be forthcoming to reflect comments from LAFCO representatives and both counsels. He believed all issues had been resolved and hoped to have the documents presented to the Board at the second meeting in June and finalized by July 1.

E. Discussion of future actions relative to Groundwater Management/Sustainable Water Supply: This item was covered during discussion of the Water Resource Management Plan.

F. Discussion on Conservation incentives for budget elements FYE 2009: Director Shimeall noted that budgeted funds for conservation incentives had already been requested. Mr. Rolwing pointed out that the original plan was to fund them from tiered rates, which were delayed for a year. Mr. Williamson explained that the subsidies would come out of the capital budget for the first year. Mr. Rolwing reported that the District website now includes links to conservation tips. Mr. Williamson pointed out that uncommitted District funds may be reclaimed by the State, so it is important to designate them for a purpose.

A. Consideration of the Board to authorize the General Manager to sign the Consulting Services Agreement with David Taussig & Associates, which provides for annual administrative services: *A motion was made by Director Andersen and seconded by Director Shimeall to authorize the General Manager to sign the Consulting Services Agreement with David Taussig & Associates, which provides for annual administrative services.* Mr. Williamson explained that in place of

arbitrage, which is no longer allowed, Taussig & Associates would do the required calculations and report to the Assessor's office. President Mendenhall asked whether Taussig's work on the certificates of participation for Montesorro should be included, and asked that this question be addressed. Ms. Burns explained that this is an annual agreement which the District has renewed with Taussig for year. *The motion to authorize the General Manager to sign the Consulting Services Agreement with David Taussig & Associates was carried by unanimous vote of those present.*

### **III. GROUNDWATER MANAGEMENT**

Lane Sharman noted that today was the second year anniversary of the approval of the Borrego Water Exchange's MOU with the District. His subsequent efforts to develop a water credit program with the County did not prove fruitful. He recommended that the District cease working with the County Department of Lane Use and Planning and continue to operate under its existing mitigation plan and inform the County that the District is the certification authority for mitigation at the District and County level. Director Smiley concurred, but pointed out that farmers are concerned about fallowing their land and having their mitigation credits expire in five years, when they are not necessarily ready to develop immediately. Mr. Williamson recommended seeking Supervisor Horn's assistance. Jim Engelke brought up the issue of the District's lack of police power in enforcing mitigation requirements. Mr. Williamson replied that those powers could be expanded to include it. Mr. Sharman recommended proposing a resolution to the Board of Supervisors delegating mitigation certification authority to the District. Scot Fortiner suggested that Eric Larson of the Farm Bureau might assist, and Ms. Burns agreed to investigate. Mr. Williamson suggested that he and Ms. Burns contact Supervisor Horn prior to the next Board meeting.

### **IV. GENERAL MANAGER'S REPORT**

Mr. Williamson reported he attended that semi-annual Association of California Water Management Agencies (ACWA) meeting in Monterey last week. Much of the discussion was dedicated to problems with the Delta, including smelt and the levee. This is another reason to investigate the water rights market soon, because competition is anticipated. Discussions with the Imperial Irrigation District have been optimistic.

Mr. Williamson further reported that the District received congratulations on its safety program and lack of claims from the ACWA Insurance Authority, and commended staff.

### **V. ATTORNEY'S REPORT**

Ms. Burns reported she had been working on a resolution designating funds to protect them from State taking. She then announced that she would be on maternity leave November through January. Her associate, Joe Adams, will attend meetings prior to her departure at no extra cost and fill in during her absence.

### **VI. INFORMATIONAL ITEMS**

Director Shimeall announced that approximately 400 people attended the Sunrise Power Link meeting on May 12 in the afternoon, and 200 in the evening. One of eight opposed the plan.

### **VII. ADJOURNMENT**

There being no further business, the meeting adjourned at 12:00 p.m. The next Regular Meeting of the Board of Directors is scheduled for Wednesday, May 28, 2008 in the District's Board Room.