

standards? Dr. Zender explained that the measurements that the EPA mandates are only those taken by the EPA and the San Diego Air Quality Control Board. The UCI measurements may be used if taken for at least two years and they indicate mitigation is needed. Efforts are underway to calibrate the UCI equipment with the AQCB's. Director Brecht brought up concerns expressed during recent solar installations regarding dust-related health issues. Mr. Garmon said it was discussed with the APCD, and they said if UCI had robust data and their equipment was calibrated, they would be interested in the findings and might bring one of their federally qualified machines out to confirm them. Director Brecht asked for written confirmation, and Mr. Garmon agreed to pursue it.

(2) Is this data useful for CEQA requirements when fallowing? Dr. Zender explained that CEQA requires government agencies to inform the public of potential environmental impacts and reduce them. Work is underway to improve a model which could forecast air quality and address CEQA issues. Dr. Zender requested a more precise definition of AQM Region 1 (the agricultural area), and estimates of what land will be fallowed or is likely to be.

(3) Why are U.S. EPA standards being used when Borrego is surrounded by a State Park? Why are we not using wilderness air quality standards? Dr. Zender explained that the only difference between federal and wilderness standards is that wilderness standards measure visibility, but there is no actual standard for visibility. The trends are just tracked so declines can be mitigated. ***MSC: Duncan/Brecht approving a contribution of approximately \$11,500 to fund half of the UCI Air Quality Monitoring Program through June 2021. The motion passed by unanimous roll call vote of those present.*** Rebecca Falk asked Director Duncan to bring the action to the attention of the WMB Technical Advisory Committee.

B. Revisions for FY 2020-21 Budget and Capital Improvement Plan and Water and Sewer Rate Increases Effective January 1, 2021: Jessica Clabaugh referred to the Board's action earlier this year to defer the rate increases (six percent for water and four percent for sewer) approved in 2016 under Proposition 218. She explained adjusted expenses in the 20-21 budget, including the WMB BPA and legal expenses. Changes to the CIP approved in October were also included, and she changed from cash basis to accrual per Director Brecht's request. Director Brecht noted the addition of \$11,500 for air quality monitoring, just approved.

Ms. Clabaugh explained the four alternate scenarios for implementing the deferred rate increase. (1) No rate increase; (2) one rate increase for the full amount; (3) two equal rate increases, January 1 and April 1; (4) incremental increases each month until the six/four percent increases are attained. ***MSC: Duncan/Brecht approving two equal rate increases, January 1 and April 1. The motion passed by unanimous roll call vote of those present.*** Director Brecht requested a draft budget package for Board approval with changes, which will then be submitted to the bank.

C. Cost of Service Study: Mr. Poole reported he would have more information about the COS study in December. Ms. Clabaugh has been working with Fieldman, Rolapp and Raftelis, and the model is being finalized. Director Brecht had some changes he will forward to Mr. Poole.

D. Water Leak Billing Adjustment for BWD Customers: Diana Del Bono explained that the most significant change to the water leak adjustment policy, as recommended by staff, is the method of calculating the adjustment. Now the excess above the customer's average bill is written off. Now staff suggests that the excess over the average bill be charged at 91 cents per unit, covering the cost of power. Other changes include requirements to report the leak within a certain time period and submit a statement showing it has been repaired. Currently, a two-month adjustment is authorized, but the recommendation is to reduce it to one month with possible consideration of a second month. The information will be posted on the BWD website. ***MSC: Johnson/Brecht approving the revised water leak billing adjustment policy as presented. The motion passed by unanimous roll call vote of those present.***

E. Request from Anza Borrego Foundation for Acquisition of Wilcox Property and Authorization to Initiate Appraisal Process (ABF funded): Mr. Poole reported that Dick Troy, President of the Anza-Borrego Foundation, had written to President Dice to express interest in acquiring the 160-acre Wilcox site in Glorietta Canyon owned by BWD. The District was originally considering it as a water treatment plant site, but this now appears unlikely. Even if it were needed, BWD would need only 20 acres. Upon Board approval, the next step would be to obtain an appraisal, for the entire 160 acres or alternatively 140 acres with the District to retain 20. Director Brecht pointed out that if BWD were to retain 20 acres and develop it, it could detract from views in the area that ABF is trying to preserve. President Dice suggested selling 140 acres and trading 20 for a more appropriate treatment plant or well site. ***MSC: Johnson/Duncan authorizing staff to proceed with the appraisal (both alternates) and investigate other property for a potential trade. The motion passed by unanimous roll call vote of those present.*** Director Duncan requested an inventory of property owned by the District and the likelihood of its being used. Mr. Poole agreed to compile it. Director Brecht noted an important upcoming issue, whether when the District purchases pumping allocations, the land comes with it.

F. San Diego County Water Authority Regional Conveyance System Activities/Correspondence: Mr. Poole reported that on November 5, approximately 50 stakeholders attended a workshop conducted by SDCWA on RCS issues related to Borrego Springs. Representatives of SDCWA were present, along with David Garmon from the Tubb Canyon Desert Conservancy and Dick Troy from ABF. Last Thursday the SDCWA Board took action to continue with Phase B of the RCS study, including alternate routes along Interstate 8 and through Borrego Springs. They are looking for potential partners. Director Brecht noted that Phase B should take 12 to 18 months, and BWD should be prepared to pay \$200,000 for an independent analysis if the Borrego route is selected.

Discussion followed regarding a public comment letter from Wieslaw Czajkowski regarding the RCS, desalination and other matters. Mr. Poole agreed to draft a response for President Dice's review.

G. Interim Borrego Springs Subbasin Watermaster Board:

1. CASGEM Monitoring by BWD Staff. Mr. Poole reported that BWD has been monitoring nine wells as part of a State program, and it has now been included in the WMB budget. The WMB has requested that BWD continue the monitoring, and WMB will reimburse BWD. The rate would be based on Alan Asche's salary, benefits and overhead. The WMB will take care of other monitoring. Wildermuth Environmental, the company which employs the WMB Executive Director and Technical Consultant, is now West Yost.

2. Update on Board Activities. Director Duncan reported that at the last WMB meeting, a subcommittee of Directors Bennett and Jorgensen was formed to begin the creation of an Environmental Working Group. Mr. Poole reported that the WMB participated in the October 30 Stewardship Council meeting. President Dice noted that Steve Anderson explained the Stipulated Agreement and lawsuit. Samantha Adams talked about her role as Executive Director, and Director Jorgensen explained his role as community representative and how to reach him.

II. STANDING AND AD-HOC BOARD COMMITTEE REPORTS

A. STANDING:

1. Operations and Infrastructure. President Dice noted that a new member of the Committee would need to be appointed to replace Director Delahay.

B. AD-HOC:

a. Stipulated Judgment Implementation. No report.
b. Risk Management/Pandemic. In response to Director Brecht, Mr. Poole confirmed that staff was still complying safety measures including masks and social distancing.

- c. Grant Funding. No report.
- d. Association of California Water Agencies/Joint Powers Authority. No report.
- e. Organizational Staffing. No report.
- f. Prop 218 and BWD Developers' Policy. No report.

III. MONTHLY FINANCIAL & OPERATIONS REPORTS

A. Financial Reports: October 2020: Ms. Clabaugh reported that the Accounts Receivables decreased by \$33,000, The September billing was unusually high. Operations and Maintenance costs were as expected. A premium payment of \$28,000 was made to JPIA. Other significant costs included legal and engineering related to the WMB and debt service. Work is continuing on the De Anza pipeline, and there was some maintenance on Production Well 1. Downstream did some work on the sewer systems. Ms. Clabaugh reported she was working on the draft audit and has submitted all requested items to the auditors. Director Brecht requested a copy of the draft audit.

B. Water and Wastewater Operations Report: October 2020: The Water and Wastewater Operations Report was included in the Board package.

C. Water Production/Use Records: October 2020: The Water Production/Use Records were included in the Board package.

IV. STAFF REPORTS

1. Deferred to December Meeting.

V. CLOSED SESSION

A. Conference with Legal Counsel – Significant exposure to litigation pursuant to Government Code paragraph (3) of subdivision (d) of Section 54956.9 (Two (2) potential cases):

B. Conference with Legal Counsel – Existing Litigation (BWD v. All Persons Who Claim a right to Extract Groundwater, et al. (San Diego Superior Court case no. 37-2020-00005776)):

The Board adjourned to closed session at 12:10 p.m., and thereafter, the open session reconvened. There was no reportable action.

VI. CLOSING PROCEDURE

The next Board Meeting is scheduled for December 8, 2020, to be available on line. See Board Agenda at BorregoWD.org for details, available at least 72 hours before the meeting. There being no further business, the meeting adjourned.