

# MSAR TMDL/Regional Water Quality Monitoring Task Force Meeting Notes

October 21, 2020

## PARTICIPANTS

Nisha Wells  
Kimberly Colbert  
Cordell Chavez  
Kris Hanson  
Julie Carver  
Mike Roberts  
Stormy Osifeso  
Bobby Gustafson  
Lynn Merrill  
Julian Chang  
Betsy Hunter-Binns  
Pat Boldt  
Sarah Chiang  
James Fortuna  
Michael Mori  
Abigail Suter  
Amy McNeill  
Richard Boon  
Andrea Macias  
Rebekah Guill  
Arlene Chun  
Melissa Morgan  
Cynthia Gabaldon  
Lauma Willis  
David Woelfel  
Barbara Barry  
Yiping Cao  
Adam Fischer  
Tess Dunham  
Menu Leddy  
Steven Wolosoff  
Paul Caswell  
Alberto Acevedo  
Richard Meyerhoff  
Ryan Kearns  
Rick Whetsel  
Mark Norton  
T. Milford Harrison

## REPRESENTING

City of Chino Hills  
The Colbert Group for the City of Claremont  
City of Corona  
City of Eastvale  
City of Pomona  
City of Riverside  
City of Riverside  
City of Riverside  
City of Rialto  
City of Upland  
Milk Producer's Council  
Milk Producer's Council  
OC Public Works  
OC Public Works  
OC Public Works  
Riverside County Flood Control & WCD  
San Bernardino Areawide Program  
San Bernardino Areawide Program  
San Bernardino County  
Santa Ana Regional Water Quality Control Board  
Kahn, Soares & Conway, LLP  
EEES  
CDM Smith  
CDM Smith  
CDM Smith  
GEI Consultants  
CWE  
SAWPA  
SAWPA  
SAWPA

### **1. Call to Order & Introductions**

The MSAR TMDL Task Force Meeting was called to order at 1:31 p.m. by Rick Whetsel at SAWPA with all participants participating remotely, due to COVID-19 related social distancing restrictions.

### **2. Approval of the Meeting Notes**

Rick Whetsel /SAWPA asked for any comments on the September 21, 2020 MSAR TMDL meeting notes. There were no comments, and the meeting notes were deemed acceptable.

### **3. Presentation/Discussion: Santa Ana River Watershed Bacteria Monitoring Program (Steve Wolosoff/CDM Smith)**

Steve Wolosoff /CDM Smith presented an update on the 2020 Santa Ana River Watershed Bacteria Monitoring Program to the Task Force.

This presentation included discussion regarding:

- 1) Next steps – Priority 3 Waterbodies
- 2) Update – Cucamonga creek Anti-Degradation
- 3) Update – Santa Ana River Reach 4
- 4) Update – Other Activities
  - a. 2020 data up-loaded to CEDEN
  - b. On-going discussion with the City of Lake Elsinore to coordinate on bacteria monitoring.
  - c. Modifications to Monitoring Plan relating to Priority 3 Waterbodies.

A copy of CDM Smith’s presentation is available on the SAWPA website under Agendas and Meeting Materials: [https://sawpa.org/wp-content/uploads/2020/10/10202020\\_CDMSmith\\_RMPUpdate.pdf](https://sawpa.org/wp-content/uploads/2020/10/10202020_CDMSmith_RMPUpdate.pdf)

**4. Action Item: Authorize SAWPA to Issue RFP for Santa Ana River Watershed Bacteria Monitoring Program (Rick Whetsel /SAWPA)**

Rick Whetsel /SAWPA informed the Task Force that the RFP was posted on October 6<sup>th</sup> and is scheduled to close on November 5<sup>th</sup>.

On October 19<sup>th</sup>, SAWPA conducted a pre-proposal meeting to address any questions by potential submitters. This event was attended by 3 consultant teams.

Proposal received by the November 5<sup>th</sup> deadline will be distributed to stakeholders (the three Counties) for direction as how to proceed.

**5. TMDL Task Force Administration (SAWPA Staff)**

Rick Whetsel /SAWPA presented a draft FY 2021-22 budget.

It was discussed that the previous year budget for the SAR Regional Bacteria Monitoring program would serve as a placeholder, as no consultant has yet been selected to oversee and implement this program.

It was suggested that the Task Force maintain a contingency of approximately \$50,000 and the remaining contingency be applied to reduce the FY 2021-22 contributions of stakeholders proportional to their contribution for the year received.

It was requested that SAWPA provide a breakdown of previous year costs, to provide the Task Force a breakdown of the source of contingency funds.

To accommodate the budget process of stakeholders, SAWPA staff will post a formal draft budget for review and approval by stakeholders by the first week of November.

**6. Discussion: Revise MSAR TMDLs (Tess Dunham/Kahn, Soares & Conway)**

Tess Dunham/Kahn, Soares & Conway presented to the Task Force a timeline review of the what the Task Force has done and then discussed next steps for the Task Force, as well as principal permittees with respect to addressing compliance with the TMDLs.

She next discussed issues of concern with the existing TMDLs, identified as follows:

- Inconsistent with State’s Bacteria Provisions
- Outdated TMDL Implementation Plan/Schedule Due Dates
- Implementation Plan designed around Dry Summer Condition – not Wet Winter Condition
- Identified as key priority for update per Triennial Review.
- Not all agricultural sources participating in the Task Force.

Regarding agricultural sources, Pat Boldt representing the Milk Producer’s Council informed the Task Force that currently agriculture and dairy only account for 2.3 % of the watershed acreage. Within that

segment of agriculture (including dairy) 1.1% lies with the IEUA service area (represented by Chino Basin Watermaster Agricultural pool and the Milk Producer's Council) and the remaining 1.2% lying outside of the IEUA service area and not Participating in the TMDL Task Force.

Tess, then presented several potential options for the Task Force to consider moving forward with respect to their efforts to comply with the wet weather TMDL conditions.

Following a lengthy discussion of a number of issues relating to the TMDLs, MS4 Permits and if it were more advantageous for the permittees to direct their efforts toward the preparation of a Watershed Management Plan or to update the existing Comprehensive Bacteria Reduction Plans (CBRPs) to address the wet weather condition, conversation circled back to the timing and the level of commitment the Task Force could expect from Regional Board to support the Task Force in their efforts to comply with the wet weather TMDL conditions.

Regional Board staff suggested that they schedule a meeting with Tess in December to have that conversation.

A copy of Tess Dunham's presentation is available on the SAWPA website under Agendas and Meeting Materials: <https://sawpa.org/wp-content/uploads/2020/10/October-Task-Force-Meeting-2020.pdf>

## **7. Update: Regional Board Presentation – February 2021 (Tess Dunham /KSC)**

Tess Dunham /Kahn, Soares & Conway, LLP updated the Task Force on the process to update the TMDLs and the interest by the Task Force to present to Regional Board on their efforts.

Lauma Willis /Regional Board acknowledged that staff has tentatively penciled in the MSAR TMDL Task Force for a presentation to Regional Board in February; however, the 2021 Board calendar has not yet been set.

Additionally, she informed the Task Force that it is the goal of staff to not only bring in the MSAR TMDL Task Force to talk about their efforts, but to coordinate with other sections working on bacteria related issues to bring together those elements for a broader discussion of bacteria related regulatory programs and bacterial source monitoring.

## **8. Action Item: Middle Santa Ana River Special Study (Richard Meyerhoff /GEI Consultants Consultants; Steven Wolosoff, CDM Smith; and Menu Leddy, Essential Environmental & Engineering Systems)**

Richard Meyerhoff /GEI Consultants presented stakeholders with two handouts. These included a Scope of Work for the proposed Middle Santa Ana River Special Study and a document detailing the response to comments for the proposed study.

Richard briefly reviewed the scope of work for the proposed special study and the process to get to the final scope of work. He then introduced Steven Wolosoff /CDM Smith to lead the discussion on the response to comments.

Steven suggested, rather than to get through each of the comments, he discussed the two general themes expressed in the comments. First, he discussed an issue expressed by Regional Board of the difficulty in quantifying the difference between a freshly deposited source of bacteria and a naturalized source of bacteria.

Steven responded that the consultant team agreed and noted that a study with a small sample size would likely show not only extreme spatial, but also temporal variability of indicator bacteria.

The consultant team: however, thought that a pilot study, such as the one proposed could provide insight to identify if it is worthwhile to conduct a more robust data collection effort, which could more definitively quantify how much bacteria is coming from a naturalized source versus a more controllable source.

The other theme related to questions about “What is it we want to learn?” and “What do we plan to do with the results moving forward?” To that, Steven explained that this study provides a unique opportunity to try to analyze what portion of the bacteria load is coming from a fresh source of bacteria versus what is scouring from the channel bottom sediment and posing less of a risk to swimmers downstream.

Following conversation with Regional Board staff, this proposal is expected to be brought back to the Task Force for follow-up discussion.

**9. TMDL Task Force Administration (SAWPA Staff)**

Rick Whetsel /SAWPA presented a preliminary draft FY 2021-22 budget.

It was suggested that the previous year budget for the TMDL Compliance Expert would serve as a placeholder, until Rick and Tess had time to discuss her role in FY 2021-22 further.

It was suggested to add a placeholder value of \$50,000 for line item #4 TMDL Workplan development.

To accommodate the budget process of stakeholders, SAWPA staff will post a formal draft budget for review and approval by stakeholders by the first week of November.

**10. Other Business**

No other business was discussed.

**11. Schedule Next Meeting**

The next meeting is proposed to be a MSAR TMDL Task Force scheduled for December 7 at 9:30 a.m. as a virtual meeting.

**12. Adjourn**

There being no further business for review, the meeting adjourned at 4:02 p.m.