

**LAKE ELSINORE/CANYON LAKE TMDL TASK FORCE
MEETING NOTES**

May 17, 2021

PARTICIPANTS

VIA-CONFERENCE CALL

Kris Hanson
Dale Welty
Dan Cortese
Carlos Norvani
Cynthia Gabaldon
Rae Beimer
Maria Arreguin
Cynthia Gabaldon
Mike Roberts
Stormy Osifeso
Lynn Merrill
Lauren Sotelo
Ankita Vyas
Stefan Awender
Lenai Hunter
Sudhir Mohleji
Richard Boon
Amy McNeill
Rebekah Guill
Abigail Suter
Andrea Macias
Lauma Willis
Barbara Barry
Yiping Cao
SueAnn Neal
Tess Dunham
Steven Wolosoff
Paula Kulis
Alberto Acevedo
Michael A Anderson
Chris Stransky
John Rudolph
Richard Meyerhoff
Pat Boldt
Mark Norton
Rick Whetsel
Bruce Whitaker
T. Milford Harrison

REPRESENTATIVE

City of Canyon Lake/Wildomar
City of Canyon Lake
City of Hemet
City of Lake Elsinore
City of Menifee
City of Moreno Valley
City of Perris
City of Perris
City of Riverside
City of Riverside
City of San Jacinto
March JPA
Michael Baker/Caltrans
CA Department of Fish & Wildlife
Elsinore Valley Municipal Water District
Elsinore Valley Municipal Water District
Riverside County Flood Control & WCD
Regional Water Quality Control Board
Kahn, Soares & Conway, LLP
CDM Smith
CDM Smith
CDM Smith
U.C. Riverside
Wood Environmental
Wood Environmental
GEI Consultants
WRCAC
Santa Ana Watershed Project Authority
Santa Ana Watershed Project Authority
Santa Ana Watershed Project Authority
Santa Ana Watershed Project Authority

Call to Order & Introductions

The Lake Elsinore/Canyon Lake TMDL Task Force meeting was called to order at 9:32 a.m. by Mark Norton with all participants participating remotely, due to COVID-19 related social distancing restrictions.

Meeting Notes

Mark Norton /SAWPA asked for any comments on the April 19, 2021, LE&CL TMDL meeting notes. There were no suggested revisions to the meeting notes. The meeting notes were deemed acceptable and approved by the Task Force.

Status: TMDL Update (Regional Board)

b. FHAB Monitoring Program

Barbara Barry /Regional Board provided a brief update on the Freshwater Harmful Algae Bloom (FHAB) Monitoring study for Lake Elsinore. Barbara stated that Regional Board staff will be conducting their first monitoring trial run on May 18th. This will include coordination with Wood Environmental and City of Lake Elsinore staff.

Barbara also informed the Task Force that Yiping Cao has resigned her position at the Santa Ana Regional Board. Her last day will be June 3rd.

AB 377 Update: Rivas Bill (Tess Dunham/KSC)

Tess Dunham /Kahn, Soares & Conway, LLP provided an update to the Task Force on AB 377 (Rivas).

Tess participated in the Environmental Safety and Toxic Materials Policy Committee hearing held on Wednesday, April 21st, where the Bill passed through committee. She stated that it is in what they call the suspense file and is to be heard this week by the appropriations committee on either the 20th or 21st.

This week is the last week that bills that started in their house of origin need to get through the fiscal committees, i.e., the appropriations committee. If it makes it through the appropriations committee this week, it will then go to the floor.

Tess noted, there were additional amendments put forward by the author's office, which in some ways improved the Bill, and then in others made it a little worse. One of the primary amendments they made was to take out some of the provisions of concern, which gave the appearance they were trying to create an additional plan for meeting water quality objectives for impaired water bodies and to hold into place any current TMDL compliance schedule. However, they removed the reference to the warm surface waters, implying that they want the state waterboard to report to the legislature, not just on impaired surface water bodies, but also impaired groundwater basins. The Bill now also has references to wanting the waterboard to prioritize communities that are at risk or vulnerable communities that may be at risk for not having beneficial use designations or where there are beneficial use designations that are problematic for at risk communities. Additionally, it appears it is trying to push the State Board and the Regional Boards to adopting the tribal beneficial and subsistence and fishing beneficial use definitions.

Tess believes there are still additional revisions to come. We will know this week whether it is to come off the appropriation suspense file, and if it is to go to the floor.

A question was raised if letters of opposition could/should still be submitted. Tess responded that we should wait to see what happens this week. If it does not come off the appropriations suspense file then it is pretty much, for lack of a better word, dead, but if it goes to the floor, people might want to then think about contacting their local legislators to vote against it.

Tess will keep the Task Force informed as to the status of the Bill.

Discussion: TMDL Modeling (Steve Wolosoff & Paula Kulis/CDM Smith, Dr. Michael Anderson U.C. Riverside)

Steve Wolosoff /CDM Smith provided an update of the TMDL modeling. This included a review of the supplemental modeling scenario results for Lake Elsinore, a discussion on using stormwater as a resource for lake water quality and next steps.

Next steps will focus on the practical implications of revising the reference condition concentration to the 25th percentile as suggested by Regional Board staff and supported by EPA, which will result in more conservative numeric targets and allocations, as well as rewrites of the TMDL technical report.

A copy of the CDM Smith Modeling presentation is available on the SAWPA website under Agendas and Meeting Materials: <https://sawpa.org/wp-content/uploads/2021/05/LECL-May-2021-TF-meeting-002.pdf>

Update: Available 2020 LEAMS Offsets Credits (Tess Dunham/KSC)

Tess Dunham /Kahn, Soares & Conway, LLP presented to stakeholders a spreadsheet showing the details of the LEAMS 2020 budget allocation and provided an update to the Task Force on the 2020 LEAMS nutrient offset credits available to stakeholders, based upon the latest annual offset report produced by Dr. Alex Horne for EVMWD.

She revealed the recently released 2020 Lake Elsinore offset report prepared by Dr. Horne provided NO available total nitrogen credits for lake Elsinore and therefore there are no available total nitrogen credits to sell to stakeholders for 2020.

She then reviewed the FY 2020-21 budget, where stakeholders were allocated and invoiced for 2020 LEAMS TN/TP offset credits and explained that these funds are still currently being held in the Task Force account

She proposed, to address this shortfall of available total nitrogen credits, LESJWA rework the LEAMS allocations to be based solely on the need for total phosphorus offset credits. This will result in saving for several stakeholders, which could either be applied to their 2021 LEAMS budget allocation or be held in their Task Force reserve account.

Stakeholders requested additional time to review and discuss this item with upper management.

Stakeholders also requested that LESJWA share the 2020 Lake Elsinore offset report prepared by Dr. Horne revealed and a copy of the detailed LEAMS 2020 budget allocation worksheet.

The Task Force will continue discussion of this item at the next Task Force meeting.

Task Force Administration (LESJWA Staff)

No updated provided.

Other Business

Lauma Willis /Regional Board provided a brief status update to stakeholders on several items including Regional Board vacancies, MS4 stormwater permit and LEAPS project.

With the resignation of Yiping Cao, the Santa Ana regional Board now has five vacancies in their planning, implementation and permitting division. They have recently interviewed for their coastal TMDL program position and posted online for another, which they hope to interview in June. Barbara Barry has started the paperwork for the three other positions.

The draft MS4 stormwater permit was sent for review by the State Water Resources Control Board's Office of Chief Counsel and the US Environmental Protection Agency on May 14th.

Barbara Barry /Regional Board stated that Regional Board staff recently had a conversation with State board staff regarding the LEAPS project and potential concerns regarding Lake Elsinore water quality. She was surprised to hear that the State claimed they had not received comment letters from LESJWA or local Task Force stakeholders regarding the project and suggested that stakeholders resubmit any comment letters.

Lauma noted that the LEAPS project proponents have not yet applied for water quality certification to the State Water Resources Control Board.

Schedule Next Meeting

The next LE/CL TMDL Task Force meeting is scheduled for Wednesday, June 23, 2021, for 1:30 to 3:30 pm. as a virtual conference call meeting.

Adjourn

The meeting adjourned at 11:35 p.m.