

LAKE ELSINORE & SAN JACINTO WATERSHEDS AUTHORITY BOARD OF DIRECTORS MEETING

REGULAR MEETING MINUTES APRIL 18, 2019

BOARD OF DIRECTORS PRESENT

Brenda Dennstedt, Chair, Santa Ana Watershed Project Authority
Phil Williams, Vice Chair, Elsinore Valley Municipal Water District
Kasey Castillo, Secretary/Treasurer, City of Canyon Lake
Robert Magee, City of Lake Elsinore

BOARD OF DIRECTORS ABSENT

Kevin Jeffries, County of Riverside

OTHERS PRESENT

David Wysocki, LESJWA Attorney
John McNamara, CR&R [4:27 p.m.]

LESJWA STAFF

Mark Norton, Sara Villa

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

The Regular Board of Directors meeting of the Lake Elsinore & San Jacinto Watersheds Authority (LESJWA) was called to order at 4:00 p.m. by Chair Dennstedt at the Elsinore Valley Municipal Water District, 31315 Chaney Street, Lake Elsinore, California.

2. ROLL CALL

Roll call was duly noted and recorded by the Clerk of the Board.

3. PUBLIC COMMENTS

There were no public comments.

4. CONSENT CALENDAR

A. APPROVAL OF MEETING MINUTES: FEBRUARY 21, 2019

Recommendation: Approve as posted.

B. TREASURER'S REPORT: JANUARY - FEBRUARY 2019

Recommendation: Approve as posted.

C. TMDL TASK FORCE REPORT: FEBRUARY 21, 2019 & MARCH 19, 2019

Recommendation: Approve as posted.

MOVED, approve the Consent Calendar.

Result:	Adopted (Unanimously)
Motion/Second:	Magee/Williams
Ayes:	Castillo, Dennstedt, Magee, Williams
Nays:	None
Abstentions:	None
Absent:	Jeffries

5. NEW BUSINESS

A. FY 2019-2020 LESJWA BUDGET (LES#2019.6)

Mark Norton recommended that the Board of Directors approve the FY 2019-2020 LESJWA Budget and invoice each LESJWA member agency at the start of the new fiscal year based on contribution levels as reflected in the budget. Norton referenced the breakdown of the budget line items shown on page 35 of the Agenda packet. Due to the TMDL Update, there has been revisions to the contributions for each of the member agencies and the Lake Elsinore & Canyon Lake TMDL Task Force is working on reaching a consensus to approve the FY2019-2020 budget this month. Norton requests that the Board of Directors approve the FY 2019-2020 budget, subject to approval from the Lake Elsinore & Canyon Lake TMDL Task Force. Director Williams questioned where the source of revenue comes from for the continued alum treatment in Canyon Lake? Norton noted there was a grant that covered the cost three (3) years ago, though currently the source of revenue comes from the member agencies contributions.

MOVED, to approve the FY 2019-2020 LESJWA Budget subject to the Lake Elsinore Canyon Lake TMDL Task Force's approval and invoice each LESJWA member agency at the start of the new fiscal year based on contribution levels as reflected in the budget.

Result:	Adopted (Unanimously)
Motion/Second:	Magee/Castillo
Ayes:	Castillo, Dennstedt, Magee, Williams
Nays:	None
Abstentions:	None
Absent:	Jeffries

B. COST SHARE AGREEMENTS WITH OUTSIDE PARTIES POLICY (LES#2019.7)

Mark Norton recommended that the Board of Directors approve the Cost Share Agreements with Outside Parties Policy (Policy), and a letter agreement with CR&R for funding and issuance of CR&R invoice. Norton provided a brief background on how the Lake Elsinore & Canyon Lake TMDL Task Force expressed interest in obtaining guidance and a LESJWA policy for accepting future outside funding. A Subcommittee of the LESJWA Board was formed among two LESJWA Board members, Chair Dennstedt and Director Magee. Various meetings were held with the Subcommittee, Regional Board, and LESJWA staff where a policy was developed and reviewed by Tim Moore/Risk Sciences and LESJWA's Legal Counsel. Norton referenced the letter agreement and Invoice with CR&R on pages 43-45 of the Agenda packet. Norton noted CR&R is included in the Lake Elsinore & Canyon Lake TMDL budget to cover their cost for the task force to analyze their project within the TMDL Update. Director Williams questioned if we should admit an outside party/third party into the organization, is there a disclaimer that says upon joining the group/LESJWA, it is not implied endorsement of their project nor implies denial of the project. Norton referenced the disclaimer language under the "No Pay-to-Pay Requirement" within the Policy on page 42 of the Agenda packet. David Wysocki noted the letter agreement also has similar language of disclosure on the last paragraph of page 43 of the Agenda packet. Norton emphasized that these outside parties will not become members of the task force, they are only participants. Chair Dennstedt noted that we are not doing an approval letter to CR&R, we are approving the Policy and a letter will be sent out as guidance in accordance with the Policy that is being approved. Once this Policy is acceptable, then the Administrator will send out the letter in accordance with the Policy. Director Williams concurred and asked that it be included in the minutes. Director Magee requested Chair Dennstedt ask any members of the audience if they would like to speak in favor or opposition to this Policy. Having no members in the audience, the Clerk of the Board confirmed there were no public comments or written communication received on the Cost Share Agreements with Outside Parties, and today's LESJWA Board of Directors Agenda was advertised and posted. Director

Magee thanked Mark Norton, David Wysocki, and Chair Dennstedt for all their efforts in the Policy development.

MOVED, to approve the Policy for Cost Share Agreements with outside parties and distribute letter agreement as guidance in accordance with Policy.

Result: **Adopted (Unanimously)**
Motion/Second: Magee/Castillo
Ayes: Castillo, Dennstedt, Magee, Williams
Nays: None
Abstentions: None
Absent: Jeffries

C. PHASE 2 TMDL COMPLIANCE MONITORING PROGRAM – WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS, INC. TASK ORDER (LES#2019.8)

Mark Norton recommended that the Board of Directors authorize Task Order No. WOOD160-02 with Wood Environment Solutions, Inc. for an amount not-to-exceed \$220,585 to oversee and implement the FY 2019-20 Phase 2 TMDL Compliance Monitoring Program for the Lake Elsinore and Canyon Lake Nutrient TMDL Task Force. The Task Order is a continuation of the second year of the two (2) year Agreement that was approved by the LESJWA Board on April 19, 2018. In addition, it also includes the additional monthly Lake Elsinore monitoring required to validate the Total Nitrogen/Total Phosphorus (TN/TP) Offset Program. Wood Environment Solutions is being tasked to provide additional services to the Lake Elsinore Canyon Lake Nutrient TMDL Task Force, as described on pages 51-52 of the Agenda packet.

MOVED, to authorize Task Order No. WOOD160-02 with Wood Environment & Infrastructure Solutions, Inc. for an amount not-to-exceed \$220,585 to oversee and implement the FY 2019-20 Phase 2 TMDL Compliance Monitoring Program for the Lake Elsinore and Canyon Lake Nutrient TMDL Task Force.

Result: **Adopted (Unanimously)**
Motion/Second: Williams/Magee
Ayes: Castillo, Dennstedt, Magee, Williams
Nays: None
Abstentions: None
Absent: Jeffries

6. INFORMATIONAL REPORTS

Recommendation: Receive for information.

A. SAWPA OWOW PROPOSITION 1 IRWM ROUND 1 GRANT APPLICATIONS (LES#2019.9)

No discussion or action was taken on Agenda Item No. 6.A.

B. LAKE ELSINORE & CANYON LAKE NUTRIENT TMDL TASK FORCE UPDATE (LES#2019.10)

No discussion or action was taken on Agenda Item No. 6.B.

C. ACOE'S LAKE ELSINORE AQUATIC ECOSYSTEM RESTORATION INTEREST DETERMINATION (LES#2019.11)

Mark Norton provided a verbal status update regarding a meeting hosted by Elsinore Valley Municipal Water District with staff from Army Corps of Engineers (ACOE), City of Lake Elsinore, LESJWA, and EVMWD. The meeting included an overview about all the previous work done and

continued challenges for Lake Elsinore, and to request assistant and/or support in addressing any type of improvements to Lake Elsinore. ACOE staff is to start the process to prepare a Federal Interest Determination for Lake Elsinore Aquatic Ecosystem Restoration under the ACOE's Continuing Authorities Program (CAP) Section 206. The first step in the process, would be for ACOE staff to come out and evaluate the lake and prepare a letter of potential federal interest in determination. If it's decided to be a potential project, they will begin the process of conducting a feasibility study, environmental assessment, engineering design and construction. Funding from this federal program could be up to \$10M under 65% Federal/35% local cost share. ACOE grant funding has not been budgeted at this time and will wait for further information, LESJWA will continue to coordinate on any potential future work.

This item was for informational and discussion purposes; no action was taken on Agenda Item No. 6.C.

D. ADMINISTRATOR'S COMMENTS

Mark Norton acknowledged John McNamara of CR&R in the audience and informed him that Agenda Item 5.B. Cost Share Agreements with Outside Parties Policy was approved. McNamara thanked the Board of Directors and noted that as part of their services we want to contribute towards the nutrient reduction for the lakes and recover the nutrients for compost to be used for farming.

Norton noted that a request from Tim Moore/Risk Sciences was received, regarding him wanting to present to the LESJWA Board about the LEAPS project. It is a project that is controversial though it will not go away. Moore would like to receive feedback from the Board on whether LESJWA should be in a stance to work with them or not. David Wysocki questioned if Tim Moore is an advocate for the LEAPS program? Norton stated that he is not an advocate, he is neutral. Director Williams noted that any information that is given if it's done as an informational setting and is not trying to persuade an organization or individual one way or the other, it's information about a project that has a lot of mystery and a lot of questions have been asked about it. Tim Moore is considered very reliable and he wouldn't mind hearing his presentation if there is no position of taking a vote.

Director Magee noted that Tim Moore deals with water quality but it's not so simple to remove us from the impaired water body list. With respect to the proponents of the project, on April 9, their newly introduced Project Manager, Kristen Ross stated during her comments to the City of Lake Elsinore that LESJWA experts have examined the project and Nevada Hydro continues to work with LESJWA. Director Magee noted that he chose not to take exception to the two (2) statements but feels that our Administrator needs to know that they seem to push the envelope a little too much. Director Magee noted that not one unpaid spokesperson stepped up to the microphone or submitted anything in writing supporting the project and that is very difficult for an elected official. Director Magee noted that he too would be okay to have Mr. Moore present to the Board. Chair Dennstedt noted that she does not have a problem if anyone would like produce information but requests that the invitation be extended to Ken Theisen/Regional Board to be a part of the group discussion. David Wysocki noted that it's important that Tim Moore knows before he presents to the Board, that he isn't to illicit comments on whether the Board supports or opposes the LEAPS Project. Norton noted the main discussion and desire of all parties is to have our lakes removed from the impaired water body list, project or no project.

Norton informed the Board of Directors of a Workshop in Loma Linda scheduled for May 3 with the Regional Board regarding the TMDL Update. Chair Dennstedt and Director Magee were invited to attend.

E. DIRECTORS' COMMENTS

Chair Dennstedt requested the June 20, 2019 meeting be cancelled due to Western Riverside Council of Governments Assembly. The next LESJWA Board of Directors meeting will be held August 15, 2019.

MOVED, to cancel the June 20, 2019 LESJWA Board of Directors Regular Meeting scheduled. The next LESJWA Board of Directors meeting is scheduled for August 15, 2019.

Result:	Adopted (Unanimously)
Motion/Second:	Magee/Williams
Ayes:	Castillo, Dennstedt, Magee, Williams
Nays:	None
Abstentions:	None
Absent:	Jeffries

F. FUTURE AGENDA ITEMS REQUESTS

There were no further requests for future agenda items.

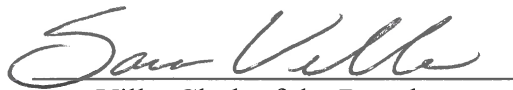
7. ADJOURNMENT

There being no further business for review, Chair Dennstedt adjourned the meeting at 4:47 p.m.

Approved at a Regular Meeting of the Lake Elsinore & San Jacinto Watersheds Authority Board of Directors Meeting on Thursday, August 15, 2019.


Brenda Dennstedt, Chair

Attest:


Sara Villa, Clerk of the Board