

Lake Elsinore & San Jacinto Watersheds Authority



City of Lake Elsinore • City of Canyon Lake • County of Riverside
Elsinore Valley Municipal Water District • Santa Ana Watershed Project Authority

PURSUANT TO THE PROVISIONS OF AB 361, THIS MEETING WILL BE CONDUCTED VIRTUALLY WITH THE OPPORTUNITY FOR PUBLIC COMMENT. ALL VOTES TAKEN WILL BE CONDUCTED BY ORAL ROLL CALL.

This meeting will be accessible as follows:

Meeting Access Via Computer (Zoom)*:	
• https://sawpa.zoom.us/j/89765169896?pwd=cVBvWjJCNmVQd3ozQXQwM2ViYml1dz09	
Meeting Access Via Telephone*: 1 (669) 900-6833	
• Meeting ID: 897 6516 9896	• Meeting Password: 542249
* Participation in the meeting via the Zoom app (a free download) is strongly encouraged	

LESJWA BOARD OF DIRECTORS REGULAR MEETING THURSDAY, AUGUST 18, 2022 – 4:00 P.M.

AGENDA

1. CALL TO ORDER (Dale Welty, Chair)

2. ROLL CALL

3. PUBLIC COMMENTS

Members of the public may address the Board on items within the jurisdiction of the Board; however, no action may be taken on an item not appearing on the agenda unless the action is otherwise authorized by Government Code §54954.2(b).

4. ITEMS TO BE ADDED OR DELETED

Pursuant to Government Code §54954.2(b), items may be added on which there is a need to take immediate action and the need for action came to the attention of Lake Elsinore & San Jacinto Watersheds Authority subsequent to the posting of the agenda.

5. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered routine and non-controversial and will be acted upon by the Board by one motion as listed below.

- A. APPROVAL OF MEETING MINUTES: APRIL 21, 20225
Recommendation: Approve as posted.

- B. TREASURER'S REPORT: MARCH 2022 | APRIL 20229
Recommendation: Approve as posted.

- C. TMDL TASK FORCE MEETING MINUTES: MARCH 2, 2022 | APRIL 20, 2022 | JUNE 27, 2022.....25
Recommendation: Approve as posted.

- D. RESOLUTION FOR IMPLEMENTATION OF AB 361 (LES#2022.15).....37
Recommendation: Adoption of Resolution No. LES2022-03 Proclaiming A State of Emergency Persists, Ratifying the Proclamation of a State of Emergency by Governor Gavin Newsom, and Authorizing Remote Teleconference Meetings of all Commission and Committee meetings of the Santa Ana Watershed Project Authority for the period of August 18, 2022 to September 17, 2022 pursuant to Brown Act Provisions.

6. NEW BUSINESS

- A. [LAKE ELSINORE AND CANYON LAKE NUTRIENT TMDL TASK FORCE AGREEMENT, AMENDMENT NO. 3 \(LES#2022.16\)](#) 45
Presenter: Rick Whetsel, Senior Watershed Manager, SAWPA
Recommendation: Approve Amendment No. 3 to the Lake Elsinore and Canyon Lake Nutrient TMDL Task Force Agreement effectively extending the existing Task Force through June 2025, with the option for another two years thereafter.
- B. [TECHNICAL SUPPORT TO LAKE ELSINORE/CANYON LAKE TMDL TASK FORCE TO UPDATE THE 2018 TMDL TECHNICAL REPORT AND REGULATORY SUPPORT \(LES#2022.17\)](#) 69
Presenter: Rick Whetsel, Senior Watershed Manager, SAWPA
Recommendation: Authorize Task Order No. CDM160-06 with CDM Smith for an amount not-to-exceed \$138,300.00 to further support the Lake Elsinore and Canyon Lake (LE/CL) TMDL process to update and revise the technical document and provide technical support services to the LE/CL Nutrient TMDL Task Force.
- C. [SCHEDULE LESJWA WORKSHOP \(LES#2022.18\)](#) 79
Presenter: Mark Norton, LESJWA Authority Administrator
Recommendation: Direct staff to schedule a workshop on October 20, 2022 to discuss LESJWA governance and support options for FY 2023-24 and thereafter including review of past LESJWA Business Plan, governance structure, finance support, legal support and administrative staff support.

7. INFORMATION REPORTS

- A. [LAKE ELSINORE ADVANCED PUMPED STORAGE PROJECT \(LEAPS\) UPDATE LES#2022.19\)](#) 81
Presenter: David Pfeiffer/Paul Anderson, LEAPS Hydro Company
Recommendation: Receive and file.
- B. [2022 LESJWA WATER SUMMIT & OTHER OUTREACH \(LES#2022.20\)](#) 97
Presenter: Liselle DeGrave, DeGrave Communications, Inc.
Recommendation: Receive and file.
- C. [GRANT FUNDING OPPORTUNITIES \(LES#2022.21\)](#) 113
Presenter: Mark Norton, LESJWA Authority Administrator
Recommendation: Receive and file.
- D. [LAKE ELSINORE & CANYON LAKE NUTRIENT TMDL TASK FORCE UPDATE \(LES#2022.22\)](#) 115
Presenter: Mark Norton, LESJWA Authority Administrator
Recommendation: Receive and file.
- E. [ADMINISTRATOR’S COMMENTS](#)
- F. [DIRECTORS’ COMMENTS](#)
- G. [FUTURE AGENDA ITEMS REQUESTS](#)

8. CLOSED SESSION

There were no Closed Session items anticipated at the time of the posting of this agenda.

9. ADJOURNMENT

PLEASE NOTE:

Americans with Disabilities Act: If you require any special disability related accommodations to participate in this meeting, call (951) 354-4220 or email svilla@sawpa.org. 48-hour notification prior to the meeting will enable staff to make reasonable arrangements to ensure accessibility for this meeting. Requests should specify the nature of the disability and the type of accommodation requested.

Materials related to an item on this agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection during normal business hours at the LESJWA's office, 11615 Sterling Avenue, Riverside, and available at www.mywatersheds.com, subject to staff's ability to post documents prior to the meeting.

Declaration of Posting

I, Sara Villa, Clerk of the Board of the Lake Elsinore and San Jacinto Watersheds Authority declare that on August 4, 2022, a copy of this agenda has been uploaded to the LESJWA website at www.mywatersheds.com and posted at LESJWA's office, 11615 Sterling Avenue, Riverside, California.

2022 - LESJWA Board of Directors Regular Meetings

Third Thursday of Every Other Month

(NOTE: Unless otherwise noticed, all LESJWA Board of Directors Meetings begin at 4:00 p.m., and held at EVMWD)

February 17, 2022	April 21, 2022
June 16, 2022 [cancelled]	August 18, 2022
October 20, 2022	December 15, 2022

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LAKE ELSINORE & SAN JACINTO WATERSHEDS AUTHORITY BOARD OF DIRECTORS MEETING

REGULAR MEETING MINUTES

April 21, 2022

BOARD OF DIRECTORS PRESENT

Dale Welty, Chair, City of Canyon Lake
Robert Magee, Vice Chair, City of Lake Elsinore
Phil Williams, Secretary/Treasurer, Elsinore Valley Municipal Water District
Brenda Dennstedt, Santa Ana Watershed Project Authority
Kevin Jeffries, County of Riverside

OTHERS PRESENT

Alison Lewis, SAWPA
Edina Goode, SAWPA
Ganesh Krishnamurthy, Elsinore Valley Municipal Water District
Margie Armstrong, Elsinore Valley Municipal Water District
M. Victoria Leon-Bianchi
Nicole Dailey, City of Riverside
Parag Kalaria, Elsinore Valley Municipal Water District
Rick Whetsel, SAWPA
T. Milford Harrison, SAWPA Commissioner

LESJWA STAFF

Mark Norton, Karen Williams, Rick Whetsel, Zyanya Ramirez

1. CALL TO ORDER

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 Welty on behalf of the Lake Elsinore & San Jacinto Watersheds Authority, 11615 Sterling Avenue, Riverside, California. The record will reflect this meeting was conducted virtually.

Pursuant to the provisions of AB 361, this meeting was conducted virtually, and all votes were taken by oral roll call.

2. ROLL CALL

An oral roll call was duly noted and recorded by the Clerk of the Board.

3. PUBLIC COMMENTS

There were no public comments; there were no public comments received via email.

4. ITEMS TO BE ADDED OR DELETED

There were no added or deleted items.

5. CONSENT CALENDAR

A. APPROVAL OF MEETING MINUTES: FEBRUARY 17, 2022

Recommendation: Approve as posted.

B. TREASURER'S REPORT: JANUARY 2022 | FEBRUARY 2022

Recommendation: Approve as posted.

C. TMDL TASK FORCE REPORT: JANUARY 10, 2022

Recommendation: Approve as posted.

D. EDUCATION AND OUTREACH COMMITTEE STATUS REPORT

Recommendation: Approve as posted.

E. RESOLUTION FOR IMPLEMENTATION OF AB 361 (LES#2022.9)

Recommendation: Approve as posted.

MOVED, approve the Consent Calendar as posted.

Result:	Adopted by Roll Call Vote
Motion/Second:	Jeffries/Williams
Ayes:	Dennstedt, Jeffries, Welty, Williams
Nays:	None
Abstentions:	None
Absent:	Magee

6. NEW BUSINESS

A. LESJWA FUND BALANCE (LES#2022.10)

At the February 17, 2022 meeting, Director Dennstedt requested a discussion on LESJWA's Reserve Policy and the process of creating one if there isn't one in place. Karen Williams stated upon researching these questions, LESJWA does not have a Reserve Policy, but has fund balance. She presented a detailed presentation that explains the Fund Balance Policy, the difference between fund balance and reserves, and how LESJWA uses fund balance. She described the process of setting up a Reserve Policy, which will require regular annual contributions.

Secretary/Treasurer Williams stated that it is important to follow government accounting standards and does not agree that LESJWA is in need of a reserve fund.

MOVED, approval to receive and file agenda item 6.A.

Result:	Adopted by Roll Call Vote
Motion/Second:	Williams/Dennstedt
Ayes:	Dennstedt, Jeffries, Magee, Welty, Williams
Nays:	None
Abstentions:	None
Absent:	None

B. LESJWA DRAFT FY 22-23 BUDGET (LES#2022.11)

Mark Norton provided a detailed breakdown of the LESJWA Draft FY 2022-23 budget. Director Dennstedt asked Mr. Norton if he anticipated any changes to the budget before the end of the fiscal year. Mr. Norton said he did not.

MOVED, approval of the LESJWA FY 2022-23 Budget.

Result:	Adopted by Roll Call Vote
Motion/Second:	Jeffries/Williams
Ayes:	Dennstedt, Jeffries, Magee, Welty, Williams
Nays:	None
Abstentions:	None
Absent:	None

7. INFORMATION REPORTS

A. GRANT FUNDING OPPORTUNITIES (LES#2022.12)

Mark Norton provided an oral presentation on future funding opportunities for LESJWA. This is summarized in LESJWA Board memo number 2022.12.

This item was for informational and discussion purposes; no action was taken on Agenda Item No. 7.A.

B. 2022 LESJWA WATER SUMMIT (LES#2022.13)

Mark Norton provided a summary of the 2022 LESJWA Water Summit and invited the Directors to attend.

This item was for informational and discussion purposes; no action was taken on Agenda Item No. 7.B.

C. LAKE ELSINORE & CANYON LAKE NUTRIENT TMDL TASK FORCE UPDATE (LES#2022.14)

Mark Norton provided an oral status update on the Lake Elsinore and Canyon Lake (LE/CL) Nutrient TMDL Task Force. This is summarized in LESJWA Board memo number 2022.14.

This item was for informational and discussion purposes; no action was taken on Agenda Item No. 7.C.

D. ADMINISTRATOR'S COMMENTS

Mark Norton announced that Nicole Dailey, Deputy City Manager of Lake Elsinore, will be leaving the city. Mr. Norton thanked her for her dedication and support to the City of Lake Elsinore. He also announced that she will be the LESJWA Summit MC this year.

E. DIRECTORS' COMMENTS

Director Dennstedt thanked Ms. Dailey for her years of service.

F. FUTURE AGENDA ITEMS REQUESTS

There were no request for future agenda items.

8. CLOSED SESSION

There was no Closed Session.

9. ADJOURNMENT

There being no further business for review, Chair Welty adjourned the meeting at 4:21 p.m.

Approved at a Regular Meeting of the Lake Elsinore & San Jacinto Watersheds Authority Board of Directors Meeting on Thursday, August 18, 2022.

Dale Welty, Chair

Attest:

Zyanya Ramirez, Clerk of the Board

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Lake Elsinore and San Jacinto Watersheds Authority

FINANCIAL STATEMENTS

March 2022

LAKE ELSINORE & SAN JACINTO WATERSHEDS AUTHORITY
CASH FLOW STATEMENT
AS OF 03/31/2022

Balance as of 02/28/2022 \$ 600,129.23

Funds Received

Deposits:

WMWD	\$1,000.00
CDM Smith	\$500.00
Wood Environmental	\$500.00
GEI Consultants	\$500.00

Open - Grant Invoices

Open - Member & Other Contributions

San Jacinto Dairy & CAFO	\$1,500.00
RCFCD	\$500.00
Total Due LESJWA	\$2,000.00

Disbursement List - March 2022 \$ (53,156.63)

Funds Available as of 03/31/2022 \$ 549,472.60

Funds Available:

Checking	\$ 82,265.45
LAIF	\$ 467,207.15
Total	\$ 549,472.60

Lake Elsinore San Jacinto Watersheds Authority
LE/CL TMDL Invoice History
FYE 2013 - 2022
as of March 31, 2022

Agency	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
March ARB	13,050.00	12,500.00	35,226.00	25,176.00	38,321.00	29,864.00	27,890.00	32,863.00	36,460.00	33,216.00
CalTrans	13,050.00	12,500.00	28,656.00	26,072.00	40,421.00	31,964.00	29,996.00	34,286.00	37,651.00	32,757.00
City of Beaumont	1,865.00	19,263.00	24,280.00	26,866.00	37,421.00	28,128.00	14,160.00	28,251.00	28,935.00	27,070.00
City of Canyon Lake	644.00	18,389.00	34,863.00	24,142.00	42,521.00	33,586.00	28,780.00	33,754.00	37,787.00	34,393.00
City of Hemet	6,286.00	18,175.00	25,510.00	27,958.00	54,278.00	36,426.00	29,084.00	41,830.00	46,261.00	42,139.00
City of Lake Elsinore	-	19,381.00	30,580.00	32,463.00	37,421.00	22,330.00	28,521.00	33,361.00	34,071.00	31,795.00
City of Menifee	23,649.00	44,155.00	55,821.00	23,584.00	100,499.00	100,906.00	112,252.00	86,846.00	92,189.00	82,180.00
City of Moreno Valley	15,425.00	103,565.00	113,058.00	17,750.00	96,414.00	74,122.00	144,495.00	80,826.00	83,847.00	63,927.00
City of Murrieta	-	12,426.00	24,280.00	26,866.00	38,321.00	31,337.00	22,796.00	30,774.00	34,433.00	32,988.00
City of Perris	5,752.00	18,869.00	26,739.00	29,050.00	59,821.00	50,374.00	66,775.00	50,792.00	54,723.00	40,792.00
City of Riverside	1,575.00	17,641.00	24,280.00	26,866.00	38,921.00	30,293.00	24,896.00	26,751.00	28,635.00	27,070.00
City of San Jacinto	4,315.00	19,487.00	24,280.00	26,866.00	37,721.00	23,290.00	27,296.00	26,751.00	27,435.00	27,970.00
City of Wildomar	4,461.00	8,307.00	19,528.00	26,460.00	41,642.00	28,841.00	21,872.00	31,578.00	30,945.00	25,060.00
County of Riverside	-	30,165.00	36,469.00	30,362.00	68,931.00	69,034.00	76,601.00	81,634.00	88,734.00	83,361.00
Dept of Fish and Game	13,050.00	12,500.00	18,435.00	28,840.00	35,121.00	22,857.00	16,818.00	26,751.00	27,435.00	25,570.00
Eastern Municipal Water District	13,050.00	12,500.00	16,225.00	23,525.00	27,789.00	15,724.00	16,222.00	23,496.00	26,935.00	25,570.00
Elsinore Valley Municipal Water District	-	12,500.00	16,225.00	23,525.00	30,361.00	18,327.00	12,626.00	24,934.00	29,881.00	26,946.00
March JPA	13,050.00	12,500.00	24,485.00	27,160.00	38,921.00	30,464.00	24,596.00	31,006.00	34,412.00	32,968.00
San Jacinto Agricultural Operators	28,278.00	12,500.00	47,549.00	23,530.58	45,785.00	31,391.00	37,999.65	38,927.00	27,767.00	14,382.00
San Jacinto Dairy & CAFO Operators	10,211.00	12,500.00	16,225.00	-	-	-	2,700.00	2,850.00	-	1,500.00
Total	167,711.00	429,823.00	642,714.00	497,061.58	910,630.00	709,258.00	766,375.65	768,261.00	808,536.00	711,654.00
Total Paid Contributions	167,711.00	429,823.00	642,714.00	497,061.58	910,630.00	709,258.00	766,375.65	768,261.00	808,536.00	710,154.00
Total Outstanding Contributions	-	-	-	-	-	-	-	-	-	1,500.00
Total Outstanding Contributions										
San Jacinto Dairy & CAFO Operators									-	1,500.00
Total Outstanding All Years	-	-	-	-	-	-	-	-	-	1,500.00

Lake Elsinore/San Jacinto Watershed Authority
Statement of Net Assets
For the Nine Months Ending Thursday, March 31, 2022

Assets

Checking - US Bank	\$82,265.45
L.A.I.F.	467,207.15
Accounts Receivable	2,000.00
Total Assets	<u>\$551,472.60</u>

Liabilities

Accounts Payable	<u>80,869.77</u>
Total Liabilities	<u>\$80,869.77</u>

Retained Earnings	197,923.74
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Excess Revenue over (under) Expenditures	<u>\$272,679.09</u>
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Total Net Assets	<u>\$470,602.83</u>
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Total Liabilities and Net Assets	<u>\$551,472.60</u>
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Lake Elsinore/San Jacinto Watershed Authority
Revenues, Expenses and Changes in Net Assets
For the Nine Months Ending Thursday, March 31, 2022

	Period Actual	YTD Actual	Annual Budget	% Used	Budget Variance
Revenues					
LAIF Interest	\$0.00	\$633.37	\$2,200.00	28.79%	\$1,566.63
Member Agency Contributions	0.00	286,495.00	288,445.00	99.32%	1,950.00
Other Agency Contributions	0.00	535,159.00	540,257.00	99.06%	5,098.00
Miscellaneous Revenue	2,500.00	3,500.00	0.00	0.00%	(3,500.00)
Total Revenues	\$2,500.00	\$825,787.37	\$830,902.00	99.38%	\$5,114.63
Expenses					
Salaries - Regular	7,854.96	53,821.09	62,314.00	86.37%	8,492.91
Payroll Burden	3,110.56	21,313.15	24,676.00	86.37%	3,362.85
Overhead	12,670.05	86,813.40	100,510.00	86.37%	13,696.60
Audit Fees	0.00	5,000.00	5,000.00	100.00%	0.00
Consulting - General	27,435.69	382,946.15	551,252.00	69.47%	168,305.85
LEAMS Offset Credit License	0.00	0.00	60,450.00	0.00%	60,450.00
Legal Fees	0.00	218.75	1,100.00	19.89%	881.25
Meeting & Conference Expense	0.00	25.00	0.00	0.00%	(25.00)
Bank Charges	0.00	0.00	1,000.00	0.00%	1,000.00
Shipping & Postage	0.00	0.00	50.00	0.00%	50.00
Office Supplies	0.00	0.00	60.00	0.00%	60.00
Other Expense	0.00	393.09	400.00	98.27%	6.91
Insurance Expense	0.00	2,536.00	3,000.00	84.53%	464.00
Interest Expense	0.00	41.65	200.00	20.83%	158.35
Total Expenditures	\$51,071.26	\$553,108.28	\$810,012.00	68.28%	\$256,903.72
Excess Revenue over (under) Expenditures	(\$48,571.26)	\$272,679.09	\$20,890.00	1305.31%	(\$251,789.09)

Lake Elsinore San Jacinto Watersheds Authority
Revenues, Expenses and Changes in Net Assets by Project
For the Month Ending March 31, 2022

	JPA	TMDL				Budget	% Used	Budget
	Administration	Task Force	Total					Variance
Revenues								
LAIF Interest	633.37		633.37		2,200.00	28.79%		1,566.63
Member Agency Contributions	110,000.00	176,495.00	286,495.00		288,445.00	99.32%		1,950.00
Other Agency Contributions		535,159.00	535,159.00		540,257.00	99.06%		5,098.00
Miscellaneous Revenue	3,500.00		3,500.00		-	100.00%		(3,500.00)
Total Revenues	\$ 114,133.37	\$ 711,654.00	\$ 825,787.37	\$ 830,902.00	99.38%		\$ 5,114.63	
Expenditures								
Salaries	\$ 23,429.27	\$ 30,391.82	\$ 53,821.09	\$ 62,314.00	86.37%		\$ 8,492.91	
Benefits	9,278.00	12,035.15	21,313.15	24,676.00	86.37%		3,362.85	
Indirect Costs	37,791.39	49,022.01	86,813.40	100,510.00	86.37%		13,696.60	
Audit Fees	5,000.00		5,000.00	5,000.00	100.00%		-	
Consulting	16,519.01	366,427.14	382,946.15	551,252.00	69.47%		168,305.85	
Other Contract Services			-	-	0.00%		-	
Legal Fees	218.75		218.75	1,100.00	19.89%		881.25	
Meeting & Conference Expense	25.00		25.00	-	0.00%		(25.00)	
Bank Charges			-	1,000.00	0.00%		1,000.00	
Shipping & Postage			-	50.00	0.00%		50.00	
Other Expense	393.09		393.09	400.00	98.27%		6.91	
LEAMS Excess Offset Credit			-	60,450.00	0.00%		60,450.00	
Insurance Expense	2,536.00		2,536.00	3,000.00	84.53%		464.00	
Office Supplies				60.00	0.00%		60.00	
Interest Expense	41.65		41.65	200.00	20.83%		158.35	
Total Expenditures	\$ 95,232.16	\$ 457,876.12	\$ 553,108.28	\$ 810,012.00	68.28%		\$ 256,903.72	
Excess Revenue over (under) Expenditures	\$ 18,901.21	\$ 253,777.88	\$ 272,679.09	\$ 20,890.00	100.00%		\$ (251,789.09)	
 Cash Balance @ 03/31/2022	 \$ 77,339.18	 \$ 472,133.42	 \$ 549,472.60					

**Lake Elsinore San Jacinto
Watershed Authority
Disbursements
March 2022**

Check #	Check Date	Type	Vendor	Check Amount
EFT414	3/3/2022	CHK	Wood Environment & Infrastructure	\$ 27,038.11
EFT415	3/10/2022	CHK	Santa Ana Watershed Project Authority	\$ 15,108.25
EFT416	3/17/2022	CHK	Kahn, Soares & Conway, LLP	\$ 2,737.50
EFT417	3/24/2022	CHK	CDM Smith Inc	\$ 3,929.44
EFT418	3/24/2022	CHK	DeGrave Communications	\$ 4,343.33
Total Disbursements March 2022				<u>\$ 53,156.63</u>

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Lake Elsinore and San Jacinto Watersheds Authority

FINANCIAL STATEMENTS

April 2022

LAKE ELSINORE & SAN JACINTO WATERSHEDS AUTHORITY
CASH FLOW STATEMENT
AS OF 04/30/2022

Balance as of 03/31/2022 \$ 549,472.60

Funds Received

Deposits:

County of Riverside	\$500.00
LAIF Interest	\$438.21

Open - Grant Invoices

Open - Member & Other Contributions

San Jacinto Dairy & CAFO	\$1,500.00
Total Due LESJWA	\$1,500.00

Disbursement List - April 2022 \$ (63,268.94)

Funds Available as of 04/30/2022 \$ 487,141.87

Funds Available:

Checking	\$ 19,496.51
LAIF	\$ 467,645.36
Total	\$ 487,141.87

Lake Elsinore San Jacinto Watersheds Authority
LE/CL TMDL Invoice History
FYE 2013 - 2022
as of April 30, 2022

Agency	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
March ARB	13,050.00	12,500.00	35,226.00	25,176.00	38,321.00	29,864.00	27,890.00	32,863.00	36,460.00	33,216.00
CalTrans	13,050.00	12,500.00	28,656.00	26,072.00	40,421.00	31,964.00	29,996.00	34,286.00	37,651.00	32,757.00
City of Beaumont	1,865.00	19,263.00	24,280.00	26,866.00	37,421.00	28,128.00	14,160.00	28,251.00	28,935.00	27,070.00
City of Canyon Lake	644.00	18,389.00	34,863.00	24,142.00	42,521.00	33,586.00	28,780.00	33,754.00	37,787.00	34,393.00
City of Hemet	6,286.00	18,175.00	25,510.00	27,958.00	54,278.00	36,426.00	29,084.00	41,830.00	46,261.00	42,139.00
City of Lake Elsinore	-	19,381.00	30,580.00	32,463.00	37,421.00	22,330.00	28,521.00	33,361.00	34,071.00	31,795.00
City of Menifee	23,649.00	44,155.00	55,821.00	23,584.00	100,499.00	100,906.00	112,252.00	86,846.00	92,189.00	82,180.00
City of Moreno Valley	15,425.00	103,565.00	113,058.00	17,750.00	96,414.00	74,122.00	144,495.00	80,826.00	83,847.00	63,927.00
City of Murrieta	-	12,426.00	24,280.00	26,866.00	38,321.00	31,337.00	22,796.00	30,774.00	34,433.00	32,988.00
City of Perris	5,752.00	18,869.00	26,739.00	29,050.00	59,821.00	50,374.00	66,775.00	50,792.00	54,723.00	40,792.00
City of Riverside	1,575.00	17,641.00	24,280.00	26,866.00	38,921.00	30,293.00	24,896.00	26,751.00	28,635.00	27,070.00
City of San Jacinto	4,315.00	19,487.00	24,280.00	26,866.00	37,721.00	23,290.00	27,296.00	26,751.00	27,435.00	27,970.00
City of Wildomar	4,461.00	8,307.00	19,528.00	26,460.00	41,642.00	28,841.00	21,872.00	31,578.00	30,945.00	25,060.00
County of Riverside	-	30,165.00	36,469.00	30,362.00	68,931.00	69,034.00	76,601.00	81,634.00	88,734.00	83,361.00
Dept of Fish and Game	13,050.00	12,500.00	18,435.00	28,840.00	35,121.00	22,857.00	16,818.00	26,751.00	27,435.00	25,570.00
Eastern Municipal Water District	13,050.00	12,500.00	16,225.00	23,525.00	27,789.00	15,724.00	16,222.00	23,496.00	26,935.00	25,570.00
Elsinore Valley Municipal Water District	-	12,500.00	16,225.00	23,525.00	30,361.00	18,327.00	12,626.00	24,934.00	29,881.00	26,946.00
March JPA	13,050.00	12,500.00	24,485.00	27,160.00	38,921.00	30,464.00	24,596.00	31,006.00	34,412.00	32,968.00
San Jacinto Agricultural Operators	28,278.00	12,500.00	47,549.00	23,530.58	45,785.00	31,391.00	37,999.65	38,927.00	27,767.00	14,382.00
San Jacinto Dairy & CAFO Operators	10,211.00	12,500.00	16,225.00	-	-	-	2,700.00	2,850.00	-	1,500.00
Total	167,711.00	429,823.00	642,714.00	497,061.58	910,630.00	709,258.00	766,375.65	768,261.00	808,536.00	711,654.00
Total Paid Contributions	167,711.00	429,823.00	642,714.00	497,061.58	910,630.00	709,258.00	766,375.65	768,261.00	808,536.00	710,154.00
Total Outstanding Contributions	-	-	-	-	-	-	-	-	-	1,500.00
Total Outstanding Contributions										
San Jacinto Dairy & CAFO Operators									-	1,500.00
Total Outstanding All Years	-	-	-	-	-	-	-	-	-	1,500.00

Lake Elsinore/San Jacinto Watershed Authority
Statement of Net Assets
For the Ten Months Ending Saturday, April 30, 2022

Assets

Checking - US Bank	\$19,496.51
L.A.I.F.	467,645.36
Accounts Receivable	1,500.00
Total Assets	<u>\$488,641.87</u>

Liabilities

Accounts Payable	162,988.21
Total Liabilities	<u>\$162,988.21</u>

Retained Earnings	197,923.74
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Excess Revenue over (under) Expenditures	<u>\$127,729.92</u>
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Total Net Assets	<u>\$325,653.66</u>
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Total Liabilities and Net Assets	<u>\$488,641.87</u>
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Lake Elsinore/San Jacinto Watershed Authority
Revenues, Expenses and Changes in Net Assets
For the Ten Months Ending Saturday, April 30, 2022

	Period Actual	YTD Actual	Annual Budget	% Used	Budget Variance
Revenues					
LAIF Interest	\$438.21	\$1,071.58	\$2,200.00	48.71%	\$1,128.42
Member Agency Contributions	0.00	286,495.00	288,445.00	99.32%	1,950.00
Other Agency Contributions	0.00	535,159.00	540,257.00	99.06%	5,098.00
Miscellaneous Revenue	500.00	3,500.00	0.00	0.00%	(3,500.00)
Total Revenues	\$938.21	\$826,225.58	\$830,902.00	99.44%	\$4,676.42
Expenses					
Salaries - Regular	3,889.48	57,710.57	62,314.00	92.61%	4,603.43
Payroll Burden	1,540.24	22,853.39	24,676.00	92.61%	1,822.61
Overhead	6,273.73	93,087.13	100,510.00	92.61%	7,422.87
Audit Fees	0.00	5,000.00	5,000.00	100.00%	0.00
Consulting - General	133,422.83	516,368.98	551,252.00	93.67%	34,883.02
LEAMS Offset Credit License	0.00	0.00	60,450.00	0.00%	60,450.00
Legal Fees	0.00	218.75	1,100.00	19.89%	881.25
Meeting & Conference Expense	37.56	62.56	0.00	0.00%	(62.56)
Bank Charges	0.00	0.00	1,000.00	0.00%	1,000.00
Shipping & Postage	0.00	0.00	50.00	0.00%	50.00
Office Supplies	0.00	0.00	60.00	0.00%	60.00
Other Expense	209.35	602.44	400.00	150.61%	(202.44)
Insurance Expense	0.00	2,536.00	3,000.00	84.53%	464.00
Interest Expense	14.19	55.84	200.00	27.92%	144.16
Total Expenditures	\$145,387.38	\$698,495.66	\$810,012.00	86.23%	\$111,516.34
Excess Revenue over (under) Expenditures	(\$144,449.17)	\$127,729.92	\$20,890.00	611.44%	(\$106,839.92)

Lake Elsinore San Jacinto Watersheds Authority
Revenues, Expenses and Changes in Net Assets by Project
For the Month Ending April 30, 2022

	JPA Administration	TMDL Task Force	Total	Budget	% Used	Budget Variance
Revenues						
LAIF Interest	1,071.58		1,071.58	2,200.00	48.71%	1,128.42
Member Agency Contributions	110,000.00	176,495.00	286,495.00	288,445.00	99.32%	1,950.00
Other Agency Contributions		535,159.00	535,159.00	540,257.00	99.06%	5,098.00
Miscellaneous Revenue	3,500.00		3,500.00	-	100.00%	(3,500.00)
Total Revenues	\$ 114,571.58	\$ 711,654.00	\$ 826,225.58	\$ 830,902.00	99.44%	\$ 4,676.42
Expenditures						
Salaries	\$ 26,225.75	\$ 31,484.82	\$ 57,710.57	\$ 62,314.00	92.61%	\$ 4,603.43
Benefits	10,385.41	12,467.98	22,853.39	24,676.00	92.61%	1,822.61
Indirect Costs	42,302.11	50,785.02	93,087.13	100,510.00	92.61%	7,422.87
Audit Fees	5,000.00		5,000.00	5,000.00	100.00%	-
Consulting	27,989.25	488,379.73	516,368.98	551,252.00	93.67%	34,883.02
Other Contract Services			-	-	0.00%	-
Legal Fees	218.75		218.75	1,100.00	19.89%	881.25
Meeting & Conference Expense	62.56		62.56	-	0.00%	(62.56)
Bank Charges			-	1,000.00	0.00%	1,000.00
Shipping & Postage			-	50.00	0.00%	50.00
Other Expense	602.44		602.44	400.00	150.61%	(202.44)
LEAMS Excess Offset Credit			-	60,450.00	0.00%	60,450.00
Insurance Expense	2,536.00		2,536.00	3,000.00	84.53%	464.00
Office Supplies				60.00	0.00%	60.00
Interest Expense	55.84		55.84	200.00	27.92%	144.16
Total Expenditures	\$ 115,378.11	\$ 583,117.55	\$ 698,495.66	\$ 810,012.00	86.23%	\$ 111,516.34
Excess Revenue over (under) Expenditures	\$ (806.53)	\$ 128,536.45	\$ 127,729.92	\$ 20,890.00	100.00%	\$ (106,839.92)
Cash Balance @ 04/30/2022	\$ 64,997.69	\$ 422,144.18	\$ 487,141.87			

**Lake Elsinore San Jacinto
Watershed Authority
Disbursements
April 2022**

Check #	Check Date	Type	Vendor	Check Amount
EFT419	4/7/2022	CHK	CDM Smith Inc	\$ 8,706.00
EFT420	4/7/2022	CHK	Wood Environment & Infrastructure	\$ 21,092.51
EFT421	4/14/2022	CHK	Santa Ana Watershed Project	\$ 23,635.57
EFT422	4/14/2022	CHK	Kahn, Soares & Conway, LLP	\$ 7,800.00
EFT423	4/21/2022	CHK	DeGrave Communications	\$ 2,034.86
Total Disbursements April 2022				<u>\$ 63,268.94</u>

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Lake Elsinore and Canyon Lake TMDL Task Force

March 2, 2022

PARTICIPANTS PRESENT:

Abigail Suter, Riverside County Flood Control & WCD
Albert Acevedo, CDM Smith
Aldo Licitra, Riverside County Flood Control & WCD
Amy McNeill, Riverside County Flood Control & WCD
Andy Komor, PACE
Chris Stransky, Wood Environmental
Carlos Norvani, City of Lake Elsinore
Cynthia Gabaldon, City of Menifee, Perris, and March JPA
Dale Welty, City of Canyon Lake
Dan Cortese, City of Hemet
Eric Lindberg, Regional Water Quality Control Board
Garth Engelhorn, NV5
James Klang, TBL Consultants
Joe Bellomo, City of Canyon Lake
John Rudolph, Wood Environmental
Jase Warner, Elsinore Valley Municipal Water District
Kris Hanson, City of Canyon Lake/Wildomar
Lenai Hunter, Elsinore Valley Municipal Water District
Lynn Merrill, City of San Jacinto
Maria Arreguin, City of Perris

Mike Roberts, City of Riverside
Nicole Dailey, City of Lake Elsinore
Pamela Ybarra, Regional Water Quality Control Board
Pat Boldt, WRCAC
Patrick Lewis, Regional Water Quality Control Board
Rachael Johnson, Riverside County Farm Bureau
Rae Beimer, City of Moreno Valley
Rebekah Guill, Riverside County Flood Control & WCD
Richard Boon, Riverside County Flood Control & WCD
Richard Meyerhoff, GEI Consultants
Steven Wolosoff, CDM Smith
Stormy Osifeso, City of Riverside
SueAnn Neal, Regional Water Quality Control Board
Tess Dunham, Kahn, Soares & Conway, LLP
Bruce Whitaker, SAWPA
T. Milford Harrison, SAWPA
Mark Norton, SAWPA
Rick Whetsel, SAWPA
Zyanya Ramirez, SAWPA

Call to Order & Introductions

The Lake Elsinore/Canyon Lake TMDL Task Force (Task Force) meeting commenced at 1:03 p.m. in a virtual Zoom meeting, in response to, and in compliance with, COVID-19 regulations.

Approval of Meeting Notes from January 10, 2022 Task Force Meeting

The January 10, 2022 meeting notes were approved as posted.

Status: Regional Board Update (Regional Board)

FHAB Monitoring Program

Pamela Ybarra, of the Regional Water Quality Control Board (Regional Board) provided a verbal status update on the FHAB Monitoring Program. Since the last Task Force meeting, the Regional Board performed site visits twice in January and February. Due to levels of microcystin, they've recommended a lake-wide caution advisory for the lake. Golden algae (last seen in June of 2021) was identified from the results of the February 9th site visit. Regional Board will continue to monitor the golden algae.

Review: Draft Key Principles for Technical TMDL Revisions (Tess Dunham/KSC)

Tess Dunham, of Kahn, Soares, and Conway, LLP, provided highlights of the submitted comments and revisions. Ms. Dunham reviewed each key principle with the Task Force.

It was suggested to have the Draft Key Principles for Technical TMDL Revisions go through a final review by the Task Force, with comments due by March 23, 2022, so that the final draft can be approved by the next Task Force meeting. It was also suggested that the letter be signed by Mark Norton, the Task Force Administrator on behalf of the Task Force.

Comments to the Draft Key Principles for Technical TMDL Revisions are due to Ms. Dunham at tdunham@kscsacramento.com via email by end of day Wednesday, March 23, 2022.

Draft Comments on Staff Working Proposal for MS4 Permit

Tess Dunham, of Kahn, Soares, and Conway, LLP, pointed out a relevant provision of the staff working proposal in which the Task Force would be collectively interested. This included Appendix 11 of the Staff

Working Proposal of MS4 Permit, which focused on the Lake Elsinore and Canyon Lake TMDLs. She also presented some terms defined in the Glossary that could potentially impact the activities of the Task Force.

Mark Norton submitted oral feedback to Regional Board at the February workshop in support of the Task Force model. Ms. Dunham stated that she spoke with Regional Board and they are encouraging the Task Force to provide comments. They indicated interest in knowing how the working proposal could be revised to better reflect and incorporate how the Task Force works, with respect to TMDL compliance. The Task Force would like to submit comments and include a statement of the unique nature of Canyon Lake and Lake Elsinore TMDLs. Ms. Dunham stated that a soft deadline to submit comments to Regional Board is March 10, she would like to have the draft comment letter out to the Task Force by March 8, with comments due by March 15, in order to submit the revised comment letter by March 18. Pamela Ybarra from Regional Board confirmed that the Regional Board is okay to receive comments by March 18.

A copy of Tess's presentation is available on the SAWPA website under Agendas and Meeting Materials:
<https://sawpa.org/wp-content/uploads/2022/03/2022-3-2-Item-5-Draft-Comments-on-Staff-Working-Proposal-of-MS4-Permit.pdf>

Status Update:

New Proposed Canyon Lake Alum Application contract – Aquatechnex (LESJWA staff)

Rick Whetsel stated that the LESJWA Board of Directors approved a new contract for Aquatechnex, which will be in effect for the Spring 2022 Canyon Lake Alum Application. They scope of work includes two alum application per year for the next three years with an option of two additional years.

Spring 2022 Canyon Lake Alum Application

Rick Whetsel asked the Task Force if there was a need to proceed with the Spring 2022 Canyon Lake Alum application in March or wait until the February monitoring data is available in a couple of weeks. He added that the supplier for alum is going to be closing their doors for two months and will not be able to provide alum from mid-April to mid-May of 2022. If the task Force were to proceed, it was suggested that the application be conducted the week of March 14.

Dale Welty, City of Canyon Lake moved a motion; Lynn Merrill, representing the City of San Jacinto second the motion.

MOVED, to proceed with the alum application in March if the February water quality monitoring results show total phosphorus levels to exceed 0.09.

SAWPA Santa Ana River Weather Modification Pilot Program (LESJWA staff)

This item will be deferred to a future meeting.

Task Force Administration

Discuss Draft FY 2022-23 Budget

Rick Whetsel provided a summary of the draft fiscal year 2022-23 budget for the Lake Elsinore and Canyon Lake TMDL Task Force. He stated there is an additional line item to budget for the 2022-23 to update the TMDL Technical Report. The proposed budget is \$878,851, which is about \$150,000 more than last year. The Task Force requested more time to review and bring back for approval at the next Task Force meeting.

A copy of this draft is posted on the SAWPA website under Agendas and Meeting Materials:
<https://sawpa.org/wp-content/uploads/2022/03/Draft-FY-2022-23-LECL-TMDL-Task-Force-Budget-030122.pdf>

Discuss Update to Task Force Agreement

The Task Force Agreement is due to expire June 2022. This item will be discussed at the next Task Force meeting.

Other Items

Amy McNeil, from the Riverside County Flood Control & Water Conservation District invited the Task force to a learning opportunity offered by USACE. The meeting is Wednesday, March 30 from 11:00am to 12:30pm.

The meeting is to hear from experts within the USACE Engineering Research and Development Center to help provide examples of lake restoration specifically include dredging. The current Lake Elsinore aquatic restoration work under the USACE CAP program is limited in funds. However, as part of the project there will be narrative discussing recommendations for future work. The meeting will cover the methodology and development of a scope of work to help identify the recommendations.

Schedule Next Meeting

The next LE/CL TMDL Task Force meeting is scheduled for Wednesday, April 20, 2022, at 1:00 p.m.

Adjourn

The meeting adjourned at 3:30 p.m.

Table Summary of Agreements and Actions

Date of Action/Agreement	Action/Agreement	Responsible Entities Reaching Agreement
September 28, 2021	Approve funding in the amount of up to \$30,000 to CDM Smith to assist Task Force technical issues, including but not limited to, initial discussions regarding content and scope of TMDL Implementation Plan revisions should the Task Force decide to provide resources for further revising the 2018 draft TMDL.	Voting Task Force members.
November 3, 2021	Approve moving forward with the proposed step-wise approach to updating the TMDL Technical Report and its timeline.	Voting Task Force members
January 10, 2022	-	-
March 2, 2022	<ul style="list-style-type: none"> • The Task Force agreed to submit a comment letter to the Draft Staff Working Proposal for MS4 Permit by March 18, 2022. Regional Board confirmed that they would accept the comments past their soft deadline of March 10. • Approved the alum application to the Canyon Lake if the February monitoring data exceeds 0.09. 	Voting Task Force members

Lake Elsinore and Canyon Lake TMDL Task Force

April 20, 2022

PARTICIPANTS PRESENT:

Abigail Suter, Riverside County Flood Control & WCD
Albert Acevedo, CDM Smith
Aldo Licitra, Riverside County Flood Control & WCD
Amy McNeill, Riverside County Flood Control & WCD
Barbara Barry, Regional Water Quality Control Board
Chris Stransky, Wood Environmental
Carlos Norvani, City of Lake Elsinore
Cynthia Gabaldon, City of Menifee, Perris, and March JPA
Dale Welty, City of Canyon Lake
Dan Cortese, City of Hemet
Eric Lindberg, Regional Water Quality Control Board
Garth Engelhorn, NV5
Eric Lindberg, Regional Water Quality Control Board
James Klang, TBL Consultants
Joe Bellomo, City of Canyon Lake
John Rudolph, Wood Environmental
Jase Warner, Elsinore Valley Municipal Water District
Kris Hanson, City of Canyon Lake/Wildomar
Lauma Willis, Regional Water Quality Control Board
Lauren Sotelo, March JPA
Lenai Hunter, Elsinore Valley Municipal Water District

Lynn Merrill, City of San Jacinto
Maria Arreguin, City of Perris
Mike Ali, Elsinore Valley Municipal Water District
Mike Roberts, City of Riverside
Nicole Dailey, City of Lake Elsinore
Pat Boldt, WRCAC
Paula Kulis, CDM Smith
Rae Beimer, City of Moreno Valley
Rebekah Guill, Riverside County Flood Control & WCD
Richard Boon, Riverside County Flood Control & WCD
Steven Wolosoff, CDM Smith
Stormy Osifeso, City of Riverside
Sudhir Mohleji, Elsinore Valley Municipal Water District
SueAnn Neal, Regional Water Quality Control Board
Tess Dunham, Kahn, Soares & Conway, LLP
T. Milford Harrison, SAWPA
Ian Achimore, SAWPA
Mark Norton, SAWPA
Rick Whetsel, SAWPA
Zyanya Ramirez, SAWPA

Call to Order & Introductions

The Lake Elsinore/Canyon Lake TMDL Task (Task Force) meeting was called to order at 1:03 p.m. by Mark Morton, Task Force Chair, with all participants participating remotely, due to COVID-19 related social distancing restrictions.

Approval of Meeting Notes from March 2, 2022 Task Force Meeting

The March 2, 2022 meeting notes were approved as posted.

Status: Regional Board Update (Regional Board)

Barbara Barry, of Regional Board, announced that she is back, and she and Patrick Lewis will be representing Regional Board staff on the LE/CL TMDL Task Force. Pamela Ybarra accepted a position to work on issues relating to PFOA and PFAS compounds.

Action Item: Draft Key Principles for Technical TMDL Revisions (Tess Dunham/KSC)

Tess Dunham, of Kahn, Soares, and Conway, presented the final draft Key Principles document for approval by the Task Force. The document addresses all key concerns of the Task Force stakeholders and Regional Board staff. Discussion ensued a detailed review of the most recent edits. It was clarified that the document is not legally binding the Santa Ana Regional Water Quality Control Board and is only a mutual understanding of the stakeholder members and Regional Board.

Following discussion, regarding several suggested revisions to be addressed by Tess Dunham, of Kahn, Soares, and Conway, LLP it was proposed that the main body of text be approved by the Task Force, and a revised Key Principles document to be prepared for distribution to the Task Force for possible approval via email.

Lynn Merrill, of City of San Jacinto, moved a motion; Cynthia Gabaldon, of City of Menifee, Perris, and March JPA, second the motion.

MOVED, to approve execution of the Key Principles for Technical TMDL Revision by Mark Norton, Task Force Administrator on behalf of the voting members of the LE&CL TMDL Task Force, subject to approval by the Task Force of revisions discussed at the April 20, 2022 Task Force meeting.

A copy of this draft is posted on the SAWPA website under Agendas and Meeting Materials:
<https://sawpa.org/wp-content/uploads/2022/04/4.-2022-4-15-2022-Final-Key-Principles.docx>.

Discussion: Outline Key Critical Decision Steps for the TMDL Implementation Plan (Tess Dunham/KSC and Steve Wolosoff CDM Smith)

Tess Dunham, of Kahn, Soares, and Conway, LLP, outlined key critical decision steps for the TMDL Implementation Plan. These decision steps will be outlined in technical memorandum that will be sent out to the Task Force for review and approval and will serve as a guide for discussion to be conducted over the course of the next several Task Force meetings.

A copy of Tess's presentation is available on the SAWPA website under Agendas and Meeting Materials:
https://sawpa.org/wp-content/uploads/2022/04/Draft-04_2022_20-Meeting-PPT.pdf.

Action Item: Comments on Staff Working Proposal for MS4 Permit (Tess Dunham/KSC)

The Santa Ana Regional Water Quality Control Board (Regional Board) abstained from action and conversation in this matter.

Tess Dunham, of Kahn, Soares, and Conway, LLP presented the final draft comment letter on the Staff Working Proposal of the MS4 Permit, distributed on April 20, to the Task Force for approval. She stated that the goal and purpose of this comment letter is to convey the importance of the work conducted through the Task Force and how the Staff Working Proposal can be revised to reflect the role of the Task Force and all the work that has been done through the Task Force.

Following discussion, it was requested that the data in *Table 1. Estimated Watershed Nutrient Washoff Reduction from Street Sweeping and MS4 Facility Debris Removal by MS4 Permittees* be footnoted to address that this data does not reflect or include additional sediment removal efforts that have happened since submittal of the information in the 2019-2020 Progress Report

Lynn Merrill, of City of San Jacinto, moved a motion; Maria Arreguin, of City of Perris second the motion.

MOVED, to approve submittal of Task Force Comment letter to Regional Board on the Staff Working Proposal for the MS4 Permit, subject to revisions discussed at the April 20, 2022 task force meeting.

A copy of the draft comment letter is posted on the SAWPA website under Agendas and Meeting Materials:
<https://sawpa.org/wp-content/uploads/2022/04/6.-2022-4-10-Draft-Comments-Staff-Working-Proposal.docx>.

Status Update:

Spring 2022 Canyon Lake Alum Application (LESJWA Staff)

The spring 2022 Canyon Lake alum application commenced on Monday, April 18, 2022. Aquatechnex is scheduled to complete the alum application on Thursday, April 21, 2022. Dale Welty, City of Canyon Lake, added that there have been no comments from the community on the current alum application.

Task Force Administration (LESJWA Staff)

Action Item: Draft FY 2022-23 Budget

Rick Whetsel presented the draft FY 2022-23 Task Force budget for approval by the Task Force.

Following discussion, it was requested by stakeholders that they be provided additional time to update the nutrient offset credits used to determine the budget allocations for LEAMS and Canyon Lake alum additions and a revised budget be prepared for distribution to the Task Force for possible approval via email.

A copy of this draft is posted on the SAWPA website under Agendas and Meeting Materials:

<https://sawpa.org/wp-content/uploads/2022/04/8.A.-2022-4-18-Draft-FY-2022-23-LECL-TMDL-Task-Force-Budget.pdf>.

Action Item: Amendment #3 to Task Force Agreement

The LE/CL TMDL Task Force agreement is due to expire June 30, 2022. An amendment has been shared with the Task Force to extend the agreement to June 30, 2025 and includes the option that the agreement may be extended an additional two years to June 30, 2027, by means of Administrative Action by the Task Force Administrator. Upon approval, SAWPA staff will coordinate signature efforts. Once the amendment is executed, it will be distributed to the Task Force and posted on the SAWPA website.

Pat Boldt, of WRCAC, moved a motion; Lynn Merrill, of City of San Jacinto second the motion.

MOVED, to approve the proposed language for Amendment #3 to extend the LE&CL TMDL Task Force Agreement for a period of three years to June 30, 2025, with the option that the Agreement, while still in full force and effect, may be extended an additional two years, to June 30, 2027, by means of Administrative Action by the Task Force Administrator and for LESJWA staff to proceed to coordinate the collection of signatures from named Task Force parties.

Other Business

2022 LESJWA Water Summit

The 2022 LESJWA Water Summit will take place Wednesday, April 27, 2022. An invitation to the Task Force was sent. Today is the last day to register. The event will be in-person and there will not be a streaming option.

Regional Board

Lauma Willis, Regional Board, stated that as of February, the Water Boards were told to scale back on laboratory works until July. Due to budget constraints, they are unable to collect or have chemistry analyzed on their lake Elsinore F-HAB monitoring. She asked the Task Force if there was any agency that would be able to assist them financially or by analyzing their Lake Elsinore F-HAB samples. It was then requested that Regional Board staff provide an estimate cost to see if the Task Force could assist financially and to contact Chris Stransky of Wood E&I offline on possible cost savings to possibly coordinate efforts.

City of Lake Elsinore

Nicole Dailey from the City of Lake Elsinore has resigned her position with the City; her last working day will be May 6, 2022. The Task Force thanked her for her work and commitment to the City of Lake Elsinore.

Schedule Next Meeting

The next LE/CL TMDL Task Force meeting is scheduled for Tuesday, May 24, 2022, at 9:30 a.m. as a hybrid meeting.

Adjourn

The meeting adjourned at 3:30 p.m.

Table Summary of Agreements and Actions

Date of Action/Agreement	Action/Agreement	Responsible Entities Reaching Agreement
September 28, 2021	<ul style="list-style-type: none"> • Approve funding in the amount of up to \$30,000 to CDM Smith to assist Task Force technical issues, including but not limited to, initial discussions regarding content and scope of TMDL Implementation Plan revisions should the Task Force decide to provide resources for further revising the 2018 draft TMDL. 	Voting Task Force members.
November 3, 2021	<ul style="list-style-type: none"> • Approve moving forward with the proposed step-wise approach to updating the TMDL Technical Report and its timeline. 	Voting Task Force members
January 10, 2022	-	-
March 2, 2022	<ul style="list-style-type: none"> • The Task Force agreed to submit a comment letter to the Draft Staff Working Proposal for MS4 Permit by March 18, 2022. Regional Board confirmed that they would accept the comments past their soft deadline of March 10. • Approved the alum application to the Canyon Lake if the February monitoring data exceeds 0.09. 	Voting Task Force members
April 20, 2022	<ul style="list-style-type: none"> • Approved execution of the Key Principles for Technical TMDL Revision by Mark, Norton Task Force Administrator on behalf of the voting members of the task force subject to revisions discussed at the 4/20/2022 task force meeting. • Approved submittal of the Task Force Comment letter to Regional Board on the Staff Working Proposal for the MS4 Permit upon revision discussed at the 4/20/2022 task force meeting. Regional Board abstained from action and conversation of this matter. • Approved amendment #3 to extend the LE/CL TMDL Task Force Agreement for a period of three years to June 30, 2025, with the option that the Agreement, while still in full force and effect, may be extended an additional two years, to June 30, 2027, by means of Administrative Action by the Task Force Administrator 	Voting Task Force members; Excludes Regional Board in relation to the Comment Letter to Regional Board on the Staff Working Proposal for the MS4 Permit.

Lake Elsinore and Canyon Lake TMDL Task Force

June 27, 2022

PARTICIPANTS PRESENT:

Abigail Suter, Riverside County Flood Control & WCD
Albert Acevedo, CDM Smith
Aldo Licitra, Riverside County Flood Control & WCD
Rohini Mustafa, Riverside County Flood Control & WCD
Barbara Barry, Regional Water Quality Control Board
Carlos Norvani, City of Lake Elsinore
Cynthia Gabaldon, City of Menifee, Perris, and March JPA
Kelsey Reed
Dan Cortese, City of Hemet
Ben Foster, City of Lake Elsinore
Garth Engelhorn, NV5
Scott Bruckner, Riverside County
James Klang, TBL Consultants
Nicholas Jernack, Wood Environmental
John Rudolph, Wood Environmental
Chris Stransky, Wood Environmental
Kris Hanson, City of Canyon Lake/Wildomar
Patrick Lewis, Regional Water Quality Control Board
Lauren Sotelo, March JPA
Lenai Hunter, Elsinore Valley Municipal Water District

Maria Arreguin, City of Perris
Mike Roberts, City of Riverside
Pat Boldt, WRCAC
Johnathan Oliver Skinner, City of Lake Elsinore
Paula Kulis, CDM Smith
Rae Beimer, City of Moreno Valley
Rebekah Guill, Riverside County Flood Control & WCD
Richard Boon, Riverside County Flood Control & WCD
Steven Wolosoff, CDM Smith
Richard Meyerhoff, GEI Consultants
Sudhir Mohleji, Elsinore Valley Municipal Water District
SueAnn Neal, Regional Water Quality Control Board
Tess Dunham, Kahn, Soares & Conway, LLP
T. Milford Harrison, SAWPA
Bruce Whitaker, SAWPA
Mark Norton, SAWPA
Rick Whetsel, SAWPA
Haley Mullay, SAWPA

Call to Order & Introductions

The Lake Elsinore/Canyon Lake TMDL Task (Task Force) meeting was called to order at 1:02 p.m. by Mark Morton, Task Force Chair, with all participants participating remotely, due to COVID-19 related social distancing restrictions.

Approval of Meeting Notes from March 2, 2022 Task Force Meeting

The April 20, 2022 meeting notes were approved as posted.

Status: Regional Board Update (Regional Board)

Barbara Barry, of Regional Board, provided an update on the Regional Board's F-HAB monitoring for Lake Elsinore reporting that two monitoring events were performed in June. Water Quality monitoring results for microcystin were in the "caution" warning level range and signage reflecting this "caution" warning level will continue to be posted around the lake to warn recreators. It was also reported that golden algae was detected in the latest sampling event.

Patrick Lewis of the Regional Board added that the next sampling event is scheduled for Tuesday, June 28th.

Barbara also informed the Task Force that Regional Board is working to fill the vacancy in the TMDL Section and hopes to fill the position by August.

Update: Statewide Biostimulatory, Cyanotoxin and Biological Conditions Provisions (Tess Dunham/KSC)

Tess Dunham, of Kahn, Soares, and Conway, presented a brief update on State Waterboard effort to develop statewide water quality objectives for nutrients, other biostimulatory substances, and cyanotoxins, and a program of implementation under the Biostimulation, Cyanotoxins, and Biological Condition Provisions.

Barbara Barry added that these provisions could possibly have significant implications on the LE&CL TMDL process.

Tess informed the Task Force that this work is based in a large part to the work being conducted by the Southern California Coastal Water Research Project (SCCWRP). She suggested that the Task Force consider inviting SCCWRP to present to the Task Force on this item at a future meeting.

Tess also relayed that the State Waterboard has scheduled a public workshop for Thursday, July 14th to present information on the provisions.

LESJWA staff will share a link to the workshop following the meeting and coordinate with SCCWRP to schedule a future presentation.

Discussion: Next Steps for the TMDL Implementation Plan (Tess Dunham /KSC and Steve Wolosoff CDM Smith)
Tess Dunham, of Kahn, Soares, and Conway, LLP, continued discussion on the next steps for the TMDL Implementation Plan. Today's presentation by Tess focused on the proposed "phased" TMDL approach, a revised implementation schedule and discussion on the revised list of implementation tasks.

Stakeholders requested a copy of Attachment A to the Draft Tentative Resolution. The following is a link to the Santa Ana Regional Board TMDL page which includes a link to Attachment A, as well as, links to other documents relating to the Draft Tentative Resolution:

https://www.waterboards.ca.gov/santaana/water_issues/programs/tmdl/elsinore_tmdl.html

An additional request was made to have the TMDL Implementation schedule and tasks be input into a Gantt chart format. Steve Wolosoff of CDM Smith will prepare this Gantt Chart.

A question of raised regarding an estimate of the cost to implement this program. It was noted that it is difficult to estimate the costs for work to be conducted 10 to 15 years in the future; however, there will be some cost analysis to accompany the Basin Plan amendment on the annual costs to implement the program.

Barbara Barry noted that approach presented today shows great commitment by the Task Force, but she needs additional time to review the materials presented today before making any determination on behalf of Regional Board staff.

A copy of this presentation is available on the SAWPA website under Agendas and Meeting Materials:

https://sawpa.org/wp-content/uploads/2022/06/06_27_2022-Meeting.pdf

Task Force Administration (LESJWA Staff) **CDM Smith Change Order**

Rick Whetsel informed the Task Force that due to there not being a LESJWA Board meeting until August, staff has prepared a Change Order to extend the agreement with CDM Smith to provide for the continuation of TMDL technical support services to the Task Force through the summer. This will have no impact the Task Force budget or operation.

Status of Amendment signatures

Rick Whetsel informed the Task Force that to date, more than half of the signatures have been received. Staff will continue to follow-up with Task Force members that have not yet responded.

Other Business

TMDL Basics Workshop

Tess Dunham has graciously offered to host on behalf of the LE&CL TMDL Task Force. This Workshop will provide an overview of TMDLs, specifically geared toward issues relating to the LE&CL TMDLs and a question and answer session. It is intended for those who are new to TMDLS or those who are just looking for a refresher, but all are invited to attend. This Workshop has been scheduled for Tuesday, August 9th from 9:00 to 11:00 am.

Chris Stransky of Wood Environmental on behalf of the City of Lake Elsinore shared information of the Prop 1 grant that the City is currently conducting interviews of firms to evaluate the feasibility and cost-effectiveness of potential algae removal strategies, with several vendors expressing interest in conducting pilot studies on Lake Elsinore.

T. Milford Harrison requested that we adjourn this meeting in honor of the family of the young boy who lost his life at Lake Elsinore yesterday.

Schedule Next Meeting

The next LE/CL TMDL Task Force meeting is scheduled for Tuesday, August 17, 2022, at 1:00 p.m. as a remote Zoom meeting.

Adjourn

The meeting adjourned at 2:35 p.m.

DRAFT

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LESJWA BOARD MEMORANDUM NO. 2022.15

DATE: August 18, 2022

TO: LESJWA Board of Directors

SUBJECT: Resolution on Continuation of Remote Board of Directors Meetings

PREPARED BY: Mark R. Norton, LESJWA Authority Administrator

RECOMMENDATION

Adoption of Resolution No. LES2022-03 Proclaiming A State of Emergency Persists, Re-Ratifying the Proclamation of a State of Emergency by Governor Gavin Newsom, and Re-Authorizing Remote Teleconference Meetings of all Board of Director meetings of the Lake Elsinore and San Jacinto Watersheds Authority for the period of August 18, 2022 to September 17, 2022 pursuant to Brown Act Provisions.

DISCUSSION

On September 16, 2021, Governor Newsom signed into law AB 361, which suspended the Brown Act's existing teleconferencing requirements so long as the state-declared state of emergency in California. A Resolution must be executed every 30 days under AB 361 for the initial and subsequent findings under AB 361 in order to continue to utilize the relaxed teleconferencing requirements for board meetings (including committee meetings) subject to the Brown Act. AB 361 applies only to a state-declared state of emergency and not to a locally-declared emergency; and AB 361 will only remain in effect until January 1, 2024, unless the State Legislature takes action to extend it or make it permanent. The following is a brief summary of AB 361's pertinent provisions.

- 1. Posting of Agendas.** The Brown Act currently requires that a local agency post agendas at all teleconference locations. Thus, if a director is calling in from a hotel room in Las Vegas, the director would need to post the agenda on his or her hotel room door. AB 361 removes the requirement that agendas must be posted at all teleconference locations. Therefore, under AB 361, the director can call from his or her Las Vegas hotel room without having to post the agenda on the hotel room door.

AB 361 does not change the general agenda posting requirements under the Brown Act. Thus, agencies should continue to post their agendas at least 72 hours before a regular board meeting and 24 hours before a special board meeting, and those postings should occur in the usual locations, including on the agency's website.

- 2. Location of Teleconferencing Participants.** The Brown Act currently requires a local agency that uses teleconferencing, to identify each teleconference location in the notice and agenda of the meeting or proceeding, and each teleconference location must be accessible to the public. Under this requirement, if a director was calling into a meeting from the Las Vegas hotel room, the director would need to allow members of the public into his or her hotel room for the meeting. Also, the Brown Act currently requires that at least a quorum of

the members of a legislative body must participate in the meeting (even if by teleconference) from locations within the agency's boundaries.

AB 361 excuses compliance with those requirements and agendas for meetings held in accordance with AB 361 are not required to identify each teleconference location and each location does not need to be accessible to the public (but see Item 3, below). In addition, there is no requirement under AB 361 that at least a quorum of the board members must be located within the agency's boundaries.

3. **Public Access and Comments.** As stated above, local agencies are not required to make each teleconference location accessible to the public. However, the board meetings must remain open to the public and the agenda must include the manner by which members of the public may access the meeting remotely to offer public comment, including by a call-in option or an internet-based service option, such as meeting invite web address or call-in phone number, with passcode. Members of the public must be allowed to access the meeting and to address the legislative body directly, either during a general public comment period or before any individual actions are taken. Also, AB 361 clarifies that an agency may not require members of the public to submit their comments in advance of a meeting.

Public comments, either written or made by remote connection, must be accepted until the point at which the public comment period is formally closed. Any registration or sign-up period for public comments can only be closed when the public comment period is formally closed. Where public comments are accepted in a public comment period for each agenda item, the agency must allow a reasonable amount of time during each agenda item to allow the public the opportunity to provide comments, including time for members of the public to register or otherwise be recognized for the purpose of providing public comment.

4. **Registration Issue.** The Brown Act has long prohibited the use of mandatory registration or "sign-ups" to attend public meetings or to provide public comment. Based on that prohibition, the Brown Act would present a significant problem for meetings that use a teleconference platform that requires participants to register for an account, even when it is not the local agency establishing that requirement. AB 361 solves that problem by allowing local agencies to use platforms which, incidental to their use and deployment, require users to register for an account with that platform, so long as the platform is not under the control of the local agency. Thus, an agency can use a platform that requires a registration to participate without violating the Brown Act.
5. **Technological Disruption of Meeting.** AB 361 addresses what must occur in the event a technical difficulty interrupts a board meeting. Under AB 361, if a public comment line unexpectedly disconnects, a meeting agenda was sent out with the incorrect web link or dial-in information, the local agency's internet connection is interrupted, or other similar circumstances occur, the agency must stop the ongoing meeting and try to resolve the issue before continuing with the meeting agenda. If the meeting disruption cannot be resolved, the agency should not take any further action on agenda items and should end the meeting.

Failure to do so risks having any actions that were taken during the period of disruption set aside in a legal action.

6. Required Findings. AB 361 allows for teleconferencing under its provisions to occur in three scenarios:

- 1) The local agency is holding a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; or
- 2) The local agency is holding a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
- 3) The local agency is holding a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

AB 361 provides that if a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without complying with the Brown Act's existing teleconferencing requirements, the agency's board of directors must, no later than 30 days after teleconferencing for the first time under AB 361, and every 30 days thereafter, making the following findings by at least majority vote:

- 1) The legislative body has reconsidered the circumstances of the state of emergency; and
- 2) Any of the following circumstances exist: (a) the state of emergency continues to directly impact the ability of the members to meet safely in person; or (b) state or local officials continue to impose or recommend measures to promote social distancing.

CRITICAL SUCCESS FACTORS

None.

RESOURCE IMPACTS

None.

Attachments:

1. Resolution No. LES2022-03

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RESOLUTION NO. LES2022-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LAKE ELSINORE AND SAN JACINTO WATERSHEDS AUTHORITY (LESJWA) PROCLAIMING A STATE OF EMERGENCY PERSISTS, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR GAVIN NEWSOM, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS ALL BOARD OF DIRECTORS MEETINGS OF LESJWA FOR THE PERIOD AUGUST 18, 2022 TO SEPTEMBER 17, 2022 PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the Board of Directors of the Lake Elsinore and San Jacinto Watersheds Authority ("LESJWA") is committed to preserving and nurturing public access and participation in meetings of its Board of Directors; and

WHEREAS, all meetings of LESJWA's Board of Directors are open and public, as required by the Ralph M. Brown Act (California Government Code Sections 54950 – 54963), so that any member of the public may attend, participate, and watch those bodies conduct their business; and

WHEREAS, the Brown Act, in Government Code Section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code Section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition for application of Section 54953(e) is that a state of emergency is declared by the Governor pursuant to Government Code Section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code Section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the LESJWA's boundaries, caused by natural, technological or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the LESJWA Board of Directors previously adopted a Resolution, Resolution No. LES2021-01 on October 21, 2021 finding that the requisite conditions exist for the LESJWA Board of Directors to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of Section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in Section 54953(e), the LESJWA Board of Directors must reconsider the circumstances of the state of emergency that exists in LESJWA, and the Board of Directors has done so; and

WHEREAS, emergency conditions persist in LESJWA, specifically, COVID-19, and its Delta variant, remain highly contagious and, therefore, a threat to the health, safety and well-

being of the LESJWA'S employees, directors, vendors, contractors, customers and residents; and

WHEREAS, orders from the Los Angeles County Department of Public Health and regulations from the State of California impose limitations on gatherings and provide guidance on best practices with respect to actions to reduce the spread of COVID-19; and

WHEREAS, LESJWA Board of Directors does hereby find that a state of emergency continues to exist within LESJWA's service area as a result of the continuing presence of COVID-19 and resulting local, state and federal orders and guidance, which has caused, and will continue to cause, conditions of peril to the safety of persons within LESJWA that are likely to be beyond the control of services, personnel, equipment, and facilities of LESJWA, and the Board of Directors desires to affirm a local emergency exists and re-ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency persisting, LESJWA does hereby find that the LESJWA Board of Directors shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code Section 54953, as authorized by subdivision (e) of Section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of Section 54953; and

WHEREAS, LESJWA will continue to provide proper notice to the public regarding all LESJWA Board of Directors meetings, in accordance with Government Code Section 54953(e)(2)(A) and shall provide notice to the public of how they may access any such meeting via call-in number and/or internet link.

NOW, THEREFORE, the LESJWA Board of Directors does hereby resolve as follows:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Affirmation that Local Emergency Persists. The Board of Directors hereby considers the conditions of the state of emergency in LESJWA and proclaims that a local emergency persists throughout LESJWA, and that conducting LESJWA Board of Directors meetings virtually will minimize the possible spread COVID-19 and any variant thereof.

Section 3. Re-ratification of Governor's Proclamation of a State of Emergency. The Board of Directors hereby ratifies the Governor of the State of California's Proclamation of State of Emergency regarding COVID-19, dated March 4, 2020.

Section 4. Remote Teleconference Meetings. The LESJWA's Authority Administrator, or his or her delegee, and the Board of Directors of LESJWA are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) the expiration of thirty (30) days from the date this Resolution was adopted, as set forth below, or (ii) such time as the LESJWA adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to

extend the time during which the LESJWA Board of Directors may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

ADOPTED this August 18, 2022.

LAKE ELSINORE AND SAN JACINTO WATERSHEDS AUTHORITY

By:

Dale Welty, Chair

Attest:

Zyanya Ramirez, Clerk of the Board

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LESJWA BOARD MEMORANDUM NO. 2022.16

DATE: August 18, 2022

TO: LESJWA Board of Directors

SUBJECT: Lake Elsinore and Canyon Lake Nutrient TMDL Task Force Agreement, Amendment No. 3

FROM: Rick Whetsel, Senior Watershed Manager

RECOMMENDATION

Staff recommends that the Board of Directors approve Amendment No. 3 to the Lake Elsinore and Canyon Lake Nutrient TMDL Task Force Agreement effectively extending the existing Task Force through June 30, 2025, with the option for another two years thereafter.

BACKGROUND

In 2006, a multi-agency task force agreement was signed to form the Lake Elsinore and Canyon Lake TMDL Task Force. Since its formation, the Task Force has focused on the implementation tasks of the Nutrient TMDL for Canyon Lake and Lake Elsinore and has served as an effective forum for the TMDL compliance for all parties named as responsible TMDL parties by the Santa Ana Regional Board. The Task Force has conducted necessary watershed and lake nutrient modeling, water quality monitoring of the watershed and lakes, analysis and evaluation to determine the nutrient contributions to the two lakes. Using the watershed model and dataset associated with these models, greater understanding of the necessary implementation actions to achieve the TMDL has been attained. Further work is underway to update the TMDL to reflect the changes in the watershed land use, improved runoff calculations and application of the best science available in modeling and analysis to achieve compliance at both lakes in a cost effective and efficient manner.

Among the parties of this Task Force Agreement is the Santa Ana Regional Water Quality Control Board in an advisory role capacity. In previous years, the Regional Board helped to fund some activities of the Task Force, as well as providing allowances to forego lake monitoring for two years to allow task force funding to be directed to lake improvements.

Another party to the Task Force Agreement is LESJWA in a non-funding role and as administrator for the task force. Overall, the Task Force in essence serves as a working group or committee by a cooperative agreement but is not separate governance from LESJWA. All required contracts, task orders, work orders and purchase agreements pass through LESJWA as the government overseeing the LE/CL TMDL Task Force.

The Amendment No. 1 amended the existing Task Force Agreement for a three-year term extending into 2020 with the option to extend it two additional years to 2022. The Agreement continues allowance of in-kind credit as agreed upon by the Task Force. The agreement reflects the inclusion of all the same parties as the previous Task Force Agreement with the exception of the U.S. Forest Service, who has elected to discontinue its involvement. The Regional Board is working with the US Forest Service at a statewide level to ensure that the Forest Services is taking actions to comply with the TMDL.

In June 2020, the Task Force authorized LESJWA, through Administrative Action by the Task Force Administrator to execute Amendment No. 2 extending the Task Force Agreement two additional years to June 30, 2022.

As LESJWA is a non-funding party to the Agreement, staff recommends approval of this Amendment No. 3 to the existing Lake Elsinore and Canyon Lake Nutrient TMDL Task Force Agreement.

RESOURCES IMPACT

The TMDL Task Force Agreement includes preparation of the Task Force Budget for LESJWA's administrative services, nutrient offset determinations, and data management services. All staff contract administration time for this contract will be taken from the TMDL Budget and funded by the TMDL Stakeholders.

Attachments:

1. Amendment No. 3 to the Lake Elsinore/Canyon Lake TMDL Task Force Agreement

**AMENDMENT NO. 3
TO THE
AGREEMENT TO FORM THE
LAKE ELSINORE AND CANYON LAKE
TMDL TASK FORCE**

Pursuant to Covenants II, Section 21. of that certain AGREEMENT entitled, "Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force" ("Task Force Agreement"), dated June 18, 2012; and

Whereas this Task Force Agreement initially had been prepared for a five-year term and subsequently twice extended for additional five-year terms and therefore is set to expire on the date of June 30, 2022.

Therefore, the TASK FORCE AGENCIES as named in the Agreement (Exhibit A), **hereby agree to the following changes:**

- I. Extend the term of the Task Force Agreement to **June 30, 2025**, and
- II. Stipulate the option that the Agreement, while still in full force and effect, may be extended an additional two years, to **June 30, 2027**, by means of Administrative Action by the Task Force Administrator.

Except as otherwise expressly amended herein, all of the terms, conditions, and provisions of the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force (Exhibit A) shall continue in full force and effect.

This Amendment No. 3 may be executed in original counterparts, which together shall constitute a single Agreement document.

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below.

LAKE ELSINORE AND SAN JACINTO WATERSHEDS AUTHORITY (LESJWA)

BY _____
Mark Norton, LESJWA Authority Administrator Date

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

CALIFORNIA DEPARTMENT OF TRANSPORTATION

By:_____

Title:_____

Date:_____

APPROVED AS TO FORM

By_____Date_____
Attorney

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

By:_____

Title:_____

Date:_____

APPROVED AS TO FORM

By _____
Attorney Date

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

CITY OF BEAUMONT

By: _____
Mayor

Date: _____

APPROVED AS TO FORM

By _____
City Attorney

_____ Date

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

CITY OF CANYON LAKE

By: _____
Chris Mann, City Manager

Date: _____

APPROVED AS TO FORM

By _____
Ana V. Sauseda, City Clerk

Date: _____

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

CITY OF HEMET

By: _____
Mayor

Date: _____

APPROVED AS TO FORM

By _____
City Attorney

_____ Date

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

CITY OF LAKE ELSNIORE

By: _____
Mayor

Date: _____

APPROVED AS TO FORM

By _____
City Attorney

_____ Date

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

CITY OF MENIFEE

By: _____
Mayor

Date: _____

APPROVED AS TO FORM

By _____ Date _____
City Attorney

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

CITY OF MORENO VALLEY

By: _____
Mayor

Date: _____

ATTEST:

By: _____
City Clerk

APPROVED AS TO FORM

By _____
City Attorney

_____ Date

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

CITY OF MURRIETA

By: _____
Jonathan Ingram, Mayor

Date: _____

ATTEST:

By _____
City Clerk

APPROVED AS TO FORM

By _____
Tiffany Israel, City Attorney

_____ Date

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

CITY OF PERRIS

By: _____
Mayor

Date: _____

APPROVED AS TO FORM

By _____
City Attorney

_____ Date

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

CITY OF RIVERSIDE

By: _____
City Manager

Date: _____

ATTEST:

By: _____
City Clerk

APPROVED AS TO FORM

By _____ Date _____
City Attorney

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

CITY OF SAN JACINTO

By: _____
Robert Johnson, City Manager

Date: _____

APPROVED AS TO FORM

By _____
Michael Maurer, City Attorney

Date: _____

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

CITY OF WILDOMAR

By: _____
Mayor

Date: _____

APPROVED AS TO FORM

By _____
City Attorney

_____ Date

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

Recommended for Approval:

COUNTY OF RIVERSIDE

By: _____

Title: _____

Date: _____

ATTEST:

By: _____

City Clerk

APPROVED AS TO FORM

By _____

County Counsel

Date

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Joe Mouawad, P.E., General Manager

Date: _____

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

ELSINORE VALLEY MUNICIPAL WATER DISTRICT

BY _____
Greg Thomas, General Manager Date

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

MARCH JOINT POWERS AUTHORITY

By: _____
Grace I. Martin, DPPD
Executive Director

Date: _____

Attest:

By: _____
Cindy Camargo, Clerk
Approved by March JPC 052522

Date: _____

Approved as to form:

By: _____
Thomas A. Rice
Legal Council

Date: _____

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Recommended for Approval:

By: _____

Title: _____

Date: _____

APPROVED AS TO FORM:

By: _____
County Counsel

ATTEST:

By: _____
Clerk of the Board

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

U.S. AIRFORCE (MARCH AIR RESERVE BASE)

By:_____

Title:_____

Date:_____

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

WESTERN RIVERSIDE COUNTY AGRICULTURE COALITION

On behalf of the participating Dairy Operators and participating Agriculture Operators in the San Jacinto River Basin

By: _____
Bruce Scott, Chairman

Date: _____

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 3 to the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force**, on the dates set forth below

SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD

BY _____
Jayne Joy, P.E. Executive Director Date

LESJWA BOARD MEMORANDUM NO. 2022.17

DATE: August 18, 2022

TO: LESJWA Board of Directors

SUBJECT: Technical Support to Lake Elsinore/Canyon Lake (LE/CL) TMDL Task Force and Update to the 2018 TMDL Technical Report

FROM: Rick Whetsel, Senior Watershed Manager

RECOMMENDATION

Staff and the Lake Elsinore and Canyon Lake (LE&CL) Nutrient TMDL Task Force recommend that the Board of Directors authorize Task Order No. CDM160-06 with CDM Smith for an amount not-to-exceed \$138,300.00 to further support the LE&CL TMDL process to update and revise the technical document and provide technical support services to the Lake Elsinore/Canyon Lake (LECL) Nutrient TMDL Task Force through February 2022.

DISCUSSION

In August 2022, the members of the Lake Elsinore and Canyon Lake Nutrient TMDL Task Force (LE/CL Task Force) reviewed and recommended for approval a proposal from CDM Smith to further support the process to update and revise the technical document. Included in this proposal were additional technical support services to the Lake Elsinore/Canyon Lake (LECL) Nutrient TMDL Task Force during this ongoing process.

The attached Task Order with CDM Smith provides further support for the LE&CL TMDL Task Force in the process to update and revise the technical document and additional technical support services to Lake Elsinore/Canyon Lake (LECL) Nutrient TMDL Task Force. Included with this Task Order is a scope of work and budget providing a detailed description of support services to be performed by the consultant, CDM Smith, as highlighted below:

TMDL Implementation Support Activities:

- Revise Implementation Elements
- Key Technical Updates
- Other Document Updates
- References/Administrative Record
- Regional Project Implementation
- Task Force Meeting Participation

Due to internal delays by Regional Board staff and staff turnover, the Basin Plan Amendment process has taken far more time than originally anticipated and further justification of the new TMDL for new Regional Board staff will be needed. It is anticipated that the effort to revise and update the Lake Elsinore and Canyon Lake nutrient TMDLs will continue into the foreseeable future, including the effort of the State and EPA to approve the update as an amendment to the Basin Plan. In conformance with the TMDL update, several TMDL implementation support activities as defined will be necessary for the coming fiscal year.

BACKGROUND

In June of 2015, the LE/CL Task Force petitioned the Santa Ana Water Board to reopen and revise the Nutrient TMDLs based on the wealth of new information developed over the last 10 years. The Santa Ana Water Board agreed to make this effort a high priority as part of the recent

Triennial Review (R8-2015-0085). As part of this agreement, the LE/CL Task Force has accepted responsibility to develop the documentation needed to update and amend the Nutrient TMDL for Canyon Lake and Lake Elsinore.

The reason for the TMDL update is to reflect the significant amount of new data that has developed since the LE/CL-TMDL was first enacted. This information has fundamentally transformed our understanding of how nutrient loading affects the lakes under both natural and undeveloped, and current land use conditions. The scientific studies commissioned by the Task Force have shown conclusively that many of the modeling assumptions used to develop the original TMDL were not accurate. Further, the land use has changed, regulatory policies and permits have been revised, and more specificity is needed to clarify compliance. The work by CDM Smith over the next three fiscal years includes significant scientific and regulatory justification for approval by the Santa Ana Regional Water Quality Control Board and EPA.

In October 2015, in response to a request for qualifications issued by LESJWA, the members of the Lake Elsinore and Canyon Lake Nutrient TMDL Task Force Technical Advisory Committee unanimously recommend the selection of CDM Smith to lead the effort to revise and update the Lake Elsinore and Canyon Lake nutrient TMDLs. CDM Smith was selected by a proposal technical review committee composed of task force agencies, based upon the consultant's substantial knowledge of the TMDLs and professional expertise of consultants assembled for their team.

On December 17, 2015, the LESJWA Board approved the selection of CDM Smith and authorized the first of a series of Task Orders with CDM Smith to revise and update the Lake Elsinore and Canyon Lake nutrient TMDLs. Expenses incurred by CDM Smith to date remain within budget of the overall TMDL Update effort proposed by the consultant, and on time according to their original schedule.

On October 20, 2016, the members of the Lake Elsinore and Canyon Lake Nutrient TMDL Task Force (LE/CL Task Force) unanimously recommended the second in a series of Task Orders prepared by CDM Smith to complete the effort to revise and update Lake Elsinore and Canyon Lake Nutrient TMDLs Technical Document and submit a final Basin Plan Amendment package to the Regional Board.

On December 21, 2017, the members of the Lake Elsinore and Canyon Lake Nutrient TMDL Task Force (LE/CL Task Force) unanimously recommended the third in a series of Task Orders prepared by CDM Smith to complete the effort to revise and update Lake Elsinore and Canyon Lake Nutrient TMDLs Technical Document and submit a final Basin Plan Amendment package to the Regional Board.

On December 10, 2018, the members of the Lake Elsinore and Canyon Lake Nutrient TMDL Task Force (LE/CL Task Force) unanimously recommended a Change Orders to the CDM Smith agreement to further support the TMDL adoption process and TMDL-related implementation activities ongoing during the Basin Plan amendment process.

On June 18, 2020, the members of the Lake Elsinore and Canyon Lake Nutrient TMDL Task Force (LE/CL Task Force) unanimously recommended a Task Order for CDM Smith agreement to further support the TMDL adoption process and TMDL-related implementation activities ongoing during the Basin Plan amendment process.

On September 28, 2021, the members of the Lake Elsinore and Canyon Lake Nutrient TMDL Task Force (LE/CL Task Force) unanimously recommended for approval a proposal from CDM

Smith to further support the process to update and revise the technical document. Included in this proposal were additional technical support services to the Lake Elsinore/Canyon Lake (LECL) Nutrient TMDL Task Force during this ongoing process.

RESOURCES IMPACT

All funding for this Task Order is provided by the TMDL Task Force FY 2022-23 Budget for an amount not-to-exceed \$138,300. All staff contract administration time for this contract will be taken from the TMDL budget and funded by the TMDL Stakeholders.

Attachment:

1. CDM Smith Task Order No. CDM160-06
2. Proposal

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LAKE ELSINORE & SAN JACINTO WATERSHEDS AUTHORITY
TASK ORDER NO. CDM160-06

CONSULTANT: CDM Smith
600 Wilshire Boulevard, Suite 750
Los Angeles, CA 90017

VENDOR NO.: 1575

COST: **\$138,300.00**

PAYMENT: Upon Receipt of Proper Invoice

REQUESTED BY: Mark Norton, Water Resources and
Planning Manager

August 18, 2022

FINANCE: _____
Karen Williams, Deputy GM/CFO Date

FINANCING SOURCE: Acct. Coding: 160-TMDL-6113-01
 Acct. Description: General Consulting

BOARD AUTHORIZATION REQUIRED: YES (X) NO ()
Authorization: August 18, 2022; LES#2022.17

This Task Order is issued upon approval and acceptance by the Lake Elsinore & San Jacinto Watersheds Authority (LESJWA) and CDM Smith (Consultant) pursuant to the Agreement for Services between LESJWA and Consultant, entered into on June 18, 2020; expiring December 31, 2023.

I. PROJECT NAME OR DESCRIPTION

TMDL Update & Technical Support to LE&CL TMDL Task Force FY 2022-23

II. SCOPE OF WORK / TASKS TO BE PERFORMED

Consultant shall provide all labor, materials, and equipment for the technical support to the LE&CL TMDL Task Force to update and revise the technical document and provide technical support services. The following updates include revising the implementation elements, key technical updates, as well as other document updates and preparing the references/administrative record. Additionally, the consultant will continue to support the Task Force with the implementation of regional projects and participate in the Task Force Meetings. See attached proposal for more detailed scope of work.

III. PERFORMANCE TIME FRAME

Consultant shall begin work August 18, 2022 and shall complete performance of such services by or before **June 30, 2023**.

IV. LESJWA LIAISON

Rick Whetsel and/or Mark Norton will serve as liaison between LESJWA and Consultant.

V. COMPENSATION

For all services rendered by Consultant pursuant to this Task Order, Consultant shall receive a total not-to-exceed sum of **\$138,300.00**. Payment for such services shall be made within 30

\\SAWDC02\\SAWPAExecAdmin\\2022\\LESJWA\\08182022\\Assembly6.B.1 LES2022.17 LECL TMDL Update & Technical Support
Attach 1.doc 74



600 Wilshire Blvd, Suite 750
Los Angeles, CA 90014
Telephone: (213) 457-2200

July 29, 2022

Mr. Mark Norton
Senior Engineer
Lake Elsinore and San Jacinto Watershed Authority (LESJWA)
Santa Ana Watershed Project Authority
Sterling Way
Riverside, CA 92501

Subject: **Proposal for Technical Support to Lake Elsinore/Canyon Lake TMDL Task Force, including Update to the 2018 TMDL Technical Report**

Background

In June 2015, the Lake Elsinore Canyon Lake Task Force (“Task Force”) petitioned the Santa Ana Regional Water Quality Control Board (Regional Board) to reopen and revise the Nutrient TMDLs for Lake Elsinore and Canyon Lake based on the wealth of new information developed over the previous 10 years. Following approval of the petition, a consulting team led by CDM Smith was contracted to develop the technical documentation (“TMDL Technical Report”) and administrative record needed to support adoption of revised TMDLs. This team also supported the Task Force in fiscal years 2019-20, 2020-21, and 2021-22 to provide guidance on regional project implementation, prepare a 2020 TMDL compliance report with regard to current nutrient loads and the 2004 TMDL allocations, prepare responses to peer reviewed comments on the Technical TMDL Report, and conduct supplemental in-lake modeling requested by Regional Board staff.

In October 2020, Regional Board staff requested an alternative reference condition be evaluated based on a consensus comment from the peer review about seemingly high nutrient concentrations used in the 2018 TMDL Technical Report. The CDM Smith team collaborated with the Regional Board, Rick Whetsel, and Tess Dunham to review the models and discuss technical details around alternative reference condition simulations. The requested alternative reference condition involved use of the 25th percentile nutrient concentrations from the Cranston Guard Station site, as well as using the post-levee bathymetry in Lake Elsinore. Results of the supplemental modeling were completed in June 2021 and presented to the Task Force over the course of several meetings. A technical memorandum documenting the modeling results was submitted to the Task Force on March 28, 2022.

The use of an alternative nutrient concentration to represent a reference watershed impacts multiple elements of the revised TMDLs as documented in the TMDL Technical Report, including allocations, linkage analyses, and numeric targets. In addition, the Task Force and Regional Board seek to revise the TMDL implementation program to prescribe a new adaptive framework with interim and final targets, and incorporate a process to allow for consideration of new confirmatory monitoring results below undeveloped canyons within the watershed in the future. For these reasons, the Task Force believes revision to the previously submitted TMDL Technical Report is necessary. This undertaking would also allow water quality data, watershed analyses, and lake models to be updated using data collected through December 2020.

Proposed Scope of Work

CDM Smith will support the Task Force in the revision of the 2018 TMDL Technical Report. Changes will be made to incorporate the 25th percentile of the Cranston Guard Station data to serve as the reference watershed nutrient concentrations for final allocations and targets. Interim allocations and targets will be based on the median of the same data set. The implementation program will be revised to prescribe the adaptive framework for moving from interim to final targets, allowing for consideration of new confirmatory monitoring results from special studies of other undeveloped canyons. The revision to the TMDL Technical Report will also update the water quality data characterization, source assessment, and lake modeling analyses based on data available through 2020. Lastly, the presentation of lake water quality models in the existing linkage analysis will be updated to be based on new models and relevant modeling documentation will be packaged for inclusion in the administrative record. CDM Smith will use regular Task Force meetings to report progress. Changes stemming from the update will be presented. Key technical content and notification of any specific items that the team seeks agreement on will be provided one week prior to Task Force meetings to allow time for review by members in advance of meetings. The purpose of this scope of work and budget is to prepare revisions to the 2018 TMDL Technical Report as described in the tasks below. These tasks would be conducted in a phased manner from July 1, 2022 through June 30, 2023.

Task 1. Revise Implementation Elements

The CDM Smith team will update existing Sections 7 (Implementation) and 9 (Demonstrating Compliance) of the 2018 TMDL Technical Report. This effort includes revising (1) the Program of Implementation to be consistent with the key principals document developed to gain consensus from the Task Force (watershed stakeholders and Regional Board staff) on a path forward to revise the TMDLs; and (2) related elements in Sections 7 and 9 including revising the summary of previous studies, characterization of existing controls, and description of approaches for demonstrating compliance. The updates to these Sections will not include any quantitative assessment of the effectiveness of watershed or in-lake controls.

It is assumed that key decisions affecting the revisions to Sections 7 and 9 will be agreed upon by the Task Force prior to receiving a notice to proceed on Task 1. Work on Tasks 2 through 4 will not begin until this task is completed and a notice to proceed with revisions to the remainder of the TMDL Technical Report is provided by the Task Force.

Task 2. Key Technical Updates

The CDM Smith team will complete updates to models, data analyses, and the related supporting technical content in the following TMDL Technical Report sections:

- Numeric Targets (Section 3) - update numeric target figures and tables with new lake water quality model results, rework "Characterization of Reference Condition", incorporate interim milestone for numeric target cumulative distribution frequency (CDF) curves.
- Source Assessment (Section 4) - update to 2020 hydrology inputs, update to 2020 graphs, tables, including Mystic Lake overflow analysis, watershed model update with updated 2019 land use mapping, and export daily internal load from GLM and AEM3D.
- Linkage Analysis (Section 5) - complete revision of section to describe new models and document calibration from recently completed migration tasks.
- Allocations (Section 6) - create tables for interim milestone, incorporate errata developed in 2019 as needed, update existing load reductions by jurisdiction based on the updated watershed model.

Task 3. Other Document Updates

The CDM Smith team will ensure consistency with modifications to other sections where less substantial changes to technical content are anticipated, including:

- Executive Summary
- Section 1 - Introduction
- Section 2 - Problem Statement – update water quality figures and tables consistent with materials included in the 2020 compliance assessment report, update sections on Lake Elsinore fish community, zooplankton, and phytoplankton based on recently complete Fishery Management Report.
- Section 8 - Monitoring Program
- Section 10 – CEQA (cost estimate assumes CEQA findings will remain the same as described in the existing TMDL Technical Report)
- Section 11 - Economic Considerations (cost estimate does not include any new or revised supporting cost analyses)

Task 4. References/Administrative Record

The CDM Smith team will update the administrative record with new information used in the preparation of the revised TMDL Technical Report including pertinent correspondence since the 2018 submittal of the existing report, complete packages of model inputs, parameters, and other model related documentation.

Task 5. Meeting Participation and Regional Project Implementation Support

Routine Task Force meetings will occur in fiscal year 2022-23 to coordinate regional project implementation activities and maintain collaboration among stakeholders. The CDM Smith team will prepare technical presentation materials as needed to support any of these meetings and attend up to four Task Force meetings to participate in discussions regarding ongoing or new TMDL implementation activities, including, for example, the Canyon Lake alum addition project and provide updates on any activities associated with TMDL revision. The basis for this level of effort estimate involves a total of 3 hours for participation in each meeting. Labor to prepare slides, handouts, and supporting technical analyses is assumed to be 8 hours to be completed by CDM Smith. As needed technical analysis to support the TMDL Task Force in coming to consensus on implementation elements of the TMDL revision is included within this task. Travel expenses for CDM Smith are included to cover up to three in-person meetings. CDM Smith will also participate in periodic teleconferences with LESJWA, Tess Dunham, and Task Force Stakeholders on an as needed basis to facilitate execution of the overall project. Any project management activities, e.g., processing of subcontractor invoices and preparation of invoices by CDM Smith's contract administrator will be covered under this task. The level of effort for this task is summarized below.

CDM Smith will collaborate with LESJWA and stakeholders to provide technical support for regional project implementation including estimation of alum dosages, guidance on decisions on timing of future alum applications, review of Lake Elsinore Aeration and Mixing System (LEAMS) effectiveness demonstration to support credit sharing with watershed stakeholders, or any other supporting technical analyses of supplemental projects as requested by the Task Force.

Key Personnel

Key personnel for the proposed additional services include Steven Wolosoff (CDM Smith) and Richard Meyerhoff (GEI Consultants). Additional technical expertise for lake modeling will be provided by Paula Kulis (CDM Smith) and Dr. Michael Anderson.

Estimated Budget

The CDM Smith team proposes to complete the selected elements within this scope of work based on a time and materials basis in accordance with 2022 bill rates. The proposed budget for each of the tasks identified in this scope of work is \$138,300 as shown in the table below. This work will be performed over the period of July 1, 2022 through June 30, 2023 (as authorized by notices to proceed).

Task	Hours		Cost
	GEI	CDM Smith	
1. Revise Implementation Elements	44	40	\$ 20,780
2. Key Technical Updates	8	356	\$ 71,780
3. Other Document Updates	16	52	\$ 14,860
4. References/Administrative Record	40	8	\$ 13,360
5. Project Management & QA/QC	-	72	\$17,520
Total	108	528	\$ 138,300

Closing

Please call me at (949) 930-7252 or Steven Wolosoff at (617) 452-6393 if you any questions regarding our proposal or need any further information. We look forward to assisting LESJWA in conducting these proposed tasks.

Very truly yours,



Alberto Acevedo
CSL | Sr Project Manager

LESJWA BOARD MEMORANDUM NO. 2022.18

DATE: August 18, 2022

TO: LESJWA Board of Directors

SUBJECT: Schedule LESJWA Workshop

PREPARED BY: Mark R. Norton, P.E., Authority Administrator

RECOMMENDATION

Staff recommends that the Board of Directors direct staff to schedule a workshop on October 20, 2022, to discuss LESJWA governance and support options for FY 2023-24 and thereafter including review of past LESJWA Business Plan, governance structure, finance support, legal support, and administrative staff support.

BACKGROUND

Over the past year, a number of changes have occurred or will occur in the LESJWA Administration activities. On August 1, 2021, the LESJWA legal counsel, David L. Wysocki retired and informed LESJWA that he was stepping down from his role in support of LESJWA. The LESJWA Board considered options to either use SAWPA's legal counsel, Lagerloff LLP to cover legal services and prepare a Request for Proposal (RFP) for LESJWA Legal Counsel Support. It was the consensus of the Board to utilize SAWPA's legal counsel for the interim. It was also reported in subsequent meetings that since the budget for legal services is so low, approximately \$1100.00, the cost to prepare an RFP and secure a separate legal firm for such a low amount was not cost effective at this time.

In February 2022, LESJWA was informed that the LESJWA Authority Administrator, Mark Norton, who also serves as the Water Resources & Planning Manager for SAWPA would be retiring in late FY 2022-23. Further, the LESJWA Board on June 17, 2021, indicated that rather than formally extending administration of LESJWA by SAWPA for another three years which has typically been conducted since LESJWA was formed in 2000, the Board preferred to discuss options. However, it was consensus of the LESJWA Board to maintain SAWPA in this role for another fiscal year. The workshop is intended to explore support options for LESJWA into the future, including the previous LESJWA Business Plan, governance structure, management, administration, legal and finance support.

Staff recommends that a workshop be held among LESJWA Board and staff to explore options for the future support of LESJWA at a workshop to be scheduled for October 20, 2022.

RESOURCES IMPACT

Sufficient labor resources exist under the current LESJWA FY 2022-23 Budget to conduct a workshop of this nature.

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LESJWA BOARD MEMORANDUM NO. 2022.19

DATE: August 18, 2022

TO: LESJWA Board of Directors

SUBJECT: Lake Elsinore Advanced Pumped Storage Project (LEAPS) Update

PREPARED BY: Mark R. Norton, P.E., Authority Administrator

RECOMMENDATION

Staff recommends that the Board of Directors receive and file a status report and presentation from David Pfeiffer/Paul Anderson, LEAPS Hydro Company on Lake Elsinore Advanced Pumped Storage (LEAPS) project.

BACKGROUND

On December 10, 2021, LESJWA received notice from the State Water Resources Control Board staff that the Lake Elsinore Advanced Pumped Storage (LEAPS) Project's license application was dismissed by Federal Energy Regulatory Commission (FERC) due to lack of requested information from the applicant. However, in late January 2022, Ms. Nicole Dailey, formerly of City of Lake Elsinore, shared with the LESJWA Education and Outreach Committee that Nevada Hydro has attempted legal action to refile, but the rehearing of their application was abated but has not been dismissed. On July 14, 2022, Mr. Paul Anderson of LEAPS Hydro Company contacted LESJWA that the Lake Elsinore Advanced Pump Storage Project has made changes to project ownership, management and proposed project configuration and welcomed the opportunity to meet with LESJWA staff and the Board to discuss the proposed enhancements to water quality and the sustainability of Lake Elsinore.

As previously encouraged by the LESJWA Board, status reports on the LEAPS project have been included as a standing informational item on the LESJWA Board agendas. Representatives from LEAPS Hydro Company, Mr. David Pfeiffer and Mr. Paul Anderson, will be providing an update about the new LEAPS proposal.

Attached is a letter to LESJWA from Paul Anderson and a response to comments that Nevada Hydro prepared about the preliminary permit application.

BUDGET IMPACT

None.

Attachments:

1. Nevada Hydro Letter to LESJWA
2. Response to Comments on Application

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2416 Cades Way
Vista, California 92081
(760) 599-1813

Paul@LEAPSPHS.com

July 14, 2022

Mark Norton, Administrator
Lake Elsinore and San Jacinto Watersheds Authority
11615 Sterling Avenue
Riverside, CA 92503

SENT VIA EMAIL
mnorton@sawpa.org

RE: Project Update, New Ownership and New Leadership

Dear Mr Norton,

As you know the Lake Elsinore Advanced Pumped Storage (LEAPS) project is a renewable energy project located in Lake Elsinore and the Santa Ana Mountains, in Riverside County, California. LEAPS, owned by the Nevada Hydro Company, has been in development for many years but the project was recently paused over a dispute regarding studies requested by the Forest Service. Ultimately, on December 9, 2021, the Federal Energy Regulatory Commission (FERC) dismissed Nevada Hydro's license application indicating that Nevada Hydro could resubmit the application when the requested information was available.

As explained in the recent FERC submission (attached), I am pleased to announce that there is now new ownership of Nevada Hydro and new leadership for the LEAPS project that will enable the project to proceed along a new course. Daytona Power is now the majority shareholder of Nevada Hydro and David Pfeiffer of Daytona Power has been named the Chief Executive Officer of Nevada Hydro. David has assumed all responsibilities in leading the development of the LEAPS project and I will continue in the role of Director, Sustainability for Nevada Hydro.

David and I have many years of experience executing large-scale projects, focusing on positive stakeholder relationships and successful resolution of challenging issues. We look forward to re-engaging with you and all stakeholders, ensuring the project will proceed in a positive manner that addresses all outstanding issues and concerns.

As the first step in this process, and further to commitments we made to the Forest Service, we have been working on reconfiguring the project in response to concerns raised by the Forest Service and other stakeholders. Based on this feedback and work recently completed, Nevada Hydro will propose new

primary transmission lines that avoid traversing National Forest lands. This will be accomplished by using predominantly urban routes by moving the northern and southern routes to the east. This will avoid the Cleveland National Forest and the Temescal Valley, will align with existing transmission corridors and will reroute the lines to where underground installation is more practical.

In addition, Nevada Hydro is proposing to materially enhance the multipurpose use of Lake Elsinore by including a water treatment facility and a supplemental oxygen injection system to improve water quality of the lake. Nevada Hydro is also working with its engineering design consultants to evaluate increasing the capacity of the upper reservoir without substantially changing the reservoir design. This would increase the overall storage capacity in the upper reservoir to enable more water to be purchased and stored when available, so that it can be used to augment Lake Elsinore water levels during periods of drought and provide an opportunity for pumping of water during periods of flooding.

In order to plan and operate such proposed initiatives successfully, we would propose to consult and work closely with the Lake Elsinore and San Jacinto Watersheds Authority, the Elsinore Valley Municipal Water District as well as the City of Lake Elsinore, and other stakeholders in the planning of these proposed enhancements. We would welcome a meeting with leadership and technical experts at LESJWA to further discuss these and other initiatives. David and I will be in the vicinity of Lake Elsinore during the first two weeks of August and would welcome the opportunity to meet if there is a convenient time during that period.

The new LEAPS leadership team will meaningfully engage with FERC, the Forest Service, Fish and Wildlife Service, Environmental Protection Agency, as well as the Office of Historic Preservation of the State of California, Department of Fish and Wildlife and State Water Board to collaboratively progress the Environmental Review and Permitting Processes. We will also be engaging with interested parties to discuss the project and work to resolve outstanding issues and concerns.

Thank you for your efforts and continued engagement in LEAPS, we look forward to working with you to help shape our project and the future of renewable energy in California. If you have any questions or wish to reach out directly, please contact me at paul@leapsphs.com.

Sincerely,

A handwritten signature in dark ink, appearing to read "Paul Anderson", with a stylized, flowing script.

Paul Anderson, M.Sc.
Director, Sustainability

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Nevada Hydro, Inc.

)

Project No. 15261-001

**THE NEVADA HYDRO COMPANY, INC.'S ANSWER TO COMMENTS ON
PRELIMINARY PERMIT APPLICATION**

The Nevada Hydro Company, Inc. (“Nevada Hydro”) hereby files this answer to comments received in response to the Federal Energy Regulatory Commission’s (“FERC” or “Commission”) April 8, 2022 Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions to Intervene, and Competing Applications. No competing applications were filed in response to FERC’s notice. Nevada Hydro does not object to any of the motions to intervene. Nevada Hydro does wish to respond to certain of the comments contesting the permit application in order to update interested stakeholders on the status of Nevada Hydro and its plans for the Lake Elsinore Advanced Pumped Storage Project (“Project”).

I. BACKGROUND

As many of the commenters pointed out, this Project has a long history. FERC issued a Final Environmental Impact Statement for an earlier version of the Project in 2007.¹ FERC then dismissed the license application for the Project due to unresolved

¹ Final Environmental Impact Statement for the Lake Elsinore Advanced Pumped Storage Project, Project No. 11858-000 (issued Jan. 30, 2007).

disputes over the scope of the Project between the then co-applicants, Nevada Hydro and Elsinore Valley Municipal Water District (“Water District”).²

In 2017, Nevada Hydro filed a second license application for the Project.³ On August 27, 2020, the Commission issued a Notice of Anticipated Schedule for Lake Elsinore Advanced Pumped Storage Project which indicated that the Commission expected to issue a Notice of Ready for Environmental Analysis (“REA Notice”) by December 11, 2020.⁴ Issuance of the REA Notice means that the Commission has the information it needs to proceed with its National Environmental Policy Act (“NEPA”) analysis.⁵

Because a portion of the Project will be located within the Cleveland National Forest, in addition to a FERC license the Project will require a special use authorization from the U.S. Forest Service (“Forest Service”) under the Federal Land Policy and Management Act (“FLPMA”). As a large infrastructure project requiring multiple federal approvals, the Project was approved to be a “covered project” under the Fixing America’s Surface Transportation Act, Title 41 (commonly referred to as “FAST-41”),⁶ intended to improve consultation and coordination among government agencies for such infrastructure projects. The Forest Service agreed to be a cooperating agency with FERC on the NEPA document.

² *Lake Elsinore Advanced Pumped Storage Project*, 136 FERC ¶ 62,033, *reh’g denied*, 137 FERC ¶ 61,133 (2011).

³ This license application is docketed as FERC Project No. 14227.

⁴ Notice of Anticipated Schedule for Lake Elsinore Advanced Pumped Storage Project, Project No. 14227-003 (issued Aug. 27, 2020).

⁵ See 18 C.F.R. § 5.22 (2021).

⁶ Pub. L. No. 114-94, tit. XLI, 129 Stat. 1312, 1741-62 (Dec. 4, 2015) (codified at 42 U.S.C. § 4370m et seq.).

On December 11, 2020, the Commission issued its Scoping Document 2 (“SD2”) for the Project.⁷ In the SD2, FERC noted that the environmental review process was paused pending Nevada Hydro’s completion of several studies that the Forest Service required to analyze the proposed Project under FLPMA and NEPA, and stated that upon completion of the studies, the environmental review process would resume with the issuance of the REA Notice and an updated process schedule.⁸

Based on lack of progress between Nevada Hydro and the Forest Service in resolving the study disputes, FERC dismissed Nevada Hydro’s license application in a December 9, 2021 letter order “without prejudice” to resubmitting the application “with all requested information.”⁹ Nevada Hydro sought rehearing and stay of the letter order on the grounds that Nevada Hydro had a state court-supervised change in management and funding commitment to complete the studies required by the Forest Service, and that Nevada Hydro had been working collaboratively with the Forest Service to address its concerns.¹⁰ Nonetheless, the Commission denied Nevada Hydro’s request for rehearing and stay and upheld the dismissal.¹¹

Because the Project site was now open for development, Nevada Hydro filed an application for a preliminary permit to secure the site pending its ongoing discussions

⁷ Scoping Document 2 for Lake Elsinore Advanced Pumped Storage Project, Project No 14227-003 (issued Dec. 11, 2020).

⁸ *Id.* at 58.

⁹ Letter from Vince Yearick, Director, FERC Division of Hydropower Licensing, to Rexford Wait, Nevada Hydro Company, Inc., Project No. 14227-003 (issued Dec. 9, 2021).

¹⁰ Request for Rehearing of the Nevada Hydro Company or, In the Alternative, Motion for Temporary Stay of Dismissal of its License Application in the December 9, 2021 Letter Order, Project No. 14227-005 (filed Jan. 7, 2022) (“Nevada Hydro Rehearing Request”).

¹¹ *Nev. Hydro Co., Inc.*, 178 FERC ¶ 61,218 (2022).

with the Forest Service.¹² The Project description in the permit application is essentially the same as Project No. 14227 given Nevada Hydro's need to file quickly. However, as discussed further below, Nevada Hydro is in the process of reconfiguring elements of the Project in response to concerns raised by the Forest Service and other stakeholders.

The Project will be an important addition to the California grid. Renewable energy development in California will continue to grow exponentially in the coming decades. Large-scale energy storage is essential for successful integration of variable energy resources like solar and wind while maintaining reliable grid operations. The Project will use off-peak or excess energy to pump water from the existing Lake Elsinore to the upper reservoir during periods of low electrical demand or high intermittent generation supply. The Project will provide an economical supply of peaking capacity as well as ancillary services, including load following, system regulation through spinning reserve, and immediately available standby generating capacity, among others.

The Project also offers an opportunity to materially enhance the multipurpose use of Lake Elsinore. The Project will include a water treatment facility and a supplemental oxygen injection system to improve water quality in the lake. It will provide revenues to the Water District, which is responsible for managing the lake, through purchase of water required for Project start-up and for annual make-up water to counter evaporation and ensure Lake Elsinore remains at a viable level. In addition, Nevada Hydro is working with its dam design consultants to evaluate increasing the capacity of the upper reservoir without substantially changing the reservoir design. This would increase the "dead

¹² Application for Preliminary Permit for the Lake Elsinore Advanced Pumped Storage Project, Project No. 15261-000 (filed Feb. 8, 2022).

storage” capacity in the upper reservoir to enable more water to be purchased and stored when available, so that it can be used to augment Lake Elsinore water levels during periods of drought.

Nevada Hydro is confident that the Project can be designed and constructed in a way that provides all these benefits while minimizing adverse impacts to the community.

II. ANSWER TO COMMENTS

The Commission received a number of comments and motions to intervene in opposition to the permit application. The vast majority of comments addressed potential Project impacts of construction and operation, and therefore are outside the scope of this permit proceeding.¹³ Other comments criticized the adequacy of Nevada Hydro’s past engagement with stakeholders, suggested Nevada Hydro should reinstate the pre-application consultation and study process, and questioned Nevada Hydro’s financial resources to complete the license application process. Although not directly relevant to the Commission’s issuance of a preliminary permit in this docket, Nevada Hydro will take the opportunity to respond to some of these comments in the interest of furthering a dialogue on the future of the Project.

¹³ See, e.g., *Green Energy Storage Corp*, 150 FERC ¶ 61,042, at P 10 (2015) (opposition to the construction of the project is outside the scope of the preliminary permit proceeding); *Tomlin Energy LLC*, 169 FERC ¶ 61,037 at P 8 (2019) (explaining that concerns about impacts of project operation are premature at the permit stage); *Alaska Power Co., Inc.*, 138 FERC ¶ 62,130 at P 7 (2012) (stating that concerns over the project’s impact on fish and wildlife resources and the cumulative impacts of basin development are premature at the permit stage); *SV Hydro, LLC*, 173 FERC ¶ 62,047 at P 5 (2020) (declining to address as premature commenter claims that the upper reservoir could fail and endanger residents and infrastructure downstream; that the initial fill water may be unavailable because it is subject to private and public ownership; and that the proposed project could be an impediment to accessing iron ore deposits).

A. Transmission Line Route and Configuration

As previously reported,¹⁴ Nevada Hydro retained GridBright, Inc. to conduct a study of alternative transmission line routes and configurations. That study is complete. Based on the study, Nevada Hydro will propose new Project primary transmission lines that avoid traversing National Forest lands by interconnecting via urban routes to existing high voltage transmission lines. Nevada Hydro will propose to move the northern and southern routes to the east to urban routings. This will avoid the Cleveland National Forest and the Temescal Valley, will align with existing transmission corridors, and will reroute the lines to where underground installation is more practical.

Nevada Hydro also will propose to reduce the capacity of both the northern and southern transmission lines from 500 kilovolts (“kV”) to 230 kV, which will facilitate burial of the lines where practical.

Many of the comments on the permit application raised concerns about the northern transmission line route through the Cleveland National Forest and the adverse impacts of overhead transmission lines. Nevada Hydro’s proposed changes will go a long way to address those concerns.

B. Nevada Hydro’s Financial Resources

Some commenters questioned the financial ability of Nevada Hydro to conduct the necessary studies and complete the license application process. As the Commission and stakeholders know, at the time of dismissal of its license application for Project No.

¹⁴ Nevada Hydro Rehearing Request at 10.

14227, Nevada Hydro had been placed in receivership due to disputes between the shareholders of Nevada Hydro over ownership and management of the company.¹⁵

The litigation has now been settled and the receivership dissolved.¹⁶ Under the settlement, Daytona Power Corporation (“Daytona”), previously a minority shareholder and primary investor in the Project, is now the majority shareholder and will manage the company going forward. Daytona and Nevada Hydro have entered into a funding agreement by which Daytona has committed the funding to complete studies and take the other remaining steps necessary to obtain a FERC license for the Project.

C. Restarting the Pre-Application Process and Stakeholder Consultation

Some commenters objected to reinstatement of Nevada Hydro’s license application for Project No. 14227 and suggested Nevada Hydro should start the pre-application process over from the beginning under the Commission’s Integrated Licensing Process (“ILP”).¹⁷ This is neither necessary nor appropriate.

As noted above, FERC’s order dismissed Nevada Hydro’s license application “without prejudice” to Nevada Hydro refile it with all the information requested by the Forest Service. Nevada Hydro will work with the Forest Service to determine what additional information the Forest Service requires in light of Nevada Hydro’s proposed changes to the Project. Nevada Hydro will then refile its license application with the Commission. To restart the pre-application process from the beginning, particularly

¹⁵ *Id.* at 8-9.

¹⁶ Stipulation and Order to Discharge Receiver and Dismiss Action with Prejudice, *Daytona Power Corp. v. The Hydro Co.*, Case No. A-21-839925-B, Eighth Judicial Dist. Court, Clark County, Nevada, (June 30, 2022).

¹⁷ *See* 18 C.F.R. Part 5.

utilizing the front-loaded ILP, would cause inordinate delay and would be an enormous waste of resources for Nevada Hydro, the Commission, and interested stakeholders.

Nevada Hydro's refiled license application will differ in certain respects from its 2017 application and from its pending preliminary permit application. Many of these changes will be in response to concerns raised by the Forest Service and interested stakeholders. It is typical for a license application to evolve in response to such concerns.¹⁸ However, Nevada Hydro is also considering other changes to the Project. As mentioned, it is evaluating increasing the volume of the upper reservoir to provide additional water storage and allow stabilization of water levels in Lake Elsinore in times of drought.

In addition, after consultation with GridBright, Inc. and other experts, Nevada Hydro will propose to reduce the discharge and filling time of the upper reservoir to approximately five hours, by increasing the installed capacity from 500 megawatts to 1,000 megawatts. This can be accomplished by adding two (four total) reversible Francis-type pump-turbine units to the underground powerhouse. Adding the two units will not increase the size of the powerhouse or the volume required per discharge. Neither will it alter the proposed upper reservoir design or water conduit system. As a result of this change the Project will better utilize water resources by generating more power during critical demand periods.

¹⁸ See 18 C.F.R. § 4.35(e)(4) (amendments to an application to satisfy requests of resource agencies or Indian tribes or concerns of the Commission are not "material amendments" constituting a new application filing).

Nevada Hydro is aware that any changes to the previous Project proposal will need to be supported by appropriate studies and analyses in the refiled license application. To the extent the Commission determines that such changes constitute a “material amendment” to the application, FERC has established procedures which do not involve restarting the entire pre-application process from the beginning.¹⁹

Several commenters complained that Nevada Hydro has a history of failing to consult adequately with stakeholders. As noted previously, Nevada Hydro is now under new management. David Pfeiffer and Paul Anderson have a long, demonstrated history of success dealing with stakeholders in complex, large-scale projects. New management is committed to meaningful engagement with resource agencies, Tribes, and other stakeholders before and after refiling the license application with FERC. This will help ensure that impacts are appropriately mitigated and Project benefits are shared by those most affected by the Project. New management has also engaged with the Forest Service prior to, and since, dismissal of the license application regarding the Forest Service concerns about the Project and the studies necessary to support the Forest Service evaluation of the Project under FLPMA and NEPA. This commitment to meaningful engagement is demonstrated by completion of the transmission study and the resulting Project reconfiguration which will significantly reduce the impacts to Forest Service lands and adjacent landowners.

III. CONCLUSION

For all the above reasons, the Commission should grant Nevada Hydro a new preliminary permit to secure the Project site while it develops a modified Project proposal

¹⁹ See 18 C.F.R. § 4.35(c)(3) (Commission will reissue public notice of a materially amended application).

and revised license application. Nevada Hydro believes that the reconfigured Project will help to alleviate many of the concerns raised by stakeholders through the years and in their comments on the preliminary permit application. Nevada Hydro commits to work collaboratively with stakeholders to further avoid and mitigate Project impacts, maximize Project benefits, and improve public knowledge and acceptance of the Project.

Respectfully submitted,

/s/ Michael A. Swiger

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Van Ness Feldman, LLP
1050 Thomas Jefferson Street, NW
Seventh Floor
Washington, DC 20007
202-298-1800
mas@vnf.com

Counsel for The Nevada Hydro Company, Inc.

Dated: July 1, 2022

CERTIFICATE OF SERVICE

Pursuant to Rule 2010 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission, I hereby certify that I have this day caused the foregoing document to be served upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, DC, this 1st day of July, 2022.

/s/ *Lorielle Morgan*

Lorielle Morgan
Van Ness Feldman, LLP
1050 Thomas Jefferson Street, NW
Seventh Floor
Washington, DC 20007
(202) 298-1800

Document Content(s)

NHC Response to Comments and Motions - LEAPS PPA.pdf.....1

LESJWA BOARD MEMORANDUM NO. 2022.20

DATE: August 18, 2022

TO: LESJWA Board of Directors

SUBJECT: 2022 LESJWA Water Summit & Other LESJWA Outreach

PRESENTED BY: Liselle DeGrave of DeGrave Communications

RECOMMENDATION

Staff recommends that the Board of Directors receive and file this report about the 2022 LESJWA Water Summit held on Wednesday, April 27, 2022 and other recent outreach activities from our outreach consultant, Liselle DeGrave of DeGrave Communications.

BACKGROUND

Ms. Liselle DeGrave of DeGrave Communications will provide an overview and results of the LESJWA Water Summit held on April 27, 2022 at the Community Hall of the Launch Pointe Recreation Destination and RV Park in Lake Elsinore. Since the Summit is held every other year, the next Summit will be planned for Year 2024. Ms. DeGrave will also discuss other recent outreach activities where DeGrave Communication staffed and operated display booths on behalf of LESJWA.

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RESOURCES IMPACT

All funding for the LESJWA Water Summit was included in the task order with DeGrave Communications and augmented by event sponsorships. All other outreach activities are included under the current task order with DeGrave Communications.

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Public Education and Outreach Support Services

August 18, 2022

LAKE ELSINORE & SAN JACINTO
WATERSHEDS AUTHORITY



City of Lake Elsinore • City of Canyon Lake • County of Riverside
Elsinore Valley Municipal Water District • Santa Ana Watershed Project Authority

Presented By

DEGRAVE
COMMUNICATIONS

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Communications Update



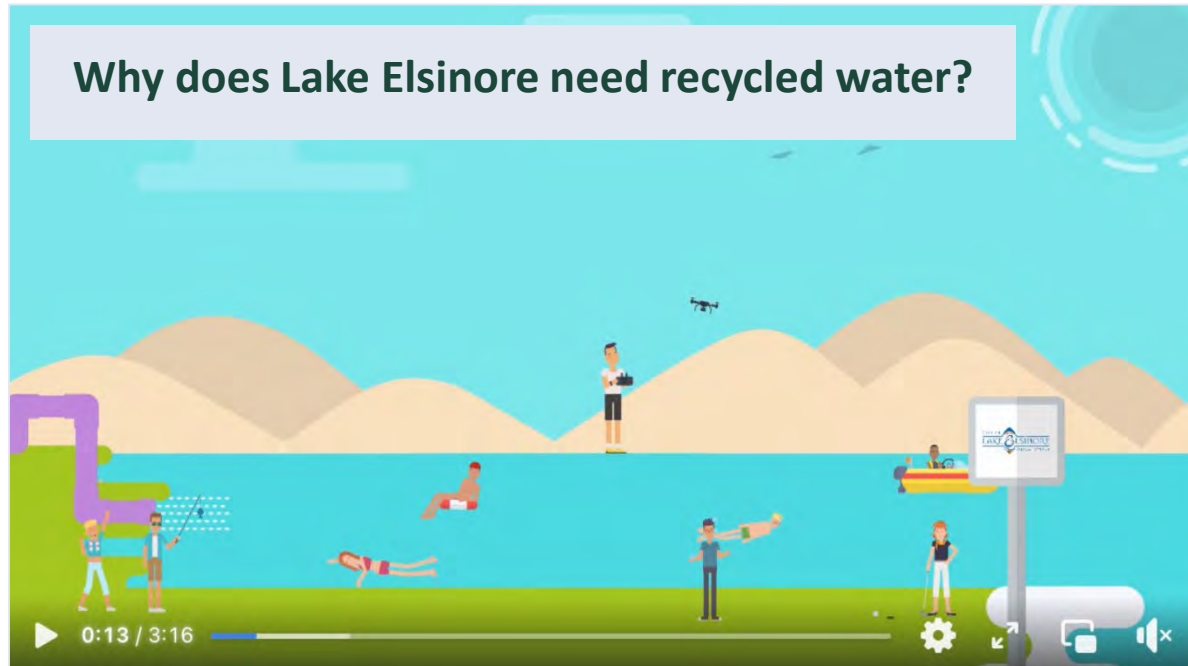
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Flow into Fall

Why does Lake Elsinore need recycled water?



Elsinore Valley Municipal Water District's

FLOW INTO FALL

VIRTUAL OPEN HOUSE
Saturday, September 25, 2021
10:00 A.M. - 12:00 P.M.
www.evmwd.com/FlowIntoFall

Join Elsinore Valley Municipal Water District (EVMWD) for a virtual open house event through a unique online platform. This free family-friendly event will showcase live sessions with experts from EVMWD. Attendees will also have a chance to win raffle prizes and receive free water saving devices!

Alum Application



ANNOUNCEMENT OF PUBLIC NOTICE TO CANYON LAKE COMMUNITY Canyon Lake Alum Application, October 11-15, 2021

Lake Elsinore & San Jacinto Watersheds Authority (LESJWA), is informing the Canyon Lake community that doses of alum will be applied to the lake in the main body, east bay and the area north of the causeway from October 11-15, 2021. Alum binds with phosphorus in the lake water, drops the nutrient to the lake bottom and thereby reduces algae growth in the lake. Canyon Lake water mostly comes from stormwater runoff from the upper watershed each year that has high levels of nutrients that hurt water quality and threaten aquatic life. This dose will be the 16th Canyon Lake alum application that has taken place.

Alum, the method selected to provide the best results for Canyon Lake, has a proven track record of success and is safe to both humans and aquatic life. Drinking water quality will not be affected by any of the treatment options. Canyon Lake will remain open during the entire treatment process. Recreational users will experience little disruption during treatment application and implementation.

In order to comply with water quality regulations enforced by the State, through the local Santa Ana Regional Water Quality Control Board, the Lake Elsinore & Canyon Lake Nutrient Total Maximum Daily Load (TMDL) Task Force, a coalition of cities, the county and several other organizations led by LESJWA, provides funding to continue alum water treatments in Canyon Lake. The TMDL Task Force evaluated several options during the CEQA process and determined that alum application provides the best option as a step to effectively treat the entire lake in a timely manner with minimal impact to Canyon Lake residents.

Alum Schedule (subject to change)

- | | | |
|-----------------------|---------------------------|-----------------------|
| Monday, October 11 | Main Body | 7:00 a.m. - 4:00 p.m. |
| Tuesday, October 12 | Main Body | 7:00 a.m. - 4:00 p.m. |
| Wednesday, October 13 | Main Body | 7:00 a.m. - 4:00 p.m. |
| Thursday, October 14 | East Bay / North Causeway | 7:00 a.m. - 4:00 p.m. |
| Friday, October 15 | Clean-up | |

Canyon Lake Alum Application video - <https://youtu.be/D0UtkTVGnc>

For daily updates visit: <http://www.canyonlakealum.wordpress.com/>

ADDITIONAL INFORMATION:

Mark Norton, Lake Elsinore & San Jacinto Watershed Authority
951-354-4221 MNorton@sawpa.org



ANNOUNCEMENT OF PUBLIC NOTICE TO CANYON LAKE COMMUNITY Canyon Lake Alum Application, April 18-22, 2022

Lake Elsinore & San Jacinto Watersheds Authority (LESJWA), is informing the Canyon Lake community that doses of alum will be applied to the lake in the main body, east bay and the area north of the causeway from April 18-22, 2022. Alum binds with phosphorus in the lake water, drops the nutrient to the lake bottom and thereby reduces algae growth in the lake. Canyon Lake water mostly comes from stormwater runoff from the upper watershed each year that has high levels of nutrients that hurt water quality and threaten aquatic life. This dose will be the 17th Canyon Lake alum application that has taken place.

Alum, the method selected to provide the best results for Canyon Lake, has a proven track record of success and is safe to both humans and aquatic life. Drinking water quality will not be affected by any of the treatment options. Canyon Lake will remain open during the entire treatment process. Recreational users will experience little disruption during treatment application and implementation.

In order to comply with water quality regulations enforced by the State, through the local Santa Ana Regional Water Quality Control Board, the Lake Elsinore & Canyon Lake Nutrient Total Maximum Daily Load (TMDL) Task Force, a coalition of cities, the county and several other organizations led by LESJWA, provides funding to continue alum water treatments in Canyon Lake. The TMDL Task Force evaluated several options during the CEQA process and determined that alum application provides the best option as a step to effectively treat the entire lake in a timely manner with minimal impact to Canyon Lake residents.

Alum Schedule (subject to change)

- | | | |
|---------------------|---------------------------|-----------------------|
| Monday, April 18 | Main Body | 7:00 a.m. - 4:00 p.m. |
| Tuesday, April 19 | Main Body | 7:00 a.m. - 4:00 p.m. |
| Wednesday, April 20 | Main Body / East Bay | 7:00 a.m. - 4:00 p.m. |
| Thursday, April 21 | East Bay / North Causeway | 7:00 a.m. - 4:00 p.m. |
| Friday, April 22 | Clean-up | |

Canyon Lake Alum Application video - <https://youtu.be/D0UtkTVGnc>

For daily updates visit: <http://www.canyonlakealum.wordpress.com/>

ADDITIONAL INFORMATION:

Mark Norton, Lake Elsinore & San Jacinto Watershed Authority
951-354-4221 MNorton@sawpa.org



Community Events

MENIFEE EARTH DAY



CANYON LAKE FIESTA DAY



EVMWD'S SPLASH INTO SUMMER



LESJWA Summit



Dale Welty

LESJWA Chair/ City of Canyon Lake Councilmember

LESJWA FISHERY MANAGEMENT SURVEY KEY FINDINGS

John Rudolph

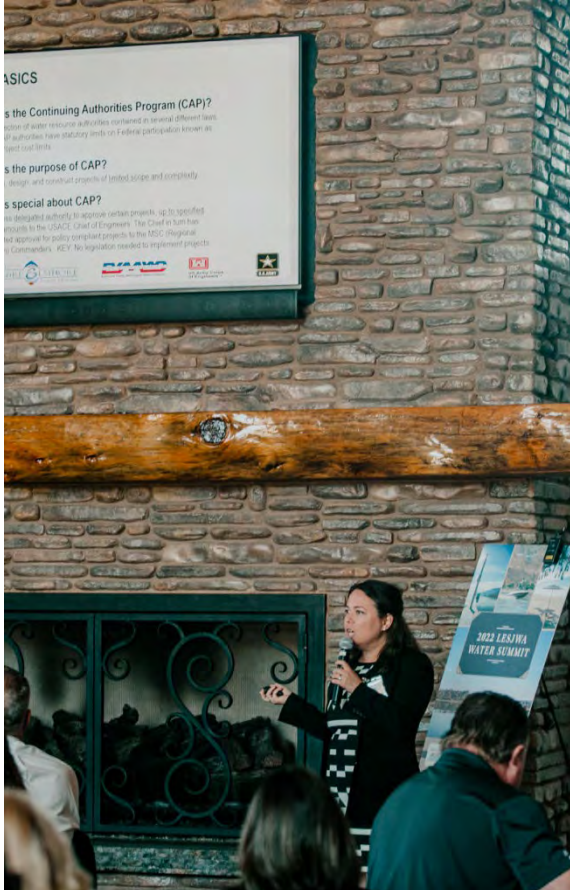
*Senior Aquatic Ecologist/Bio assessment Program Manager,
Wood Environment & Infrastructure Solutions, Inc.*

CONTROLLING EXCESS NUTRIENT WITH ALUM

Terry McNabb

*Lake Phosphorus Mitigation Strategist, Aquatechnex ,Steve Wolosoff;
Senior Environmental Scientist, CDM Smith*

LESJWA Summit



HARMFUL ALGAE BLOOMS (HABS): NEW STATEWIDE

Marisa Van Dyke

M.S., CA HABs Program Manager, CA State Water Resources Control Board

WATERSHED LAKES FISHING 101 - ANGLERS

William Johnson

Lake Elsinore Pro Angler, President/Owner Williams Bait and Tackle Chuck Moreno, Canyon Lake Pro Angler

LAKE ELSINORE FEASIBILITY STUDY

Daria Mazey

MPA, WRCP – U.S. Army Corps of Engineers, Plan Formulation Specialist

LESJWA Summit

2022 LESJWA WATER SUMMIT

Celebrating over 20 Years of Watershed Improvements

April 27, 2022, 9:30 a.m. - 1:00 p.m. - Launch Pointe, 32040 Riverside Dr, Lake Elsinore, CA 92530

REGISTRATION - 9:30 A.M. - 10:00 A.M.

WELCOME - 10:00 A.M. - 10:05 A.M.

Dale Welty, LESJWA Chair/ City of Canyon Lake Councilmember

LESJWA FISHERY MANAGEMENT SURVEY KEY FINDINGS - 10:05 A.M. - 10:30 A.M.

John Rudolph, Senior Aquatic Ecologist/Bioassessment Program Manager,
Wood Environment & Infrastructure Solutions, Inc.

CONTROLLING EXCESS NUTRIENT WITH ALUM APPLICATIONS

10:30 A.M. - 11:00 A.M.

Terry McNabb, Lake Phosphorus Mitigation Strategist, Aquatechnex
Steve Wolosoff, Senior Environmental Scientist, CDM Smith

BREAK

HARMFUL ALGAE BLOOMS (HABS): NEW STATEWIDE REGULATIONS

11:20 A.M. - 11:40 A.M.

Marisa Van Dyke, M.S., CA HABS Program Manager, CA State Water Resources Control Board

WATERSHED LAKES FISHING 101 - ANGLERS DEMONSTRATION

11:40 A.M. - 12:20 P.M.

William Johnson, Lake Elsinore Pro Angler, President/Owner Williams Bait and Tackle
Chuck Moreno, Canyon Lake Pro Angler

LUNCH

LUNCH SPEAKER: LAKE ELSINORE FEASIBILITY STUDY - 12:30 P.M. - 1:00 P.M.

Daria Mazy, MPA, WRCP - U.S. Army Corps of Engineers, Plan Formulation Specialist

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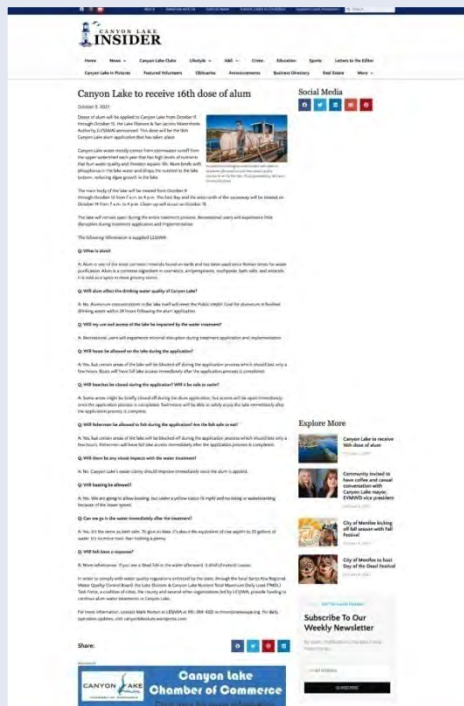
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LESJWA is dedicated to improving water quality and wildlife habitats in Lake Elsinore, Canyon Lake a

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#Thunder #WaterWiseWednesday

Intro

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August is National Water Quality Month. Having clean water is vital to our own health, wildlife, and the environment.



1

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LISELLE DEGRAVE, APR

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LESJWA BOARD MEMORANDUM NO. 2022.21

DATE: August 18, 2022

TO: LESJWA Board of Directors

SUBJECT: Grant Funding Opportunities

PREPARED BY: Mark R. Norton, P.E., Authority Administrator

RECOMMENDATION

Staff recommends that the Board of Directors receive and file status report regarding grant funding opportunities in support of LESJWA and the LE/CL TMDL Task Force.

BACKGROUND

In April 2022, LESJWA staff submitted a grant application for the Phase 1 - Lake Elsinore Algae Harvesting and Nutrient Removal Project to SAWPA under their OWOW Call for Projects seeking grant funding from Proposition 1 Integrated Regional Water Management Program Round 2 Implementation Grant. Based on previous grant preparation work and working particularly with the City of Lake Elsinore and its consultant, AECOM, the Prop 1 Round 2 grant could provide important funding to implement an innovative algal harvesting technology to address impacts of harmful algal blooms (HABs) in Lake Elsinore. The project is seeking \$1.5 million in grant funding and would be matched by local funding of \$1.5 million provided by the City of Lake Elsinore. The City would also serve as the long-term owner/operator for the project. The project is described as a phase I project since it is envisioned to treat about 1 MGD of lake water as a pilot technology. Additional funding would need to be sought from other sources to allow for full scale treatment of the lake.

Work the City of LE staff, LESJWA is serving as the lead for the project application as part of the rating and ranking process conducted by SAWPA. If ranked sufficiently high, a more detailed workplan, budget and schedule will need to be conducted by LESJWA staff working with the City. Grant funding if successful would be available on a reimbursement basis after contracts are executed which is not anticipated to occur until summer of 2023 at the earliest.

Work also continues by the City of Lake Elsinore on a separate Prop 1 Round 1 grant funded project to evaluate various algal treatments and removal technologies for improvements in Lake Elsinore in addressing fish kills and toxic algae conditions are still available. The consultant, Wood Environmental Inc. has been hired by the City of Lake Elsinore, to assist with the implementation of the Round 1 study. The results of that work will further assist and fine tune the Round 2 grant scope of work if the application is successful.

RESOURCES IMPACT

Sufficient labor resources exist under LESJWA to continue to support the Prop 1 Round 2 grant application process in the current FY 22-23 LESJWA Budget.

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LESJWA BOARD MEMORANDUM NO. 2022.22

DATE: August 18, 2022

TO: LESJWA Board of Directors

SUBJECT: Lake Elsinore & Canyon Lake Nutrient TMDL Task Force Update

PREPARED BY: Mark R. Norton, P.E., Authority Administrator

RECOMMENDATION

Staff recommends that the LESJWA Board receive and file a status report regarding the Lake Elsinore and Canyon Lake Nutrient TMDL Revision Report and the Lake Elsinore and Canyon Lake TMDL Task Force activities.

DISCUSSION

Work continues by the LE/CL TMDL Task Force and its consultants on the Draft Staff Report/TMDL Revision Technical Report (TMDL Revision Technical Report) for Lake Elsinore, Canyon Lake, and the San Jacinto River Watershed. This report contains all the required elements for revision of the 2004 TMDLs, including revised Numeric Targets for both Lakes and reflects further updated land use and possible further reductions of nutrients discharged to the Lakes.

In 2020 after retirement of some Regional Board staff involved with the TMDL Revision, new Regional Board staff were hired and extensive review of the Task Force consultants' feedback to peer reviewers occurred. Additional modeling scenarios were requested by Regional Board staff, supported by the Task Force and approved by the LESJWA Board in Feb. 2021 for the consultant, CDM Smith, to conduct this work. This work was completed by April 2021, however, the Regional Board staff has maintained a stance of a more stringent nutrient background level commonly referred to as 25% percentile compared to what was originally proposed by the task force consultant, CDM Smith. This has resulted in the need to conduct extensive changes to the nutrient load allocations from each TMDL party and more edits to the draft TMDL Update and Revision Report. It will also mean greater challenges for some TMDL parties to meet compliance.

The Task Force's regulatory advisor, Tess Dunham, has proposed and prepared set of principles and an implementation workplan with the Regional Board reflecting transitional period for full compliance. This workplan provides an outline of tasks for the Task Force to prepare an Implementation Plan of the TMDL Report. Ms. Dunham has worked with the Task Force, the Task Force consultant, CDM Smith and the Regional Board on this plan. A draft document known as the Key Principles for Potential Revision of the TMDL Technical Report: Revision to the Lake Elsinore and Canyon Lake Nutrient TMDLs (December 1, 2018) was distributed to the Task Force and the Regional Board for comments back in April 2022. The purpose of the Key Principles document would be to formulate an agreement among the Lake Elsinore and Canyon Lake TMDL Task Force and the Executive Officer for the Santa Ana Regional Water Quality Control Board reflecting a planned compliance tied to milestones of activity. Some comments have been received by Regional Board staff, however, formal acceptance of the principles agreement has not yet been signed off by the Regional Board.

In order to continue work on this important TMDL Revision and work on compliance, the LE/CL TMDL Task Force recommended an amendment to the Task Force Agreement to extend the term of the existing Agreement for another three years. More substantial changes to the Task Force agreement may arise once the TMDL Revision is updated and approved.

The LE/CL TMDL Task Force activities continue to support the TMDL update and monitoring activities. Evaluation of the aging Lake Elsinore Aeration and Mixing System (LEAMS) performance is still underway. The latest reports of offsets for phosphorus and nitrogen for FY 2020-2021 by EVMWD's lake consultant, Dr. Alex Horne, show the additional nitrogen offset is still being achieved by LEAMS and can be sold to the upper watershed TMDL Task Force. This is a welcome change from the previous offset report which showed no nitrogen offset so offset credits for Nitrogen were not sold for FY 2019-2020. Improvements to the LEAMS system are still being explored by the LEAMS operators, City of Lake Elsinore, EVWMD and County of Riverside. More work needs to continue on the LEAMS functionality issue and is being largely led by EVMWD, the owner of the main LEAMS system.

BUDGET IMPACT

None