

# Meeting Notes

## Lake Elsinore and Canyon Lake TMDL Task Force Technical Advisory Committee

November 18, 2010, at 9:30 AM  
Lake Elsinore and San Jacinto Watersheds Authority  
11615 Sterling Avenue  
Riverside, CA 92503  
Prepared by Rick Whetsel

Lake Elsinore and Canyon Lake TMDL Committee Members Present	Hope Smythe, Regional Water Quality Control Board Pat Kilroy, City of Lake Elsinore Jim Grimm, City of Canyon Lake Pat Boldt, San Jacinto River Watershed Council Jason Uhley, County of Riverside
Absent	Ron Young, Elsinore Valley Municipal Water District Mark Norton, SAWPA
Others Present	Cindy Li, RWQCB; Steve Pastor, Riv. Co. Farm Bureau; Bill Woolsey, City of Murrieta; Tim Moore, Risk Sciences; Sarah Garber, MWH; Gian Villarreal, RBF/Caltrans; Ray Stinnett, Stinnett Enterprises; Rick Whetsel, SAWPA

### 1. CALL TO ORDER

Rick Whetsel called the meeting to order at 9:40 a.m.

### 2. APPROVAL OF THE MEETING NOTES

Meeting notes for the October 25<sup>th</sup> TAC meeting were approved without any comments.

### 3. DISCUSSION: SCOPE OF WORK FOR TETRATECH FOR MODELING-RELATED TASKS

Tim Moore/Risk Sciences led a discussion of the status of the Task Force effort to revise stakeholder TMDL load/cost allocations following the completion of the watershed model update and development of a spreadsheet load allocation tool by Tetra Tech Inc. Tim reviewed with the TAC the intended purpose of the spreadsheet load allocation tool, and discussed a number of shortcomings with the tool as it is currently configured to adequately break out individual stakeholder loads by jurisdiction.

Tim distributed to the TAC a proposal by Tetra Tech Inc. he had requested from them to revise and update the spreadsheet load allocation tool. He reviewed the proposed scope of work, noting that the level of effort and time to complete the work was much greater than he anticipated. A number of stakeholders expressed their concern toward the Task force allocating additional monies to further revise the spreadsheet tool and requested that staff investigate what information could be taken from the existing tool. It was also noted by Tim that proceeding on a route to allocate legacy loads (such as those on the bottom of Lake Elsinore and Canyon Lake) to individual stakeholders could lead to issues relating to permit compliance and jeopardize opportunities for grant funding.

Tim then proposed to the TAC an alternative strategy following an example as what was done in Colorado where stakeholders negotiated a compromise with regulators to reduce monitoring and reporting requirements and instead moved quickly and directly into project implementation.

Tim recommended the Task Force request from the State and EPA that monitoring activities be placed on hold, and the Task Force proceed with a similar strategy to construct projects that treat the non point source load in the lakes. Building these projects through Best Available Technology (BAT) and Maximum Extent

Practicable (MEP) standards set by the SWRCB and EPA would become compliance for a designated time period (say 10 years) and would provide credits for nutrient reduction, therefore setting the basis for a pollutant trading system. This process would not waive the water quality targets/standards, but would give the stakeholders a time period to build and operate the system to demonstrate compliance.

He noted that if willing partners could be found among the TMDL stakeholders to pay for the projects, an entity, such as LESJWA, could serve as the entity to oversee construction and operation of a Hypolimnetic Oxygenation System (HOS) for Canyon Lake or similar projects to reduce nutrients (such as fishery management, constructed wetlands, manure removal).

A question was posed: What if the system is not built? Tim noted that this would lead to a direct violation of the TMDL, as building the system within a window of time would be compliance. Each entity that paid into the construction and operation of the project would be considered in compliance for the set period of time negotiated with the State and EPA.

A question was posed: What if some stakeholders do not participate? Tim noted that participation is voluntary. If an entity chose not to participate an alternative could be that they would be given an individual end-of-pipe load allocation from the Regional Board.

A question was posed: How would NGO's feel about such an approach? Tim noted that in dealing with last year's MS4 Permits the NGO's were in favor of a project implementation approach.

A question was posed: What about the legal aspects? Tim noted that this approach has been done in other states and he noted one of the main hurdles that the Task Force would have to overcome is getting the State and EPA to buy into the strategy of treating the NPS load at the bottom of the lakes.

After much discussion, the TAC recommended that Tim prepare a strategy of what the next steps would be for the Task force to proceed down this route. Tim will prepare a draft implementation strategy to distribute to the TAC for review by December 14<sup>th</sup>.

Discussion eventually led back to the need for a method or tool to identify everyone's nutrient load as it will be key to setting up a pollutant trading system for the TMDL stakeholders and whether the stakeholders wanted to move forward with the proposal by Tetra Tech to revise and upgrade the spreadsheet load allocation tool.

After further discussion it was recommended by the TAC that the proposal by Tetra Tech be revised and to place on hold the updated spreadsheet load allocation tool. The TAC then directed SAWPA staff with the assistance of RBF to review the current model land use and spreadsheet load allocation tool to evaluate what data can be extracted from the existing tool. An update on the current model land use and spreadsheet load allocation tool will be provided by SAWPA staff at the next TAC meeting.

#### 4. DISCUSSION: REVISE AND UPDATE THE TMDL WASTELOAD ALLOCATIONS AND LOAD ALLOCATIONS

Tim Moore/Risk Sciences noted that this item was addressed during the previous discussion and that a plan to address the TMDL Wasteload and Load allocation will be a part of the strategy he will propose at the next meeting.

#### 5. DISCUSSION: PHASE-2 MONITORING PROGRAM

Tim Moore/Risk Sciences recommended that the Task Force continue with its plan to continue the Phase 1 Watershed Monitoring, with Brown and Caldwell conducting Phase 1 monitoring through FY 2010-11, and that EVMWD continue with their plan to submit revised monitoring for both Lake Elsinore and Canyon Lake.

Hope Smythe/Regional Board noted that she will still require detailing the plan for the Phase 2 monitoring even if it is not to change and she will also need this letter to explain why.

Tim will prepare a draft letter detailing the proposed Phase 2 monitoring to distribute to the TAC for review by November 24<sup>th</sup>.

Sarah Garber /MWH will meet with Dr. Cindy Li/Regional Board on Tuesday November 30<sup>th</sup> to discuss the revisions to the Canyon Lake Nutrient Monitoring program.

#### 6. DISCUSSION: O&M AGREEMENT FOR LAKE ELSINORE AERATION SYSTEM

Tim Moore/Risk Sciences proposed that the Task Force extend the current O&M Agreement for Lake Elsinore Aeration System for one year.

As there is no plan to conduct Fishery Management in the upcoming year, there is no agreement to prepare at this time, which Tim will note in his letter.

Tim will prepare a draft letter describing the strategy to extend the O&M Agreement for Lake Elsinore Aeration System one year to distribute to the TAC for review by December 14<sup>th</sup>. He requested that SAWPA provide a copy of the agreement extension to include with the letter.

#### 7. UPDATE CANYON LAKE AERATION SYSTEM (RICK WHETSEL/SAWPA)

Rick Whetsel distributed to the TAC a status report prepared by PACE Engineering on the Canyon Lake Aeration System.

A number of stakeholders expressed concern that the oxygen demand requirements for two preliminary design options appeared to greatly exceed the oxygen demand requirements proposed by Dr. Michael Anderson in his earlier work. It was requested that Dr. Michael Anderson and PACE Engineering attend our next meeting to discuss the assumptions relating to the sizing of the system and the preferred project alternative.

#### 8. OTHER BUSINESS

Tim Moore/Risk Sciences noted that he will also be preparing a draft letter detailing the proposed Lake Elsinore Phase 2 Alternatives to distribute to the TAC for review by December 14<sup>th</sup>.

#### 9. NEXT MEETING

The next meeting is a Technical Advisory Committee Meeting is scheduled for 9:00am Wednesday, December 15, 2010. The next Lake Elsinore and Canyon Lake Nutrient TMDL Task Force will be scheduled at that meeting.

Rick Whetsel adjourned the meeting at 11:40 a.m.