

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

April 19, 2011

PARTICIPANTS

James Grimm
Nancy Horton
Linda Nixon
Pat Kilroy
Rita Thompson
Kent Wegelin
Mike Shetler
Doug Edwards
Ron Young
Gian Villareal
Tim Moore
Steve Pastor
Jason Uhley
Robert Vasquez
Bruce Scott
Pat Boldt
Ray Stinnett
Mark Norton
Rick Whetsel
Sara Villa

REPRESENTATIVE

City of Canyon Lake
City of Canyon Lake
City of Hemet
City of Lake Elsinore
City of Lake Elsinore
City of Moreno Valley
County of Riverside
Eastern Municipal Water District
Elsinore Valley Municipal Water District
RBF/Caltrans
Risk Sciences
Riverside County Farm Bureau
Riverside County Flood Control & WCD
Riverside County Flood Control & WCD
WRCAC
WRCAC
Stinnett Enterprise
Santa Ana Watershed Project Authority
Santa Ana Watershed Project Authority
Santa Ana Watershed Project Authority

Call to Order & Introductions

The Lake Elsinore/Canyon Lake TMDL Task Force meeting was called to order at 1:01 p.m. by the Vice Chair, Jason Uhley at Elsinore Valley Municipal Water District, Lake Elsinore, California.

Public Comments

The public was invited to address the Task Force on matters within its jurisdiction. There were no comments.

Approval of the Meeting Notes

The Task Force meeting notes of February 22, 2011, and TAC meeting notes of April 6, 2011; were approved as submitted.

Presentation: Integrated uses of Biohaven Island Technology for Lake Elsinore & Canyon Lake (Ray Stinnett Enterprises)

Mr. Stinnett provided a power point presentation on the *Integrated Uses of Biohaven Island Technology for Lake Elsinore & Canyon Lake*. Mr. Stinnett described the advantages of the concentrated wetlands and offered the "Adopt an Island Program". There was a brief discussion in regards to the cost. Mr. Stinnett stated that he would like to schedule another meeting to bring up the details about the Floating Islands.

Action Item: Amendment No. 2 to extend TMDL Task Force Agreement

Mr. Whetsel provided the Task Force with a *Draft Amendment No. 2* to extend the Task Force Agreement. He noted that this item could be combined with the next item on the Agenda.

Action Item: FY 2011-12 Task Force Budget (Rick Whetsel)

Mr. Whetsel provided copies of the *Draft FY2011-12 Task Force Budget*. Mr. Whetsel informed the Task Force that the budget will need to be approved and they need to discuss how to deal with the budget shortfall, either by using carry over or by eliminating tasks, and how to address the 3 yr schedule for collecting contributions for Agricultural (Ag). Ag is on a three year schedule of collecting funds and Dairy is on a two

year, which means that for the FY 2011-12 there won't be any money coming in from any entity. He gave a brief description of the budget items and the transition from the current Task Force task structure to the proposed implementation strategy, which includes a proposed Implementation Project for Canyon Lake. He also provided a handout showing the summary of the individual Stakeholder contributions to date, along with a letter from WRCAC requesting a reduction in their obligation for acreage deemed not to be agriculture.

Ms. Boldt gave a brief description on what the letter entails. She mentioned that WRCAC is trying to move forward and collect money for the new collection cycle but they can't do it until the budget shortfall first cycle from 2006 to 2010 is resolved, so that they know what amount to collect in the second cycle. The original collection process for just the Ag Operators not the Dairy shows that they have paid to date through the collection process \$550,000. Ms. Boldt noted that in the beginning of the process they knew that there would be unknown and undeliverable acreage that neither WRCAC nor the Regional Board could collect. It was noted that before Cindy Li left to her new position she gave Ms. Boldt the numbers of 3,338 acres that were unknown and undeliverable in the total of all potential Ag Acres which came out to \$93,464 out of the four year budget from 2006-2010. She stated that there is the OUT acres-transferred into buildings or other urban (usually Commercial development) that is about 989 acres that came out to be \$27,692, and there are still some parcels that are going through the ACL process and are potentially collectible, though she is waiting on the Regional Board to give her the exact amount of acres. Ms. Boldt estimates there is about \$28,844 acres uncollected possibly still collectible through the Regional Board ACL's. She noted that the problem is that there is still some remaining non compliant parcels that the Regional Board is still pursuing and if they are resolved and paid to WRCAC then they will get the money and pass it on to the Task Force, though if it goes to a fine or an ACL the money will go directly to the State.

Mr. Scott noted that if there is no action that takes place and if the funds are not collected, the second round of the collection process will be really difficult since they haven't resolved the non-compliant stakeholders from the first cycle (2006-2010) and in the end nobody's going to want to pay if there is no enforcement of the non-payers. It was noted that they've contacted the Regional Board, but have not received a response. Mr. Young stated that what they've heard from the Regional Board is that when they don't get funds from people that don't participate you are going to have to end up getting the funds from people that do, and that concludes to everybody's shares going up 50% the following year. Both Mr. Scott and Ms. Boldt didn't think that it was fair for everybody else. Ms. Boldt informed that Task Force that WRCAC is requesting on behalf of the agricultural operators a credit of the "unknown and deliverable" acreage (\$93,464) and the "OUT" parcels which are now urban/commercial parcels in the watershed (\$27,692) for a total of \$121,156.

Mr. Young brought up to the Task Force that the issue was that A) there is an Amendment No. 2 to the Agreement to keep the allocations the same for another year; B) to approve the Task Force Budget for FY 2011-12 in the amount of \$650,000 understanding that there is going to be a potential shortfall of almost \$300,000 that we may never receive. Mr. Young stated that he feels there is an issue because there is a built in shortfall in the budget due to the non-compliant AG stakeholders. Ms. Boldt stated that if it is decided that the issue of non-compliant agriculture cannot be separated from the compliant WRCAC agricultural stakeholders, then WRCAC will no longer be a part of the Task Force. A brief discussion ensued amongst the Stakeholders. It was asked if Ms. Boldt knew the number of acres associated with the non-compliant Agriculture. Ms. Boldt noted that Ms. Cindy Li has every parcel of the AIS aerial mapping database. Mr. Kilroy asked what effect it will have on the budget if the Task Force forgave the \$121,156. Mr. Whetsel noted that the budget we have is through the end of 2009-10 and Ms. Boldt is talking about money that was allocated through 2009-10 and of everything that's been collected at the end of 2009-10, we're sitting on \$377,000 estimated in carry-over broken down amongst all of our Stakeholders. Mr. Whetsel noted that everyone is positive at the moment though the problem is that come July 2011-12, they will not be collecting from Ag and Dairy so the results are that there will be a deficit (shortage) in the budget. He noted that the \$650,000 budget we are looking to collecting only \$355,000, which will leave is \$294,000 short for the year.

After much discussion, Mr. Uhley stated a few items that need to be resolved 1) the Task Force is sitting on \$377,000 in credits that could be going to the aeration/oxygenation system project but it isn't because we don't have all the contributing partners; 2) we have to fix the problem with the backwards payment with Ag. It was noted that the WRCAC letter should be addressed to the Regional Board versus the Task Force. It was

asked what Mr. Moore thought about this and he noted that he thinks that they need to meet with the executive director from the Regional Board, there are provisions on both permits and they cannot wave the legal requirements. It was noted that once it is resolved agriculture will be able to start paying back to the Task Force by July 2012. Mr. Norton recommended that a meeting be set-up with the Regional Board executive office to bring up all the issues that the Task Force is having. It was asked if the budget should be approved for the full \$650,000, and if Amendment No. 2 to extend the Agreement should also be approved. There was a motion by Mr. Young and seconded by Mr. Kilroy that by subject to the conversation of the key Stakeholders and the Regional Board, the Task Force entities will be in good faith to approve the number on the budget of \$650,000 once the issues are resolved. Mr. Norton stated that he will coordinate the meeting with Regional Board.

Discussion: Pollutant Trading Plan (Tim Moore/Risk Sciences)

Mr. Moore informed the members of the Task Force that it was decided to use Ms. Rhonda Sandquist for the pollutant trading program and the next step is to focus on the O&M Agreement to cover the added expense of legal consulting services. It was asked if Mr. Moore is going to prepare a letter stating the extension and to determine that we need to make sure that we are in compliance. It was decided that a letter will be submitted by April 30th to the Regional Board. There was a brief discussion in regards to having a pollutant trading plan and the legal issues it may have.

Mr. Whetsel provided a handout of the *San Jacinto Watershed Land Use Breakdown by Stakeholders*. He gave a brief description of the breakdown. He asked if anyone had any questions or feedback on the spreadsheet to let him know. Ms. Boldt asked if the loading is based upon what a CAFO Permit says in a 25 year storm event or did they go day by day. Mr. Whetsel stated he would check with Tetra Tech.

Update: Prop 40 Grant (LESJWA) Lake Elsinore Back Basin Wetlands BMP Implementation Project

Mr. Whetsel stated that the signed agreement was received from the State and Mr. Kilroy is working to re-start the Lake Elsinore Back Basin Wetlands BMP Implementation Project. He noted that there are limited funds left to administer the project through LESJWA. Mr. Kilroy noted that they are under contract with their consultant already. Mr. Norton offered his help to Mr. Kilroy in case it is needed.

Schedule Next Meeting

The next Technical Advisory Committee Meeting is scheduled for Wednesday, May 18, 2011 at 1:30 p.m. The next Task Force meeting is scheduled for Tuesday, May 31, 2011 at 1:30 p.m. at EVMWD.

Adjourn

As there was no further business for review, the meeting adjourned at 4:02 p.m.