

MSAR TMDL/Regional Water Quality Monitoring Task Force Meeting Notes

April 19, 2021

PARTICIPANTS

Kimberly Colbert
Nisha Wells
Cordell Chavez
John Kappeler
Mike Roberts
Stormy Osifeso
Lynn Merrill
Pat Boldt
Rachael Johnson
Chris Crompton
Sarah Chiang
James Fortuna
Michael Mori
Abigail Suter
Amy McNeill
Richard Boon
Andrea Macias
Arlene Chun
Cynthia Gabaldon
Lauma Willis
Barbara Barry
Yiping Cao
Terri Reeder
Tess Dunham
Menu Leddy
Steven Wolosoff
Paul Caswell
Constantine Karos
Richard Meyerhoff
Ryan Kearns
Rick Whetsel

REPRESENTING

The Colbert Group for the City of Claremont
City of Chino Hills
City of Corona
City of Newport Beach
City of Riverside
City of Riverside
City of Rialto
Milk Producer's Council
Riverside County Farm Bureau
OC Public Works
OC Public Works
OC Public Works
OC Public Works
Riverside County Flood Control & WCD
Riverside County Flood Control & WCD
Riverside County Flood Control & WCD
Riverside County Flood Control & WCD
San Bernardino Areawide Program
San Bernardino County
Santa Ana Regional Water Quality Control Board
Santa Ana Regional Water Quality Control Board
Santa Ana Regional Water Quality Control Board
Santa Ana Regional Water Quality Control Board
Kahn, Soares & Conway, LLP
EEES
CDM Smith
CDM Smith
CDM Smith
GEI Consultants
CWE
SAWPA

1. Call to Order & Introductions

The MSAR TMDL Task Force Meeting was called to order at 1:31 p.m. by Rick Whetsel at SAWPA with all participants participating remotely, due to COVID-19 related social distancing restrictions.

2. Approval of the Meeting Notes

Rick Whetsel /SAWPA asked for any comments on the February 3, 2021, MSAR TMDL meeting notes.

Lauma Willis /Regional Board requested the meeting notes be revised to reflect Regional Board staff support to Tess in scheduling the March 12th presentation to Regional Board. Rick Whetsel will make the appropriate revisions and with no further comments the meeting notes were deemed acceptable.

Regional Water Quality Monitoring Meeting Items:

3. Presentation/Discussion: Santa Ana River Watershed Bacteria Monitoring Program (Steve Wolosoff & Paul Caswell /CDM Smith)

Steve Wolosoff /CDM Smith introduced Paul Caswell to present to the Task Force on the 2020 monitoring results detailed in the Draft 2020 Annual Santa Ana River Regional Bacteria Monitoring report.

Steve then followed up to discuss the proposed modifications to Monitoring Plan to address “Priority 3” Waterbodies, discussion on the anti-degradation target for Cucamonga Creek and a review of the 2020 MSAR TMDL data.

Steven requested that Rick share with the Task Force the 11x17 handout included in the March 12th PowerPoint presentation to Regional Board.

Tess Dunham made the note to remind stakeholders of the need for certification statements and a cover letter notifying Regional Board staff that all permit requirements have been fulfilled, when submitting deliverables to Regional Board. Stakeholders responded that the Annual Santa Ana River Regional Bacteria Monitoring report only requires certification statements from the lead MS4 permittees, these include the three Orange, Riverside and San Bernardino County stormwater agencies due with the final report on June 30th. Rick Whetsel noted that he will work with Steven Wolosoff on a draft cover letter following the format of the letters used by the LE&CL TMDL Task Force.

Before we moved to the next agenda item it was requested by a stakeholder if Tess Dunham would provide an update to the Task Force on AB 377 (Rivas) being proposed in the State Assembly.

She informed the Task Force that since we last met, the Bill has gone through several iterations of amendments, with the most recent set of amendments removing a lot of the language, which was of greatest concern to most of us. These latest amendments removed the language which took away the authority of the Regional Board to implement alternative compliance or deemed in-compliance programs and replaced that language with a report to the legislature about the status of the State and the Regional Boards activities for waters to meet order quality standards and a report on the status of the integrated report... it proposed to create a report within the current report.

While these revisions are helpful, they do not change the underlying issues with the Bill. Nor do these amendments change the position taken by coalition of agencies, who remain intact in their opposition.

The Bill is scheduled to go before the Environmental Safety and Toxic Materials Policy Committee on Wednesday, April 21st. Tess and Karen Cowan from CASQA have been asked to testify in opposition to the Bill.

A copy of CDM Smith’s presentation is available on the SAWPA website under Agendas and Meeting Materials: <https://sawpa.org/wp-content/uploads/2021/04/April-2021-RBMP-Task-Force.pdf>

4. Presentation: Water Quality Monitoring Dashboard (Steve Wolosoff /CDM Smith)

Steve Wolosoff /CDM Smith introduced a proposal that was shared with Task Force Stakeholders back on March 16th, to develop a dashboard to report on Santa Ana River Regional Bacteria Monitoring. The recommendation for an on-line dashboard came from stakeholders to expand the capabilities for assessing water quality conditions and compliance at individual monitoring sites, with access to historical data to contextualize current data and allow comparison of data across sites and reporting periods. As it was determined that there was no requirement for the submittal of quarterly monitoring report updates to Regional Board, CDM Smith was able to put together a “no cost” change order to their agreement that would shift the cost from the static PDF quarterly reports to an on-line dashboard.

Rick Whetsel added that the dashboard concept proposed by CDM Smith has been reviewed and approved by SAWPA. The plan is for CDM Smith to develop, maintain and link the dashboard through the RWQM Task Force webpage on the SAWPA website. The data to be shared through this dashboard is to be determined by the Task Force.

Richard Boon /RCFC&WCD requested that the audience for sharing this data be expanded beyond Regional Board staff to include senior agency staff and elected officials. Rick responded that SAWPA can set the dashboard access privileges as directed by the Task Force.

With no further comments by the Task Force, a motion was put forth by Richard Boon /RCFC&WCD, seconded by Arlene Chun / SBCFCD and agreed by Michael Mori /OC Public Works to authorize a no cost change order for CDM Smith to develop a dashboard to report on data results produced through the Santa Ana River Regional Bacteria Monitoring program as an alternative to quarterly reports.

Tess Dunham recommended that disclaimer language be added to the dashboard to keep it in proper context.

Barbara Barry requested that the Task Force provide a memo to Regional Board staff informing them of the change and why they will no longer be receiving quarterly reports. Steven Wolosoff will work with Rick Whetsel to address the requests for disclaimer language and a memo to regional Board staff.

5. Update: Santa Ana River Watershed Homelessness Water Quality Monitoring Program (Rick Whetsel /SAWPA)

Rick Whetsel /SAWPA informed the Task Force that staff working with RCFC&WCD and SBCFCD are continuing the effort to develop a request for proposals to conduct Water Quality Monitoring to assess the impacts of homelessness on Santa Ana River Water Quality.

The team is planning to meet in the next week to evaluate some alternative monitoring scenarios prepared by the project consultant, considering new information revealed through a recently completed study by San Diego State University to evaluate the impacts of homelessness on water quality in the San Diego River Watershed.

6. TMDL Task Force Administration (SAWPA Staff)

No update at this time.

MSAR TMDL Meeting Items:

7. Discussion: Revise MSAR TMDLs (Tess Dunham/Kahn, Soares & Conway)

Tess Dunham /Kahn, Soares & Conway, LLP noted that there is not much to report at this time.

Tess noted, during the lake Elsinore and Canyon Lake Nutrient TMDL Task Force meeting, Regional Board staff informed stakeholders that resources would be limited to work on any type of revision over the next several months.

Considering this, she suggested that the consultant team review the 2020 Santa Ana River Regional bacteria monitoring report, especially the TMDL related data, as well as the MSAR Synoptic study to identify what follow-up studies we might want to engage in knowing the limited available Regional Board resources.

Tess then noted that the L.A. Regional Board recently amended implementation schedules for several TMDLs and that we could possibly investigate building a case as to why it would be appropriate to request additional time to address the MSAR wet weather load allocation.

8. Review: Regional Board Presentation – March 2021 (Tess Dunham /KSC)

Tess Dunham /Kahn, Soares & Conway, LLP provided a brief update to stakeholders on the March 12th presentation to Regional Board highlighting the efforts and successes of the Middle Santa Ana River TMDL Task Force, as well as that of the individual stakeholders.

Tess thought it went well, Board members showed to be very interested in what was shared and had lots of questions. There were several questions related to the efforts of stakeholders regarding homelessness.

She noted that there were several new Board members and thought it was a great opportunity to introduce them to the Task Force.

Tess thanked Arlene Chun / SBCFCD and Amy McNeill /RCFC&WCD for their support in addressing the questions of Board members.

Tess requested that Rick share the March 12th PowerPoint presentation with the Task Force.

Richard Boon /RCFC&WCD asked Regional Board staff what feedback they got from the board members if any? Lauma Willis responded that that she did not have the opportunity to follow up with Board members, but that she thought it a good education for the Board, and they were interested in the issues related to homelessness.

Tess asked Lauma if she could provide an update on the status of the Regional Stormwater Permit? Lauma responded that she could not because it is the not her group that is handling the issue.

Amy McNeill responded that she and Arlene could provide an update on the Regional Stormwater Permit. Amy stated that she and Arlene have been working to compile an estimate of the money that has been spent over the years on the TMDLs. This is to be included by Regional Board staff as part of the fact sheets to accompany the draft permit. She added that Regional Board staff has nearly completed their internal review and that once the TMDL costs have been submitted by Permittees, the draft regional permit will be submitted to the Office of Chief Counsel, Department of Finance and USEPA. After these 3 departments complete their review, any comments will be incorporated into the draft permit and then permittees will then have an opportunity to review the permit for 45 days prior to public review.

9. Update: Bacteria Reduction Implementation Activities

a) RCFC&WCD

Amy McNeill /Riverside County Flood Control & WCD reported on several efforts the district is working on with local partners.

Phoenix Avenue SD Diversion Project – construction began in March and is scheduled to be completed by mid-May.

Eastvale Line D and E Diversion Projects - data collected on the dry weather flow showed flows to be higher than anticipated. Jurupa Community Services District estimates the treatment costs at the Recycled Water Treatment Plant for the additional flows from these projects as compared to the Phoenix Avenue SD Diversion Project, which is budgeted \$25,000, are as follows: for the Eastvale Diversion Line E project, which treats an area 25% larger than the Phoenix drainage area, treatment costs are estimated at about \$44,000, and for the Line D project, with an area about three times larger than the Phoenix drainage area, treatment costs are estimated at \$130,000. The district has proposed \$15M in their CIP budget for the Jurupa Recycled Water Distribution System, with the expectation that the additional water supply would help to offset the costs of treatment. The district is currently looking for partners to take on the on-going treatment costs for these projects.

Tess informed stakeholders that the State Senate is planning to make available \$200 billion for shovel ready projects to address drought. Amy responded that the district is looking for \$15M in grant funding to match the \$15M proposed by the district.

b) SBCFCD

Arlene Chun /SBCFCD informed the Task Force that the district is ready to begin to reconfigure Chris Basin. However, this effort is currently on hold, due to the presence of a nesting bird, who has taken up residence in the middle of the basin. The goal is to complete the project by July.

c) Orange County

No updates to report.

d) Pomona

No updates to report.

e) City of Claremont

Kimberly Colbert representing the City of Claremont reported that a final version of the L.A. Regional permit is to be released soon. She said that she expects to be moved forward quickly for approval by permittees, as several of them are under an order from the State Board, which expires on June 30th, requiring them to prove that their Watershed Management Programs (WMPs) or Enhanced

Watershed Programs (EWMPs) milestones are being met or they will be deemed as out of compliance.

- f) Agricultural Operators
No updates to report.

10. TMDL Task Force Administration (SAWPA Staff)

Tess Dunham /Kahn, Soares & Conway, LLP provided a brief update to stakeholders on her scope of work for the upcoming year FY 2021-22. She informed stakeholders that through her agreement, she has allocated budget to contract with Richard Meyerhoff /GEI and Steven Wolosoff /CDM Smith to support her with the preparation of TMDL deliverables.

11. Other Business

Tess Dunham /Kahn, Soares & Conway, LLP informed the Task Force that she and Steven Wolosoff have been working to update the MSAR TMDL Report Card. The goal is to get an updated Report Card to the Regional Board by the end of the week.

12. Schedule Next Meeting

The next meeting is proposed to be a Joint RWQM and MSAR TMDL Task Force scheduled for June 21 at 1:30 p.m. as a virtual meeting.

13. Adjourn

There being no further business for review, the meeting adjourned at 3:45 p.m.