

# Lake Elsinore/Canyon Lake TMDL Task Force

March 2, 2022

**Table ES-1. Compliance with Final Canyon Lake WLA/LAs for all Watershed Sources (values are in kilograms/year, [kg/yr]) as a 10-yr average**

<b>Nutrient</b>	<b>Measured External Load</b>	<b>Internal Load Offset with Alum</b>	<b>Total Net Load</b>	<b>Allocation to Watershed in TMDL<sup>a</sup></b>	<b>Additional Load Reduction Required<sup>b</sup></b>
<b>Total Phosphorus</b>	5,782	1,981	3,801	3,845	-44
<b>Total Nitrogen</b>	16,202	0	16,202	22,268	-6,066

<sup>a</sup> TMDL minus allocations for internal sediment and atmospheric deposition  
<sup>b</sup> If  $\leq$  zero, compliance with final allocations in TMDL for all watershed sources is effectively demonstrated

**Table ES-2. Compliance with Final Lake Elsinore WLA/LAs for all Watershed Sources (values are in kg/yr)**

Nutrient	2012-2021 Average External Load			LEAMS Offset <sup>c</sup>	Total External Load Allocation in TMDL <sup>d</sup>	Additional Load Reduction Required <sup>e</sup>
	Canyon Lake Overflow	Modeled Local Runoff <sup>a</sup>	Supplemental Water <sup>b</sup>			
<b>Total Phosphorus</b>	1,486	923	2,552	7,030	6,922	-8,991
<b>Total Nitrogen</b>	9,083	4,458	19,519	44,000	29,953	-40,615

<sup>a</sup> Local Lake Elsinore watershed average annual runoff nutrient load estimate from PLOAD model for the proposed TMDL revision (see Table 4-9 in LESJWA [2018])

<sup>b</sup> Estimated from EVMWD inflows and average concentrations in effluent of 0.37 mg/L TP and 2.83 mg/L TN

<sup>c</sup> TP reduction credit from LEAMS operation was assumed to be 11,606 kg/yr TP in the TMDL. A portion of this credit (4,576 kg/yr TP) is not available to offset other sources as it was needed to create any assimilative capacity under the TMDL. Thus, operation of LEAMS has created 7,030 kg/yr of net TP offset credit (Risk Sciences 2019).

<sup>d</sup> TMDL minus allocations for internal sediment, atmospheric deposition

<sup>e</sup> If  $\leq$  zero, compliance with final allocations in TMDL for all watershed sources is effectively demonstrated

# Appendix 11 - Staff Working Proposal of MS4 Permit

- Would adopt numeric-based water quality-based effluent limitations based on wasteload allocations identified by source.
  - E.g., Urban stormwater and septic system wasteload allocations of 306 and 139 kg/yr for Total Phosphorus would be the numeric WQBELs.
  - The CNRP and implementation thereof is no longer considered the WQBEL.
- Includes various options for compliance demonstrations but attempts to determine compliance via MS4 contributions only.
- Compliance demonstration options do not include or recognize use of in-lake offsets.
- Participation in watershed-wide projects/programs left to permittees to determine if there is value.

# Glossary – Staff Working Proposal of MS4 Permit

- Definition of criteria: Numeric values and narrative standards that represent contaminant concentrations that are not to be exceeded in the receiving environmental media to protect beneficial uses.
- Definition of effluent: Any discharge of water either to the receiving water or beyond the property boundary controlled by the discharger.
- Definition of impaired: Relates to waterbodies where it is presumed Beneficial Uses are not attained.
- Definition of TMDL implementation plan: Identifies elements of a TMDL Implementation Plan but does not reference special studies and alternative compliance pathways.

# Big Picture Issues

- Proposed structure reflects traditional MS4 permitting in other regions that fails to recognize long-term efforts and successes of the Task Force
- Proposed structure fails to recognize that the Task Force has in effect been implementing a Watershed Management Plan for decades that includes all stakeholders – not just municipal stormwater
- Proposed structure treats LE/CL TMDL same as all other TMDLs whereby there have been no Task Force efforts like those implemented by the LE/CL TMDL Task Force



# Potential Issues of Concern for Task Force

## Comment re: Appendix 11

- Proposes to eliminate BMP-based water quality-based effluent limitations (i.e., CNRP as the WQBEL)
- Proposes to eliminate watershed-wide compliance demonstrations for meeting Final TMDLs (i.e., wasteload and load allocations combined)
- Proposes to eliminate use of in-lake offsets for achieving combined wasteload and load allocations
- Potentially diminishes the value of participating in the Task Force

# Potential Issues of Concern for Task Force

## Comment re: Glossary terms

- Broad definition of *criteria* that does not reflect how the term is used legally within the context of the Clean Water Act and Porter-Cologne; may create confusion and conflict with respect to TMDL compliance and applicable targets versus other criteria
- Broad definition of *effluent* that may create confusion between point and nonpoint sources and applicable requirements
- Broad definition of *impaired* that creates a new legal presumption that does not currently exist in law, appears to be broader than an actual impaired listing under the law
- Definition of TMDL Implementation Plan appears to be inconsistent with legal definition of a program of implementation under the Water Code



# Timeline for development of Draft Comments

1

Draft comment letter to Task Force members by **Tuesday, March 8**

2

Receive comments from Task Force members by **Tuesday, March 15**

3

Revise comment letter and submit by **Friday, March 18**