



**SAWPA COMMISSION
REGULAR MEETING MINUTES
MAY 21, 2024**

COMMISSIONERS PRESENT

Bruce Whitaker, Chair, Orange County Water District
Mike Gardner, Vice Chair, Western Municipal Water District
T. Milford Harrison, Secretary-Treasurer, San Bernardino Valley
Municipal Water District
David J. Slawson, Eastern Municipal Water District
Jasmin A. Hall, Inland Empire Utilities Agency

COMMISSIONERS ABSENT

None

**ALTERNATE COMMISSIONERS
PRESENT; NON-VOTING**

Gil Botello, San Bernardino Valley Municipal Water District
Denis Bilodeau, Orange County Water District

STAFF PRESENT

Jeff Mosher, Karen Williams, David Ruhl, Rachel Gray, Shavonne
Turner, Rick Whetsel, Marie Jauregui, Ian Achimore, Sara Villa,
Melissa Bustamonte, John Leete, Alison Lewis, Bonnie Gallagher

OTHERS PRESENT

Andrew Turner, Lagerlof, LLP; Ken Tam, Inland Empire Utilities
Agency; Craig Miller, Western Municipal Water District; Mallory
O'Connor, Western Municipal Water District; Ryan Shaw, Western
Municipal Water District; Adekunle Ojo, San Bernardino Valley Water
District; Gene Hernandez, Yorba Linda Water District; Brian
Dickinson, City of Colton; Michelle Joy Gold; Ryan Davison

The Regular Meeting of the Santa Ana Watershed Project Authority Commission was called to order at 9:30 a.m. by Chair Bruce Whitaker on behalf of the Santa Ana Watershed Project Authority, 11615 Sterling Avenue, Riverside, California. As well as Commissioner T. Milford Harrison's location, Sheraton Grand Sacramento Hotel, 1230 J. Street, Room 2632, Sacramento, CA 95814, and Commissioner Jasmin Hall's location, Pinnacle Community Center, 2215 Thomas W. Ryan Boulevard, Lobby, Las Vegas, NV 89134.

1. CALL TO ORDER

2. ROLL CALL

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

3. PUBLIC COMMENTS

It was noted that there was one (1) public comment received via – email from a public citizen (Michelle Joy Gold) stating the following message:

"To whom it may concern,

I appreciate the efforts in wanting to create more water through weather modification.

There have been many negative side effects from the pilot program I have personally noticed and experienced first hand that I want brought to your attention. I am hoping they can be put on agenda at meeting tomorrow, May 21 at 9:30 so that this stop.

• Home damage, landslides, and public trails closed due to landslides.

- *Toxicity of Silver Iodide as a threat to Fish and Wildlife. Wetlands and wildlife is bombarded with wildlife currently. Many pelicans are starving and stranded. I believe they are directly affected by this project.*
 - *Chemicals causing Headaches, body aches, and allergies during cloud seeding.*
 - *Chemicals being harmful long term to plants, worms, bees, insects, and microorganisms needed for organic food.*
- I will do best to attend via zoom yet I have another meeting at 10. I look forward to hearing back from someone regarding these concerns. Mother Nature and our bodies have a natural order. Chemicals are unhealthy and toxic. It is more important people conserve/preserve water, use less plastics and other resources and leave less a footprint. Thank you."*

Ms. Gold addressed the Commission and reiterated her questions and concerns. Chair Whitaker acknowledged Ms. Gold's comments and noted that staff will adequately answer all her questions and concerns.

4. ITEMS TO BE ADDED OR DELETED

There were no items to be added or deleted.

5. CONSENT CALENDAR

A. APPROVAL OF MEETING MINUTES: APRIL 2, 2024

Recommendation: Approve as posted.

B. TREASURER'S REPORT: MARCH 2024

Recommendation: Approve as posted.

C. TREASURER'S REPORT: APRIL 2024

Recommendation: Approve as posted.

D. MICROSOFT DYNAMICS GP REPLACEMENT STUDY (CM#2024.19)

Recommendation: Approve as posted.

MOVED, to approve the Consent Calendar as posted.

Result:	Adopted by Roll Call Vote
Motion/Second:	Slawson/Gardner
Ayes:	Gardner, Hall, Harrison, Whitaker
Nays:	None
Abstentions:	None
Absent:	None

6. NEW BUSINESS

A. INLAND EMPIRE BRINE LINE RATE RESOLUTION (CM#2024.20)

David Ruhl provided a presentation on the Inland Empire Brine Line Rate Resolution 2024-5, contained in the agenda packet on pages 63-76. On May 14, 2024, the Project Agreement Committee approved to recommend adopting Resolution 2024-5 establishing the new Inland Empire Brine Line rates for Fiscal Year 2024-25.

The proposed Fiscal Year 2024-25 Brine Line Rates for flow, BOD, TSS, fixed pipe, and fixed treatment are shown in Table below. The proposed rates have been calculated using the financial model prepared in 2018 and are based on the approved two-year

budget (FY 2023-24 and FY 2024-25). SAWPA staff reviewed the current and proposed budget expenditures and revenues to ensure the rates are consistent and in-line with the budget assumptions and goals when the budget was approved.

Summary of FY 2023-24 (Current) Rates and FY 2024-25 (Proposed) Rates

<i>Fiscal Year</i>	<i>Flow (MG)</i>	<i>BOD (1,000 lbs)</i>	<i>TSS (1,000 lbs)</i>	<i>Fixed Pipeline*</i>	<i>Fixed T&D*</i>
Current FY 2023-24	\$1,073	\$394	\$494	\$6,654	\$13,505
Proposed FY 2024-25	\$1,097	\$396	\$497	\$6,654	\$13,505

*Fixed pipeline and Fixed Treatment and Disposal (T&D) charges are per million gallons (MG) per month.

The Brine Line rates include the cost that Orange County Sanitation District (OC San) charges SAWPA to treat and dispose of brine, which includes a Flow, BOD and TSS charge. The OC San Flow charge (\$294/MG) is included as part of the total SAWPA Brine Line Flow rate (\$1,097/MG). The OC San BOD and TSS charges are considered “pass-through” costs. Hence, SAWPA’s rate for BOD and TSS match the OC San BOD and TSS charge.

In April 2024, SAWPA received the proposed Brine Line rates from OC San (Flow, BOD, TSS) that include a 0.5% increase in their charges from last fiscal year. Due to the minor increase in the rates from OC San, SAWPA can maintain the proposed rate increase of 2.25% for Flow and no change in the rate for Fixed Pipeline and Fixed Treatment and Disposal. Since BOD and TSS are pass through costs the rate for BOD and TSS will increase 0.5%.

The fixed charges (pipeline and treatment and disposal) are expected to remain the same. These planned rates will be evaluated during the development of the next two–year budget beginning in late 2024. The truck disposal rates will continue to be based on two (2) tiers: the Brine Tier and a Non-Brine Tier. These charges will increase 2.5% from FY 2023-24. The Capacity Lease rates and proposed permit fees for FY 2024-25 will remain unchanged from the rates from FY 2023-24. There was no discussion.

MOVED, to adopt Resolution No. 2024-5 establishing the Fiscal Year 2024-25 Inland Empire Brine Line Rates to be effective July 1, 2024.

Result:	Adopted by Roll Call Vote
Motion/Second:	Harrison/Gardner
Ayes:	Gardner, Hall, Harrison, Whitaker
Nays:	None
Abstentions:	None
Absent:	None

B. APPROVAL OF GRANT APPLICATION FOR INTEGRATED CLIMATE ADAPTATION AND RESILIENCY PROGRAM ADAPTATION PLANNING FUNDING (CM#2024.21)

Rachel Gray provided a presentation on the Adaptation Planning Grant Program Santa Ana River Watershed Regional Invasive Species Management, contained in the agenda packet on pages 81-93. SAWPA staff are pursuing a grant opportunity, made available through the Governor’s Office of Planning and Research (OPR) Integrated Climate Adaptation and Resiliency Program’s (ICARP) Adaptation Planning Grant Program (APGP) Round 2. The funding range for APGP planning projects is between \$100,000

and \$650,000. A total of \$9,500,000 is currently available for planning projects (i.e. not implementation/construction projects) and no local match is required.

The planned project will be the invasive species *Arundo donax* by removing an acre of this species, which grows in the Santa Ana River and other waterways, it saves 20-acre feet of water per year. Interested parties to this planning project include the SAWPA member agencies, Resource Conservation Districts, Watershed Stakeholders, U.S. Army Corps of Engineers, and Community-based organizations.

The SAWPA grant application scope is developed to align with state priorities and position the region to capitalize on future funding opportunities. The planning project developed is the Santa Ana River Watershed Regional Invasive Species Management Plan and is focused on the following tasks:

- Task 1 Outreach: Public education on removal of invasive species and their negative impacts on the ecosystem.
- Task 2 Analysis: Assess the impacts of invasive species on the health of the ecosystem (water consumption, outcompeting of resources for native species), study the linkages between invasive species and catastrophic fire in riverbed/riparian areas, and repopulation of invasive plant species post-fire.
- Task 3 Workgroup and Strategic Plan: Creation of a watershed-wide invasive species working group and strategic plan to establish shared decision-making processes for adaptation climate planning.
- Task 4 Aerial Mapping: Analyze aerial imagery to detect invasive species in the riverbed to determine success.

The benefits to the member agencies and other interested parties include:

- Increase local water supply resilience,
- Restoration of the natural habitat,
- Support Habitat Conservation Plan (HCP) permitting requirements (Orange County Water District and San Bernardino Valley Municipal Water District),
- Reduce the ignition source for fires,
- Support regional collaboration for invasive species removal, and
- Support grant funding opportunities for removal projects.

Ms. Gray noted that SAWPA also leads *Arundo donax* removal projects due to its historic management of Proposition 13 (2000 Water Bond) funding. That funding created the Southern California Integrated Watershed Program (SCIWP) and provided SAWPA \$4,000,000 to purchase 100 units in the existing Santa Ana River Mitigation Bank. The Santa Ana River Mitigation Bank was created in 1996 by an agreement with local bank manager Riverside County Regional Park and Open-Space District and the lead federal regulatory agency, the U.S. Army Corps of Engineers.

The grant application is due June 3, 2024, and if awarded the anticipated start date would be December 1, 2024, with an end date of December 31, 2026. Commissioner Gardner suggested when filling out the application to not reference *Arundo* as an ignition source like a spark or flame but use the term of volatile fuel and to add AI. There was no discussion.

MOVED, to authorize the General Manager, or designee, to submit a planning grant application to the Governor's Office of Planning and Research for the Integrated Climate Adaptation and Resiliency Program's Adaptation Planning Grant to implement the Santa Ana River Watershed Regional Invasive Species Management Project.

Result:	Adopted by Roll Call Vote
Motion/Second:	Gardner/Whitaker
Ayes:	Gardner, Hall, Harrison, Whitaker
Nays:	None
Abstentions:	None
Absent:	None

C. SANTA ANA RIVER WATERSHED WEATHER MODIFICATION PILOT PROGRAM UPDATE (CM#2024.22)

Rachel Gray provided a presentation on the Santa Ana River Watershed Weather Modification Pilot Program Status Update, contained in the agenda packet on pages 159-187. Chair Whitaker emphasized changing the project name from Santa Ana River Watershed Weather Modification Pilot Program to Santa Ana River Watershed Cloud Seeding Pilot Program. The pilot project began on November 15, 2023, and ended on April 15, 2024, for the first operational year. The pilot program is a ground-based seeding unit operations, and it targets the higher elevation mountains that drain into our watershed with the end goal to create additional precipitation. A total of 12 storms were seeded the first operational season. There was about 2,100 hours of generator runtime and about 32 flares, and not all units were always turned on, the meteorologist assessed to ensure the right conditions and what units to be turned on for it to be effective.

Ms. Gray provided an overview of the suspension criteria that is outlined in the operations plan to include flood, burn scars, severe weather, and real-time decisions so there's input from the Flood Control Districts. Lessons learned during the first year of operations include:

- Send notices to fire departments in advance of the start of Year 2 Operations.
- Be transparent with the public about technical studies conducted for cloud seeding.
- Maintain effective communication with sponsors to mitigate site access issues.
- Train backup site operators for continuous unit operations.
- Regularly troubleshoot cloud seeding units for optimal equipment operation.
- Collaborate with Flood Control Districts for environmental insights.
- Understand the impact of successive storms on infrastructure.

Ms. Gray highlighted a summary of the Communications efforts and responding to the public's comments and media inquiries through the weather modification email and pilot program hotline. SAWPA is also coordinating the pilot project planning with Desert Research Institute (DRI) on the validation competent of the pilot. DRI will be conducting an independent review of the cloud seeding pilot operations and validating the increases in precipitation and stream flows. Validation tasks include the following:

- Task 1: Evaluate NAWC Operations (ongoing)
- Task 2: Snow Chemistry – collect baseline and seeded snow samples (awaiting lab analysis results)
- Task 3: Calculating the Seeding Snow-Water Equivalent: Assessing precipitation as rainfall and snowfall (ongoing)
- Task 4: Target/Control Statistical Analysis (ongoing)

- Task 5: Stream Flow Analysis (ongoing)

The Pilot Program schedule is as follows; the first-year summary report is anticipated to be completed in June 2024; the project validation tasks to be completed July 2024. Year 2 equipment mobilization is to be set in October 2024, with the Year 2 Operations start date of November 15, 2024.

The Commissioners commended Ms. Gray and staff for all their efforts and the thoroughness of the report and Commissioner Hall noted that although we're trying to accomplish the increase of precipitation, what is being heard from the public is that they feel this is impacting their health and we need to have a health organization or health expert to validate that it is not a health impact, and the expert can be a resource. Mr. Mosher noted that Ms. Gray is on the North American Weather Modification Council Weather Modification Board, and they are looking into doing a health study of silver iodine. There have been studies done previously that demonstrate the safety of silver iodine, though this study could be more comprehensive and up to date.

Commissioners Milford Harrison and Jasmin Hall emphasized not using the term weather modification and use cloud seeding. Mr. Mosher noted that he will coordinate with the Communications Specialist, Melissa Bustamonte, on revising materials and the website prior to the start of year two (2).

Michelle Gold appreciates bringing up the health concerns and would like to hear more on when the investigation will be relayed to the public. Tennessee has banned cloud seeding/weather modification. A bill passed preventing the practice of intentionally modifying the atmosphere to counteract global warming. Ms. Gold suggests SAWPA investigate what kind of evidence was gathered that might help move forward with the health and environmental concerns. Chair Whitaker noted that this meeting is intended to convey and stay tuned for forthcoming information, and the commission will be revisiting this item frequently. Commissioner Gardner suggested that it would be of some value to get a copy of Tennessee's legislation to analyze the reasonings of the banned bill.

This item is to receive and file; no action was taken on agenda item no. 6.C.

7. **INFORMATIONAL REPORTS**

Recommendation: Receive for Information.

- A. **CASH TRANSACTIONS REPORT – FEBRUARY 2024**
- B. **CASH TRANSACTIONS REPORT – MARCH 2024**
- C. **INTER-FUND BORROWING – FEBRUARY 2024 (CM#2024.23)**
- D. **INTER-FUND BORROWING – MARCH 2024 (CM#2024.24)**
- E. **PERFORMANCE INDICATORS/FINANCIAL REPORTING – FEBRUARY 2024 (CM#2024.25)**
- F. **PERFORMANCE INDICATORS/FINANCIAL REPORTING – MARCH 2024 (CM#2024.26)**
- G. **PROJECT AGREEMENT 25 – OWOW FUND – FINANCIAL REPORT, FEBRUARY 2024**

H. **PROJECT AGREEMENT 25 – OWOW FUND – FINANCIAL REPORT, MARCH 2024**

I. **PROJECT AGREEMENT 26 – ROUNDTABLE FUND – FINANCIAL REPORT, FEBRUARY 2024**

J. **PROJECT AGREEMENT 26 – ROUNDTABLE FUND – FINANCIAL REPORT, MARCH 2024**

K. **THIRD QUARTER FYE 2024 EXPENSE REPORT**

- General Manager
- Staff

L. **BUDGET VS ACTUAL VARIANCE REPORT FYE 2024 THIRD QUARTER – MARCH 31, 2024 (CM#2024.27)**

M. **FINANCIAL REPORT FOR THE THIRD QUARTER ENDING MARCH 31, 2024**

N. **GENERAL MANAGER REPORT**

Jeff Mosher reported to the Commission that the Agua Mansa Lateral Project is complete, and the PA 24 Committee approved the issuance of a Notice of Completion. Mr. Mosher also noted that SAWPA staff is working through the details for the Climate Adaptation Resiliency plan proposal and will bring it back to Commission for an update.

O. **COMMUNICATIONS REPORT – MARCH 2024**

Jeff Mosher highlighted the Communication Reports, contained in the agenda packet on pages 313-317. It is important to display the efforts we're doing in terms of developing relationships with the member agencies and other agencies.

P. **COMMUNICATIONS REPORT – APRIL 2024**

Q. **STATE LEGISLATIVE REPORT – MARCH 2024**

R. **STATE LEGISLATIVE REPORT – APRIL 2024**

S. **CHAIR'S COMMENTS/REPORT**

Chair Whitaker reported that he attended the ACWA Conference and highlighted that Governor Newsom was there to address the group, overall, a very good and positive conference.

T. **COMMISSIONERS' COMMENTS**

There were no Commissioners' comments received.

U. **COMMISSIONERS' REQUEST FOR FUTURE AGENDA ITEMS**

There were no requests for future agenda items.

8. **CLOSED SESSION**

There was no Closed Session.

9. ADJOURNMENT

There being no further business for review, Chair Bruce Whitaker adjourned the meeting at 10:42 a.m.

Approved at a Regular Meeting of the Santa Ana Watershed Project Authority Commission on Tuesday, June 4, 2024.

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Bruce Whitaker

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Bruce Whitaker, Chair

Attest:

DocuSigned by:

Sara Villa

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Sara Villa, Clerk of the Board