



**SAWPA COMMISSION  
REGULAR MEETING MINUTES  
February 4, 2025**

**COMMISSIONERS PRESENT**

Mike Gardner, Chair, Western Municipal Water District  
Gil Botello, Vice Chair, San Bernardino Valley Municipal Water District  
Philip E. Paule, Secretary-Treasurer, Eastern Municipal Water District  
Jasmin A. Hall, Inland Empire Utilities Agency  
Denis Bilodeau, Orange County Water District [via – zoom]

**COMMISSIONERS ABSENT**

None

**ALTERNATE COMMISSIONERS PRESENT; NON-VOTING**

T. Milford Harrison, San Bernardino Valley Municipal Water District  
David Slawson, Eastern Municipal Water District  
Fred Jung, Orange County Water District

**STAFF PRESENT**

Jeff Mosher, Karen Williams, David Ruhl, Rick Whetsel, Rachel Gray, Marie Jauregui, Sara Villa, Dean Unger, John Leete, Alison Lewis, Lucas Gilbert, Emily Fuentes, Natalia Gonzalez

**OTHERS PRESENT**

Thomas S. Bunn, Lagerlof, LLP; Joe Mouawad, Eastern Municipal Water District; Nick Kanetis, Eastern Municipal Water District; John Kennedy, Orange County Water District; Lisa Haney, Orange County Water District; Carly Pierce, Western Municipal Water District; Adekunle Ojo, San Bernardino Valley Municipal Water District; Theresa A. Dunham, Kahn, Soares & Conway, LLP; Christopher J. Brown, C.J. Brown & Company

The Regular Meeting of the Santa Ana Watershed Project Authority Commission was called to order at 9:30 a.m. by Chair Mike Gardner on behalf of the Santa Ana Watershed Project Authority, 11615 Sterling Avenue, Riverside, California, and Denis Bilodeau at 601 N. Ross Street, Room 327, Santa Ana, CA 92701.

**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**

There were no public comments; there were no public comments received via email.

**4. ITEMS TO BE ADDED OR DELETED**

There were no items to be added or deleted.

**5. CONSENT CALENDAR**

**A. APPROVAL OF MEETING MINUTES: JANUARY 21, 2025**

**Recommendation:** Approve as posted.

**MOVED**, to approve the Consent Calendar as posted.

Result:	Adopted by Roll Call Vote
Motion/Second:	Hall/Paule
Ayes:	Bilodeau, Botello, Gardner, Hall, Paule
Nays:	None
Abstentions:	None
Absent:	None

**6. NEW BUSINESS**

**A. ROTATION OF OFFICERS AND COMMISSION APPOINTMENTS (CM#2025.8)**

Jeff Mosher provided a report on the rotation of officers and Commission appointments. SAWPA Resolution No. 355 calls for the rotation of officers each odd-numbered year among the member agencies. In keeping with the historical rotation among the member agencies the Chair would be Commissioner Mike Gardner of Western Municipal Water District, the Vice Chair would be Commissioner Gil Botello of San Bernardino Valley Municipal Water District, and the Secretary-Treasurer would be Commissioner Philip E. Paule of Eastern Municipal Water District.

Mr. Mosher noted the other Commission appointments is the One Water One Watershed (OWOW) Steering Committee and the Lake Elsinore and San Jacinto Watersheds Authority (LESJWA) Board of Directors.

The OWOW Steering Committee membership is comprised of eleven (11) individuals from three counties (Riverside, San Bernardino, and Orange) and two members of the SAWPA Commission. In accordance with Resolution No. 2018-1, appointed to the OWOW Steering Committee is the Commissioner from the member agencies whose board member has been appointed as Vice Chair (Gil Botello) and Secretary-Treasurer (Philip E. Paule), with the Vice Chair serving as the convener.

The Commission is required by the Joint Exercise of Powers Agreement creating LESJWA to appoint two SAWPA Commissioners (primary and alternate) to LESJWA's Board of Directors to represent SAWPA for a two-year term. The current primary representative is Brenda Dennstedt and Mike Gardner as the alternate representative, and both are willing to continue to serve in the role. The election of officers may be conducted by a single blanket motion for all three recommended appointments.

Vice Chair Mike Gardner stated that there is a slate presented and if someone wishes to make a motion for the slate or if someone prefers to modify the slate and/or address the offices individually. Commissioner Botello made the motion as presented and commended Commissioner Brenda Dennstedt as the LESJWA Chair and fully supports the decision for her to remain in the role, Commissioner Philip E. Paule second the motion.

**MOVED**, the following:

- 1) Authorize the rotation of officers in accordance with the historical rotation provisions of Resolution No. 355, and appoint Mike Gardner as Commission Chair, Gil Botello as Commission Vice Chair, and Philip E. Paule as Secretary-Treasurer; and
- 2) Acknowledge the rotation of representatives to the OWOW Steering Committee and appoint Gil Botello and Philip E. Paule, with Gil Botello serving as the Convener; and
- 3) Adopt Resolution No. 2025-1 appointing Brenda Dennstedt as the primary representative and Mike Gardner as the alternate representative to the Lake Elsinore

and San Jacinto Watersheds Authority (LESJWA) Board of Directors as the SAWPA representatives.

Result:	Adopted by Roll Call Vote
Motion/Second:	Botello/Paule
Ayes:	Bilodeau, Botello, Gardner, Hall, Paule
Nays:	None
Abstentions:	None
Absent:	None

**B. COMMISSIONER COMPENSATION (CM#2025.9)**

Chair Mike Gardner provided a report on the Commissioner Compensation. The current per day of service compensation amount is \$260. In accordance with Resolution No. 2017-01, the compensation amount will automatically increase by 5% (from \$260 to \$270) effective January 2025. Alternatively, the Commission could adopt Resolution No. 2025-2 prohibiting the automatic increase of 5% in the per day of service rate effective January 2025 and maintain the current rate of \$260.

No action was taken, allowing the per day of service rate to increase automatically from \$260 to \$270 effective January 2025.

**C. AUDIT SERVICES CONTRACT EXTENSION (CM#2025.10)**

Karen Williams provided a report on the contract extension for SAWPA’s audit services. For the past three years, SAWPA has worked with C.J. Brown and Company as the audit firm, which also oversees LESJWA audit. The contract with C.J. Brown and Company was initially set for a three-year term, with an option to extend for two additional years. With Karen Williams retiring at the end of the year and bringing in a new Director of Finance, the first year with a new auditor would be quite labor-intensive. It is recommended to keep the current auditor for the next two years so the new Director can focus on their learning curve at SAWPA. After the two years, an RFP for a new audit firm could be considered. Ms. Williams noted the recommendation is to extend the audit contract with C.J. Brown for two years.

Chris Brown of C.J. Brown and Company thanked SAWPA staff and the Commission for their consideration. The audit has been successful over the past few years, and they are eager to maintain the partnership moving forward.

**MOVED**, to authorize the issuance of a Task Order with C.J. Brown & Company, CPAs (formerly Fedak & Brown LLP), for audit services and extend the current contract for an additional two (2) years.

Result:	Adopted by Roll Call Vote
Motion/Second:	Paule/Botello
Ayes:	Bilodeau, Botello, Gardner, Hall, Paule
Nays:	None
Abstentions:	None
Absent:	None

**D. SANTA ANA RIVER MITIGATION BANK UPDATE (CM#2025.11)**

Jeff Mosher provided a presentation on the Santa Ana River Mitigation Bank update, contained in the agenda packet on pages 69-94.

Mr. Mosher provided a brief overview of the Santa Ana River Mitigation Bank, which is managed by Riverside County Parks, explaining its purpose, goals, and how the funding was originally sourced. The bank generates revenue through the sale of credits used for

mitigation projects in the watershed. There are currently 48 credits remaining, representing approximately \$2 million in potential funding. Historically, these credits have primarily been used for invasive species management, particularly Arundo removal, but we are exploring the possibility of expanding their use to address other invasive species in the watershed.

The bank's original funding source comes from the Proposition 13 State Water Board grant, which allowed SAWPA to purchase 100 credits from the Riverside County Mitigation Bank in 2004, at a cost of \$40,000 per credit. Since then, a total of 52 credits have been sold between 2004 and 2015, and there have been no sales since then. This raises questions about how to effectively utilize the remaining credits and revenue.

The current agreement with Riverside County Parks stipulates that we receive approximately \$44,490 for each credit sold, minus a 2% administrative fee. One ongoing project funded by these credits is the Inland Empire Resource Conservation District's Arundo removal project, which received \$150,000 in funding from the bank and is set to run through 2027.

Currently, SAWPA holds \$670,000 in mitigation bank funding, and the value of the remaining credits is around \$2 million. This gives us a total of \$2.7 million in available funding for Arundo removal and possibly other invasive species mitigation efforts. We are exploring the possibility of generating revenue from the sale of the remaining credits and are in discussions with the Santa Ana Watershed Association (SAWA) to purchase 32 of the credits. This would generate \$1.4 million in revenue, which we plan to use for future mitigation projects. Additionally, we are considering requesting the remaining credits back from Riverside County Parks, which would be about \$643,000 in funding.

The reason for requesting the funding now is due to the ongoing challenges with invasive species like Arundo, and the fact that the credits have not been sold since 2015. We believe it is important to utilize the funds for their original purpose and take advantage of the opportunity to address ongoing mitigation needs in the watershed. While we could leave the remaining credits in the bank and wait for a buyer, there is no certainty about when that might happen.

Commissioner Botello asked what is the upside of doing nothing and leaving the bank as is? Mr. Mosher noted that the credits could be left alone, and the upside is that the developers that need mitigation credits could be purchased. Commissioner Paule raised a concern that there is a dollar amount that has been sitting in the bank since 2015, which means it has not grown or earned any interest over the years.

Commissioner Botello noted that we are not the only ones doing Arundo removal and are we connecting with everyone to make sure we are not replicating the work? Mr. Mosher said that we are considering the possibility of developing a regional collaborative effort for invasive species management. This would allow SAWPA to coordinate with other stakeholders across the watershed and leverage additional funding and resources. A key goal is to optimize Arundo removal efforts and expand the scope of the project to address other invasive species. A collaborative effort could help ensure that projects are aligned and not duplicated, making the most effective use of available funding. A potential list of partners who could be involved in this collaborative effort, including other member agencies, non-profit organizations, conservation districts, and local government entities was referenced and Mr. Mosher noted that staff anticipate continuing engaging with these groups to build consensus around the best approach for invasive species management.

Commissioner Botello referenced the list of potential collaborators on page 82 of the agenda packet and noted that the list is quite comprehensive, which is great. However, he suggests adding a recommendation to include an advisory from a Native American

representative, especially since we will be working within the watershed area, which has a traditional presence. Commissioner Botello also noted that ESRI is doing some incredible work with drone technology and mapping, specifically focusing on the Santa Ana area, and given their expertise and innovative approach, they could be a valuable partner for this project.

Commissioner Bilodeau asked what is the primary method used for Arundo removal, is it glyphosate? Mr. Mosher noted that the method that is used is if it is a large stand of Arundo, that may require more heavy-duty methods like bulldozers. For smaller stands, such as those in the upper watershed, pesticides are still one of the tools for eradication, but they are not the only method.

Commissioner Bilodeau noted that it is important to note that there is a policy decision at OCWD to stop using glyphosate due to the litigation surrounding it, as well as its classification as a potential human carcinogen. We want to avoid using it, especially in large doses within the Santa Ana River watershed, given that it may eventually become part of the drinking water supply.

Chair Mike Gardner noted that the list of potential participating agencies is a sample and not an exclusive list. It represents our current understanding of the key players involved, but we recognize that it could be expanded. For instance, the City of Riverside conducted a significant Arundo removal project about 10-15 years ago, which was done through their fire department. While Riverside Fire is no longer involved, other Riverside agencies are still active and just wanted to ensure that we are not limiting ourselves, as there may be other potential partners or agencies that designate a representative and have not considered.

This item was for information and discussion purposes; no action was taken on Agenda Item no. 6.D.

**E. UPDATE ON BASIN MONITORING TASK FORCE – BASIN PLAN AMENDMENTS (CM#2025.12)**

Rachel Gray introduced Tess Dunham of Kahn, Soares & Conway, LLP, and she provided a presentation on the Update on Basin Monitoring Task Force – Basin Plan Amendments, contained in the agenda packet on pages 103-109.

Ms. Dunham provided an overview of the Basin Monitoring Program (BMP) Task Force and noted that the BMP consists of water and wastewater agencies from across the watershed. Many of these agencies discharge recycled water into the Santa Ana River, which is then used for drinking water purposes in Orange County, among other uses. The task force focuses on managing salt and nutrients in the region, working to protect both surface water and groundwater resources, including the designated groundwater management zones throughout the area.

The Santa Ana Region Water Quality Control Plan (Basin Plan) serves as a regulatory framework under both the State Porter-Cologne Water Quality Control Act and the Federal Clean Water Act. The Basin Plan outlines water quality standards, identifying the beneficial uses of the region's waterways and setting water quality objectives to preserve these uses. The Basin Plan also includes various control programs aimed at maintaining water quality throughout the region, and it has evolved since its inception in the mid-1970s.

The plan is an essential tool for the Regional Water Quality Control Boards and has regulatory implications, particularly regarding permits for water and wastewater activities. It plays a critical role in regulating discharge into the Santa Ana River and the application of recycled water.

The Salt and Nutrient Management Program was introduced as part of an extensive update in 2004 to manage salt and nutrients in both surface water and groundwater, ensuring that water quality objectives were met. The Santa Ana Region has been recognized as a leader in this field, and its approach has been modeled by other regions. Since the 2004 update, various amendments have been made to align with evolving needs and regulatory requirements. However, some outdated language and procedural gaps have emerged, requiring clarification through new Basin Plan amendments. The key amendment under consideration focusses on Clarifications of Water Quality Objectives, Implementation Updates, Revisions to Compliance Measures, Reflecting Changes in Regulatory Practices, and Updated Implementation of Waste Load Allocations.

Ms. Dunham noted that these amendments aim to be non-controversial and clarifying in nature, helping to ensure that the original objectives of the Basin Plan are preserved and that it reflects the current regulatory landscape. In addition to these technical adjustments, the amendments will also provide updates on other sources of total dissolved solids (TDS) and nitrogen to groundwater, including agricultural practices and dairy operations in the region, which will be incorporated into the Salt and Nutrient Management Plan. The plan's alignment with the State's 2019 Recycled Water Policy will be officially updated, reflecting the Region's commitment to meeting the new regulatory standards set forth by the state. This process ensures the continued protection of water quality in the Santa Ana Region, aligning the Basin Plan with contemporary practices and needs for sustainable water management.

To provide the Regional Water Board with language and an amendment for their consideration, the process begins within the Basin Monitoring Task Force. Initially, working with the task force members and circulating drafts of the proposed amendments to review and provide feedback. Once feedback from the task force is collected, staff collaborate with the Santa Ana Water Board. They have specific steps required for any Basin Plan amendment, including tribal consultation, CEQA requirements, and appropriate notices.

Once the task force is satisfied with the draft amendments and all supporting documents staff work with Regional Water Board staff to finalize, staff will then present it to the Regional Water Board for adoption. Before that, the proposal undergoes management and legal reviews, but the staff rely heavily on the task force and other stakeholders to ensure that the amendments reflect the priorities and needs of those within the watershed.

This item was for information and discussion purposes; no action was taken on Agenda Item no. 6.E.

## **7. INFORMATIONAL REPORTS**

Recommendation: Receive for Information.

### **A. COMMUNICATIONS REPORT**

### **B. GENERAL MANAGER REPORT**

Jeff Mosher noted that he attended the California Association of Sanitation Agencies conference in Palm Springs, and one of the key topics of discussion was PFAS, particularly how it ends up in biosolids. Since our brine line flows through OC San treatment, the PFAS does make its way into their biosolids as well. We are currently in contact with them to understand their plans for managing this issue. They are exploring various options for addressing PFAS in their processes.

Additionally, he will be attending the CALDESAL conference in Temecula, where he will be on a panel discussing the use of the brine line for salinity management and is looking forward to exchanging insights on that topic with other experts.

Mr. Mosher also noted that the Climate Adaptation and Resiliency Plan Request for Proposals received 11 proposals. Staff are currently reviewing the proposals and will be bringing a recommendation to the Commission soon for approval of the selected consultant.

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

Chair Gardner stated that it is an honor to serve as the Commission Chair.

**D. COMMISSIONERS' COMMENTS**

Commissioner Botello congratulated Chair Mike Gardner on his appointment and noted that at the last meeting, the strategic planning process was discussed, and he wants to make sure the Commission is included in the discussions moving forward. He understands that a consultant was hired though he would like to review the current vision and mission for the plan and requested a copy of it. Commissioner Botello requests that this commission be actively involved in the process and suggested holding a workshop to discuss the details, allowing them to engage directly with staff on where the agency is headed in terms of its strategic plan. It is important for there to be a collaborative dialogue about the agency's future direction.

Mr. Mosher noted that staff are currently working on a strategic planning effort, and we're having ongoing discussions with the member agencies, especially the General Managers, who have shown strong interest, and the strategic planning effort will be commission driven. The next step involves finalizing the plan. We are still in the process of selecting a consultant and are revising the scope based on the input we received from both the Commission and the General Managers.

Commissioner Paule noted that part of the CALDESAL event is the Eastern Menifee project, and it is a great example of using brackish groundwater to serve the community, and it is impressive that it provides clean water to around 17,000 homes and encouraged everyone to attend.

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

Commissioner Hall requested an update on the Basin Plan schedule and the overall effort to ensure that we are maintaining an updated plan. Additionally, she would appreciate an update on how SAWPA is collaborating with the various agencies concerning the homeless encampments along the Santa Ana River. Specifically, in any new reports on the impacts of the waste from these encampments and whether they have affected any of our monitoring reports. Are we seeing improvements in our partnerships, and do we have any updated information on the situation? Any current data would be helpful, especially as we anticipate upcoming rain events in the area.

Chair Gardner noted that different agencies have their own local rules regarding homeless encampments and camping, which creates a challenge in coordinating efforts. Each jurisdiction has its own set of rules for what is and is not allowed, and this discrepancy can make it difficult for neighboring agencies to work together effectively. Because of these differences in local laws, it is difficult for agencies to collaborate on a broader scale. While there is a desire to work together, it often is not prioritized highly enough across jurisdictions to create an effective coordinated effort.

**8. CLOSED SESSION**

There was no closed session.

**9. ADJOURNMENT**

There being no further business for review, Chair Mike Gardner adjourned the meeting at 10:36 a.m.

**Approved at a Regular Meeting of the Santa Ana Watershed Project Authority Commission on Tuesday, February 18, 2025.**

Signed by:



5A14B5BF41D7AF4C0...

Mike Gardner, Chair

Attest:

DocuSigned by:



722360038ACC422...

Sara Villa, Clerk of the Board